

Sectoral professions – EUA Update no.7, May 2011

This Update appears while we await the Commission's analysis of the responses to its **public consultation on the evaluation of Directive 2005/36/EC**, which closed in mid-March. They will inform the publication of an Evaluation Report and a Green Paper later in the year. Such has been the pressure for change – from the full range of stakeholders as well as from Commissioner Barnier himself – that proposals for amendments to the Directive seem inevitable. But how extensive will be the revision? How far will it embrace the achievements of the Bologna Process? How closely will it be linked to the efforts being made to fully implement the Services Directive? And how successfully will it contribute to the political project of re-launching the Single Market? The Commission has set itself a tight time schedule; answers to these questions will begin to emerge in the next weeks and months.

Details of the responses to the consultation will be posted at:

http://ec.europa.eu/internal_market/consultations/2011/professional_qualifications_en.htm#hearing

As usual, the Update also indicates other relevant developments in:

- the Bologna Process
- the European Commission
- the European Court of Justice
- the European Parliament
- the professional, academic and regulatory bodies
- EUA

Previous Updates are available at:

<http://www.eua.be/eua-work-and-policy-area/building-the-european-higher-education-area/bologna-and-professional-qualifications.aspx>

1 The Bologna Process

1.1 In April the **Bologna Working Group on Recognition** convened a stakeholders meeting in Riga, principally to discuss the uneven implementation of the Lisbon Recognition Convention and the recommendations to be made to the 47 Bologna ministers when they meet in Bucharest in 2012. The programme of the conference is available at

<http://www.ehea.info/event-details.aspx?evld=293>

1.2 The Turkish Council of Higher Education [YÖK] has published the **Turkish National Qualifications Framework** [NQF-HETR]. By June 2011 it hopes to have completed a pilot implementation programme with selected institutions. In the period leading up to 2012 it will also bring its qualifications into line with the European Qualifications Framework for Lifelong Learning [EQF].

See YÖK's English-language website at <http://www.tyyc.yok.gov.tr/?pid=10>

1.3 Also now up and running is the **Italian NQF** – the *Quadro dei Titoli Italiani* [QTI]. The English-language website promises an overview of qualifications in the regulated professions, but these pages are still under construction. See

<http://www.quadrodeititoli.it/quadrotitoliprofessionali.aspx?IDL=2&qtp=182>

2 The European Commission

2.1 DG MARKT

2.1.1 As noted in the last Update, the **Group of Coordinators** of the Directive was due to meet in September 2010. The report of the meeting was eventually published in February. At the meeting, the Commission received the coordinators' comments on the operation of the General System, notably in respect of Article 11, compensatory measures, free provision of services, IMI, Annex IV, the professional card, language requirements, third countries, and use of electronic means. The Commission also (point 9) '*indicated that comitology measures for medical specialities and paramedical professions are moving towards final adoption by the Commission*'. Note that the Group's public documentation has been moved to a different part of the DG MARKT website. The report can be found at http://ec.europa.eu/internal_market/qualifications/docs/coordinators/20100927_summary_en.pdf

2.1.2 As the last Update also indicated, the Commission's 50 proposals contained in its Communication '*Towards a Single Market Act*' have now been reduced to 12 more manageable measures. The second, headed **Worker mobility in the Single Market**, reads as follows:

In 2009 5.8 million Europeans, equivalent to 2.5 % of the active population of the European Union, worked in another Member State. Enhanced mobility for qualified workers would help the European economy to be more competitive. The fact that many posts for highly-qualified personnel remain vacant makes this all the more urgent. To remove the legal obstacles still preventing Europeans from working where they wish to work, we intend to modernise the rules for recognising professional qualifications so as to simplify procedures, review the scope of the regulated professions, and strengthen confidence and cooperation between the Member States, first and foremost by issuing a European Professional Card.

