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Towards a **new normal**

Flexibility, collaboration,
and community at the EPO

DRAFT

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1. Foreword

Over the last year or so, scientists and researchers around the world have applied themselves to developing solutions to one of the greatest challenges of our time - and quite possibly of recent generations. Indeed, the scale of the COVID-19 pandemic has brought changes to the lives of nearly all of us, regardless of where we are, or what we do.

At the European Patent Office (EPO) our role is to support those scientists and researchers – and all others seeking robust patents – with the highest quality products and services. By doing so, we are helping to encourage investment in innovation and research and disseminate extensive patent information that supports a continually advancing line of technological breakthroughs. Those breakthroughs ultimately help to create a safer, smarter, and more sustainable world – a goal we have all striven towards with renewed purpose in the light of the pandemic.

I am immensely proud of the EPO's staff for their efforts throughout a tremendously demanding time. Similarly, everyone here at the EPO is grateful to our stakeholders for their support and flexibility. Thanks to this joint effort, I believe we continued to fulfil our mission and proved capable of maintaining our support for the innovation community. That was not always easy. Over the course of last year, the pandemic ushered in sweeping changes that not only transformed the way we interact socially, but also the way we organise ourselves, how we travel and how we work.

These changes present potential opportunities for long-lasting, positive change. New digital workflows, for example, led to a reduction in paper consumption of some 58.6 million sheets in 2020 versus 2019. As witnessed in many other organisations, our CO₂ emissions from business travel also tumbled by 91% in 2020 compared to 2019. Online meetings have allowed colleagues at separate sites to collaborate more often; and I, myself, have met with just over 2000 staff online since the pandemic began. Our Office's transparency and accessibility has increased, attracting a rising number of attendees to online conferences, and online public oral proceedings at the opposition and appeal stages. And colleagues throughout the EPO have explored the possible benefits of a more flexible approach to the traditional concept of a workplace and working hours.

Some of the changes seen are unlikely to be temporary. As a result, we now have a responsibility to investigate and assess the rapidly changing societal and business landscape and do our best to find a way forward. We owe it to our users and to the innovation community to ensure that our Office can continue to operate and deliver high-quality patents. We owe it to our staff to keep them safe and engaged, regardless of the status of lockdowns or rules in our host countries.

We also have a responsibility to all our stakeholders to ensure we make the changes that will allow our Office to be sustainable. This was, and remains, the main aim of the Strategic Plan 2023 (SP2023). Its goals are still valid. But we now know that there are some aspects of our planning that have to be accelerated or adapted to ensure the EPO can continue to honour its commitment to excellence, despite the pace of change around us.

This document assesses the areas where we see a need to enhance our efforts, to turn those aims into a reality and ensure that the EPO remains one of the world's leading IP offices. In this respect, it complements the Strategic Plan 2023 (SP2023) by taking account of a landscape that has changed significantly since SP2023 was published back in June 2019. The aim of the Strategic Plan was - and continues to be - sustainability. But we will only achieve true sustainability, if our Office is able to understand the implications of the new normal – as far as is possible at this stage - and then adapt ourselves successfully.

In writing this document, we have therefore tried to be aspirational based on what we know so far. However, we are aware that the ramifications of the crisis are yet to be fully understood. The pandemic itself is still evolving constantly in its nature and intensity. So this document represents our assessment of how our Office could develop based on the lessons learnt up to this moment in time. Those lessons learnt have told us what the future may look like. But they do not tell us what the future will look like. Just as the crisis itself has evolved, it is entirely possible that this document will too. And if further changes are required, I believe that we will be able to make them efficiently. If the past 15 months have taught us anything, it is that we can respond effectively, that we can adapt quickly, and that even extensive transformation is not beyond us when we work together in pursuit of common goals.

Some parts of this document are more developed than others, and we have taken a measured approach to making new proposals. This is naturally the result of complexities that arise from our status as an international organisation, with around 6 600 staff drawn from 38 member states, and located in four host countries. Concretely, more detailed proposals will follow where required, which take careful consideration of our obligations to our staff and our member states, and any related legal considerations. However, we have expounded the vision as far as possible and wherever possible.

So far much of the insight for that vision, and the identification of areas where we need to progress, has come from our own staff. They have been 'in the thick of it' on a daily basis, facing rapid change and all the issues that brings. Their feedback gathered in a recent survey - with an 86% participation rate and over 40 000 comments – is a knowledge-rich resource for taking our organisation forward.

Despite the wide variety of views on specific topics, two themes of crucial importance have emerged if the EPO is to remain a leading patent office, capable of delivering for its users: flexibility and collaboration in an increasingly digital environment. The EPO's staff have spoken clearly about their need for greater flexibility in their working arrangements. Yet at the same time, they have expressed their desire to work more closely together, and to maintain and enhance their sense of belonging to the EPO community. These views should already be reflected in this document, although all colleagues in the Office are warmly invited to comment further on its contents.

We also want to invite our other stakeholders such as our member states and our users to give us their views on this document. This will ensure that the journey started with SP2023 remains a shared journey; even though the route ahead may now have to be adapted. And in doing so, I have every confidence, we will be able to balance the needs of all our stakeholders and transition successfully towards a new normal.

António Campinos

President of the European Patent Office

2. Introduction

2.1 The COVID-19 outbreak

At the beginning of 2019 the European Patent Office embarked on a path to become a more adaptable and sustainable organisation. Based on extensive stakeholder feedback, five goals were developed to achieve this vision, and set out in its Strategic Plan 2023 (SP2023). After the Administrative Council adopted the plan in June 2019, the Office began creating the structures and tools that would support its smooth implementation.

By the end of 2019, the Office had laid the foundations to start making solid progress on the plan. A Corporate Governance Service (CGS) was put in place to support the programmes and projects rolled out under each of SP2023's five goals. The Office underwent an extensive reorganisation to create flatter structures and facilitate faster and better decision-making. After an IT audit revealed a pressing need to forge ahead with digital transformation, staff working in the Office's newly created Business Information Technology (BIT) service underwent a rapid transformation. This included the upskilling of staff and the introduction of modern methodologies for development and deployment of IT tools.

The Office was also increasingly on target in its core business by the end of 2019 too. Thanks to high productivity levels, staff successfully managed to handle a record number of around 181 000 patent applications. Timeliness was also improving, particularly in search where it took the Office just 4.4 months on average to deliver a search with written opinion. The EPO's classification backlog also hit almost zero. The quality of the Office's patents continued to be ranked number one among the IP5 and there was an upward trend in the Office's audit compliance, with classification and search audits achieving all-time highs at 96% and 97.6% respectively.

However, just six months into the Strategic Plan, at the beginning of 2020, the COVID-19 outbreak began to spread and the Office put together a crisis team to respond to the evolving situation at the end of January. By the time the crisis was declared a global pandemic by the World Health Organisation in March 2020, the Office's crisis response group had already been established for nearly two months. The team included senior management figures, such as members of the EPO's Management Advisory Committee, as well as those with operational responsibility for areas particularly relevant to managing the crisis, such as Health and Safety. At crisis team meetings, sometimes held on a daily basis, strategic decisions were taken to adapt the Office's operations to a rapidly changing environment that was largely defined by the need to socially distance.

2.2 Adapting the Office's operations

The Office quickly established its priorities: to protect the health and safety of its staff and visitors, thereby ensuring it played its part in society's efforts to mitigate the spread of the virus, and to provide business continuity for EPO users. A range of measures was put in place to achieve these goals and to support staff, users, and other stakeholders.

