

RECOGNITION OF PROFESSIONAL QUALIFICATIONS

EUA Update no. 13, January 2015

Background

It is one year since the amended **Directive 2013/55/EU** came into effect. Member States (MSs) have now reached the half-way point of the period during which they must transpose all of its provisions¹ into national legislation. The eventual outcomes will no doubt be mixed. There will be those who fail to meet the deadline, those who meet it ahead of schedule, those who go further than is required ('gold-plating'), and those whose national circumstances pose significant problems for other MSs. This is an optimistic view. When Directive 2005/36/EC came into force, it too had a two-year transposition period. By September 2007, not a single MS had met the deadline. By September 2009, transposition had been completed everywhere except in Greece, but only 17 of the 27 MSs had progressed to full implementation.

A **study**² commissioned by the European Parliament's Internal Market and Consumer Affairs committee (IMCO) attributed this to the complexity of legal, professional and educational structures and to the fact that the Internal Market Information system (IMI) was not up and running. The study also pointed to evidence of continuing protectionism. Finally, it noted plaintively that 'if the MS could trust each other's education systems and believe that a child nurse is well educated in the EU, regardless of the formal degree he or she has obtained, there might be fewer problems with recognition of professional qualifications.'³

At the beginning of **2015**, IMI has developed significantly, albeit preoccupied with the implementation of the controversial European Professional Card (EPC). In higher education, the scope for mutual trust has increased: the three-cycle qualification system of Bachelor, Master and Doctorate is regarded as being securely in place, underpinned by the European Qualifications Framework for lifelong learning (EQF), to which 20 MSs have referenced their national qualifications frameworks.

<http://www.cedefop.europa.eu/en/events-and-projects/projects/european-qualifications-framework>

¹ With the exception of one provision concerning route 1 of midwifery, the deadline for which is 2020.

² *Study on Transposition of the Directive on the recognition of professional qualifications*, conducted by Ramboll Management Consulting, Aarhus, Denmark; European Parliament IPOL/A/ST/2009-05, Brussels.

³ *Ibid.* p.65

Moreover, the provisions of the amended Directive have moved closer to the **Bologna Process** in a number of respects:

- the availability of the European Credit Transfer and Accumulation System (ECTS) as an alternative way of expressing course duration;
- the introduction of the 'common training framework' (CTF), allowing an advance-guard of MSs to agree competence-based curricula into which other MSs may subsequently opt;
- the higher profile enjoyed by the recognition of formally validated lifelong learning, together with a modest extension of the use of the recognition of prior learning (RPL) in admission to training courses.

Other points at which higher education intersects with the amended Directive remain to be clarified and tested in practice:

- the recognition and quality assurance of transnational work placements in architecture and pharmacy;
- the identification of the bodies responsible for notifying compliant training courses to the European Commission;
- the extent to which MSs 'encourage' continuing professional development (CPD) in the sectoral professions;
- whether good CPD practice, which the Commission will disseminate, can be used to facilitate its transnational accreditation, quality assurance and recognition;
- how far higher education institutions (HEIs) can successfully deliver multi-disciplinary CPD.

Finally, the amended Directive can be said to be fully on stream once a number of **delegated acts** have been concluded by the Commission. Their scope is spelt out in Article 57c. They cover, *inter alia*, the updating of Annex 1 (list of recognised professional bodies); the updating of requisite knowledge and skills in the sectoral professions, together with the updating of qualification titles in Annex V; the setting up of CTFs.

All stakeholders will hope that 2015 will see the publication of the long-awaited **consolidated text** of the Directive, which will integrate the 2013 amendments into the 2005 text.

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1 The Bologna Process

1.1 Bologna ministers are due to meet in Yerevan in May. The Bologna Follow-up Group (BFUG), of which the European University Association (EUA) is a member, is currently preparing the documentation for the summit. It will include the **2015 Bologna Implementation Report**, a detailed review of the progress made by signatory countries in areas such as quality assurance, student support, widening participation, lifelong learning, employability and internationalisation.