2.1.3 Throughout 2010 the Commission conducted a series of 'mutual evaluation' exercises designed to review and improve the **implementation of the Services Directive**. The results are now available. The Commission's Communication 2011/20 focuses on the over-regulation of professional activities and points to situations in which particular professions – not sectoral professions – are regulated in only one Member State. An Annex to its working paper, on the other hand, points to a number of incidences of the easing of the formal requirements imposed on mobile professionals. These documents are available at http://ec.europa.eu/internal_market/services/services-dir/mutual_evaluation_en.htm

2.1.4 Precisely in order better to coordinate the operation of the two complementary Directives, DG MARKT's Unit D4 (Professional Qualifications) has been relocated and renamed. It is now **Unit E4 (Free Movement of Professionals)** in the Services Directorate. The new DG organigram can be downloaded from http://ec.europa.eu/dgs/internal_market/departments_en.htm#h

2.1.5 With the same preoccupation in mind, the Commission has embarked on consideration of how its **Internal Market Information [IMI]** service might be improved. In addition to matters of budget, legal status and governance, the discussion papers mention such issues as stronger synergies with the Regulated Professions Database, the possibility of a proactive alert system regarding mobile healthcare professionals, and interfaces with the proposed professional card and with EUROPASS. The Commission promises a 'detailed technical analysis to determine the most appropriate architecture, including all elements of the generic administrative cooperation toolkit', together with a report to be published in

December 2011. On the strategy for the expansion and development of IMI, see COM/2011/75 and SEC/2011/206.

2.1.6 In another initiative, DG MARKT has launched a monthly e-newsletter – **Single Market Monthly** – covering the full range of its policy lines. This is in addition to the quarterly Single Market News, which has been running for many years. To find out how to subscribe, go to

http://ec.europa.eu/internal_market/smm/index_en.htm

2.1.7 In March a number of amendments were made to **Annexes II and V** of the Directive – relating to the taxonomy of healthcare professions in Austria, France and Portugal. In particular, specialists in medical oncology and medical genetics now enter the automatic recognition regime. The Regulation can be downloaded from

http://ec.europa.eu/internal_market/qualifications/policy_developments/legislation_en.htm

2.2 Infringements

2.2.1 In April, the Commission delivered a ‘reasoned opinion’ to Sweden, alleging failure to recognise automatically the qualifications of foreign **general practitioners** and to accord them the same status as those education in Sweden. Instead, Sweden has created a category of ‘Europa doctors’, which the Commission regards as inadmissible.

2.3 DG EAC

2.3.1 Like DG MARKT, DG EAC has launched a **monthly e-newsletter**. Would-be subscribers should go to

http://ec.europa.eu/dgs/education_culture/enews/subscribe_en.htm

2.3.2 The Commission has now published its seventh annual review of progress towards the **education and training objectives** set in the Lisbon Agenda. Originally targeted at 2010, they have now been re-set for 2020. They cover primary, secondary, higher and adult education. Progress, in fact, has not been good. Only one of the five headline benchmarks – the number of maths, science and technology graduates – shows positive. The full report and the main messages can be found at

http://ec.europa.eu/education/lifelong-learning-policy/doc2881_en.htm

2.3.3 The last Update reported that DG EAC’s **consultation on the promotion and validation of non-formal and informal learning** [NFIL], now closed, would inform a future Recommendation. It now seems more likely that the Commission’s views on NFIL will be incorporated into a Communication on the modernisation of higher education to be published later this year.

2.3.4 The public consultation on the utility of the **Youth on the Move card** is now open at http://ec.europa.eu/dgs/education_culture/consult/yom_en.html

2.3.5 CEDEFOP has put out a call for tender (now closed) for a one-year EUR180k study on the **role of qualifications in governing occupations and professions**. The study will aim...

- to study in-depth how qualifications are used to govern access to and practice in occupations and professions;
- to examine how the use of qualifications for regulation purposes varies between sectors and countries;

- to examine how public policies influence and challenge the use of qualifications for regulatory purposes;
- to analyse the role and influence of economic and technological change on the use of qualifications for regulation purposes.

<http://www.cedefop.europa.eu/EN/working-with-us/public-procurements/18056.aspx>

3 The European Council

3.1 The **Competitiveness Council** urged the Commission in March ‘to propose interpretative guidelines on the relationship between the Services Directive and the Professional Qualifications Directive and report to Member States to ensure consistent implementation and application’. (See paras.2.1.4 and 2.1.5 above)

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/intm/119725.pdf

3.2 At the meeting of the **Education Council** in May, ministers and Commissioner Vassiliou discussed the obstacles to student and staff mobility.

3.3 The outgoing Hungarian presidency organised a conference on the **European Qualifications Framework** in May, The conference report is not yet available.

<http://www.eu2011.hu/event/conference-european-qualifications-framework-0>

3.4 Poland takes over the **rotating presidency** in July and the presidential website has been launched. Polish policy priorities are likely to be the EU budget, Croatian accession, free trade in the Eastern partnership, and consolidating the internal market. A formal policy statement will come at the beginning of June. See <http://www.prezydencjaue.gov.pl/en/>

4 The European Parliament

4.1 CULT Culture and Education

4.1.1 CULT has scheduled for its October 4-5 session a **public hearing on the state of play in the European Higher Education Area**.