Greater flexibility and support for staff

From the beginning of March 2020, staff were given greater flexibility in choosing where, when and how they worked. All staff were encouraged to work remotely where possible, although the Office remained open for those unable to work from home. To help staff achieve a healthy work-life balance, core hours were lifted, the availability of IT systems was extended, and staff were allowed to work from any EPO member state. The EPO's IT services accelerated the rollout of some 5 800 laptops to support teleworking in 2020. Staff could order further equipment for their home offices including desks, chairs, widescreen monitors and other equipment. Over 2 100 chairs were delivered before the close of the year, as well as almost 690 desks and 4 650 ultra-widescreen monitors. Staff were also permitted to take any other existing equipment from their EPO offices to their homes. New digital workflows for search and examination were also rolled out and the launch of our new Patent Workbench covering all key interactions between examiners and formalities officers was accelerated.

Supporting users

Given the pressure exerted on users by the pandemic, the Office took a number of measures to offer them additional support. The Office published notices drawing attention to the legal remedies available under the European Patent Convention (EPC) and the Patent Cooperation Treaty (PCT) in cases of non-observance of time limits. In addition, it announced a general extension of periods for all parties and their representatives until 2 June 2020, in view of the general dislocation in services and public life. Moreover, the Office allowed users to delay their payment of renewal fees for up to three months (ending on 31 August 2020) at no extra cost. This helped to ease the financial burden on applicants when the COVID-19 crisis intensified in the first half of the year.

The Office quickly switched to oral proceedings in examination via video conferencing by default, to protect the health of all those involved while ensuring business continuity and adhering to travel restrictions. A pilot on conducting oral proceedings in opposition via video conferencing was subsequently launched in May 2020. In November the Office decided to expand and extend this pilot to make it the default option for users as of 11 January 2021, in order to safeguard access to justice.

Supporting society: the value of continuity

These measures ensured that the EPO could still support its staff and users, while pursuing its mission to deliver high-quality patents and efficient services. During the pandemic, that mission became more critical than ever. At the beginning of July 2020, the Office launched a new "Fighting Coronavirus" platform. It offers scientists and decision-makers support in their search for solutions to combat the virus by helping them to identify the most relevant documents and innovations in these technical fields. Datasets compiled by EPO patent examiners and data analysts covered: vaccines and therapeutics; diagnostics and analytics; informatics; and technologies for the new normal. The platform reflects the patent system's broader role of promoting investment in research and development, that brings medical breakthroughs and related technologies to fight infections such as COVID-19.

Over the course of the pandemic, European economies and others around the world started to weaken. Innovation, supported by the EPO and patent offices worldwide, may well help national economies to pull out of recession. Studies show that IPR-intensive industries contribute significantly to economic growth. Industries that make intensive use of intellectual property rights (IPRs) such as patents, trademark, industrial designs and copyright, generate 45% of GDP - or EUR 6.6 trillion - in the EU annually and account for 63 million jobs, or 29% of all jobs¹.

They also drive economic recovery by proving to be more resilient to economic shocks. Statistics from 2011-2013 show that, even during a severe financial crisis and recession in much of Europe, the IPR-intensive sectors coped better with the difficult conditions than the rest of the economy. Despite experiencing serious challenges, these industries will remain the engine of European growth in the years to come. So ensuring business continuity at the EPO, and supporting these industries, plays a central role in driving economic recovery and supporting medical innovation to fight COVID-19.

2.3 Input for the new normal

At a strategic level, and after the first year of implementing SP2023, the Office undertook a “lessons learnt” exercise. The plan is ambitious in scope, and a large number of initiatives were launched simultaneously. The review provided an opportunity to scrutinise the feasibility of continuing to roll out multiple programmes and projects in the face of the COVID-19 crisis, leading to some consolidation among the 150 projects previously defined. As a result, the Office adopted a pipeline approach. This approach uses forward planning based on a clear timeline, to help the Office manage and prioritise the delivery of its most urgent and strategically important goals in a transparent manner, showing exactly what to expect and when. A patent grant process (PGP) pipeline and IT corporate pipeline were published in October 2020, and the EPO is also defining pipelines in other areas such as human resources policies and activities.

Staff feedback also constitutes an invaluable source of input for transitioning to a new normal. Since March, approximately 85% of staff have been teleworking and experiencing the challenges and opportunities of working remotely in a more digital environment on a daily basis. To gauge their views, two comprehensive staff surveys were carried out in the course of 2020 in March (Strong together - working during COVID-19, see Annex I) and September (‘Shaping the New Normal survey’, see Annex II) respectively. The survey results represent an extensive source of insight into the experiences of individual colleagues and the organisation as a whole.

While the first survey focused primarily on staff well-being, the second survey sought to build a more comprehensive picture of the concerns and hopes of staff, as well as their aspirations for the future. It invited staff to share their views on topics such as future teleworking (e.g. different schemes, locations and durations, the relationship between long-term teleworking and expatriation benefits, and the impact of extended teleworking and flexibility on the performance of daily tasks). They were also invited to give their views on working at the Office’s different sites and the future use of its buildings and premises. A total of 5 554 staff members participated in the second survey - or 86% of all staff - and provided over 40 000

¹ IPR-intensive industries and economic performance in the European Union, EPO – EUIPO, 3rd Edition, September 2019, retrieved www.epo.org

comments, indicating a high level of engagement in the future of work at the Office. The comments received in the survey were grouped by topic and shared with the departments responsible for evaluating them (HR, DG1, BIT etc). In each case, the departments grouped the comments by subject, and assessed the proposed actions. The result of their analyses formed the basis of this document.

Within the various views expressed, there were two recurring themes. Firstly, staff expressed the desire for greater flexibility in their working arrangements, in terms of where and when they work. Secondly, they expressed concerns over their ability to maintain close collaboration in a remote working environment and with colleagues working from different locations. Linked to this, the survey highlighted staff's desire to maintain cohesion and a shared sense of belonging. So the survey results indicate that any vision of the new normal should foresee measures that make the EPO a more flexible and collaborative organisation, while encouraging a strong sense of community. A central aspect of the EPO's efforts to create greater flexibility would be an extensive teleworking framework that offers more options to staff and builds upon previous teleworking schemes at the EPO.

3. Teleworking

The ability to telework has emerged as the backbone of the Office's efforts to manage the pandemic. It has contributed to staff health and safety by enabling social distancing and helping EPO staff to minimise their movements and the associated risk of spreading infection in society. Furthermore, the ability to telework has allowed services for users to continue, even though staff were not located on office premises.

While this ability to telework depended largely on the agility, resilience and adaptability of staff, and the rapid roll out of IT equipment, it was also facilitated by the EPO's experience with its previous teleworking schemes. The EPO originally introduced part-time home working (PTHW) in 2012. After seven years of operation, and with over 36% of staff participating in the scheme, the successful PTHW scheme was complemented by a pilot ad hoc teleworking (AHTW) scheme that allowed staff to work away from their normal residence and in other EPC member states for a limited number of days per year. The lessons learnt from the two schemes ensured that the Office was able to quickly develop and release a new set of emergency teleworking guidelines in March 2020, which provided a clear framework for all staff to be able to telework during the pandemic.