1.2 Ministers will be asked to endorse

- the revised **ECTS Users' Guide**, which can be read at <http://www.ehea.info/news-details.aspx?ArticleId=370>
- the revised **Standards and Guidelines for Quality Assurance in European Higher Education** (ESG), which can be downloaded from <https://eqar.eu/fileadmin/documents/e4/ESG - draft endorsed by BFUG.pdf>
- the revised **European Approach for the Quality Assurance of Joint Programmes**, now posted at https://eqar.eu/fileadmin/documents/bologna/02_European_Approach_QA_of_Joint_Programmes_v8_5_endorsedByBFUG.pdf

1.3 Ministers will also receive a report from the **Pathfinder group**, which has explored the viability of the automatic recognition of academic qualifications. Automatic recognition exists currently, to varying degrees, in the Benelux, Nordic and South-Eastern European countries. Rather than propose mechanisms for automatic recognition as it exists in the Directive, the report suggests ways of ensuring greater adherence to the principles of the Lisbon Recognition Convention, to which all Bologna countries formally subscribe. See the report at http://www.ehea.info/Uploads/SubmittedFiles/12_2014/154205.pdf

1.4 It is probable that the **2018 meeting** of Bologna ministers will be held in France.

1.5 The **European Quality Assurance Register** (EQAR) has now expanded to include 37 quality assurance and accreditation agencies which function in line with the ESG and which, national legislations permitting, operate on a cross-border basis. See <https://eqar.eu/home/newsletter-december-2014.html>

1.6 EQAR has recently published a report on **Recognising International Quality Assurance Activity in the European Higher Education Area**. It finds that cross-border quality assurance, while increasingly available and increasingly in demand, is not sufficiently recognised by national governments. https://eqar.eu/fileadmin/documents/eqar/riqaa/WP6_RIQAA_Report_final.pdf

2 The European Commission

2.1 The **Work Programme for 2015** is based on the agenda proposed by Jean-Claude Juncker at the time of his candidature. It consisted of ten policy guidelines: a boost for growth, jobs and investment; a digital single market; a forward-looking climate-change policy; a deeper and fairer Internal Market; deeper and fairer economic and monetary union; a free trade agreement with the

US; an area of justice and fundamental rights based on trust; a new policy on migration; a stronger global presence; a framework for democratic change.

http://ec.europa.eu/priorities/docs/pg_en.pdf

2.2 The guidelines translate into a list of **'new initiatives'**, set out in Annex at

http://ec.europa.eu/atwork/pdf/cwp_2015_new_initiatives_en.pdf

2.3 DG MARKT – now evolved into DG GROW

2.3.1 The Juncker Commission has merged the bulk of DG MARKT (Internal Market) with what was previously DG ENTR (Enterprise). The exceptions are the units handling copyright, which go to DG CNECT (Communications Networks, Content and Technology), while the corporate governance unit moves to DG JUST (Justice). The units handling financial services make up the new DG for Financial Stability, Financial Services and Capital Markets Union. The rump of DG MARKT and DG ENTR is renamed DG GROW, **DG Internal Market, Industry, Entrepreneurship and SMEs**. Unit D (services) is headed by Claire Bury and D/4 (free movement of professionals) by Martin Frohn. See the DG's organigram:

http://ec.europa.eu/growth/about-us/files/org_chart_en.pdf

2.3.2 The new Commissioner for Internal Market, Industry, Entrepreneurship and SMEs is **Elżbieta Bieńkowska**, previously deputy prime minister of Poland. In the matrix structure put in place by Jean-Claude Juncker, she will work to all the Commission vice-presidents, with the exception of Frans Timmermans and Federica Mogherini. In the course of her EP hearing, she made specific reference to professional qualifications:

My immediate priority is the efficient implementation of the Services Directive and the correct implementation of the modernised Professional Qualifications Directive. I intend to present, early in the mandate, a report on the remaining barriers to a fully-functioning internal market for services. [...]
I will also work to ensure that regulation of professional services in the Member States is fit for purpose. I will support modernisation and structural reform efforts by Member States through the ongoing peer review process (on the basis of the Professional Qualifications Directive).

http://ec.europa.eu/commission/sites/cwt/files/commissioner_ep_hearings/bienkowska-reply_en.pdf

