

Modernisation of the European Qualifications Directive Guideline for EFPA Member Associations and Associate Members

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What to know about the EQD

What is the EQD?

The European Qualification Directive, or the [Directive 2005/36/EC](#), is a EU Directive aiming to regulate the recognition of professional qualifications. Although it respects the principle of subsidiarity, it follows the idea that someone who is considered a qualified professional in one country should have his/her qualifications recognized in another country, and should not be forced to meet additional requirements. Note that the term qualification refers to the education and training needed to practice the profession. The EQD stipulates that governments may only ask for compensatory measures (additional supervised practice and/or education, exams, tests) in case of large discrepancies. See for details on the current system the [Users Guide](#).

Governments of EU Member States must transpose the Directive, that is, incorporate its rules into national law, and make sure that the qualifications of professionals moving from one country to another are recognized according to the rules. This has been effectuated in the years after the current version of the Directive was accepted.

The European Commission assigns great significance to the EQD, which it sees as a means to remove barriers and facilitate the mobility of professionals in the EU. Achieving a greater mobility and resolving labour shortages, is one of the key elements of the Single Market.

How does EQD relate to EuroPsy?

The EQD regulates thousands of professions of which psychologist is just one. Each Member State has appointed one or more Competent Authorities that handle applications for recognition of the qualifications of professionals that wish to practice the profession in that Member State. Among these are Competent Authorities responsible for handling psychologists' applications for recognition of their qualifications.

EuroPsy is a certification system developed by EFPA, specifically for the profession of psychologist. There are various differences with EQD in purpose, scope and practical aspects, including the following:

1. EQD aims to take away *mobility* barriers between countries; it only deals with professionals migrating from one country to another. EuroPsy is about *quality, wherever psychology is practiced*. It aims to set a minimum standard for what makes a competent psychologist, regardless of whether the professional operates within a particular country or moves from one country to another.
2. EQD *compares* what countries define as the basic education and training needed for a profession, whereas EuroPsy defines a *uniform threshold* that does not only cover the basic education but also poses requirements regarding professional competences obtained by supervised practice, professional ethics, and continued professional development. EuroPsy comes in two forms, a *basic* one defining what is need for entry into the profession, and a *specialist* one that defines what is needed for e.g. Psychotherapy.

3. EuroPsy is broader in scope and poses higher requirements than the EQD. This means that someone who has obtained the EuroPsy certificate should expect that his/her qualifications will be recognized when moving to another country. The opposite is not the case: recognition of a psychologist's qualifications in the context of EQD does not imply that he/she meets the EuroPsy standards.
4. Under the current EQD, applications for recognition of qualifications are handled by the *Competent Authority* in the host Member State. The recognition is valid for *that particular country* only. In contrast, applications by EuroPsy are handled by a *National Awarding Committee* in the country where the psychologist obtained his/her qualification. The EuroPsy certificate is valid for *all 35 countries* covered by EFPA.
5. Recognition in the EQD framework *remains valid* for life, the EuroPsy certificate *needs to be renewed*, after seven years, and requires continued practice and continuing professional development.

How does EQD relate to license to practice?

The EQD covers the recognition by Member States of qualifications required for regulated professions. Recognition may imply the right to practice the profession, but this is not always the case. National law may require professionals to meet additional requirements in order to get a license to practice. For instance, all European countries use some form of licensing to restrict the exercise of health care professions. Which licenses are required for which profession, differs by country.

Why is the EQD being modernized?

In recent years, the European Commission has done an extensive evaluation of the existing Directive and noted that there are still too many barriers hindering mobility. The Commission has identified several weak spots and proposes a number of changes that should improve the system in the interest of the professionals and the public, and for the benefit of the EU's Internal Market.