Based on their experience of teleworking, EPO staff provided feedback in the "Shaping the new normal" survey. Four 'work preference personae' in the Office emerged, showing a roughly four-way split in the extent to which EPO staff want to telework in the future. Specifically, 22% of staff want to telework on a full-time basis; 30% of staff wish to telework 3 to 4 days per week; 23% of wish to telework 1 to 2 days per week; while 23% wish to be mainly or fully Office based (2% made no choice). Overall, the majority of staff wish to spend at least part of their working week teleworking. In addition, only 6% of staff expressly stated that they have no interest whatsoever in teleworking.

The Office also faces an additional dimension when considering any new future teleworking framework. At its very heart, the EPO is an international organisation that can draw talented staff from 38 member states of the European Patent Convention (EPC). Currently, 74% of its workforce are classed as expatriates. So a more extensive teleworking scheme that specifically allows staff to work from their country of origin periodically may be attractive to many existing colleagues and render the organisation more attractive as an employer.

This is supported by findings in the results of the second staff survey, in which two distinct clusters of staff appear. The bulk of EPO respondents (77%), are essentially satisfied by a combination of PTHW and ad hoc teleworking schemes and would choose to live near their place of employment, or at least in the country of their duty station. However, 12% of staff wish to break at least partially with life at the place of employment, and another 9% would wish to break away fully from a life in the country of employment and telework as much as possible instead.

Regardless of the course of the pandemic, teleworking is set to remain a central tool in the Office's efforts to provide flexibility for existing staff, to attract new talent, and to manage any other emergency scenario requiring staff to socially distance or work away from the Office's premises.

3.1 Aims of a new teleworking framework

The Office has had temporary guidelines in place for all staff since March 2020 to provide guidance and rules for colleagues finding themselves in a new situation. However, those guidelines were developed to manage a short-term situation. They are not suitable for providing adequate guidance, clarity and certainty for either individual staff members or the Office in the long-term. A new, more extensive teleworking scheme is required. It should satisfy several criteria to realise the full potential benefits identified by staff in the recent survey.

The scheme should be inclusive and allow all staff to participate, notwithstanding any limits arising from the nature of a staff member's duties. The scheme will need to be flexible and allow staff to change their teleworking arrangements as their professional and private circumstances evolve. It should take account of collaboration, for example by defining times for virtual and in-presence activities. With geographic location no longer a barrier, the scheme should also support mobility and open up new career opportunities within the Office by removing location constraints.

Over the last year, the Office and its staff have also witnessed a blurring of boundaries between the professional and private sphere, as the workplace has moved into the homes of staff. An effective teleworking framework should help staff to strike the best possible work-life balance and this may include more flexible working hours.

In applying these principles of inclusiveness, flexibility, collaboration, mobility and work-life balance, the Office and its staff would reap a number of benefits. These include ensuring business continuity in times of crisis, support for staff in achieving a better work-life balance, efficient use of office space and a reduction in the Office's associated environmental footprint.

In addition to these tangible benefits, there are other - but less obvious - opportunities such as the potential for a more open and trust-based relationship between managers and staff, greater openness to mobility and flexibility, more meaningful interactions with colleagues at other sites of employment, higher staff engagement and satisfaction and the enhanced attractiveness of the EPO as an employer.

3.2 Considerations of a new teleworking framework

A new teleworking scheme needs to be flexible, but it must also be built on a solid legal framework that offers clarity to both individual staff members and the Office. It must also be legally sound, consistent and aligned with the Office's employment framework. In particular, it should provide a robust legal framework to allow teleworking from locations other than the place of employment, and specifically from other EPC countries. Given the EPO's status as an international organisation, other specific factors also need to be considered. They include the impact upon staff benefits of working from another EPC state, the notion of a place of residence, the Seat Agreement² and the Protocol of Privileges and Immunity. Some of these aspects need to be carefully assessed in close co-operation with the EPO's host countries and other EPC member states.

To provide clarity, the Office aims to put in place a single teleworking scheme. Flexibility will be given to staff to adapt this scheme to their professional and personal circumstances. Within the scheme, different 'packages' of teleworking options will be offered, and staff members will be able to choose the package that best suits their situation. The teleworking packages will address different elements, such as the number of days each staff member wishes to telework, and from which location (e.g. working from a different EPC member state). The teleworking scheme will also need clearly defined parameters and limits, with respect to factors such as maximum teleworking time, and teleworking time from an EPC country outside the place of employment.

The flexibility generated will also allow staff to work from different sites and help to forge a sense of belonging to the organisation that is ultimately independent of geographic location. As a result, the EPO's different sites will become less associated with particular responsibilities, and instead accommodate staff from any department. To the greatest extent possible, the site and the function of the staff working there would be dissociated from one another, supporting the overall ethos of 'One EPO community'.

The health and safety of staff, both mental and physical, is a priority and represents a special challenge when staff are teleworking. So a health and safety approach specially tailored for the teleworking scheme is indispensable. Particular attention needs to be paid to the risks and obligations that come with longer term teleworking, both at the place of employment and further away. Other elements of staff support such as creche and education facilities and career development programmes, need to be maintained and adapted to teleworking too.

² According to article 10 of the Seat Agreement between the EPO and The Netherlands, certain EPO staff exercising their functions in the Netherlands benefit from a package of privileges and immunities (including exemption from income taxation on savings and investments, also known as "box 3 taxation"). However, this does not currently apply to Dutch nationals and permanent residents employed by the EPO

An anticipated rise in teleworking also presents a timely opportunity to re-evaluate elements of the Office's travel policy in light of potential environmental benefits. The EPO is already committed to continuously assessing the environmental impact of its operations and is releasing a revised environment policy focusing on areas ranging from green procurement and IT (e.g. responsible purchasing) to the sustainability of its buildings (e.g. technical infrastructure and waste and water management). The EPO also aims to reduce its CO₂ emissions and will reevaluate its business travel policy to explore how further rationalisation can contribute to CO₂ reduction in an era of increased teleworking.

4. The digital workspace

With the transition to more frequent teleworking, the 'workspace' of EPO staff members will increasingly be found in the digital environment, as it evolves further into a centre of operations for the Office, its staff and its users. The goal of an enhanced digital workspace is, at its heart, to ensure that the staff of the EPO can work effectively from anywhere. It will give them the choice between teleworking and Office-based working and provide full flexibility. However, while the Office may have completed the rollout of over 5 800 laptops to staff in 2020, creating a digital environment relies upon far more than IT hardware. Other elements are needed to ensure that the organisation can undergo a digital transformation that is suited to a new normal.

Reliable and secure IT foundations are needed to power the EPO's operations, such as modern hardware platforms, and the increasing use of cloud computing, in accordance with rigorous cybersecurity measures and the highest standard of data protection policies. The Office will also continue to accelerate its rollout of tools for digital workflows that help staff to work efficiently in a paperless environment and more collaboratively. Similarly, greater digitalisation and simplification of procedures can help to manage the workloads for the Office, ensuring that progress can continue to be made on timeliness and quality and achieving better results with less effort. Modern communications are also needed to support teamwork and the EPO's professional community, helping them to stay in touch, to network and work together. Users and other stakeholders will also profit from enhanced online services, while staff will be encouraged to excel further by acquiring new skills specifically suited to the new normal.