2.3.3 DG GROW is pushing ahead with the **evaluation of recognised professions** announced in Communication COM/2013/676 and designed to eliminate over-regulation. Its first phase was a transparency exercise, requiring each MS to report which professions it regulates, either nationally or regionally. In the next phase, and by January 2016, MSs have been asked to supply detailed breakdowns of all their regulated professions and the activities that they cover, together with statements of intent regarding which of them they intend to retain. As reported in the previous Update, the first-phase interactive map is online at

http://ec.europa.eu/internal_market/qualifications/regprof/index.cfm?action=map#close

2.3.4 In the autumn DG MARKT held a series of events on the theme of **'modernising access to the professions'**. Details of the meetings in Warsaw, Berlin and Rome are available at

http://ec.europa.eu/internal_market/forum/2014/events/professional-qualifications/index_en.htm

The Rome meeting was devoted exclusively to the European Professional Card. A brief report of the Warsaw event, by a representative of the Polish Supreme Chamber of Physicians and Dentists, can be viewed at http://www.hpcb.eu/Issue_30_HPCB_Update_Briefing.pdf_58660726.pdf

2.3.5 No summary reports of meetings of the **Group of Coordinators** have been posted since June 2014.

http://ec.europa.eu/growth/single-market/services/qualifications/policy-developments/group-of-coordinators/index_en.htm

2.3.6 The DG GROW web page on **infringements** has not been updated since the Commission's restructuring. News of developments in December will be posted at

http://ec.europa.eu/growth/single-market/services/qualifications/infringements/index_en.htm

2.4 DG EAC

2.4.1 The new commissioner is the Hungarian **Tibor Navracsics**, who will work to vice-president Valdis Dombrovskis. Citizenship, which was to have been part of his brief, will instead be handled by first vice-president Timmermans. The salient points made by commissioner Navracsics in his appearance before EP's CULT committee include the following comment on the Bologna Process:

"I think the Bologna system is a success. However, it has to be refined. The experience of many Member States shows, that if the system is implemented without flexibility, it results in certain case a too stiff system. The system should be refined, made more flexible and more sophisticated."

What this means may become apparent in time. For a summary of his commitments, see pp.99-101 of the compilation put together by the EP secretariat, at

http://www.europarl.europa.eu/RegData/etudes/BRIE/2014/536386/IPOL_BRI%282014%29536386_EN.pdf

2.4.2 DG EAC Unit A3 (Skills and Qualification Strategies; Multilingualism Policy), as well as the parts of Unit B2 (Vocational Training and Adult Education; Erasmus+) dealing with Vocational Training and Adult Education policy, have been **moved to DG EMPL** (Employment, Social Affairs and Inclusion). Jordi Curell Gotor, who oversaw one of the 'modernisation of education' policy strands, has since followed. The DG EAC organigram is posted at http://ec.europa.eu/dgs/education_culture/docs/organisation_en.pdf

2.4.3 Since the last Update, DG EAC has published an evaluation report on the European Centre for the Development of Vocational Training (**CEDEFOP**). See

http://ec.europa.eu/dgs/education_culture/more_info/evaluations/index_en.htm

2.4.4 Those working in the sectoral professions which straddle vocational training (VET) and higher education will be interested in the evaluation report on the European Credit System for Vocational Education and Training (**ECVET**). Among its observations are the following:

... However, ECVET was not equally useful to all EU Member States. The level of commitment to ECVET in different countries strongly depends on the features of the existing VET and credit systems. Countries with units, modules and functional credit systems, as well as those with VET systems dominated by workplace-based training saw lower added value in ECVET implementation than those which lacked credit

system or had no units/modules and were predominantly school-based. The rigidity of national VET systems and the continuing lack of political commitment and argumentation at the national level shows that a genuine European credit system for VET (including all Member States) may not be feasible in its current form and could either be applied only in those countries where the demand and theoretical compatibility exists, or its objectives could be revised. [...] [pp.12-13]

ECVET and ECTS had weak compatibility in terms of their approach towards credit / credit points, but the learning outcomes approach could facilitate a two-way conversion between the systems. There were also indications that keeping separate tools was a viable option, as the workload element was much more important in higher education due to the stronger need to structure the curricula and schedules of lecturers and students, and meet student expectations in terms of workload offered by university courses. [p.14]

http://ec.europa.eu/dgs/education_culture/more_info/evaluations/docs/education/ecvet14_en.pdf