***What are the main changes being proposed?*¹**

The Modernisation proposal entails a large number of changes. The most important changes one, from the perspective of EFPA, are the following:

1. The European Commission wants to introduce a *Professional Card* to make the process of obtaining recognition more transparent and faster, and to increase confidence in consumers, employers and Member States. The card will be an electronic certificate issued by the Competent Authority in the home country (no longer the country of destination). This will make the card valid in all EU Member States. Competent Authorities will be obliged to use the Internal market Information (IMI) as the administrative basis for the card. The card shall only be issued to professionals requesting it. Thus, there will be professionals with and without the card.
2. The current Directive focuses on differences between qualifications required by Member States and the compensation of differences. The new Directive focuses on

¹ More information can be found at: http://ec.europa.eu/internal_market/qualifications/policy_developments/index_en.htm

exemptions for those professionals who meet a predefined standard, the so-called *Common Training Framework (CTF)*. The CTF is defined as: “a common set of knowledge, skills and competences necessary for the pursuit of a specific profession”. The CTF differs from the minimum training requirements in the current system in two ways. Practical competences (e.g. for communication and teamwork) should also be required, and requirements are open to revision to reflect the development of the scientific knowledge and professional practice.

3. The Commission wishes to use the mechanism of *delegated act* to establish a CTF, and have the power to do so in all cases where the profession is regulated in at least one third of the member States.
4. The *actual implementation* of the Directive will rest, as before, with the Competent Authorities of the Member States. They will handle applications on a case-by-case basis, using the CTF for evaluating applicants' qualifications. The process shall be fast and the outcomes will remain valid for life, unless revoked because of malpractice (see below).
5. Until now, only seven professions covered by the Sectoral System (doctors, nurses, midwives, pharmacists) enjoyed *automatic recognition* of their qualifications. Using the CTF opens the possibility of de facto *automatic recognition* of qualifications to many more professions, including the profession of psychologist.
6. The proposal also mentions the desirability of *testing language skills*, after the qualifications have been established. It is meant to ensure that professionals are able to communicate well with their patients and clients, and to enhance safety and consumer protection.
7. Competent Authorities should alert each other – through the IMI system – when a professional is prohibited to practice the profession. This *malpractice alert* is restricted to the professions enjoying automatic recognition under the Sectoral System.
8. The concept of *partial access* is introduced, which means that Member States may provide access to professionals qualified for professional activities that are part of a profession with a larger scope of activities in the host Member State. In case of overriding reasons of general interest, such as in health care, partial access may be refused.

The position of EFPA

What does EFPA think about the proposed changes?

EFPA agrees that the EQD needs to be modernized and recognizes the potential of the proposal to enhance the mobility of psychologists and other professionals in Europe. Yet, there are some limitations and shortcomings that need to be addressed.

Particularly important is the role of representative professional organisations at the European level. These organisations, like EFPA itself, have unique expertise concerning requirements of professional education, training and practice, as well as the assessment of professionals with regard to those requirements. A number of professional organisations have developed Europe-wide certification systems and are issuing certificates and/or professional cards (e.g. FEANI's Engineering Card and EFPA's own EuroPsy). EFPA feels that involving the professional organisations and creating an interface between their cards and

the Professional Card proposed by the Commission is critical for the effectiveness of a new EQD.

Regarding the profession of psychology, EFPA maintains a clear distinction between EuroPsy and the EQD. EuroPsy has a much broader purpose, and EFPA will continue to implementing and developing it as its own system for the raising the quality and visibility of the profession. Yet, EFPA thinks that making the requirements of EQD congruent with the basic educational requirements of EuroPsy is in the interest of psychologists and the public, and could considerably speed up the recognition of psychologists' qualifications in EQD. Below are EFPA's responses to the proposed changes.