4.1 Digital foundations

Before server technology became as performant and cost effective as it is today, the EPO developed software applications that relied heavily on mainframe technology. However, the mainframe, which is effectively an extremely large, single server, has become a costly and unreliable way to deliver the performance and availability needed. The future now lies in modern hardware platforms and cloud services together with the highest standards of data protection to take best advantage of the numerous benefits this technology offers.

Firstly, cloud services are significantly cheaper than in-house services. They are also available 24/7, which is now expected by EPO users as standard. Cloud-based services offer almost 100% availability with full 'out of the box' disaster recovery. In view of these advantages, the Office will continue to develop services that are based totally or partially on the cloud. These include HR systems, facilities management software, external payment platforms and modern video conferencing solutions.

As the use of cloud-based services increases, the remaining legacy mainframe components will be decommissioned. Parts of the patent grant process and corporate procedures will be rebuilt and deployed in the cloud, or on high-availability servers installed in the new data centre in Luxembourg, to which applications have already started to be migrated. It is anticipated that by the end of 2021, there will no longer be a mainframe in any EPO data centre and the migration of the primary data centre to Luxembourg will be complete. The move within the anticipated timeframe will help to avoid vendor lock-in.

The re-platforming is a substantial undertaking by the Office that continues to offer a number of challenges. However, it is a necessary endeavour because leaving any existing problems to subsequent generations of stakeholders is not an option. The current combination of old and new resource-intensive technologies and their interfaces are taking a toll on the stability of the EPO's systems, and do not offer the standards that will be expected by all stakeholders in a more digital future. Despite the challenges, the re-platforming of tools and IT services has therefore been chosen as a commitment to operational efficiency, high quality services and, above all, the EPO's future.

In moving to cloud-based platforms, the Office will also continue to ensure the security of its data in accordance with the highest standards of data protection (see section 4.5). Against this background, the EPO's policies are currently being upgraded, and more rigorous cyber security measures are being implemented. In 2020 the EPO invested in upgrading its identity and access management solutions, and workstations have now been equipped with enhanced cyber-defence capabilities. The Office will build upon these cyber security measures further by achieving ISO 27001 certification and implementing a centralised authentication solution for access to EPO applications, thereby increasing security and flexibility for users. Together, these data protection policies and cyber security measures will enhance the security of the EPO's digital environment.

Overall, by improving its digital foundations, the EPO will achieve greater reliability, availability and security of its IT systems. In turn, both staff and external users will have greater access to more secure tools, accessible from any place and at any time to support their teleworking choices.

4.2 Digital workflows and solutions

Since the EPO opened its doors in 1977, the EPO's workflows have remained largely paper based, despite the increasing use of IT. At present there are approximately 570 000 search and examination files in file stores, and 328 000 examination files and 82 000 search files in circulation. However, in a new normal environment, with more staff working remotely, paper-based workflows are no longer a realistic option for an efficient patent grant process. The Office will therefore continue to work towards a fully digital, end-to-end patent grant process.

While this was always a goal of the Strategic Plan 2023, the pandemic has accelerated digitalisation efforts. In April 2020, a Minimum Viable Product (MVP) for paperless search and examination workflows was delivered that supports examiners, formalities officers and line managers in the core processing steps for search and examination files. The MVP approach – adopted across all BIT services – has allowed the EPO to make iterative progress, step by step, in its operations and to remain agile in responding to needs. The positive effects of that approach were seen in digitising the patent grant process when, by July 2020, 50 000 tasks had been carried out in the digital workflow for examination; and just two months later that figure had doubled to more than 100 000 tasks. In 2020, 97% by volume of basic workflows with a basic functionality were digitalised. This meant that examiner and formalities officer actions, as well as preparation for oral proceedings could be carried out remotely and without paper.

These digital workflows have been progressively integrated into the Patent Workbench, which will become the main platform covering key actions and interactions between examiners and formalities officers in the patent grant process. The digital workflows already in place for examiner communications will be extended to cover more workflows for formalities officers and integrate the remaining examiner tasks. Quality and operability studies will also be carried out to simplify processes, that build quality, simplicity and timeliness into all workflows.

Another crucial development has been the introduction of digital annotations. When studying a patent application and related prior art documents, it is essential to capture the intellectual work of examiners and formalities officers for reuse in preparing communications, reviewing the contents every time the dossier is opened and for later searches or classification. In the past, this was generally done with basic handwritten notations in the margins of a document, or by hand-marking relevant features in the claims and drawings. In the digital world, this process is being progressively replaced with digital annotations.

ANSERA now offers digital highlights and sticky notes and has recently been improved to support sketches on the drawings, marking of objections and tagging of relevant claimed features. In a teleworking world, digital annotations should also function efficiently on mobile devices to support collaboration and efficiency in the PGP.

Patent data continues to be one of the Office's primary assets in delivering high quality patents and patent information services to its users. Given that the volume of patent data - and the sources from which it comes - are increasing rapidly, the Office is developing a comprehensive data policy. This will support the continuing good governance of a resource that is not just an asset for the Office, but for the whole of innovation. The policy will therefore also ensure that the EPO's data dissemination policy has a positive impact on the economy and the IP ecosystem as well as being capable of responding to emergent technologies, such as AI, Machine Learning and Blockchain.

4.3 Digital working methods and smart workload management

As the Office transitions to a new normal, there are also several challenges that demand a flexible and transparent approach to workload management. Some staff will choose to work remotely and others onsite. Fluctuations are also forecast in workloads in many technology areas and an increasing number of interdisciplinary patent applications will require more horizontal collaboration between interdisciplinary teams.

However, new digital working methods can capitalise on the advantages offered by an enhanced digital workspace, to manage these challenges successfully. If deployed in the right way, these methods can help to balance workloads effectively, support job mobility, increase the Office's capacity to react quickly to trends in the patent landscape, and also leave more time for collaboration. This should result in an improvement in the quality and timeliness of our products and services and greater efficiency. Specifically, a workload management model will be adopted based on three pillars: digital file allocation, digital file marketplace and the digital talent marketplace.

Digital file allocation will use AI to automatically distribute the incoming workload to divisions or teams, based on skills and available capacity. This will also help to build examining divisions from across the Office, ensuring that each file is dealt with by its most qualified and competent staff members. In other words, it will deliver the right file to the right division at the right time.

Conversely, the digital file marketplace will provide a transparent cross-sector file redistribution platform to accommodate short-term capacity and workload fluctuations. It will constitute a DG1-wide portal for offering workload or examiner resources openly and transparently across the whole of DG1.

The digital talent marketplace is an Office-wide job marketplace to address medium-term changes in workload and help examiners to change technical fields. This will create regular opportunities for staff to change field while giving them stronger support. The approach will support new recruitment, reduce costs, and strengthen staff engagement by fostering full and partial job mobility.

4.4 New online services

While digital workflows and tools present new opportunities for the EPO's operations, growing demand for online services suggests there are also opportunities for enhanced online user interactions and services in the future, particularly as new tools gain growing acceptance from users.

In 2020, 1 350 attorneys registered for new electronic mailboxes, representing a 35% increase, taking the total number of users up to 5 145. Online mailbox services were also expanded, allowing users to receive most correspondence related to oppositions digitally. On 1 December 2020, 72 opposition forms - almost all - were added to the EPO's mailbox, increasing the number of forms available online to over 750. Building on this success, the Office will continue to enhance its online filing services to ensure that its services are accessible, convenient, and

efficient. Following the introduction of a user area, new features will be introduced in the future to include self-service user registration, and user-friendly access to the user's patent portfolio, as well as a new communications mailbox to provide online access to all EPO procedural communications. Users will also benefit from new options for submitting procedural requests for existing patent applications.