2.4.5 Also worthy of mention here are two recent reports produced by **EURYDICE**:

- *National Student Fee and Support Systems in European Higher Education* (2014)
http://eacea.ec.europa.eu/education/eurydice/documents/facts_and_figures/fees_support.pdf
- *Education Budgets in Europe* (2014)
http://eacea.ec.europa.eu/education/eurydice/documents/facts_and_figures/National_Budgets.pdf

2.4.6 DG EAC also publishes an **Education and Training Monitor**, covering country-by-country snapshot views of, *inter alia*, tertiary education attainment, graduate employment, and participation in lifelong learning. The 2014 edition can be downloaded from http://ec.europa.eu/education/library/publications/monitor14_en.pdf

2.4.7 Finally, October saw the publication of the conclusions of the **High Level Group on the Modernisation of Higher Education**. The main thrust of its recommendations concern the adoption of online learning and teaching methods and the consequent need for CPD at all levels of the teaching profession. (See also para.4.1.3 below)
http://ec.europa.eu/education/library/reports/modernisation_en.pdf

2.5 DG EMPL

2.5.1 The new commissioner is the Belgian **Marianne Thyssen**. A lawyer by profession, and formerly an MEP, her CV is available at http://www.europarl.europa.eu/meetdocs/2014_2019/documents/empl/dv/empl20141001_thyssen_cv/empl20141001_thyssen_cv_en.pdf

2.6 DG SANCO

2.6.1 Two DG SANCO projects impinge on aspects of the amended Directive:

- **Joint Action on Health Workforce Planning and Forecasting** has completed its first year of activities. Its report is due in January. See <http://euhwforce.weebly.com/>

- The consortium of the Council of European Dentists (CED), the European Federation of Nurses Associations (EFN), the European Midwives Association (EMA), the Pharmaceutical Group of the European Union (PGEU), led by the Standing Committee of European Doctors (CPME), together with the European Public Health Alliance (EPHA) – has concluded its ‘Study concerning the review and **mapping of continuous professional development and lifelong learning for health professionals in the EU**’. The full report now available at http://ec.europa.eu/health/workforce/docs/cpd_mapping_report_en.pdf

3 Council of EU

3.1 The Italian presidency ended in December, claiming little more than to have confirmed the priority of mobility and employability in the internal market:

The Presidency focused on education and training as key elements to boost growth and job creation policies, reaching three important results during its six-month term. Firstly, the Council restated that if Europe wants the Europe 2020 Strategy to be more effective, education must be a priority. It also stressed the need to mobilise every resource available at regional, national and European level and the opportunity to strengthen cooperation with Employment Ministers and the EPSCO [Employment, Social Policy, Health and Consumer Affairs] Council. In this regard, the Presidency organised for the first time a cross-participation of the Trio Presidency Ministers (Italy, Latvia and Luxembourg) and the two European Commissioners responsible for Education and Employment, respectively in the EPSCO Council and in the Education Council. The second result achieved is the approval of the conclusions on entrepreneurship and training, with the aim of supporting the institutions responsible for education and training in the activities promoting entrepreneurship during the learning process and disseminating the entrepreneurial culture among all European citizens. Finally, being generally aware that job opportunities depend also on the possibilities young people have to participate in mobility programmes, the Presidency deemed it fundamental to channel the Council’s effort on how to integrate mobility into education and training for all young Europeans. EU Ministers’ discussions showed broad convergence on the importance of promoting the integration of mobility experiences particularly in higher education curricula and on the need of further work on the proposal to prepare, under the Latvian Presidency, a political declaration of the Member States in support of the Erasmus + which include a percentage target for mobility experiences.

http://italia2014.eu/media/4605/risultati-semester-presidenza_it2014eu.pdf

3.2 The **Latvian Presidency** which began in January will focus on three overarching priorities: Competitive Europe, Digital Europe and Engaged Europe. CE includes strengthening the Single Market – making progress on the outstanding Single Market Act II proposals and launching discussions on the expected Internal Market Strategy for goods and services.

<https://eu2015.lv/the-presidency-and-eu/priorities-of-the-latvian-presidency>

3.3 Latvian presidency: the **minister for education and science** gave more detail in a speech to the EP Culture and Education (CULT) Committee:

Thinking of the skills and competences necessary for the future labour market, the Presidency will focus on enhancing European cooperation in vocational education and training. [...] Similarly, the work programme stresses evaluation of the Bologna process, accessibility of education and effectiveness of investments, internationalisation of education and transparency and recognition of skills and qualifications for mobility and employability.

