



## **Professional Qualifications Directive 2005/36/EC**

### **European University Association response to European Commission's Consultation Paper**

A The European University Association [EUA] represents 850 universities in Europe, as well as the national rectors' conferences in 46 countries. It is a full consultative member of the Bologna Process and, with other sectoral bodies, a key mover in the Bologna Follow-up Group [BFUG].

B The first decade of the Bologna Process culminated in the inception of the European Higher Education Area [EHEA] in 2010. In the EHEA, the recognition of academic and, by extension, professional qualifications is of paramount importance as a condition of transparency and as an aid to mobility.

C The operation of automatic recognition and of the General System, as set down by Directive 2005/36/EC, poses certain problems in this new environment. EUA has raised awareness of these, by:

- Convening a meeting of academic, professional and student bodies with DG MARKT at EUA, Brussels, in October 2007
- Monitoring the interface of Bologna Process and Directive at <http://www.eua.be/eua-work-and-policy-area/building-the-european-higher-education-area/bologna-and-professional-qualifications.aspx>
- Convening a second meeting of academic, professional and student bodies in the European Parliament, with EP IMCO, DG MARKT, and EUA, in Brussels, October 2010
- Making an initial submission to the commissioned study undertaken by GHK
- Making formal presentation to the **Commission's** public hearing, Brussels, February 2011
- Addressing relevant issues in its *Survey of Master Degrees in Europe* (2009) and in *Trends 2010*

D EUA warmly welcomes the opportunity to respond to the Consultation. Its answers to questions relating to higher education are set out below.

**Q1** In general terms, EUA believes that **citizens' access to information** will be enhanced by the greater transparency created by the Bologna Process, at least as far as higher education qualifications are concerned. This is particularly the case when NARIC or other agencies have a remit at national level for the recognition of both academic and professional qualifications. It is also important to ensure that EURES and national careers counselling organisations are fully informed and accessible by citizens. Through its inputs to the Bologna Process and in its communications to its members, EUA raises **universities'** awareness of the Directive.

**Q4** EUA shares the view of many professional bodies that the **compensatory measures** provided for in the General System would be easier to manage if the five-level grid were replaced by the eight levels of the European Qualifications Framework [EQF]. The top four levels of EQF are consistent with the four levels in the Bologna framework (short undergraduate course, Bachelor, Master, PhD). The Bologna signatory countries, including all EU and EEA countries, are in the process of bringing their national qualifications frameworks into line with EQF and Bologna. The removal of the five-level grid set out in Article 11 of the Directive would eliminate two significant sources of confusion: the lack of reference to EQF and Bologna, and the ambiguous overlap of levels (d) and (e).

**Q7** Yes, considerations of employability and concern over current graduate unemployment rates make it important to facilitate **remunerated traineeships and supervised practice** across EU internal borders. EUROPASS Mobility is an instrument designed for this general purpose, although not with specific reference to the Directive. It is a secure instrument which validates periods abroad spent learning, training and working; it records the sending and receiving organisations, details of framework programme if any, duration and dates, objectives of the experience, competences and skills acquired. However, its use is voluntary and falls within the scope of Decision 2241/2004/EC. It could, however, be highly **recommended in the User's Guide to DIR 2005/36/EC and via the contact points.**

**Q8** Both home and host MSs would be covered by the comment above.

**Q10** The solution proposed by the Commission – '**any relevant educational programme officially recognised and attested as such by the home MS of the migrating professional**' – is a good one, from the academic and professional points of view. But the concept of '**regulated education**' is misleading. The term is not current. In the broad context of the EHEA it would refer, not to course content, but

to the legal status of the HE service provider. Introducing it would cause confusion in the minds of citizens and risk legal uncertainty.

**Q11-Q14** EUA considers that it is for regulators, professionals and consumer bodies to decide on the merits of the **professional card** and to determine whether, in relation to IMI, it has an added value. The issue for the EHEA is what degree of continuity there might usefully be between professional cards and student cards. EUROPASS has been mentioned above [Q7]. The Youth on the Move initiative (Proposals 34 and 35 of the Single Market Act) intends to re-package the EUROPASS bundle of mobility instruments into a new smart card. Student and professional cards do not need to be wholly interoperable, where security and confidentiality are professional issues, but it seems perverse to design systems which are incompatible. They could usefully overlap or cross-refer in the fields of CVs and work placements.