Videoconferencing

The use of videoconferencing has accelerated quickly in the course of 2020. Above all, video conferencing has helped all staff and stakeholders to remain connected while staying safe. Videoconferencing has also allowed the EPO to hold regular meetings with its user community, helping the Office to understand their evolving needs and challenges. Furthermore, it has supported the EPO's international co-operation efforts with national patent offices, both within and outside of Europe, facilitating the continuing expansion of the EPC. In addition, the EPO has continued to fulfil its commitment to Member States. Starting in June 2020, successful online e-councils have been held instead of traditional Administrative Council sessions at the EPO's headquarters in Munich. A new format has also been introduced for the Standing Advisory Committee before the EPO (SACEPO) with regional e-meetings.

In view of the multiple benefits it offers, videoconferencing will play a key role in the new normal. Going forward, it will be further developed to offer secure, stable and high-quality video conferencing for virtual co-operation, meetings, and events; and to support social interactions between staff. The Office will also continue to train staff in the collaborative aspects of ViCo software in the future. Videoconferencing facilities for both internal and external meetings will also be a key consideration in any changes to the EPO's buildings.

The EPO will also continually develop its ViCo facilities in order to support the patent system. While oral proceedings by ViCo in examination have been held at the EPO since 1998, the ViCo format became the default in 2020. Over 2 600 oral proceedings were held by ViCo in 2020, compared to less than 900 in 2019. The experience gained not only served as a basis for further improvements, but is also helping the Office to prepare for the projected rise in oral proceedings by ViCo in examination. This year already - as of 8 March - 614 oral proceedings by ViCo for examination have already been held.

In May 2020, a pilot for ViCo proceedings for opposition was also launched. However, by the end of 2020 a slow uptake of the scheme led to a backlog of around 2 000 more opposition cases than in 2019. Following an extensive assessment published in November 2020, the Office decided to extend the pilot until 15 September 2021. It was also decided that opposition by ViCo would take place as the default from 11 January 2021. As of 8 March, 684 oral proceedings by ViCo for opposition have already taken place.

While these developments have helped ensure access to justice for all parties and the smooth functioning of the patent system, other, more fundamental, advantages have materialised. Publicly accessible proceedings at the opposition and appeal stage have contributed to transparency and accountability in the patent system. Recent examples have also shown a desire from stakeholders to take advantage of these new opportunities to obtain knowledge on topical developments in IP. On 15 July 2020, the EPO's Enlarged Board of Appeal provided live streaming access to case G 1/19 over the internet for members of the media and the public. The proceedings, on the patentability of computer-implemented simulations, were streamed by 1 500 external users as well 500 staff members of the EPO.

In the future, the Office will undertake a further assessment of the pilot for ViCo proceedings for opposition to evaluate its success. The Office will also look to build on recent improvements, like the Administrative Council's amendment of Rules 117 and 118 EPC to allow evidence to be taken by ViCo in proceedings before the EPO approved at its virtual meeting on 15 December 2020. The amendment took effect on 1 January 2021 and now means that evidence can be taken this way regardless of whether the oral proceedings are held by ViCo or on the EPO premises. With such gradual improvements, it is anticipated that ViCo proceedings will be integral to the Office's efforts to ensure timely procedures and efficient access to justice, as well as improved transparency and accountability in the new normal.

Professional certification and training

Expanding online services for users also means offering digital training that can be undertaken remotely. In addition to convenience and reduced costs for candidates, it also ensures that the EPO's training is made available to all, equally and regardless of location. Online training helps the EPO to achieve its mission of supporting the patent system throughout all EPO member states.

The EPO is now moving to an online environment for many of its training activities and professional certification schemes. In 2021, for example, the electronic European Qualifying Examination (eEQE) for patent attorneys was launched. After consulting with users and professional bodies, the first-ever online qualifying exam took place in March 2021. For the first time ever, candidates sat the exam online at a place of their choice, anywhere in the world. Almost 3 800 candidates took part. 400 people were involved in the preparation of 5 exams split over 11 flows under a secured examination environment including audio and image supervision. There were 24 hours of examination over 5 days and 130 exam pages in three alternative languages and the involvement of 80 online invigilators ensuring a bidirectional communication channel with the candidates.

The eEQE therefore ensured the training and qualification of patent professionals in Europe could continue despite the pandemic. It also brought various other advantages: for candidates writing the exam by saving them time, money and stress not having to travel, for the EPO by modernising and simplifying procedures, and for the environment by causing less travel and greatly reducing paper consumption.

In light of the advantages and success of the first eEQE, the Office will continue to pursue an online EQE in the future, making improvements where necessary. In other online training certification activities, the Office plans to finalise preparations for the first electronic exam to certify patent administrators (EPAC) in 2022.

Adapting to the new normal environment also implies a shift to online training and e-learning for the European Patent Academy. Building on the pillars of digitalisation, co-operation, modularity and certification, the goal is to enhance the role and impact of the European Patent Academy as a benchmark for excellence in IP training.

4.5 Data Protection

In SP2023, the EPO foresees a number of measures to enhance its data protection, in light of increased dependency on data and technology, and powerful software providers. There is also a need to enforce data protection in view of extensive outsourcing of EPO information, to mitigate the potential for data breaches, and to respond to new standards in data protection that are being demanded of all those who hold personal data, especially public institutions. The EPO is committed to respecting the fundamental rights of data protection and privacy, whether processing personal data, or developing new policies, procedures, and practices.

Since the pandemic began, the Office has increased its use of communication networks, data analytics, cloud solutions, and remote devices, as part of its efforts to best manage the crisis. This is likely to remain the case for the months and years to come. The response to COVID-19 now calls for a greater focus on data protection, with rigorous data protection measures that will secure the rights of the Office's stakeholders in the digital environment. The Office will therefore put in place a new strategy which will enable the EPO to set new standards in privacy and personal data protection. The strategy will comprise five pillars.

Firstly, a comprehensive data protection legal framework will be created, including new data protection rules, data protection related policies, instructions, and documentation. Secondly, the Office will set up measures and mechanisms to safeguard transparency and ensure compliance, including the mapping of the existing processing operations and the creation of the new data protection registry. Thirdly, risk management and mitigation will be enhanced, with the creation of a new body to oversee and advise the Office on data protection matters, and by implementing further monitoring and detection mechanisms in co-operation with the other services of the Office (audits and investigations on data protection) and of specific procedures to address and mitigate data breaches. Fourthly, risk prevention will be supported through awareness-raising activities office-wide. Finally, the EPO will focus on continual improvement to ensure that it is 'fit for the future' in line with its goal of long-term sustainability. For example, the Office will further its continuous co-operation and exchange of best practices with other international organisations and public institutions.

Overall, this strategy will respond to higher demands for data protection arising from technological innovations and transformation in the area of data protection and privacy, but also to the Office's intensified use of digital tools, databases, and workflows.

4.6 New skills for a digital environment

The new normal opens up new opportunities and challenges in terms of creating a collaborative, engaged and knowledgeable organisation, and building on progress made to date under Goal 1 of SP2023. Recruitment and onboarding initiatives are being developed for a digital environment, and existing EPO staff are being given new skills to help them face the unique range of challenges posed by teleworking. Similarly, managers are being trained specifically to lead remote and hybrid teams. These elements are critical to the Office's success because it is an organisation powered primarily by people – and that will remain the case in the new normal.

