1) State of play de jure and in practice

The constituent acts of thirty agencies foresee the establishment of an annual work programme. CPVO and OHIM prepare an annual work programme even if it is not provided for in the founding regulation. EUROJUST establishes each year a work programme and an annual management plan, although its constituent act does not foresee it. In most cases, the Director prepares the draft annual work programme, which is then approved by the Management Board.

In eight agencies the Commission is consulted on the draft annual work programme.

In 12 cases the annual work programme is adopted after receiving the Commission's opinion.

The Commission's agreement is necessary before the annual work programme of CEDEFOP and EUROFOUND can be approved. Furthermore, in the case of EUROFOUND the annual work programme shall explicitly take account of the opinion of the European Economic and Social Committee.

Eleven agencies' founding regulations do not specify the role of the Commission concerning the adoption of the annual work programme. In this case there are often informal consultations between the agency and the parent DG.

ETF and CEDEFOP have a joint annual work programme annexed to the annual work programme of each of the two agencies.

Among the agencies for which the founding regulation requires the Commission's opinion for adoption of an annual work programme, four agencies are also required to adopt a multiannual work programme. Among the agencies whose legal basis does not require the Commission's opinion, four agencies are also required to adopt a multiannual work programme.

The annual work programme links to the wider Activity Based Management (ABM) approach. ABM provides a conceptual framework allowing a coherent integration of the planning, budgeting, management, and reporting processes. Therefore, defining objectives,

---

1 The exceptions are: CPVO, OHIM, EUROJUST
2 ACER, Agency for Operational Management of SIS II, VIS and EURODAC (as per Commission proposal), EASO, EFSA, EIGE, EU-OSHA, CEPOL
3 When the work programme is adopted in consultation with the Commission, in general, a letter is sent by the Director General of the parent DG to the agency, expressing its position.
4 CFCA, EASA, EEA, EMCDDA, EMSA, ENISA, ETF, ERA, FRA, FRONTEX, GSA, EUROPOL
5 The Commission's opinion is a non-binding act of the Commission adopted by the College or by a Commissioner empowered by the College.
6 The provision “in agreement with the Commission” in most cases refers to taking into account the views expressed by the Commission representative at the meeting of the Management Board during the preparation of work programme.
7 BEREC Office, CDT, CPVO, ECDC, ECHA, EMA, OHIM, EDA, EUSC, ISS, EUROJUST
8 EEA, EMCDDA, ETF, FRA
9 EAR, EFSA, EU-OSHA, EIGE
setting priorities, allocating resources, planning work as well as monitoring and reporting on results achieved are processes within one framework with a common denominator.

The Activity Based Budgeting (ABB) is the budgetary component of ABM, the purpose of which is to ensure that the resources allocation process is consistent with the political priorities and managed consistently with the pre-defined objectives. Furthermore, ABB is a tool to systematically assess the real costs of each policy and put them in relation to the results achieved and to the benefits to society. For further information on ABB, please refer to Fiche 21.

Even if the agencies' founding regulations do not specify the management model to be followed, the Commission has advised the agencies' Management Boards to follow the Commission's management approach (ABM/ABB) and to adopt the same rules for establishing their management instruments.

2) Critical analysis of the issue at hand

Role of the Commission in the adoption of the work programmes

The annual work programme is the key document for establishing the agency activities in the framework of the ABM model. It is also the main instrument for ensuring compliance with the objectives, mandate and tasks of the agency, as defined in the basic act.

Experience shows that the work programme has proved to be a valuable tool in order to enhance coherence and complementarity of agencies' activities vis-à-vis EU policies, since the work programme is generally submitted to a process of consultation with the Commission. However, the way this consultation takes place is quite uneven across agencies, as in some cases the Commission is consulted at DG level, in others the annual work programme is adopted after receiving the Commission's opinion, i.e. the opinion of the College, while for a couple of agencies the Commission agreement is necessary before the annual work programme can be adopted. These different arrangements, which have consequences on the specific role of the Commission in respect of work programmes, but also on agencies' governance overall, are not determined in light of the type of activities carried out by agencies. On the contrary, they rather seem to have been fixed on a case by case basis, thus without any coherence at agencies' system level. A balance must be struck between the need to respect agencies' autonomy, which is better ensured when the Commission provides its (non binding) opinion on the work programme, and the obligation for the Commission to exercise its supervisory role on agencies.

Work programmes in the context of ABM

Experience shows that, in general, agencies achieve the objectives set in their work programmes. However, this is mainly true with reference to outputs. In fact, while many agencies apply Activity Based Management instruments either fully (12 agencies) or in part (9 agencies), the analysis of the agencies’ main tasks shows that almost none of them are expressed in measurable objectives and performance indicators. Indeed, in spite of the provisions included in the agencies' framework financial regulation, which foresee that the

---

10 Evaluation 2009, Volume II, point 2.4.3, p. 72
11 Through the Commission representative on the Management Board
12 Whether at DG level or through a decision of the College
13 Evaluation 2009, Volume II, point 2.5.1, p. 83
14 Article 25, paragraph 3 of the agencies’ framework financial regulation states: "Specific, measurable, achievable, relevant and timed objectives shall be set for all sectors of activity covered by the budget."
achievement of set objectives shall be monitored by indicators, in practice agencies use indicators mainly for the deployment of input (input is defined as human and financial resources allocated to a programme or activity) and to some extent to demonstrate the delivered outputs (output is defined as the results which the organisation's activities deliver to users and stakeholders, e.g. proposals, reports, studies, number of grants financed etc.). Several agencies are making an effort to develop results-based performance indicators, usually connected to their activity-based management systems, but actual use of such indicators is still rare.\textsuperscript{15,16} As a result, the extent to which targets have been met, as well as the impact of the agency’s work are seldom covered in the activity reports\textsuperscript{17}. Thus, the possibilities for monitoring performance by both the Management Boards and the budgetary authority are limited.\textsuperscript{18}

Agencies' work programmes usually provide little precise information concerning the resources to be allocated to the various actions and the results expected.\textsuperscript{19} However, over the past few years work programmes show a more exact indication of the resources to be used for each specific action, compared to the past. This link should be reinforced and become systematic. A link should also be made with the Multiannual Staff Policy Plans provided each year by the Agency to the Budgetary Authority.

**Annual work programmes and multiannual planning**

Where the agency has a multiannual programme, its structure is barely reflected in the agency’s annual programmes. Furthermore, often the structure of the successive annual work programmes has not been sufficiently stable to allow comparisons from one year to another. Yet, stability in the structure of the programming documents is one of the cornerstones of results appraisal because the measures that are taken are very often of long duration.\textsuperscript{20}

---

\textsuperscript{15} Evaluation 2009, Volume II, point 2.7.3, p. 126
\textsuperscript{16} However, while it is relatively easy to report on the resources deployed or the work accomplished within the space of a year, it is more difficult to report on impact, as one year often proves to be too short a period for a large number of measures. In this respect, the importance of the \textit{ex ante} evaluations and the multiannual programmes needs to be emphasised (see CoA, point 28, p. 22)
\textsuperscript{17} Although it should be underlined that for agencies providing input for policy makers, impact indicators are very difficult to determine by definition.
\textsuperscript{19} CoA Report, point V, p. 5
\textsuperscript{20} CoA Report, point 15, p. 17