<https://eu2015.lv/news/media-releases/318-minister-for-education-and-science-presents-education-youth-and-sports-priorities-at-the-european-parliament>

4 The European Parliament

4.1 CULT Culture and Education

4.1.1 The Committee decided in September not to debate the **Commission's Report on Progress in Quality Assurance in Higher Education** (for details, see Update 12, para.2.4.3).

4.1.2 It will, however, report on the **implementation of the Bologna Process**. The rapporteur will be the Polish socialist Krystyna Łybacka.

4.1.3 Aldo Patriciello, Italian EPP member, has tabled a motion for a resolution on 'the establishment of a single European system for access to the **teaching profession**, continuous training and performance assessment'.

4.1.4 DG EAC and DG EMPL, will hold a joint hearing on February 26, the subject of which is to be 'the **reform of educational systems** in Europe as a way to fight early school leaving, child poverty and youth unemployment'. The programme is not yet available.

4.2 IMCO Internal Market and Consumer Protection

4.2.1 As reported in the previous Update, the new **chair of IMCO** is the UK conservative Vicky Ford. While this signals continuity with the work of her predecessor Malcolm Harbour, as well as consistency with the perception that the UK is the most energetic promoter of the Single Market, it may also be read as a sign of IMCO's limited influence. The *European Voice* offers a downbeat view of the committee: it is overshadowed by Industry, Research, Energy (ITRE), by Legal Affairs (JURI), and by Economic and Monetary Affairs (ECON); it has to struggle hard to win important dossiers; the two main political groups consider it to be of little significance. See <http://3kck0t38mmqdnrjfp23kzm9tz0.wpengine.netdna-cdn.com/wp-content/uploads/2014/10/Companion-Final-PDF.pdf>

4.2.2 The programme of events mentioned in para.2.3.4 above runs in the framework of the **Single Market Forum** (SMF). The Forum has hitherto been organised jointly by IMCO and DG MARKT. At its September meeting, IMCO decided to seek a budget to extend its activities. It is intended in the future to focus on 'services, digital, IPR, public procurement, professional qualifications and crowd funding', with workshops in a number of MSs and a conference in 2015. See IMCO's September Newsletter at <http://www.europarl.europa.eu/document/activities/cont/201409/20140925ATT89944/20140925ATT89944EN.pdf>

4.2.3 The previous Parliament adopted in plenary session Anna Maria Corazza Bildt's report on the **state of play and next steps in the Internal Market**. The report regrets the "significant numbers of identified cases where Member States are inappropriately invoking overriding reasons of public interest for the sole purpose of protecting and favouring their domestic markets". See <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2013-0273+0+DOC+XML+V0//EN&language=en>

4.3 PETI Petitions

4.3.1 Details of a petition submitted by a Polish speech therapist, who was refused recognition in France, can be accessed at <http://www.europarl.europa.eu/sides/getDoc.do?type=COMPARL&reference=PE-535.946&format=PDF&language=EN&secondRef=01>

5 Professional, academic, regulatory and student bodies

Healthcare professions

- December saw the first **summit of healthcare student organisations**:

ECPTS: European Confederation for Physical Therapy Students

EDSA: European Dental Students Association

EMSA: European Medical Students Association

ENSA: European Nursing Student Association

EPSA: European Pharmaceutical Students' Association

<http://www.adee.org/pdf/news/press-release-european-healthcare-students-symposium-15-12-14-52.pdf>

No report is available at the time of writing. Some detail of existing collaboration between EPSA, EMSA and EDSA can be found on pp.26-7 at <http://www.epsa-online.org/images/publications/nwl/flash/V22E1/>

- The latest Update by Healthcare Professions Crossing Borders (HPCB) is available at http://www.hpcb.eu/Issue_30_HPCB_Update_Briefing.pdf_58660726.pdf
- The European Observatory of Health Systems and Policies has published a book on the mobility of health professionals in Europe. Chapter 2 provides a useful overview of the main conclusions. The second volume of outcomes of the PROMeTHEUS project, can be downloaded from http://www.euro.who.int/_data/assets/pdf_file/0006/248343/Health-Professional-Mobility-in-a-Changing-Europe.pdf?ua=1&dm_i=CUG,2U73U,BJMhK4,ABAY3,1