**Q15** EUA welcomes the notion of the **28<sup>th</sup> regime**. The Commission has often commended the Euro-Bachelor in Chemistry and the work of EUR-ACE in the field of engineering. It has also funded the Tuning Project which has established strong pan-European consensus among academics on Bachelor and Master curricula in a wide range of disciplines. However, it is essential that **these 'core curricula' be** framed in terms of level descriptors and learning outcomes, if diversity of provision is to be assured. There is no contradiction between diversity of content and consistency of standard. European quality assurance standards effectively underwrite both. Identity of course content, on the other hand, will depress academic mobility and reduce the responsiveness of learning and teaching to specialist research. Beyond this important reservation, EUA considers the 28<sup>th</sup> regime to be a significant step forward in the recognition of qualifications for the regulated professions.

**Q21 Minimum agreed training conditions** could be improved in a number of respects.

- Nursing is a field of study in which it is possible to reach PhD and post-doctoral levels. EUA is sympathetic to the views of the regulatory, professional and academic bodies which wish it to become a wholly graduate profession. This would necessitate a training entry requirement of twelve years of general education.
- The Consultation Paper raises the question of duration specified in hours (the cases of the medical doctor and the general care nurse). This is a vestige of previous legislation. While it may continue to be necessary to specify part of a programme (e.g. clinical placement, laboratory work) in hours or weeks, overall course duration is best measured in full-time equivalent academic

years. One such year carries 60 points in the European Credit Transfer and Accumulation System [ECTS], in which points are allocated according to a combination of student workload and learning outcomes. All Bologna signatory countries are committed to working with ECTS or compatible systems. Abandoning the specification of 5,500 (medical doctor) and 4,600 (general care nurse) hours brings two further benefits: it removes the need for the contentious 'or' in Articles 24.2 and 31.3; it overcomes the difficulties of recognition experienced when national legislations attribute marginally different numbers of study hours to each ECTS point.

**Q22** EUA supports in principle the view that the Directive should give due recognition to the changes in scientific knowledge, professional aspirations and pedagogic method which have occurred in the 40 years since the drafting of the first Directives. In respect of pedagogy in particular, EUA fully supports the view cited in para.4.1.1.2 (first bullet point) of the Consultation Paper, namely that training programmes undertaken in the higher education sector should be **output- and competence-based**. The Bologna reforms – from qualifications frameworks to quality assurance – are wholly predicated on this position. Curricula are designed on the basis of general and discipline-specific competences which, in line with the Dublin Descriptors, attach to each of the Bologna levels. It is worth stressing two points which are sometimes disputed: the reliable and valid assessment of learning outcomes is well embedded in higher education practice; the priority given to learning outcomes in no way undermines the practice of determining the duration of training programmes in full-time-equivalent academic years. In addition, EUA accepts the views of those bodies which consider the Directive ill-adapted to problem-based learning and too insistent on the separation of theoretical, practical and clinical skills.

**Q23** In the EHEA, maximum **transparency** is required of all qualifications. The *Standards and Guidelines for Quality Assurance in the EHEA* specify that: 'institutions should regularly publish up to date, impartial and objective information, both quantitative and qualitative, about the programmes and awards they are offering' [para.1.7]. This principle is upheld by all national quality assurance agencies which are full or associate members of the European Association for Quality Assurance in Higher Education [ENQA]. (ENQA, like EUA, is a full consultative member of BFUG.) The principle is also upheld by agencies inscribed on the European Quality Assurance Register [EQAR], which allows cross-border service delivery.

**Q24** On the issue of the **notification of diplomas**, EUA agrees that there is a problem. The climate of trust, transparency and cooperation fostered by the EHEA will help it raise the awareness of all stakeholder bodies.

**Q27** EUA notes the strong wish on the part of many healthcare regulators for **continuing professional development** to be made mandatory and for fitness-to-practice to be included in the Directive. In many instances the providers of CPD are universities. Employability and lifelong learning are prominent policy strands in the EHEA. A higher priority given to CPD, which crosses both strands, will embed it more securely in mainstream and quality-assured higher education provision. EUA, in discussion with professional bodies, has found a readiness to consider assigning CPD a credit value and building it into a Master qualification where appropriate. Insofar as the demand for CPD reflects concerns about public safety and public reassurance, the EHEA provides a favourable environment for it to expand.

In **conclusion**, EUA appreciates the efforts made by DG MARKT to ensure the widest canvass of opinion in the evaluation of the Directive. EUA believes that a re-engineered Directive must continue to assure the legal and professional recognition of sectoral qualifications. It believes too that incorporating the Bologna reforms will ensure that these qualifications are academically equivalent – and that this dimension is essential for public confidence and professional mobility.

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Howard Davies  
Senior Adviser  
European University Association  
**Avenue de l'Yser, 24, Ijserlaan**  
B-1040 Brussels

[howard.davies@eua.be](mailto:howard.davies@eua.be)