

Sectoral professions – Update no.2, October 2008

DIR 2005/36/EC on the Recognition of Professional Qualifications has now been in force for one year. EUA Update 2 covers the six-month period since the last update in April 2008. It summarises developments in:

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

1 The Bologna Process

1.1 The **official Bologna Process website** carries all important documentation accumulated since 1999, as well as up-to-the-minute information on seminars and action lines. See <http://www.ond.vlaanderen.be/hogeronderwijs/bologna/>

1.2 Since April, there have been **Bologna seminars** on: learning outcomes, student workload and ECTS; student mobility; staff mobility and pension arrangements; third cycle degrees. Links to these are available at <http://www.ond.vlaanderen.be/hogeronderwijs/bologna/BolognaSeminars/>

1.3 Bologna ministers are due to meet in **Leuven / Louvain-la-Neuve** next year. They will take stock of what has been achieved since 2007 in the areas of mobility, employability, qualifications frameworks, lifelong learning, the social dimension, data collection and stocktaking, and the position of the European Higher Education Area [EHEA] in the global context. Of particular interest to the sectoral professions are the **national qualifications frameworks** which have to be referenced against the Bologna 3-cycle system. See the country tracker at <http://www.ond.vlaanderen.be/hogeronderwijs/bologna/qf/national.asp>

1.4 Also of concern to some of the sectoral professions is the question of **post-Bachelor entry to the labour market**. Generic (but not discipline-specific) employability issues will be discussed at a Bologna conference to be held in Luxembourg on November 6-7. For details, visit <http://www.ond.vlaanderen.be/hogeronderwijs/bologna/BolognaSeminars/Luxembourg2008.htm>

1.5 Next year ministers will consider the future of the **European Higher Education Area [EHEA]**, to be officially launched at the summit planned for the spring of 2010 in Budapest and Vienna. They will be guided by the outcomes of a

seminar held in Ghent in May. There, the general rapporteur concluded that the post-2010 period would see more debate on funding, on the international academic labour market, and on institutional rankings; the focus of reform would shift from higher education structures to the learning process itself; employability and stakeholder involvement would remain priorities; finally, efforts would have to be made to avert the development of a two-speed (EU and non-EU) Bologna Process. See

http://www.ond.vlaanderen.be/hogeronderwijs/bologna/BolognaSeminars/documents/Ghent/Summary_concluding_debate.pdf

1.6 The deadline for receipt of applications to join the **European Quality Assurance Register for Higher Education** [EQAR] passed on October 3. The results will be known in November. Colin Tück, EQAR project manager, writes on the register in the current supplement to EUA's *Bologna Handbook* http://www.bologna-handbook.com/docs/framesets/news_frameset.html

2 The European Commission

2.1 Amendments to DIR 2005/36/EC

In June, the Official Journal carried a Communication recording the formal notification of **new professional titles**: by the Netherlands (specialised doctor), Poland (general care nurse and midwife), Portugal and Sweden (dental practitioner), Czech Republic, Italy and Slovenia (architect). See

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:137:0008:0010:EN:PDF>

2.2 Adaptation of DIR 2005/36/EC in line with the 'regulatory procedure with scrutiny'

EUA Update 1 noted the Commission's draft Regulation [COM(2007)741] on bringing the Directive into line with the '**regulatory procedure with scrutiny**' set out in Decision 2006/512/EC. The procedure would allow comitology to amend non-essential elements of legislative instruments. Specifically, it concerns the scope and nature of the Commission's powers to modify items such as: the skills and knowledge required of each sectoral profession (with the exception of medical doctors); the introduction of new medical specialties; and the minimum periods of training for doctors and dentists. The co-decision procedure is ongoing: Parliament (in June) and Council of Ministers (in September) have reached first reading stage.

2.3 Infringements

2.3.1 A number of Member States have not yet informed the Commission of the measures taken to update their lists of professional qualifications to accommodate the corresponding **Bulgarian and Romanian qualifications**. Accordingly, the Commission referred Portugal and UK to the Court of Justice in May, and Italy and Poland in June.