Moving towards a hybrid environment featuring extensive teleworking also calls for a rethink of how the Office recruits and integrates new staff members. In terms of attracting talent, the Office is evaluating new digital tools, such as augmented reality, that can help engage with new talent by highlighting the everyday relevance of patents. These tools could help the Office access a larger pool of candidates, increase diversity, and raise its profile as an employer in all member states. In response to the COVID-19 pandemic, the Office has already set up a virtual onboarding portal for staff to support their training and engagement from their very first working day. This onboarding portal will be further developed to ensure that newcomers are effectively integrated into the Office community.

All staff – whether newly recruited or existing – are entering an environment where working methods are changing fast. They face a steep learning curve when it comes to using new digital tools and hybrid teleworking, which relies on a mix of remote and onsite activities. As the Office moves towards the new normal, it is offering staff effective training in areas like developing healthy homeworking habits and managing personal energy and resilience to address the potential physical and mental challenges of long-term teleworking. Given the increased flexibility that a new teleworking scheme is expected to bring, staff can also benefit from time and workload management training. To promote virtual collaboration, the Office will also offer training in digital tools that can be used to strengthen social bonds and communication skills. Enhanced diversity and inclusion (D&I) training will aim to ensure that a hybrid working environment is also fully inclusive.

Furthermore, the new hybrid way of working not only impacts the content of training, but also the way it is offered. The Talent Academy, for example, has already started to transfer many offerings to e-learning formats. It recently launched one central hub or training offerings under the label iLearn, that includes online offerings from different training partners throughout the Office.

Whilst staff gain new skills to help them excel in the new normal, they will also need to be supported by effective managers. In the survey 30% of managers reported feeling uncomfortable at the prospect of leading dispersed teams. To address this issue, the Office will support its managers with effective management training specifically tailored to meeting these challenges. They will receive training, for example, that helps them build trust with their team and encourage interactions among team members. Training for managers will also include planning activities, social and work interactions that build and maintain a sense of belonging in a remote working environment, especially those that connect individual staff activities with the broader vision and goals of the Office.

One of the Office's fundamental goals in the new normal is to encourage collaboration and maintain a sense of EPO identity and community. Next to a sense of belonging, potential barriers to collaboration have already emerged as one of staff's main concerns about remote or hybrid working. Around 60% of survey respondents expressed concern that remote working was weakening co-operation between departments and colleagues.

In the light of this finding, the Office has moved towards a more holistic approach to goal setting for staff in 2021. It is specifically encouraging behaviours and ways of working that are especially relevant to the transition to a new normal and will help to address the concerns expressed in the survey. As usual, business targets are integrated into professional goals. However, the new approach also prioritises collaboration to foster a "One EPO community," coupled with the acquisition of individual skills that will help staff to contribute effectively in a smart working environment. Such elements are expected to play an increasing role in rewards allocation and distribution in the future.

The new normal will also aim to foster career opportunities for staff throughout the Office. Teleworking and a more hybrid way of conducting our operations, will mean the physical location of a staff member will become less important in determining their potential career moves. In line with these developments, the Office is already promoting partial internal mobility that will also contribute to greater flexibility between career paths, both from a geographical and a functional perspective. This new mindset will be reflected in the Office's respective policies and practices.

Throughout an EPO staff member's career, wellbeing and health and safety are a top priority for the Office. Although the vast majority of staff are now teleworking, the Office's duty of care continues, regardless of where the staff member may be located. Over the course of the pandemic, the Office has offered its support to staff through a broad range of measures, from offering advice on physical and mental wellbeing, to online wellness and exercise sessions, and identifying sources of information on the coronavirus. Building on experiences in previous years, there was also an intensified campaign to promote and swiftly implement a mass influenza vaccination programme. The EPO's Occupational Health and Safety Management System was also certified to the standard ISO 45001 on 2 November 2020. In the future, our health and safety services will need to undergo further significant transformation to be fit for purpose in the new normal. Notably services will be offered independently of a staff member's physical location, whilst respecting data protection and confidentiality issues.

Finally, comments in the survey revealed a broad range of experiences with teleworking to date. Many staff members have successfully used time previously spent on daily commuting to be more physically active, but others have reported challenges arising from a blurring of the boundaries between private life and work. In response, the Office will enhance its offer of training and coaching related to teleworking. Health and safety experts will be available to provide further support and tailored advice if required. Furthermore, new IT tools will be subject to regular reviews by ergonomic experts to ensure the Office's tools are as safe to use as possible, regardless of whether they are used from home or in the Office. New tools will also be designed to function across the full range of IT devices.

4.7 Digital communications

Among the EPO's various communication channels, its intranet is a unique platform for conveying vast amounts of information deemed critical to EPO staff. The EPO's internet site fulfils the same role for all external stakeholders. With widespread home working and rising demand for online services, both the intranet and the internet can help to create an online community of truly connected professionals in the new normal. That community will also be brought together through advanced online conferences that overcome the traditional barriers of attending physical events.

Enhancing online communication

The EPO's new intranet will act as a hub for an online community of EPO staff members. It will help to raise their awareness of the EPO's identity by providing a steady stream of news and information. It will also keep staff up to date on the latest events in the Office and provide online spaces for collaboration, socialising and providing feedback. Staff will be able to interact with the intranet intuitively to discover the best route for finding information and avoiding potential digital fatigue due to an excess of widely distributed content. Furthermore, users will feel supported, knowing that help is at hand and empowered to find answers to questions quickly and easily. Everyone using the intranet will be made to feel welcome, regardless of their location or role.

A new intranet will also offer more opportunities for two-way dialogue and inclusive feedback through different channels. It will support more engaging content in improved audio-visual and interactive formats, and more live broadcasts. The shift to a modern content management system will provide more options and flexibility in terms of presentation of information. It will enable users to customise their own home page to information that is directly relevant to them and their work.

The intranet will also facilitate more peer-to-peer content exchanges between colleagues that not only facilitate effective professional discussions, but also promote social contacts and cohesion among colleagues. This would include the use of virtual platforms to provide digital spaces where staff can meet and network, either for professional or social purposes. The use of such virtual platforms would also allow the possibility of designing attractive 3D digital meeting spaces.

Similarly, a revamped internet will provide the core point of entry for the various user communities and other stakeholders that engage with the EPO online. In the new normal, the Office has an opportunity to harmonise content and modernise the user experience, addressing specific user groups with relevant content. It will provide a hub for EPO users, providing access to all services, which would be integrated directly into the website where possible.

A responsive web design for both the intranet and internet that works smoothly on all devices - from very large Office screens to mobile phones - will support greater flexibility, especially if staff are working from different locations, with varying technical set-ups on different days or at different times in the future. Similarly, the intranet and internet will be 'editable from anywhere', from any device within the EPO network, thereby supporting teleworking.

Online events

In the light of the COVID-19 crisis and the need to use digital communication methods, the Office has expanded its offering of online digital events. This has helped the Office to reach wider audiences and encourage widespread debate on technologies such as additive manufacturing (3D printing) and artificial intelligence (AI). An EPO event on AI held in December 2020 attracted over 3 000 participants from 70 countries. Over 25 000 users also watched the event's videos on social media, where they were liked and shared 7 472 times. The move to online events has also facilitated greater access to staff who would not necessarily have the

opportunity to attend in person. In 2020, staff were able to attend the EPO's patent information conference (EPOPIC), as well as its East meets West event, for the first time. In the coming years, the EPO plans to develop the format of its events to offer increased interactivity and engagement. The 2021 EPOPIC conference is already foreseen to be a week-long online event, to be renamed Patent Knowledge Week.

