

Equality of Opportunity Committee

EOC(3)-08-08: 4 June 2008

Issues Affecting Migrant Workers in Wales

Evidence Submitted by the Welsh Assembly Government on the Accreditation of the Qualifications and Skills of Migrant Workers

Introduction

I welcome the opportunity of submitting evidence to the Committee on this subject. Although the recognition of qualifications gained outside of the UK is primarily the responsibility of the UK Government, I acknowledge that this is an important consideration that affects migrant workers in Wales and to which the Welsh Assembly Government does make a contribution.

This paper is divided into 4 sections: general overview; accreditation arrangements and qualifications frameworks; European Community issues; NARIC.

General Overview

It is important for migrant workers, employers and consumers that there is an effective system to regulate and recognise qualifications and skills obtained outside the UK. Obtaining such recognition is often necessary before migrant workers are able to obtain suitable employment. We know from surveys undertaken by the Welsh Refugee Council that a fairly high proportion of refugees in Wales have professional or other high level qualifications and experience yet many are not able to obtain employment in Wales that is commensurate with these qualifications. At the same time, however, it is important that employers and the general public can be assured of the quality of these qualifications and experience in order to protect their interests. The fact is that education and training systems overseas can vary widely from those in Wales and a qualification gained there, although it might at first appear to be equivalent to one obtained in Wales, can in practice be very different and need not necessarily demonstrate that the individual has the same level of competence as someone trained in Wales. For example, in some countries learners start undergraduate degree programmes after only 10 or 11 years of schooling, whereas in the UK it is normally 12 or 13 years. A degree gained in these circumstances may not be equivalent to a UK degree. The situation for those with qualifications gained within the European Community is significantly different from those with qualifications obtained in other countries.

The Assembly Government participates fully in UK-wide activities to address these issues. In addition, it works with bodies in Wales, including those representing refugees, to help improve the situation in Wales. We will, for example, shortly commence work on preparing a skills and employment action plan for refugees in Wales. As part of the wider action plan for the implementation of the Skills that Work for Wales strategy, DCELLS will be preparing a skills and employment action plan for refugees in Wales. Individual strands of the strategy will be brought forward for approval when more detailed information and associated financial implications are known. The proposal will be funded within the DCELLS baseline through reprioritisation of existing budgets as necessary. There are therefore no wider financial implications for the CELLS MEG or the Assembly Government.

Accreditation Arrangements and Qualification Frameworks

External qualifications are subject to statutory regulation because the public - learners, employers and other customer groups - have a legitimate interest in the continued availability of high quality qualifications that are fit for purpose, command public confidence and are understood both by those who take them and those who use them. The public also needs to be assured that consistent standards are being properly maintained across awarding bodies over time, that the awarding body is competent and that if something goes wrong there is a right of appeal.

Responsibility for regulating external qualifications lie with the 3 qualifications regulators: DCELLS in Wales, the Qualifications and Curriculum Authority (QCA) in England and the Council for Curriculum, Examinations and Assessment in Northern Ireland.

There are three qualification frameworks operating in Wales:

The National Qualifications Framework (NQF). This is shared across Wales, England and Northern Ireland and it sets out the levels (entry to level 8) against which a qualification can be awarded. It is regulated by the 3 qualifications regulators. Qualifications are admitted to the NQF through a process of accreditation which is in two parts: the recognition of awarding bodies; and the accreditation of qualifications. Common criteria are applied for all qualifications, for example dealing with assessment arrangements, and additional criteria are applied to specific types of qualification eg GCSEs, NVQs. There are currently 5,914 accredited qualifications on the NQF. The QCA is currently leading work, that also involves the Welsh Assembly Government and Northern Ireland, to develop a new framework, the Qualifications and Credit Framework, which will incorporate the concept of credit already pioneered in Wales.

The Framework for Higher Education Qualifications (FHEQ). This applies to degrees, diplomas, certificates and other academic awards granted by universities and colleges under their degree awarding powers. Again, this operates across Wales, England and Northern Ireland and it is coordinated by the Quality Assurance Agency.