2.3.2 Moreover, **nineteen MSs** have still to inform the Commission of how they have transposed the Directive into national legislation. In June, the Commission sent a reasoned opinion – prelude to the full infringement procedure – to Estonia, Germany, Latvia, Lithuania, Netherlands, Poland, Sweden and UK. A reasoned opinion also went to Denmark in September, while Austria, Belgium, Cyprus,

France, Greece, Ireland, Portugal and Spain were referred to the Court of Justice. By October, the Commission's patience had run thin – Germany, Hungary, Luxembourg, Poland, Sweden and UK, were all referred to the ECJ.

2.3.3 EUA Update 1 reported the suspension of proceedings taken out against Belgium and Austria, following their introduction of **quotas on the number of foreign medical and veterinary students**. They have until 2013 to justify their policies. In a related development, the Constitutional Court of Belgium has referred the matter to the Court of Justice (case no.C-73/08), seeking to determine whether its imposition of a quota was legal. It alleges that the restrictive practices of neighbouring countries place an excessive burden on its public finances.

2.4 Internal Market Information [IMI]

Since 2007 DG MARKT has been piloting a new system of information exchange between national agencies responsible for the registration of migrant professionals. It has worked with accountants, medical doctors, pharmacists and physiotherapists and is now considering extending the scheme to the remaining sectoral professions, as well as to secondary school teachers and radiographers. To this end, it is running **training and awareness days** on November 25 and 26 in Brussels. These will target governments, regulators and professional bodies. Details are available at http://ec.europa.eu/internal_market/imi-net/imi_awareness_days_en.html

2.5 Healthcare services

2.5.1 Cross-border healthcare services were excluded from the Services Directive in 2006; since then, dedicated sectoral legislation has been awaited with interest. In July the Commission adopted its oft-redrafted **Directive on the application of patients' rights in cross-border healthcare** [COM(2008)414]. This now goes into the co-decision procedure, which is likely to take some time. John Bowis [EPP-ED], the rapporteur appointed by the Parliament, is due to retire in June 2009.

More modest in scope than many expected, the draft Directive gives legislative shape to existing ECJ rulings on patient mobility and reimbursements, while seeking enhanced government cooperation on e-health and on the assessment of new health technologies. In its Explanatory Memorandum (para.3b), it sets out its 'without prejudice' effect on professional qualifications:

This proposal does not aim to amend, modify or otherwise interfere with the existing rules on the mutual recognition of professional qualifications. Neither should any measure, taken by Member States in view of implementing this proposal by ensuring that healthcare is provided according to clear quality and safety standards, constitute new barriers to the free movement of health professionals as regulated by Directive 2005/36/EC.

At one stage it was thought that the draft Directive would contain measures on CPD, which might have impacted more forcefully on the Qualifications Directive. Education and training appear only fleetingly in the text, in connection with the proposed European Reference Networks. These are voluntary consortia of specialist centres, intended to deliver healthcare provision to patients requiring a particular concentration of resources or expertise. Article 15.1d specifies that the ERNs will, inter alia, 'help to share knowledge and provide training for health professionals'. For the full text of the draft Directive, see http://ec.europa.eu/health/ph_overview/co_operation/healthcare/docs/COM_en.pdf

2.5.2 Meanwhile, the DG SANCO's **Green Paper on healthcare professionals**, announced in the Commission's 2008 work plan, is expected in December.

2.6 EU Animal Health Strategy

In a Communication adopted by the Commission in September [COM(2008)545], DG SANCO presented an Action Plan for the implementation of the animal health strategy. In preparing a legislative proposal for 2010, it has promised to analyse recommendations coming from other EU institutions and concerning, inter alia, the **accreditation of veterinary schools**.

http://ec.europa.eu/food/animal/diseases/strategy/docs/COMM_PDF_COM_2008_0545_F_EN_AUTRE_PROC_LEG_NOUVELLE.pdf

2.7 New Study in Europe website

DG Education and Culture has set up a **new website** for students wishing to study elsewhere in Europe and for HEIs wishing to advertise their programmes. It consists of ERASMUS MUNDUS course listings, a Masters Portal, a wider course database, and a link to the Ploteus search engine. The data is mainly entered by HEIs and by Faculties, with the result that listings reflect the alertness of their marketing departments. There is no shortcut to courses which are compliant with the Directive.