Medical doctor

- The September conference of the **Association of Medical Schools in Europe** (AMSE) debated the "uncontrolled" increase of public and private medical schools, franchise/cross-border models of medical schools, differences in medical programmes, in the quality assurance procedures and the automatic recognition of physician licenses across Europe according to the EU Directive 2005/36/EC and EU Directive 2013/55/EU'. Among its conclusions were the following:

We need Europe-wide standards for medical education programmes, medical schools, franchise/cross-border models of medical schools and academic hospitals. Based on these standards AMSE need Europe-wide valid quality assurance procedures.

<http://www.amse-med.eu/news.html>

Dentist

- In anticipation of the formulation of the delegated act by which the Commission will update the list of 'subjects' detailed in Annex V, the **Council of European Dentists (CED)** and the **Association for Dental Education in Europe (ADEE)** have jointly published a position paper on competences. It itemises the competences to be acquired by the end of the basic training programme, setting them into five broad categories: ethical, intellectual, clinical, therapeutic and preventative. See http://www.eudental.eu/library/policy.html?filter_id=57
- CED has also decided to strengthen its links with EDSA, as well as to join the advisory board of a **transnational e-learning platform**. http://www.eudental.eu//index.php?option=com_newsletter&view=newsletter&id=38&sbid=58&Itemid=4&tmpl=ajax

General care nurse

- The general assembly of the **European Federation of Nurses Associations (EFN)** was held in Dublin in October. *Inter alia*, it resolved to 'advance the negotiations for the development of the Delegated Act that will update Annexe V; as regards CPD, EFN members will take forward the recommendations of the EU Study on CPD making sure that their governments facilitate nurses' access to CPD activities'. <http://www.efnweb.be/wp-content/uploads/EFN-Update-November-December-2014.pdf>
- With regard to Annex V, EFN has drafted a **proposal for a competency framework**, which seeks to translate the content of the amended Article 31 into a set of generic and specific competences. The framework has been discussed by among others, the Chief Nursing Officers meeting in Rome, and a meeting of UK and Irish stakeholders convened by the Royal College of Nursing and the Council of Deans of Health. It can be accessed on the FINE website at <http://www.fine-europe.eu/wp-content/uploads/2014/12/EFN-Competency-Framework-Final-Draft-V18-07-2014-clean.pdf>
- FINE, the **European Federation of Nurse Educators**, has published an initial set of comments, to be finalised following a consultation of its membership which closed at the end of December. See http://www.fine-europe.eu/wp-content/uploads/2014/12/2014_12_16_FINE-Feedback-to-EFN-DRAFT-for-Council-2.pdf

Veterinary surgeon

- Under the aegis of the European Coordination Committee for Veterinary Training (ECCVT), four professional bodies (the European Association of Establishments for Veterinary Education - EAEVE, the European Board for Veterinary Specialisation - EBVS, the Federation

of Veterinarians of Europe - FVE, and the Union of European Veterinary Practitioners – UEVP) have set up a programme of **Veterinary Continuous Education in Europe (VETCEE)**. It has recently approved three postgraduate programmes in companion animal medicine. They are set at EQF level 7, each consisting of ECTS 30 to be completed on a part-time basis in a period of between one and three years.

http://www.fve.org/education/docs_to_download/VETCEE%20Applications/001_VETCEE%20Standards.pdf

- FVE, meanwhile, has issued a **policy paper on veterinary education**. In line with the VETCEE initiative, it calls for the harmonisation of CPD credits and specialist education across Europe. It also takes a strongly critical line on the basic training programme enshrined in the amended Directive: non-compliant courses have not been outlawed; the list of mandatory subjects set out in Annex V and unrevised since 1978 is inadequate; there is a persistent risk that programme designers will diminish the core curriculum in order to accommodate options prematurely; finally, where the Bologna Process has been implemented in such a way as to split an integrated programme into Bachelor and Master, there is no evidence that mobility has increased or that the Bachelor has any utility as an opportunity for career-switching.
http://www.fve.org/uploads/publications/docs/008_fve_edu_policy_ga_22_nov_2014_ad_opted.pdf
- In consequence, FVE will hope to engage fully with the preparation of the **delegated act** which updates Annex V.
http://www.fve.org/education/docs_to_download/ECCVT%20Newsletter/005%20ECCVT%20newsletter.pdf
- EAEVE's application to join ENQA, however, has been turned down; it has said that it will appeal.
http://www.eaeve.org/fileadmin/downloads/news/EAEVE_Staying_in_Touch_Ed3FINAL.pdf

