

## Some notes on European Directives, professions<sup>1</sup> and qualifications frameworks

Input for the Irish Bologna Expert Conference on

### **National Qualifications Frameworks and the European Overarching Frameworks: Supporting Lifelong Learning in European Education and Training**

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**Q. Can you elaborate a little on the difference between qualifications and *qualified status* as granted by a professional institution or registration body?**

I think it's important to make this distinction between a *qualification*, in the sense of a certificate, diploma or degree, and *qualified status*. A qualification is generally permanent once it's achieved: it can't for instance be revoked for malpractice. Qualified status on the other hand is 'on loan' from the body that grants it, and it can be taken away for things such as unethical conduct, failure to keep up-to-date, for not paying the annual membership fee, or (for professionals in private practice) not having indemnity insurance; its holder can also resign from it. This characteristic of revokability is important as it is key to the profession's ability to act against incompetence and bad practice.

Relationships between qualifications and qualified status can be quite complex depending on the individual profession (more on this later), but essentially the thing to remember is that qualifications can contribute to qualified status but don't automatically provide it. I will give three examples. The first one is teaching, where the teaching degree or postgraduate certificate incorporates supervised practical experience and leads with some additional formalities to registration (qualified status) – so the two are very closely related, though of course registration can be revoked. The second is civil engineering, where would-be practitioners normally enter with a master's degree in engineering or a bachelor's degree plus further learning. Beyond this over a period of typically 3-5 years, trainee engineers need to meet a series of development objectives set by the Institution of Civil Engineering and pass a professional review before being awarded Chartered Engineer status. The third example is the conservation of cultural heritage, a profession where I have been involved in developing the qualifying process. Most practitioners now enter with a degree or (increasingly) a master's degree in conservation, though this is not a formal requirement. To gain the title Accredited Conservator-Restorer all entrants must pass a comprehensive professional practice assessment, regardless their previous qualifications or training; typically this will be 5 years or more after graduating.

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<sup>1</sup> I'm speaking from a predominantly UK perspective and should mention that comparatively few UK professions are legally regulated in the sense of having reserved titles or reserved functions (the UK government has always been reluctant to create this kind of restriction unless a substantial public risk is involved). Rather more however operate in situations where there is *de facto* regulation either because semi-monopsonistic employers such as state schools or the health service require practitioners to hold qualified status, or insurance companies are reluctant to indemnify practitioners who are not fully qualified.

**Q. So how does that relate to qualifications frameworks?**

In two ways, the second of which I will come back to later. The first is that while the contributing qualification can be placed in the framework, the qualified status can't (although the framework level descriptors can be used to judge its approximate level). Some professional bodies are taking note of that: for instance in the UK the Association of Chartered Certified Accountants is putting its professional examinations (which previously didn't lead to a separate certificate) into the Qualifications and Credit Framework as a unit-based qualification, while others (the Chartered Institute of Library and Information Professionals and the Institute of Conservation are examples) are assessing (or getting others to assess) how their qualifying process matches to the framework levels.

**Q. You have done some research on how professions manage entry-routes and qualify their members. Can you precis this and say how it relates to the European Directives?**

The research<sup>2</sup> was carried out in 2007-8 in partnership with the Professional Associations Research Network in Bristol. It looked at 23 professions in the UK, examining their entry-routes and requirements for qualified status and how these were changing. The results indicated that while as in most developed countries the number of university graduates has increased substantially over the last 20 years, there is a strong trend for professions to open their doors to a wider range of entrants and allow them to achieve qualified status by a variety of routes: part-time and fully work-based, non-graduate with or without achieving a degree on the way, moving in from neighbouring professions or subsidiary occupations (e.g. 'technician entry'), and entry for experienced but unqualified practitioners using recognition of previous learning or direct access to a summative assessment and accreditation process. Half the professions in the study had either improved access to qualified status in the last ten years, or had concrete plans to do so. The most forward-looking were realising that they now needed to move away from distinct routes to criteria that could be satisfied by a variety of means using individual pathways; and a few had abandoned any reference to length of training in favour of specifying learning outcomes or practising requirements. Interestingly some of the greatest flexibility was found among old-established bodies such as the Law Society / Solicitors' Regulation Authority and the Royal Institution of Chartered Surveyors, as well as the newer state-backed General Teaching Council.

The EU Directives on the other hand are often fairly prescriptive about routes, even to the point (as Bryan Maguire's paper describes) of stipulating full-time training. This is perhaps a product of the more standardised and qualification-based professional training present in some but by no means all countries in mainland Europe. Returning to the research I did with PARN this emphasis on routes of any kind (but certainly full-time routes) is looking increasingly out-of-date. It is also questionable from a mobility perspective and may be open to legal challenge if it can be shown to be unnecessarily restrictive or if it produces indirect discrimination. Regardless of the legal situation, to insist that someone already working in a field (say as a care assistant or engineering technician) must go back into full-time education in order to progress their careers is both unnecessary and socially unjust.

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<sup>2</sup> Lester, S (2008) *Routes and requirements for becoming professionally qualified* Bristol, Professional Associations Research Network (ISBN 978-0-9556089-2-6)

Q. What role do you see qualifications frameworks having in relation to the Directives?

What I'm suggesting here is that some of the provisions in the EC Directives are out of touch with how professions are actually evolving, and to be workable in the future the Directives will need to be revised to take account of current practices. This is where the qualifications frameworks can play an important role, not in a direct sense because of the difference I referred to earlier between qualifications and qualified status, but by providing a benchmark that uses the language of level and outcomes instead of processes and routes. An example of this is provided by one of the professions I referred to earlier, the conservation of cultural heritage, where a non-binding agreement on mutual recognition was recently rejected partly because it stipulated five years of full-time training at higher education level. An alternative (backed by the UK and Ireland among others) is to require achievement at level 7 of the EQF with a clearer description of the key learning outcomes to be met. This still supports the idea of qualifying at master's level, while also supporting approaches like the UK's and Ireland's where practitioners need to demonstrate practising ability at this level (through the respective professional bodies' assessment processes) regardless of whether they have academic qualifications or not.