4.1.2 In April, the Committee adopted a non-legislative report on the **Youth on the Move** initiative by Milan Zver [EPP], former Slovenian minister of education. The report is fully supportive. It offers no new insights, but puts its weight behind existing quantitative targets and ongoing moves to secure better coordination of education systems and labour markets, easier recognition of academic and professional qualifications, and increased project funding beyond 2013.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A7-2011-0169+0+DOC+PDF+V0//EN&language=EN>

4.1.3 CULT has decided to produce a non-legislative opinion on the updated version of the Commission’s **Agenda for New Skills and Jobs**. The rapporteur will be Katarina Nevedalová [S&D]. Her draft will be discussed at the May meeting of the Committee.

http://www.europarl.europa.eu/meetdocs/2009_2014/documents/cult/pa/864/864572/864572_en.pdf

4.2 IMCO Internal Market and Consumer Protection

4.2.1 As reported in the February Update, IMCO chose to produce three own-initiative reports, to cover different aspects of the Commission’s proposed Single Market Act.

Professional qualifications were dealt with by the Socialist António Fernando Correia De Campos, formerly Portuguese minister of health, whose report was adopted in March. The **Report on the Single Market for Europeans** broadly welcomes the Commission's initiative, but wants it strengthened, particularly in respect of social welfare and citizens' rights. Extracts relevant to the Qualifications Directive and to the Bologna Process are boxed below:

32 Calls on the Commission to take urgent action to encourage the mobility of citizens with a view to promoting sustainable growth, employment and social inclusion, and calls for the establishment of a 'mobility scoreboard' to measure mobility within the EU; in that connection, welcomes the Commission's initiatives on the recognition of professional qualifications, the 'Youth on the Move' initiative, the 'European Skills Passport', the proposal on the rights of air passengers, the initiative on access to certain basic banking services and the proposed initiative to improve the transparency and comparability of bank charges; suggests that the Commission, in its impact assessment, conducts a cost benefit analysis and looks for synergies between the above mentioned initiatives; calls on the Commission to increase and widen participation in mobility programmes, particularly among young people, and to raise these programmes' profile;

39 Welcomes the Commission's intention to propose a legislative initiative to reform the system for the recognition of professional qualifications; calls on the Commission to evaluate the *acquis* and publish a Green Paper by September 2011; draws attention to the need to guarantee the portability of pension rights; calls on Member States to coordinate their pension policies more effectively and to exchange best practices at European level;

40 Calls for a clearer link to be established between secondary and higher education programmes and the needs of the job market and stresses the important role of apprenticeships; calls on the Commission to promote formal and informal learning; believes that professional cards could be a concrete measure to facilitate the mobility of professionals in the Single Market, at least in certain sectors; urges the Commission, ahead of its review, to carry out an assessment of the impact of the introduction of European professional cards, taking into consideration their benefits, added value, data Protection requirements and costs;

[... these points and others are then reformulated as a first priority...]

1. Calls on the Commission to take measures to increase the mobility of European citizens, in particular by publishing by September 2011 a Green Paper on the recognition of professional qualifications, including an assessment of the existing framework, and, if appropriate, to propose a legislative initiative to reform this framework in 2012, at the same time assessing the feasibility and the added value of EU wide professional identity cards and a 'European skills passport' in 2011 and setting up a 'mobility scoreboard' to measure mobility within the EU;

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A7-2011-0072+0+DOC+PDF+V0//EN&language=EN>

4.2.2 A link in the first issue of Single Market Monthly [see para.2.1.6 above] takes the reader to a short **video interview with IMCO chair Malcolm Harbour**, in which, arguing for an energetic re-launch of the internal market, he characterises the Professional Qualifications Directive as 'under-delivering'.