With more comprehensive online events, the EPO will be better placed to boost staff engagement, increase event attendance, contribute to a sense of belonging and close collaboration with colleagues, and facilitate communication and debate between the Office and its stakeholders.

5. EPO buildings: a professional home from home

Before the pandemic struck, the Office had drawn up an ambitious plan to invest in its premises. The Building Investment Programme (BIP) was approved by the Administrative Council in principle at the end of 2019, with the agreement that each project would be presented to the Council for financial approval. The programme aimed to improve the sustainability of EPO buildings; maintain the value of its real estate assets; and create a modern and healthy working environment for staff. While those basic goals remain valid, there is a clear need to fundamentally re-evaluate the Office's building plans. A new building investment programme must be developed which can respond to changes that can be anticipated in the new normal, for a number of reasons:

Firstly, the survey results show that the traditional approach of working five days a week from the Office premises - on which the former BIP was based - is a thing of the past. They also suggest that the number of staff using the buildings will fluctuate significantly compared to the pre-pandemic era. In the "Shaping the new normal survey" only 23% of staff expressed their desire to work from EPO office buildings mainly or on a full-time basis in the future. Around 30% of staff wish to telework 3-4 days per week and 23% wish to telework 1-2 days per week. Moreover, 22% of staff want to telework on a full-time basis (2% said 'don't know'). Additionally, only 6% of staff expressly stated that they are not interested in teleworking at all. It can therefore be estimated that, on average, around 50% of staff may be on site for any given day during the week.

Secondly, the survey reveals that around one third of the staff surveyed would like to be able to work from an alternative EPO location to their current duty station. Specifically, 13% of staff wish to work permanently from Munich and Vienna, 10% from Berlin and 6% from The Hague. Around a third of our staff expressed an interest in working from another EPO location periodically. This desire for mobility on the part of staff will require a more flexible approach to office space management.

Thirdly, the staff survey asked staff about their primary motivation for using our buildings. Nearly 90% of participants expect to come to the office for informal exchanges and meetings, while 75% will use the office to work collaboratively. Two thirds of staff declared their intention to use the office for high-concentration tasks and/or to make use of on-site equipment. Half of staff plan to make use of on-site social facilities and services like canteens, sports facilities and to participate in Amicale activities.

Fourthly, the survey results also reveal that many staff fear collaboration could suffer in the event of a shift towards full teleworking. In the survey, teleworking was strongly associated with the EPO value of adaptability, but 60% of participants think it could harm collaboration. Anxiety over the impact of this shift is particularly clear among staff who wish to remain primarily office based. Over 75% of them fear that their sense of belonging to the Office, their relationships and their ability to collaborate with colleagues will suffer as a result of large-scale teleworking.

Lastly, the EPO has to prepare its buildings for future occasions when social distancing may be required. In the course of the last year, all organisations have seen the extent to which pandemics can have an immediate and profound impact on the use of office premises. The Office cannot rule out similar events in the future. Any plans developed must therefore ensure that the buildings can be used efficiently when social distancing is required, and when it is not required.

5.1 Aims of a revised building policy

The EPO must therefore now develop a new building investment programme, which physically embodies the Office's efforts to support flexibility, collaboration and community. The programme should ensure the buildings are:

Flexible and adaptable – Any building plans must accommodate the fact that an estimated 50% of staff on average may be on site on any given day. The time that colleagues wish to spend at the office is expected to vary, as is the type of work or activity.

EPO buildings could therefore offer a variety of spaces from single offices for high concentration tasks and touchdown³ spaces for quiet work, to collaborative spaces and meeting rooms of different sizes. The key principle would be to move away from the “one size fits all” approach. The interior layout of our buildings needs to be capable of being redesigned quickly, efficiently and cost-effectively. This ability to reconfigure efficiently will ensure that social distancing can be achieved whenever needed. Reconfigurability will allow the Office to accommodate evolutions in the use of the buildings and manage the impacts of the new teleworking scheme, such as the movement of staff between Office sites. The impact of the teleworking scheme could also be managed by the introduction of defined capacities at sites and a central room booking system to ensure availability of workspaces.

Collaborative and community oriented – Buildings should support greater collaboration and foster a sense of community for EPO colleagues. This might involve making sure that teams are located in the same parts of buildings, and have access to areas where team members can collaborate in person, while also ensuring that the buildings can accommodate staff as they switch between sites. This ability of buildings to accommodate staff from other sites would also support the ethos of ‘one EPO community’. Buildings should support an inclusive approach to staff interactions, by offering the best facilities for face-to-face, hybrid and remote meetings.

³ A touchdown space is typically a laptop centric, informal setting. Such spaces feature modular workstations with fast Internet access. Staff can use a touchdown space to quickly respond to an email, a call, or a text message and then move to other areas to complete tasks and projects.

A destination of choice – Buildings should offer cutting-edge facilities, that make them a destination of choice for professional activities and networking or socialising. EPO buildings must become engaging spaces where staff want to spend time. In particular, the EPO buildings should offer advantages and facilities that clearly surpass those of a home office. For example, the EPO's buildings should not only offer the very best professional facilities, but also high-quality cafes and restaurants and well-equipped, modern fitness facilities.

A healthy and safe environment – Staff's health and safety will remain a top priority that needs to be reflected in the design and servicing of our buildings. Buildings will offer the highest standards of Health and Safety to all visitors to EPO premises. They would ensure that social distancing is possible, and that the EPO can anticipate and respond quickly to any future instances of pandemic. Other measures could also be foreseen such as a better air-conditioning system, openable windows or more frequent office cleaning. Buildings should aim to create an energising environment, filled with light and energy, that creates a connection with the outside.

5.2 Initial plans

In developing a new building investment programme the Office faces two challenges; firstly, the way buildings will be used by staff in a post-pandemic situation cannot be predicted with any certainty, and the occupancy rate can only be estimated at around 50% on any given day; secondly, the roll out of a more extensive teleworking policy could also have a profound impact on the use of EPO buildings. The details of the teleworking scheme are still in development and its full impact on building use is also currently unknown.

However, some works can already be foreseen and prioritised in order to have an immediate positive impact. They would build on the aims of the former building plan (retaining asset value, sustainability, maintenance) while also starting to prepare the Office for a new normal in light of the principles above (collaborative, destination of choice, energising). The plans will be subject to approval of the Administrative Council:

Maintenance and environmental sustainability – Certain premises within the EPO's portfolio need urgent maintenance work to ensure all buildings continue to meet safety standards and in order to maintain the value of the EPO's fixed assets. Works will need to be carried out to ensure that the buildings are energy efficient and contribute to the EPO's sustainability goals, in particular to the EPO's target to be carbon neutral by 2030. Works to maintain asset value and ensure environmental sustainability will therefore be carried out on buildings as and when necessary, in addition to the work already underway at the EPO's Berlin building. The Shell building will also be evaluated to assess its value to the Office, in light of the evolving situation, and considering factors such as its use, the maintenance and work required for the building to offer high quality workspaces and its contribution to sustainability, among others.

