



**DECISION No MB/2023/11
OF THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR
CYBERSECURITY (ENISA)**

On Modifying the Establishment Plan 2023

THE MANAGEMENT BOARD OF ENISA,

Having regard to

- Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act)¹, in particular Article 15.1.(c), Article 24.3., Article 24.4., and Article 29.7;
- Decision No MB/2019/8 on the Financial Rules applicable to ENISA in conformity with the Commission Delegated Regulation (EU) No 2019/715 of 18 December 2018 of the European Parliament and of the Council, in particular Article 38;
- Commission Communication C(2020) 2297 final of 20 April 2020 on the guidelines for single programming document for decentralised agencies and the template for the Consolidated Annual Activity Report for decentralised agencies;
- Decision No MB/2022/14 adopting the Single Programming Document (SPD) 2023-2025, the statement of estimates for 2023 and the establishment plan for 2023.

Whereas:

1. The Management Board with the MB Decision 2022/14 had endorsed the Single Programming Document (SPD) 2023-2025, the statement of estimates for 2023 and the establishment plan for 2023.
2. The Executive Director informed the Management Board at its meeting held on 16 and 17 November 2023 about the Agency's need to modify the establishment plan 2023 in line with provisions laid down in Art. 38 (1) of the MB Decision 2019/08 on the Financial Rules applicable to ENISA so as to fulfil the reclassification exercise 2023. The Agency confirms that the conditions foreseen under this legal framework are met.
3. The Agency had identified the need to modify the distribution of grades in the 2023 Establishment Plan (EP 2023) so as to enable the Agency to reclassify a staff member who is currently on the AST 7.

¹ OJ L 151, 7.6.2019, p. 15-69

4. It is proposed to increase one temporary agent post to AST8 and decrease one temporary agent post to AST7. In order to implement the changes and to compensate the associated budget increase, it is proposed to decrease of one temporary agent post AST7 and increase one temporary agent post TA AST6.

HAS DECIDED TO

Article 1

Modify the Establishment Plan 2023 as set-out in the Annex 1 of this decision.

Article 2

The present decision shall enter into force on the day of its adoption. It will be published on the Agency website.

Done by written procedure on 24 November 2023.

On behalf of the Management Board

Fabienne Tegeler

Chair of the Management Board of ENISA





ANNEX 1 - SUMMARY OF CHANGES IN THE ESTABLISHMENT PLAN & BUDGET IMPACT

According to the provisions laid down in Art. 38(1) of the Agency Financial Regulation on the establishment plans for staff:

“The establishment plan referred to in Article 32(4) shall show next to the number of posts authorised for the financial year, the number authorised for the preceding year and the number of posts actually filled. It shall constitute an absolute limit for the Agency. No appointment may be made in excess of the limit set. However, save in the case of grades AD 16, AD 15, AD 14 and AD 13, the Management Board may modify the establishment plan by up to 10 % of posts authorised, subject to the following conditions:

- a) the volume of staff appropriations corresponding to a full financial year is not affected;
- b) the limit of the total number of posts authorised by the establishment plan is not exceeded;
- c) the Agency has taken part in a benchmarking exercise with other Union bodies as initiated by the Commission’s staff screening exercise.”

For the purposes of implementing 2023 reclassification exercise, the Agency confirms that the conditions foreseen in the Art. 38 (1) of the FR are met, i.e.,

1. *the volume of staff appropriations corresponding to a full financial year is not affected;*
The requested changes remain budgetary neutral as the increase of slot in certain grades is counterbalanced by a reduction of slot in other grades as illustrated in the table above, preventing an impact on the volume of the salaries budget. The verification of the budget neutrality has been performed based on average staff costs.
2. *the limit of the total number of posts authorised by the establishment plan is not exceeded;*
The 10% of flexibility is respected, as the 2 changes (i.e. 1 slot increase mitigated by 1 slot decrease) stand for 2% of the total EP 2023 posts and the total number of posts remains the same (82);
3. *the Agency has taken part in a benchmarking exercise with other Union bodies as initiated by the Commission’s staff screening exercise.”*
The Agency performed an internal staff screening exercise and reported the outcome in its Consolidated Annual Activity Report 2022.

The request to apply the flexibility rule does not entail a request for additional posts but a mere reshuffling of slots in the EP 2023 within the different grades, while remaining budgetary neutral. Below is the summary of the requested changes, i.e., increases and respective compensations.

- Increase of 1 TA¹ AST8 slot and decrease of 1 TA AST7 slot

¹ Temporary Agent post



In order to implement the changes above the Agency needs to compensate the associated budget increase by doing the following additional operations, respectively:

- Decrease of 1 TA AST7 and increase of 1 TA AST6.

The following table shows the use of the flexibility clause in the EP 2023 to implement the changes captured above. It flags the needs, the intended changes as well as the compensations. Finally, it shows the amended EP 2023 as a result of the requested modifications.

Function group and grade	Year 2023		REQUESTED CHANGES				Year 2023	
	Establishment Plan		NEEDS		BUDGET COMPENSATION		Amended Establishment Plan	
	Perm. Posts	Temp. posts	Perm. Posts	Temp. posts	Perm. Posts	Temp. posts	Perm. Posts	Temp. posts
AD 16	-						-	
AD 15	-	1					-	1
AD 14	-	-					-	-
AD 13	-	2					-	2
AD 12	-	4					-	4
AD 11	-	2					-	2
AD 10	-	4					-	4
AD 9	-	11					-	11
AD 8	-	25					-	25
AD 7	-	10					-	10
AD 6	-	4					-	4
AD 5	-						-	
AD TOTAL	-	63	0	0	0	0	-	63
AST 11	-						-	
AST 10	-						-	
AST 9	-						-	
AST 8	-	2		1			-	3
AST 7	-	4		-1		-1	-	2
AST 6	-	7				1	-	8
AST 5	-	5					-	5
AST 4	-	1					-	1
AST 3	-						-	
AST 2	-						-	
AST TOTAL	-	19	0	0	0	0	-	19
GRAND TOTAL		82	0	0	0	0		82



-	82	10% authorised posts	8
82		number of changes	2