Pharmacist

- The Pharmine project's **PHAR-QA consortium** has completed the first round of its consultation on competences for pharmacy practice. 1,600 academics, students and community pharmacists responded. The full results will be announced in February.
- PHAR-QA is to run a **summer course** in July at Utrecht University. It is designed for teachers, programme directors, staff developers and professionals who are involved in the course development and quality enhancement at undergraduate and postgraduate levels. It will provide a working knowledge of curriculum development in the pharmaceutical field, as well as set up a network of pharmacy education professionals. See <http://www.utrechtsummerschool.nl/courses/life-sciences/pharmacy-education-and-training>
- The **European Association of Hospital Pharmacists (EAHP)** has set in motion the construction of a common training framework (CTF) at EQF level 7. An initial meeting heard a presentation by a DG EAC policy officer and discussed divergences in national professional practices, as well as issues relating to curriculum design and quality assurance. It established a steering committee to organise the mapping of national curricula and to identify working groups, reporting back to the EAHP congress in March. Detailed minutes of the meeting are available at <http://www.eahp.eu/content/first-meeting-forming-common-training-framework>

Architect

- The **Architects Council of Europe (ACE)** is participating in the mutual evaluation process set in motion by the Commission. Intended to identify and address cases of over-regulation by MSs, the evaluation runs from 2013 to 2016.
http://www.ace-cae.eu/uploads/tx_jidocumentsview/ACE_Info_-_September_2014.pdf

6 New comitology

6.1 As indicated above, the sectoral professions are gearing up to lobby the Commission on the **delegated acts** that will deliver the amendments to the bodies of knowledge, skills and competences set out in Annex V. In the previous Update, EUA noted that implementing and delegated acts allow a legal text to be both fleshed out following enactment and modified in advance of the next scheduled review – in the case of the Directive, in 2018.

- **Implementing acts** concern the putting into effect of measures spelt out in the Directive. They create the legal authority necessary for MSs to enshrine particular requirements in their own national legislation. Examples are the mechanics of the European Professional Card (EPC), its accommodation in the IMI system, and the putting in place of the alert mechanism. The Commission is subject to the oversight of a Committee composed of MS representatives. Although the Commission chairs the meetings of the Committee, it has no vote. The Commission is already engaged in the drafting of implementing acts for the EPC and the alert mechanism.
- **Delegated acts**, meanwhile, allow the Commission to modify so-called non-essential elements of the Directive. Both Council and Parliament nevertheless have power of veto over whatever measures the Commission might propose in this respect – and both can revoke the decision to delegate. Examples from the amended Directive are: introducing new medical and dental specialties; updating the knowledge and skills itemised in the Articles dealing with the sectoral professions; introducing CTFs; and updating the various lists contained in Annex V. These are non-essential in the sense that they render the Directive more relevant to the circumstances which it is designed to address, without changing the underlying logic of recognition which informs it.
- However, simply to state that an act is delegated to the Commission is not the end of the matter. The text of the amended Directive is followed by a **'statement' by the Commission:**

The Commission will, when preparing the delegated acts referred to in Article 57c(2), ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and the Council, and will carry out appropriate and transparent consultations well in advance, in particular with experts from competent authorities and bodies, professional associations and educational establishments of all the Member States, and where appropriate with experts from social partners.

6.2 The question of **expert groups** has been taken up by the European Ombudsman. Emily O'Reilly has launched an own-initiative investigation (OI/6/2014/NF) into their composition and

transparency. It included a public consultation which closed at the end of August. No ‘closing summary’ has yet been published, but a list of organisations responding to the consultation can be seen at

<http://www.ombudsman.europa.eu/en/cases/correspondence.faces/en/55509/html.bookmark>

6.3 Meanwhile, the complexity and political sensitivity of implementing and delegated acts is reported to have generated considerable tension between the EU institutions. **Comitology experts** regard the new instruments as controversial – essentially for three reasons:

- Commission, Council and Parliament do not necessarily agree on whether a particular action should be undertaken by implementing act or by delegated act: in such cases the European Court of Justice (CJEU) may have to pronounce.
- How delegated acts, in particular, have been determined is far from transparent.
- There is dispute over what degree of control MSs can exert over the content of delegated acts.