New building in Vienna – The second project will be a new building planned for Vienna. The current EPO Office building in Vienna is at the end of its life cycle. The new building will become a flagship for sustainability and collaboration. In developing the plans for the building, the impact of the new teleworking scheme will be taken into account. While it will be a home-from-home for staff whose operational units are based in the city, it will also be available for some staff from other locations who wish to work there - up to a defined limit and supported by an efficient booking system. The new building in Vienna will have a flexible layout that provides different types of spaces for concentrated and collaborative work, as well as informal activities.

Light and engaging office spaces – Plans will be proposed to bring more light from outside into the interiors of buildings, to create vibrant spaces that also make a visual connection to the host city. While that has been achieved in Rijswijk with the completion of the New Main building, other sites would also profit from a new interior approach that creates brighter, lighter workspaces. In Munich, sections of the interior walls of the Isar building will be replaced with glass. Similarly, the PschorrHöfe buildings will also be evaluated to see whether the buildings would benefit from this approach. In principle, the building's layout will remain in place, providing a large number of individual offices for concentrated work. This work would therefore strike the balance between an attractive, energising workplace on one hand, and a layout that offers scope for high-concentration work, privacy and confidentiality on the other hand. Spaces for social interactions, health and wellbeing will also be promoted, with upgraded coffee corners, modern canteens and state-of-the-art fitness facilities.

6. Conclusion and next steps

Developments at the EPO and in society, as well as staff feedback, show that the EPO of the future will be defined by an increasingly digital workspace. To ensure this digital environment corresponds to its mission and values, and delivers the highest level of service, the Office needs to implement measures that specifically support greater flexibility, collaboration, and a sense of professional community.

To achieve this, the EPO will need to continue working towards the goals of its Strategic Plan 2023. However, there are several key areas that can potentially ensure that the EPO excels in a new normal. These are:

- **A new teleworking framework** – to give EPO staff flexibility in where and when they choose to work, while also ensuring a clear legal framework for individual staff members and the Office.
- **An enhanced digital workspace** – to ensure the EPO has reliable, effective and secure tools and workflows that can be accessed from anywhere at any time and incorporating digital workflows that support the key elements of quality, including timeliness. New skills for staff and managers must also be developed to help them exploit the opportunities of the new normal and to face the unique set of challenges it brings. Digital communications will also help to connect and engage the EPO's staff and other stakeholders.
- **A new building investment programme** – to answer the fundamental need for a physical workspace where EPO staff want to spend time to work, collaborate, socialise and network. The programme starts with an initial set of measures based on maintenance and sustainability, upgrades to social spaces, a new building in Vienna and an approach that brings more light into the interior of EPO buildings.

Next Steps

All stakeholders are invited to send any comments they may have on this document to newnormal@epo.org by 16 April 2021. The Office intends to present an orientation document to the Council in June or October 2021, with a view to gradually implementing any new policies after that.

Annexes

1. Strong together - working during COVID-19 survey: key findings

Survey carried out by External consultant Willis Towers Watson (WTW) from 6 May to 15 May 2020. WTW analysed 5202 responses and a total of 8657 open comments to give an overview of the status quo and recommend further action based on input.

Key strengths

- 85% of respondents say they received the support they need during the crisis.
- 84% commend their manager for being considerate of their well-being.
- 83% say they have high and improved autonomy (83%; up from 74% in 2019).
- 78% feel well informed on matters affecting them (78%; up from 30% in 2019).
- 74% are positive about the Office's response in ensuring that staff can work as effectively as possible.

Key areas for reflection

- 46% reported no substantial obstacles despite the pandemic (up from 43% in 2019).

In DG1, however, there was an increase in reported obstacles, referring specifically to tools, technology and resources, and the need to care for children.

- 56% responded positively regarding the efforts made to care for staff well-being. There were significant differences between DGs.
- While 66% of respondents say they are coping well with the crisis, 21% said they're coping poorly. Coping levels are lower in DG1 compared to more than 75% in other DGs.
- 66% say they have the tools they need to work effectively from home, yet it varies greatly by job groups, where negative views range from 4% to 49%.
- Guidance during the pandemic (67%) and HR support (41%) reportedly did not reach everyone. Views vary significantly by roles and DGs.

2. Shaping the new normal survey: key findings

Survey carried out by external consultant Willis Towers Watson from 16 September to 25 September 2020. WTW analysed 5554 responses and more than 40 000 open comments to give an overview of the status quo and recommend further action based on input.

Looking back

- **(+) Improvements since May in ability of our staff to cope (8%) and their level of energy (9%) 35%** indicates that the situation has improved since May. This is encouraging as COVID-19 related anxieties are still on rise in Europe. While DG1 is still lagging slightly behind in this area, it has made the most progress of all DGs.
- **(-) Scope for improvement:** 1 out of 5 staff members answered that their situation has worsened. We need to continue to work on technical challenges. Over 1 in 4 staff say they still lack the systems, tools etc. to work effectively from home/remotely. Colleagues who are not coping well also need further support.
- +/- There is roughly a **50/50 split** between those finding it easier or no different to **perform their jobs remotely**, and those finding it harder. For examiners, classification is easier or the same, while examination, search and division work is harder.

Looking forward

- **Despite perceived difficulties, there is high support for flexibility:** 75% of staff are open to some form of teleworking, around 61% would be interested in using the opportunity to work from an EPC country (34% of non-expats want to work from another EPO location), 33% from another site (around 54% of those for a limited time period and 10% on a permanent basis);
- **Needs and preferences differ: 4 personae:** Full teleworkers: 22%; moderate teleworkers (3-4 days): 30%; light teleworkers (1-2 days): 23%; mainly or fully office based: 23% and 6% only working from the Office. These personae overlap largely with preferred scenarios and are spread across different DGs, age groups and genders.
- **Future preference is largely driven by current practice**, and a majority of those who currently combine office-based/remote working want to continue with partial teleworking (ca 75%).
- **Reasons for coming to the office:** The primary reasons are for **informal exchanges** and to **collaborate** with colleagues and managers, although the **ability to concentrate** also comes high on the list (especially for the group working fully from the office, where 94% of Office based (fully and mainly) cited it as a reason);

- **Future intended use of facilities:** Around 50% of staff would come to use sports facilities and 60% would access catering facilities. A large majority of those say they would use these facilities once a week or more.
- **Envisaged future impact:** Improvements in wellbeing (49%) and work life balance (59%) are seen as the greatest opportunities. Most staff don't feel that their overall service to users would be impacted by remote working. However, 58% think it will strengthen our adaptability, while 60% think it could harm collaboration.
- **Maintaining a sense of belonging,** and good relations with colleagues are perceived as the greatest challenges of a large-scale shift to teleworking. No matter what the new normal looks like, numerous comments reiterated the importance of contact – be it virtual or in person - as essential to effective collaboration and good working relationships.
- **Shared wishes for the future of the Office:** Comments reveal the importance of trust and fairness (approximately 40%) between peers and management to staff, and fairness in the treatment of one another. They also highlight the need to preserve cultural diversity and respect (approximately 40%) and the European spirit embodied in the composition of the Office's staff. Respect for one another's culture, background, personal circumstances, and choices is seen as paramount to facilitating the Office's strong performance in the future.
- **57% of managers feel positive** about managing remote teams long-term, but 30% disagree. Their comments reveal the type of support they need in terms of tools, training, and empowerment.

