



Council
5 May 2016

Registration Assessments – alignment with the European Directive on the Recognition of Professional Qualifications

Classification	Public
Purpose	For decision
Issue	Compliance with the EU Directive 2005/36/EU on the recognition of professional qualifications as amended by EU Directive 2013/55/EU.
Recommendation	To agree the revised registration assessment process for applicants with EU rights.
Financial and resourcing implications	This work has been incorporated into existing staffing resources.
Equality and diversity implications	We have sought to incorporate equality and diversity aspects into both the development of our new assessment processes and also in our consultation exercise. However, it will be important to continue to be responsive to feedback and to continue to ensure that we make appropriate adjustments to take account of the equality legislation and good practice.
Communications implications	Our new registration processes for applicants with EU rights will be published on our website.
Annexes	<ul style="list-style-type: none">A. Review of Qualifications: applicants with EU rights: Guidelines for Assessors and ApplicantsB. Review of Non-UK Qualifications Assessor Evaluation Form (to be completed by the GOsC Assessors)C. Outline of Osteopathic Education, Work Experience and Lifelong LearningD. Mapping of academic transcript, experience and training to the <i>Osteopathic Practice Standards</i> (to be completed by the applicant)E. Professional reference formF. Applicant checklist
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Background

1. The Recognition of Professional Qualifications European Directive 2005/36/EC (now amended by EU Directive 2013/55/EU) aims to protect the principle of freedom of movement for professionals in Europe and thus puts in place a more streamlined process for applicants with EU rights to gain registration in another European country.
2. Applications to the GOsC Register from applicants who do not hold a UK Recognised Qualification are considered through the GOsC's international registration assessment processes. There are different pathways for applicants who have EU/EEA rights and those who do not because those with EU rights are entitled to a more streamlined approach by virtue of the EU Directive.
3. In 2010 the existing Directive underwent a review led by the European Commission. Directive 2013/55/EU which amends EU Directive 2005/36/EC was adopted by the EU at the end of 2013. The transposition deadline for this Directive into UK law was 18 January 2016. Therefore we were required to review and revise our registration processes accordingly and ensure that they are in place with effect from 18 January 2016 to ensure that our own registration processes complied with the new consolidated EU Directive.
4. In October 2014, the Education and Registration Standards Committee considered our organisational approach to reviewing our registration assessments to ensure compliance with the European Professional Directive amendments when they came into force in early 2016.
5. In March 2015, the Education and Registration Standards Committee noted the key milestones for the project to ensure compliance with the Directive, these included:
 - Review current registration system for EU/EEA rights applicants against revised RPQ Directive.
 - Revisions anticipated include: registration assessment design, associated guidance, standard correspondence, website materials.
 - Training required for Registration Assessors, Moderators and GOsC internal staff.
 - Implement compliant revised system for January 2016.
6. In February 2016, we provided a brief update to Council about the progress made to implement the Directive and confirmed that the Education and Registration Standards Committee and Council would consider these changes at their forthcoming meetings.
7. In March 2016, the Education and Registration Standards Committee considered the way in which we had implemented the Directive. The Committee agreed the revised registration assessment process for applicants with EU rights and to recommend to Council for approval.

8. This paper provides an update about how our registration processes have been amended and streamlined to meet the milestones outlined above and to ensure compliance with the Directive and updates on key areas considered by the Committee during 2015. The paper asks the Council to approve the Committee decision to agree the revised processes in compliance with European Directive 2005/36/EC as amended by Directive 2013/55/EU.

Discussion

9. The implementation of the European Directive for the UK has involved a wide range of stakeholders. We have engaged with the Department of Health, the Department for Business, Innovation and Skills, members of the Alliance of UK Regulators in Europe and the UK Inter-professional Group to contribute to formal consultations and calls for feedback as the implementation process has developed.
10. As part of our review of the Directive, we have liaised closely with other regulators in order to test out our understanding and to assure ourselves that our interpretation of the changes to the legislation is aligned with that of other regulators who are covered by the General Systems aspects of the new consolidated EU Directive. We gratefully acknowledge the advice of the Health and Care Professions Council and permission to draw on some of their documentation in revising our own approach. However, we remain solely responsible for our compliance with the Directive.
11. Our finalised documentation is set out at Annexes A to F.
12. Previously, our assessment process for applicants with EU rights comprised a three stage process:
 - Stage 1 – Assessment of qualification against the Subject Benchmark Statement.
 - Stage 2 – Completion of further evidence of practice questionnaire
 - Stage 3 – Aptitude test or period of adaptation.
13. This has now been reduced to a more streamlined process, offering the applicant the opportunity to provide more information at Stage 1 thus enhancing their chances of showing the requirements at this early stage and reducing the chances of compensation measures being imposed. Applicants can include information about how their osteopathic qualification, work experience and lifelong learning show in more detail how they substantially meet the *Osteopathic Practice Standards* (i.e. that there are no substantial differences between the applicant's qualification, work experience and lifelong learning and the *Osteopathic Practice Standards*.) This process is outlined in the *Review of Qualifications: applicants with EU rights: Guidelines for Assessors and Applicants* at Annex A and this approach is consistent with that offered by other regulators.
14. The justification to be provided to the applicant if compensation measures need to be imposed is important and we have redrafted the feedback form from the

assessors in order to help them to provide sufficient feedback to the applicants. *The Review of Non-UK Qualifications Assessor Evaluation Form (to be completed by the GOsC Assessors)* attached at Annex B provides information to be given to applicants. We also held a training session for registration assessors on 21 January 2016 to explore the concept of 'substantial differences' to ensure consistency in application. The training session was considered very useful or useful by those attending.

15. The applicant is able to provide a range of supporting evidence to support their application for registration. Annex C – *Outline of Osteopathic Education, Work Experience and Lifelong Learning* enables the applicant to detail how they demonstrate the *Osteopathic Practice Standards* (and no substantial difference between the *Osteopathic Practice Standards*, work experience and life long learning) and to demonstrate this explicitly to the assessors through the *Mapping of academic transcript, experience and training to the Osteopathic Practice Standards (to be completed by the applicant)* at Annex D. All information on the *Outline of Osteopathic Education, Work Experience and Lifelong Learning* must be verified by a professional reference and the form for this is attached at Annex E. Finally, there is an Applicant Checklist at Annex F which enables the applicant to check that they have submitted all the documentation that they wish to before the application is assessed.
16. Draft documentation was shared with a range of colleagues internally for proofing and the use of clear language. We also shared draft documentation with applicants who have been through our current registration processes for comments and with our registration assessors who have significant experience of assessing applicants from the EU for the purposes of both education and registration. We received five responses in total.
17. At its meeting on 3 March 2016, the Education and Registration Standards Committee considered the process of development and the responses received. The Committee was assured that we have worked to ensure that our documentation complies with the Directive and is helpful to applicants and assessors and that we had sought feedback from both applicants and assessors and colleagues to check this.
18. Taking this into account, the Committee agreed the draft documentation subject to further clarity about the requirements to be satisfied by applicants with statutory registration in another EU country. It was also agreed that the information available on the website for registration pathways would also be reviewed to ensure clarity and fit with the revised guidance.
19. As with all new processes, the Committee agreed that it will be important to continue to keep the process under review and to continually learn to ensure that the principles of freedom of movement as enshrined in the EU Directive are adhered to and that patient safety is maintained.

Recommendation: to agree the revised registration assessment process for applicants with EU rights.