1. EFPA thinks that the European Professional Card issued by the Competent Authority in the home country can be a step forward, provided that a sufficiently large number of professionals apply for it. It sees a risk of confusion among consumers, employers and professionals themselves, if some professionals have the card and others do not. Such confusion can be avoided by stipulating that all members of a particular profession (e.g. nurses or mountain guides) need to have a card. For the sake of transparency it is also important that consumers, employers and professionals can learn from a public and up-to-date register (on-line database) which professionals are qualified and which are not.
2.
 - a. EFPA welcomes the notion of a *Common Training Framework* with uniform requirements for a profession. However, EFPA sees as a potential risk if they would deviate from the requirements posed by the professional organisations and/or that the assessment procedure might differ from that followed by the professional organisations, as this would create confusion among the public as well as the professionals as to who is qualified for what and for how long. With regard to the profession of psychologist, EFPA considers it as essential that the requirements of the CTF are congruent with the educational requirements of EuroPsy.
 - b. EFPA is of the opinion that the notion of CTF needs to be developed further. Although its current definition mentions knowledge, skills, and competences, the CTF seems to apply mainly to the education needed to obtain a basic qualification for entry in the profession. For many academic professions, including psychologist, this would clearly be insufficient, since professional work activity and continuing professional development leading to particular professional competences (e.g. in diagnostics or treatment) would also be required. Considering the declining half-life of professional knowledge, skills and competences, it would also make sense to limit the period of validity of recognition, and to acknowledge the necessity of life-long learning for professionals.
3. EFPA thinks that the *process by which the CTF will be established* should be more transparent, and that representative professional organisations at the European level should play a key role in determining the common skills, knowledge and professional competences for their profession, as well as in defining suitable assessment procedures.
4. EFPA suggests that the Directive should make it possible to *recognize the cards and certificates* developed by such representative professional organisations at the European level as a basis for recognition of professionals' qualifications in EQD. In the case of psychology, EuroPsy should provide a basis for recognition. This would imply that psychologists with the EuroPsy Certificate would not have to be re-assessed by a

Competent Authority and that recognizing their qualifications in EQD would become an automated routine.

5. EFPA welcomes the possibility of *automatic recognition* of psychologists' qualifications by using the CTF, provided that the requirements of the CTF are congruent with the educational requirements of EuroPsy. However, it should be made clear that this recognition only covers part of the requirements that a psychologist must meet in order to be deemed competent to practice according to EuroPsy (cf. 2 b).
6. EFPA understands that for many professions there may be a need for *testing language skills*. However, in the case of psychology the mastery of language skills is so intricately connected with professional competence, that insufficient language skill will automatically impede professional activity. For psychologists language tests may constitute a disproportional burden.
7. EFPA welcomes the idea of an *alert system* but thinks that clarification is needed on how (and how long) an alert would affect the validity of the professional card, and how invalidation or withdrawal of the card would be effectuated. Clarification is needed on when an alert will be given, for which professions this will be the case, who will (have the right to) be informed, etc. EFPA thinks that alerts should not be confined to the health care professions. They might be appropriate for psychologists, also those working outside of the health system.
8. EFPA objects to *partial access* in case of the profession of psychologist. The minimum standards for professional qualification in psychology cannot be partialised, without creating confusion and risks for patients and consumers. Particularly harmful would be partial access of professionals offering services in psychological assessment or psychotherapy without having sufficient education.

Which changes would EFPA like to see?

EFPA encourages changes in the articles pertaining to the 8 points listed above. In view of the fact that other parties have already raised similar points – in particular by CEPLIS-Eurocadres and by ETUC, ETUCE, EPSU, EUROCADRES and CEPLIS – EFPA has not formulated its own specific amendments.

However, EFPA thinks that more emphasis must be placed on the need to strengthen the role of professional organisations. To avoid confusion among the public and professionals, and to optimally use their expertise, they should be consulted in setting standards and assessment procedures, and have the right to propose CTFs. In cases where Europe-wide standards have already been set– as in EuroPsy – these should be respected when recognizing professional qualifications. To this purpose EFPA has formulated the following amendments:

To be inserted after art. 19a 3.

- 1. *In the process of establishing a common training framework for a particular profession, the Commission shall inform the representative professional organisation for that profession at the European level, and obtain their advice***

regarding the required knowledge, skills and competences, as well as the assessment thereof.

- 2. Irrespective of the foregoing, any representative professional organisation at the European level has the right to propose establishing a common training framework.*
- 3. In cases where a representative professional organisation at the European level has established and is issuing a certificate or card showing professional expertise or competence, the common training framework for that particular profession shall maximally be congruent with the requirements of that certificate or card.*

To be inserted after art. 4a 5.

- 1. Competent authorities shall regularly consult with professional organisations at the European as well as the national level about the assessment of a professional's qualifications.*
- 2. A competent authority shall waive the assessment of an applicant's professional qualifications when the applicant possesses a valid certificate or card showing professional expertise or competence for the particular profession, issued by a representative professional organisation at the European level.*

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