4.2.3 Mr Harbour, a UK conservative, gives a boost to *Let's Choose Growth*, a brochure put out by the **UK Prime Minister's Office** to endorse the re-launch. Among other things, it calls for a concerted effort to '*open up business and professional services by reviewing all of the*

4,600 “regulated professions” and cutting them back to those areas where specific qualifications are really necessary’. See

http://www.number10.gov.uk/wp-content/uploads/EU_growth.pdf

4.2.4 The need to explicate and ease the interaction of the Services and Professional Qualifications Directives (see paras 2.1.4, 2.1.5 and 3.1 above) was also taken up by IMCO’s Evelyne Gebhardt, whose report on the **implementation of the Services Directive ...**

Underlines the difficulties encountered with recognizing professional qualifications, in particular in the medical sector; points out that the Services Directive cannot apply to provisions already covered by the sectoral directives; asks the Commission to clarify this situation as part of a review of the Directive on professional qualifications

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A7-2011-0012+0+DOC+PDF+V0//EN&language=EN>

4.2.5 In March, IMCO heard a presentation by the Commission on the development of **IMI** (see para.2.1.5 above). A demonstration of how IMI works in practice will be given in the Committee’s May meeting.

4.2.6 In May IMCO will embark on a discussion of the **Mutual Evaluation Process of the Services Directive** (cf. para.2.1.3 above).

4.2.7 CULT has joint responsibility with EMPL (Employment and Social Affairs) for a Parliamentary Opinion on **European cooperation in vocational education and training to support the Europe 2020 Strategy**. The draft text, authored by EMPL’s Nadja Hirsch (ALDE-DE), argues strongly for a holistic approach to lifelong learning and for greater inter-service collaboration on a well-rehearsed range of policy imperatives in the fields of vocational and higher education and labour market access. At the suggestion of **IMCO**, the text ...

89 Notes that it is of major importance to facilitate labour mobility within the internal market; welcomes and fully supports the Commission’s initiative to review the current system for the recognition of professional qualifications; believes that a meaningful assessment of the Professional Qualifications Directive in its present form should feature in the Commission’s review exercise of the Directive; takes the view that the mutual recognition of professional qualifications across Member States must remain a top priority for the Commission;

99 Calls on the Commission to examine the interaction – and establish closer synergies – between Directive 2005/36/EC on the recognition of professional qualifications, the Bologna Process on higher education and the Copenhagen process on vocational education and training, with improved use of the European Qualifications Framework, the European Credit System for Vocational Education and Training (ECVET) and Europass; maintains that Member States should retain competence in the organisation of their educational systems in accordance with their particular societal and cultural conditions;

<http://www.europarl.europa.eu/sidesSearch/search.do?type=REPORT&language=EN&term=7&author=96872>

5 Professional, academic and regulatory bodies

In an important intervention, **professional bodies operating at European level in all seven sectoral professions issued a joint statement** at the end of the consultation period. Its main points:

The European sectoral professions are concerned that the modernisation of the Directive 2005/36/EC of the European Parliament and of the Council on the Recognition of Professional Qualifications might be used to undermine the minimum training requirements for their professions.

The European sectoral professions are also concerned that the Bologna process as adopted by some Member States risks weakening the safeguards for access to the professions, thus undermining patient and consumer safety, and therefore should not be given legal standing at EU level for the purposes of mobility of professionals within the single market.

The accompanying **press release** explains some of the background:

The representatives of the professions are concerned that the modernisation of the Directive will be unduly influenced by the current economic crisis, thus aimed at quick and large-scale production of graduates who will be prematurely dumped on the market.

See:

http://www.fve.org/about_fve/docs_to_download/joint_statement%2011_march_2011.pdf

and, for the press release:

<http://www.efnweb.eu/version1/en/documents/JointStatementSectoralProfessions-ECConsultationonDIR36-15032011-PressRelease.pdf>

Medical doctor

- **AMEE and MEDINE2** have jointly conducted a survey on European medical curricula. It covers learning outcomes, competences/skills; the social and educational background of students; student-centred learning techniques; foreign study placements; student assessment; curriculum design (vertical and horizontal integration, stakeholder involvement). The survey closed at the end of April. <http://medine2.com>
- The June conference of **AMSE** will discuss issues relating to the staffing of medical schools. See the programme at <http://www.amse2011.com/index.html>
- The **CPME** response to the DIR consultation strongly supports the principle of automatic recognition, while at the same time arguing for greater precision in respect of course duration and bemoaning the lack of transparency in medical curricula. See the full text at http://cpme.dyndns.org:591/adopted/2011/CPME_AD_EC_15032011_015_final_EN.pdf

General care nurse

- The **FEPI** group of national regulators has posted its response to the Commission's consultation on the Directive. It considers that nursing education should be at higher education level and that training requirements should be updated in line with

outcome-based curricula. While supportive of automatic recognition in principle, it considers that in practice some Member States fail to meet their obligations, while the quality of cooperation between competent authorities and the higher education sector is too low. FEPI suggests that it might become an accreditation body for CPD. For the full text, see

