



Managed by the Association of European Border Regions by an Action Grant (CCI2017CE160AT082) agreed with the Directorate General of Regional and Urban Policy, European Commission. Financed by the European Union.

b-solutions

Annex I.a: FINAL REPORT BY THE EXPERT¹

Part of the report is also the information sheet on the advice case to be compiled by the advised entity to be submitted to the Association of European Border Regions (AEBR) attached to the report.

Advice case title: KOMPAR - Promoting employability in the health & social sector

Full official name of the advised entity: EGTC Euroregion Nouvelle-Aquitaine Euskadi Navarra

Name of the expert contracted for the advice case: Mission Opérationnelle Transfrontalière (MOT)

Date: February 28th 2021

Table of content:

- I. Description of the obstacle
- II. Indication of the legal/administrative dispositions causing the obstacle
- III. Description of a possible solution
- IV. Pre-assessment of whether the case could be solved with the ECBM
- V. Other relevant aspects to this case
- VI. References and Appendix/Appendices if any

I. Description of the legal or administrative obstacle in the specific context

The legal obstacles consist in the non-recognition of neighbours' diplomas, as well as of qualifications and professional competences acquired in the country of origin in three specific fields subject of the study:

- Care for Dependants / Educational and Social Accompaniment
- Child Education - Infant (Early Childhood) Education/ Petite Enfance
- Social Integration/ Moniteur Educateur.

There is a need of formal and specific authorisation for each professional cross-border practice on both sides of the border.

These obstacles are hindering cross-border movement of students and workers on the French-Spanish border.

II. Indication of the legal dispositions causing the obstacle

The obstacles consist of a lack of regulation by any of French and Spanish competent authorities to facilitate the recognition/validation of studies or professional competences in the above-mentioned professional fields in order to facilitate cross-border professional mobility.

¹ AEBR and the European Commission have the right to utilise the information submitted, as well as to publish its content and to include it in derivative works.



Managed by the Association of European Border Regions by an Action Grant (CCI2017CE160AT082) agreed with the Directorate General of Regional and Urban Policy, European Commission. Financed by the European Union.

There are state diplomas and professional titles.

The main texts that provide for these diplomas are:

- on the French side: Code of social action and families of 1956
- on the Spanish side: many Royal decrees among which Royal Decree 1420/1991 of August 30, which establishes the official degree in social education, Royal Decree 1394/2007, of October 29, which establishes the title of Higher Technician in Early Childhood Education and sets its minimum education, Royal Decree 1074/2012, of July 13, which establishes the title of Higher Technician in Social Integration and sets its minimum courses, etc.

III. Roadmap towards a possible solution of the obstacle with indication of the entities to be involved in the possible solution

Need of overcoming the obstacles described above, by working on the homologation and the validation of studies, training or professional qualifications of the country of origin at the French-Spanish border.

There are real needs at the local labour market for social integration professionals. Therefore, given the numerous recruitments of unskilled personnel, the aim is to regularize the recruitments, as well as through an appropriate framework, to encourage cross-border professional mobility.

PURPOSE: To give/ To recognize a certain amount of leeway to training institutions (especially those participating in the Vocational Training working community KOMPAR) in the comparative study of the contents of French and Spanish training courses, which are numerous and diverse.

The aim is not to recognize a particular degree of a diploma, but rather to ask the competent national authorities to authorize, to give a framework of action to these training institutions to carry out the comparative work, matching, etc., and then to be able to refer directly to the local authorities for the validation of cross-border equivalences.

Local authorities remain competent for equivalences due to the difficulty of imagining transfers of this competence, but training centres must be given an official role in the development of cross-border equivalencies.

There are three ways to address the solution developed by the training centres that are part of KOMPAR: derogations OR equivalence system OR training/modules/internship supplements. Training centres must be able to propose practical solutions to the local authorities responsible for the validation of equivalences.

The validation of skills and qualifications is the prerogative of the local authorities:

- In Spain:

***region Navarre: Department of education**

***region Euskadi: IVAC (Basque Institute of Knowledge of Vocational Training)**

- In France:

***deconcentrated authorities in the field of work: DIRRECTE**

***Conseil régional Nouvelle-Aquitaine;**

Managed by the Association of European Border Regions by an Action Grant (CCI2017CE160AT082) agreed with the Directorate General of Regional and Urban Policy, European Commission. Financed by the European Union.

While the recognition of diplomas is the responsibility of States (Ministries of education, of Labour in Spain and in France and Ministry of social affairs in France).

For the training centres to be recognized as cross-border actors in the fields of Care for dependants, Child education and Social Integration, it is only a question of taking legal measures in the first case (in the field of validation of skills and qualifications).

How to do it?

- 1) By a FR-ES framework agreement which would be a general solution allowing training centres to work on many diplomas and certificates not precisely identified (only covered areas need to be specified), on the basis of the competences that they have internally/ or that they are entrusted with. For example, delegations of competences from local authorities are possible.
Entities to be involved: French and Spanish governments, especially Ministries of Education, Ministries of Labour in Spain and in France and Ministry of Social Affairs in France, because of the competencies of the French national authorities in this field. Therefore, it is not possible to involve only local authorities on the Spanish side (reciprocity issue).
- 2) By lobbying the ENIC-NARIC (French public body) to complete its list of foreign diplomas and certificates that benefit from attestations of comparability or attestations of recognition of periods of study.
Basque equivalent: IVAC (a comparable work should also be undertaken there)
Equivalent Navarra: The department of education (idem)
Problem: these are only partial solutions that only concern the precisely identified degrees and trainings. This solution is not sustainable, especially in view of the new diplomas to be developed.
- 3) By developing joint local projects allowing to do part of the training in France or Spain, especially traineeships.
Entities to be involved: all the entities responsible for setting up European projects.

IV. Pre-assessment of whether the case could be solved with the European Cross-Border Mechanism

The case could be partially solved with the ECBM because of the need of validation of degrees and professional qualifications on the French-Spanish border. The mechanism will consist of recognizing as equivalent particular Spanish or French diploma or skills in the three areas concerned by the study, namely Care for dependants, Child education and Social Integration. When a Spanish professional comes to look for a job in France, he will be able to do it with his only Spanish diploma or skills certificate, just like a French professional in Spain.

But in fact, this would be only a case by case solution; the homologation need concerns many different diplomas and qualifications as well as all new degrees and certificates to be developed.

V. Other relevant aspects to this case

VI. References and Appendix/Appendices if any



*Managed by the Association of European Border Regions by an Action Grant
(CCI2017CE160AT082) agreed with the Directorate General of Regional and Urban Policy,
European Commission. Financed by the European Union.*

Date and signature

February 28th 2021