The Credit and Qualification Framework for Wales (CQFW). Implementation started in 2003 and it is able to embrace all learning

achievements including mainstream qualifications, in Wales. The CQFW merges the concepts of volume of learning achieved (credit) and the demands made by the learning on the learner (level). It is an overarching framework which is made up of a number of pillars. The NQF and the CQFW are two of these pillars. To date all HEIs in Wales and 14 awarding bodies have been recognised to assign and award credit in the CQFW. Work continues to bring more awarding bodies within its scope.

European Community Issues

It is fundamental to EU law that citizens should have the freedom to establish themselves and work anywhere in the EU. To this end, the EU has agreed a series of directives that seek to help citizens transfer their qualifications from one member state to another. In 2005 it adopted an amended directive (2005/36/EC) governing the recognition of professional qualifications in the EU which aims to clarify and consolidate the previous rules and facilitate the free movement of qualified professionals between member states. The Directive came into force in 2007 and its implementation in the UK is governed by UK Government Regulations. It applies to citizens of the European Economic Area (EU states plus Norway, Iceland, Liechtenstein and Switzerland).

In summary, there are 3 main elements to the Directive:

What is called the General System, which is designed for those who are qualified to practice a regulated profession in one member state and wish to have their qualifications recognised in another member state in order to practice there. Personal applications need to be made to the competent authorities in the host member state. For Wales this is the Welsh Ministers. They may grant recognition, refuse it or grant it subject to certain requirements. The General System is essentially a fall-back provision for professions that do not fall into the other elements;

A system of automatic recognition of qualifications affected by professional experience, covering industrial, craft and commercial activities. Subject to stated conditions such as experience is given automatic recognition.

A system of automatic recognition of qualifications for specific professions. This covers the health professions, vets and architects.

Another important EU initiative is the European Qualification Framework (EQF). This was launched in 2006 and is still in development. The planned implementation date is 2010 and the date for having certificates that carry the EQF level is 2012. The concept is for an overarching framework to facilitate comparison of qualifications and qualifications levels in order to promote labour mobility and lifelong learning. Member states are invited to relate their national qualifications levels to the framework. Recent developments include a stronger link to the validation of non-formal and informal learning and the advantages to be afforded to disadvantaged groups. There are currently 12 EQF testing projects under way and Wales and Scotland are involved in one of them. A UK four-country EQF Co-ordination Group has recently been established. The Welsh Assembly Government will be responsible for mapping the CQFW to the EQF. Although implementation of the European Qualification Framework is not imminent the immediate costs, in the main, relate to holding meetings and attending the UK Co-ordinating Group. The Qualifications and Learning Division budget has already allocated funds for this. The estimated cost of mapping the CQFW to EQF is £10,000 which will be met from within the Qualifications and Learning Divisional budget. This budget will also meet the associated incidental costs such as publicity/promotional material. No further costs to the Welsh Assembly Government of implementing the EQF are anticipated at this stage but if any do arise they will be met from the existing Qualification and Learning Division budgets within the CELLS MEG.

UK NARIC

This is one of a network of NARIC centres across the world whose job is to provide information and expert opinion on vocational, academic and professional skills and qualifications from over 180 countries. The UK centre operates under contract to DIUS and the Welsh Assembly Government is not directly involved. UK NARIC is where individuals from overseas go who wish to have their qualifications assessed before they enter the UK labour market.

NARIC's primary service is to provide equivalency statements for qualifications from overseas. These statements can cover the level of the qualifications (compared to the qualification frameworks in the UK) and the authenticity of the qualification. It also offers a range of research and advisory services.

Organisations such as universities, employers and government departments can subscribe to the NARIC databases at a cost of £850 plus VAT a year. Individuals may seek a Letter of Comparability at a cost of £40 plus VAT which is provided within 5 working days of the receipt of the relevant information.

The NARIC service is therefore very useful for migrant workers who wish to work in Wales, particularly those from outside the EU.