<http://www.fepi.org/userfiles/file/Consultation%20Paper%20March%202011%20-%20FEPI%20answers.pdf>

- The UK's Nursing and Midwifery Council has published an advice note setting out the conditions necessary to support **foreign study and practice placements** on courses leading to preregistration professional qualifications. It can be downloaded from http://www.nmc-uk.org/Documents/Circulars/2011Circulars/nmcCircular02_2011Annexe1LearningOutsideTheUKcircular.pdf
- A second circular covers the **accreditation of prior learning** within the framework of the Directive. See http://www.nmc-uk.org/Documents/Circulars/2011Circulars/nmcCircular01_2011Annexe1APLguidanceCircularPreregistrationSCPHN.pdf

Midwife

- The Network of European Midwifery Regulators [**NEMIR**] is due to hold its next summit meeting in Brussels in May. See www.nemir.eu

Veterinary surgeon

- A number of presentations on quality assurance, given at the **EAEVE** conference in May, are available at <http://www.eaeve.org/publications.html>

Pharmacist

- The **PGEU**'s response to the consultation expresses broad satisfaction with the automatic recognition regime, while judging some revision desirable in order to accommodate the increasing patient-centredness of the pharmacist's profession. See <http://www.pgeu.eu/Portals/6/documents/2011/11%2003%2007E%2003%20PGEU%20Consultation%20Response%20on%20Professional%20Qualifications%20Directive-FINAL.pdf>
- The next conference of the **EAFP** (June) will, precisely, examine the changing role of the pharmacist. Visit <http://www.eafp.org.pt/>
- The number of country profiles for Pharmacy Education in Europe being compiled by the **Pharmine** project has now risen to twelve. http://www.pharmine.org/losse_paginas/News.html
- The European Federation of Pharmaceutical Industries and Associations [EFPIA] runs, in a public-private partnership basis with DG Research, the **Innovative Medicines Initiative** – another IMI, not to be confused with the Internal Market Information system. It has just launched EMTRAIN, a collaborative research, curriculum and mobility programme designed to maximise synergies throughout the life cycle of medicinal products. For the flyer, see

http://www.imi.europa.eu/sites/default/files/uploads/projects/documents/factsheets/imi-1st-call-factsheets-emtrain_en.pdf

Architect

- The **ACE response to the DIR consultation** has now been posted on-line. More detailed and certainly more combative than many other responses, it asks *whether the EU-Commission's consultation is a political and bureaucratic smokescreen to conceal predetermined outcomes*. Too long to summarise here, it is readily available at http://www.ace-cae.org/public/contents/getdocument/content_id/1095
- ACE and ENHSA are partners in an ongoing EU-funded thematic network project coordinated by Aristotle University of Thessaloniki – the **ENHSA III Project on Competences**. Together they will design CPD materials to be used on a pilot basis. For details of last month's seminar in Venice, see http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Venice/pdf/news/ENHSA_III_FINAL_Prog_Venice%20Seminar.pdf

6 The European University Association

EUA engages in a range of activities on a number of policy fronts: the Bologna Process, in which it is a major stakeholder, research, higher education governance and funding, quality assurance and capacity building.

6.1 At the request of the Romanian government, EUA has agreed to act as the external body advising on the implementation of a **major reform of Romanian higher education**. Over the three-year period, EUA's Institutional Evaluation programme [IEP] will be used as the methodological framework for a process of self-evaluation to be undertaken by all higher education institutions. For details of the IEP service, visit www.eua.be/iep/

6.2 Two specialist institutions were among eight HEIs to be welcomed into full EUA membership at its conference in April. They were: **Saint Elizabeth University of Health and Social Work** (Slovakia) and the **Ukrainian Medical Stomatological Academy**. EUA has approximately 850 members in 47 countries.

6.3 EUA has put out a call for contributions to the **6th European Quality Assurance Forum**, to be held in Antwerp on 17-19 November 2011. The Forum will examine the relationship between quality enhancement and the building of trust among stakeholders. The deadline to submit contributions is 1 August 2011. For more information, [download the call here](#).

Please feel free to forward this update to any other interested parties. Comments, corrections and news items will be welcome.

<http://www.eua.be/eua-work-and-policy-area/building-the-european-higher-education-area/bologna-and-professional-qualifications.aspx>

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