6.2.1 By way of example, the Parliament alleged that the Commission exceeded its implementing powers in setting up a Management Board for the **EURES employment portal**. The case went to the CJEU, which – to the surprise of some observers – found in favour of the Commission. <http://curia.europa.eu/juris/document/document.jsf?text=&docid=158605&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=404933>

6.2.2 MSs are reported to be putting pressure on the Commission to publish draft delegated acts, to take on board the opinions of stakeholder groups, and to set up **a register of delegated acts** for the sake of transparency.

6.2.3 Since November, the procedures governing secondary legislation have changed in line with the modification of **Qualified Majority Voting** (QMV) by the Treaty of Lisbon. When Council considers the veto of delegated acts or the withdrawal of the delegation, it will henceforth require a double majority: 55% of MSs + MSs representing 65% of the EU population. The same will apply to decisions on implementing acts. However, until 2017, MSs have the option of requesting a return to the previous system enshrined in the Treaty of Nice. There appears to be considerable uncertainty about whether and how this would work.

6.2.4 It is hoped that the new **Interinstitutional Agreement** (IIA), to be drafted by Commission vice-president Frans Timmermans, will resolve many of the difficulties.⁴

7 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.

7.1 The recognition of professional qualifications is one of the strands of the controversial **Transatlantic Trade and Investment Partnership** (TTIP), currently in negotiation between the EU

⁴ This section owes a great deal to the newsletters published by <http://www.comitology.eu/>, as well as to the *Handbook on EU secondary legislation*, by Daniel Guéguen and Vicky Marissen (PACT European Affairs, 2013).

and the US. EUA provides detailed Updates at <http://www.eua.be/eua-work-and-policy-area/building-the-european-higher-education-area/international-trade-agreements.aspx>

7.2 The **9th European Quality Assurance Forum (EQAF)** was held in Barcelona in November. Its focus was on the transition to student-centred learning; the importance of pedagogical training; opportunities and challenges created by technological advances, and the recognition of non-formal learning. Videos are available at

<https://www.youtube.com/channel/UCyDeF1BQckVs6ryLdJvoHOg>

Presentations and papers are available at

<http://www.eua.be/events/past/2014/EQAF-2014/Presentations.aspx>

7.3 The **10th EQAF** will take place in London in November this year.

7.4 EUA's **Institutional Evaluation Programme (IEP)** has recently completed one of its largest external evaluation exercises. 70 Romanian higher education institutions have taken part in IEP evaluations over the last three years in the framework of two projects managed by UEFISCDI, the Executive Agency for Higher Education, Research, Development and Innovation Funding of the Romanian Ministry of Education, Research, Youth and Sport. The final report can be accessed via

[http://eua.be/News/14-11-](http://eua.be/News/14-11-13/IEP_concludes_evaluations_of_70_HE_institutions_in_Romania_and_presents_system-level_report.aspx)

[13/IEP_concludes_evaluations_of_70_HE_institutions_in_Romania_and_presents_system-level_report.aspx](http://eua.be/News/14-11-13/IEP_concludes_evaluations_of_70_HE_institutions_in_Romania_and_presents_system-level_report.aspx)

7.5 IEP's application to renew its inclusion in the European Quality Assurance Register for Higher Education (**EQAR**) has been successful. IEP will now be listed on the EQAR until 2019

[http://eua.be/News/14-12-](http://eua.be/News/14-12-11/IEP_inclusion_in_the_European_Quality_Assurance_Register_for_Higher_Education_EQAR_renewed_until_2019.aspx)

[11/IEP_inclusion_in_the_European_Quality_Assurance_Register_for_Higher_Education_EQAR_renewed_until_2019.aspx](http://eua.be/News/14-12-11/IEP_inclusion_in_the_European_Quality_Assurance_Register_for_Higher_Education_EQAR_renewed_until_2019.aspx)

Please feel free to forward this Update to any other interested parties.

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