<http://www.study-in-europe.org/index.cfm?objectid=D4A8D186-3FFF-AEA2-32B627E7DA291125>

2.8 The European Qualifications Framework

DG EAC also ran a major conference on the **EQF** in June. It dealt with links to the national qualifications frameworks, RPL, and the role of EQF in removing barriers between adult, higher and vocational education. A workshop on the usefulness of EQF to professions, industry and business did not touch on sectoral qualifications as defined by the Directive. See

http://ec.europa.eu/education/policies/educ/eqf/conf_en.html

3 The European Parliament

3.1 CULT Committee on Culture and Education

3.1.1 Following the lead given by CULT, the European Parliament voted in its October plenary to adopt **ERASMUS MUNDUS II** for the period 2009-2013. A budget of €950m – four times that of phase I – will expand the programme from Joint Masters to joint doctorates and give higher subsistence grants to EU students. It will also allow third country HEIs greater scope for participation.

3.1.2 In September, Parliament adopted Doris Pack's [EPP-ED] own-initiative report on the **Bologna Process and student mobility**. Among other things, it ...

11. Calls on universities in the Union to undertake an innovative, far-reaching and methodical curricular reform, since ambitious and high-quality content and restructuring of organisation is crucial for student mobility and for greater flexibility; calls for a "mobility study period" to be introduced into all degree programmes to enable students to go abroad;

24. Emphasises that the three-cycle degree system (Bachelor degree, Masters Degree and Doctorate) could become more flexible especially by using a "4+1" instead of "3+2" system for

the first and second cycles; notes that for some studies this could be more appropriate in order to enable greater mobility and employability of graduates;

25. Calls for internships and other informal and non-formal mobility experience approved by universities to be granted ECTS credits and recognised as an integral part of study curricula

For the full text, visit

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0423+0+DOC+XML+V0//EN&language=EN>

3.2 IMCO Internal Market and Consumer Protection

3.2.1 Recital 32 of the Directive reads as follows:

The introduction, at European level, of professional cards by professional associations or organisations could facilitate the mobility of professionals, in particular by speeding up the exchange of information between the host Member State and the Member State of origin. This professional card should make it possible to monitor the career of professionals who establish themselves in various Member States. Such cards could contain information, in full respect of data protection provisions, on the professional's professional qualifications (university or institution attended, qualifications obtained, professional experience), his legal establishment, penalties received relating to his profession and the details of the relevant competent authority.

IMCO has appointed Charlotte Cederschiöld (EPP-ED) as rapporteur for a draft report on the creation of a **European professional card** for service providers. The draft calls for coordinated action by the Commission to facilitate professional mobility, using the Directive, the EQF, EUROPASS and the EURES employment portal in conjunction. It also asks the Commission to investigate the card's potential for transparency and consumer protection; the Commission should do so by examining the 'initiatives presented by professionals'. The full draft is at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-414.372+01+DOC+PDF+V0//EN&language=EN>

4 Professional, academic and regulatory bodies

Ministerial meetings do not address particular disciplines. The sectoral professions nevertheless continue to assess the implications of Bologna's three-cycle qualifications system and its relationship to the Directive.

The central question is **how to remain compliant**, while accommodating learning outcomes, ECTS, new modes of quality assurance, recognition of prior learning [RPL], continuing professional development [CPD], cross-border student mobility, and post-Bachelor labour market entry. The main issues are those of academic coherence, the tension between professional mobility and protectionism, cost and funding. Recent developments include the following:

Medical doctor

- Issue 6/2008 of the journal *Medical Teacher*, published by AMEE (Association for Medical Education in Europe), carries a summary of a survey of Bologna implementation undertaken in 2007; its findings suggest that seven countries have decided to adopt a two-cycle model,

with 19 opting not to reform, and 15 either undecided or devolving decision to medical schools

<http://www.informaworld.com/smpp/content~content=a795457005~db=all~order=page>

- At its Barcelona conference in June, AMSE (Association of Medical Schools in Europe) issued a declaration underlining the importance of medicine-specific quality assurance issues; it called for more intensive dialogue between general and medicine-specific QA agencies
<http://www.amse-med.eu/documents/BarcelonadeclarationFinal.pdf>
- EMSA (European Medical Students' Association) will hold a Bologna Process training workshop for healthcare students in Smolenice, Slovakia, on November 5-9
<http://www.emsa-europe.org/>
- AMEE, AMSE, IFMSA (International Federation of Medical Students' Associations) and WFME (World Federation for Medical Education) were among organisations giving presentations at a conference hosted in Berlin by the German Rectors' Conference, at which DG MARKT was also represented; after lively debate, the conference rapporteurs urged the alignment of Bologna and the Directive, the strengthening of QA at European level, and the development of a core curriculum based on learning outcomes and the Bologna cycles
http://www.hrk-bologna.de/bologna/de/home/1945_3442.php
- Also in Berlin, MEDINE (the ERASMUS thematic network for medical education in Europe) announced that it would be seeking funding, via the Tuning Project, for the development of a toolkit which would help HEIs design competence-based medical curricula; for the Tuning Project, see <http://tuning.unideusto.org/tuningeu/>

General care nurse

- EFN (European Federation of Nurses Associations) and ENSA (European Nursing Students Association) are to set up a joint web-based working party to study all aspects of the relationship of Bologna to the Directive
http://www.rcn.org.uk/_data/assets/word_doc/0011/175709/ENSA_AGM_2008_Notes_FINAL.doc

Dental practitioner

- Work initiated by DentEd III, the ERASMUS thematic network in dentistry education, on the profile and competences of the dentist, has been taken over by an ADEE task force (Association for Dental Education in Europe). A final version will go to the 2009 ADEE General Assembly for approval.
http://www.adee.org/cms/uploads/adee/ADEE%20Newsletter_July%202008_copy.pdf
- On August 1 CPD became compulsory for all UK dental care professionals, at a rate of 250 hours per 5-year period
<http://www.gdc-uk.org/Our+work/Continuing+professional+development+and+revalidation/>

Veterinary surgeon

- FVE (Federation of Veterinarians of Europe) reports a measure of support in the European Parliament for 'finding a legal basis for the evaluation system of veterinary schools in Europe'; see para.2.6 above and http://www.fve.org/news/newsletters/2008_3_newsletter.pdf

Pharmacist

- EAFP (European Association of Faculties of Pharmacy) held its annual conference in June. A survey of members suggested that there is wide variation in the extent of Bologna implementation. Partly to remedy this, EAFP is bidding for funding for an ERASMUS thematic network (Pharmine). The principal conference presentations are available at <http://www.eafponline.org/>
- EPSA (European Pharmaceutical Students Association) is partnering EMSA in the Bologna Process training workshop for healthcare students in Smolenice, Slovakia on November 5-9 <http://www.epsa-online.org/news-bologna-process-training.php>
- The UK's Royal Pharmaceutical Society [RPSGB] is to lose its regulatory function to a new agency – the General Pharmaceutical Council; this will allow it to re-position as a 'dynamic new professional body', part of the projected remit of which will be to promote education thinking and to support all aspects of CPD <http://www.rpsgb.org.uk/pdfs/newprofbodyguide080509.pdf>

Architect

- ACE – The Architects' Council of Europe has revised the terms of reference of its Education working group; these now include a survey of state-registered architecture schools to assess the extent of Bologna implementation
- ENACA: a European Network of Architects' Competent Authorities has been established; no website address is yet available

5 The European University Association

5.1 EUA has completed the drafting of the **European University Charter on Lifelong Learning**, drawn up at the request of the French government. The Charter will be submitted for the approval of EUA members at its October conference in Rotterdam, prior to being launched in Bordeaux in November. When adopted, it will enhance the capacity of universities to participate in the design and delivery of CPD.

[http://www.eua.be/index.php?id=48&no_cache=1&tx_ttnews\[tt_news\]=444](http://www.eua.be/index.php?id=48&no_cache=1&tx_ttnews[tt_news]=444)

5.2 EUA's series of *Trends* surveys of progress in the Bologna Process is well known. The next report – ***Trends 2010*** – will be launched at the EUA Convention in Vienna and considered by the ministerial summit meeting in Budapest and Vienna (both events in March 2010). It is likely that *Trends 2010* will contain data on each of the sectoral professions. For the *Trends* series in general, see

<http://www.eua.be/trends-in-european-higher-education/>

Please feel free to forward this update to any other interested parties. Comments, corrections and news items will be very welcome, as will suggested additions to the circulation list and requests for copies of previous updates.

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