



Nursing Legislation and Curricula in compliance with Article 31 of Directive 2005/36/EC, amended by Directive 2013/55/EU

Although EU Member States are individually striving to respond to compliance with EU legislation, the European Federation of Nurses' Associations (EFN), on behalf of 34 national nurses' associations representing 3 million nurses within the EU, developed a competency framework for being a recognised general care nurse in the EU. The EFN Competency Framework¹ aims to support the nursing schools within the EU and Europe to transpose Article 31 of the Directive of Mutual Recognition of Professional Qualification² (hereinafter referred to the Directive) into the nursing education curricula, which must be composed of 4600 hours over a minimum of 3 years. The Directive was modernised in December 2013, with a timeframe for Member States to implement it by 18 January 2016.

EFN Negotiating for better legislative Outcomes

The beginning of the modernisation of the Directive started with a EU Public Consultation (March 2011) that brought upfront the challenges faced in the recognition process and the need to update the education requirements for the professions covered under the automatic recognition systems in order to take into account the advancements of the professions concerned. At that time it was evidenced that the minimum education requirements for nurses responsible for general care should be reinforced in light of reflecting current advancements in nursing such as new focus of healthcare oriented towards health promotion and disease prevention, centred-care, long-term care, community-based care, eHealth, patient safety, research, evidence-based practice, etc. The modernisation process resulted in the strengthening of the nurse education requirements with the addition of a set of 8 nurse competences.

The EFN was very much involved in the elaboration of these competences and for those preparations, the EFN members elaborated a first version of the EFN Competency Framework³ which was used during the negotiations and presented to the Parliament, Council of the European Union, Commission and stakeholders during a European Parliament Roundtable on nurse education organised by the EFN, in October 2012.

Once the modernised Directive was approved, the main focus of EFN went to ensure that all these changes are being transposed into the national legislation in every Member State. To that end, the EFN members established a new EFN Working Group on Competences⁴. The last EFN General Assembly, held in Brussels on 16-17 April 2015, endorsed the EFN Competency Framework and adopted it as an assessment tool to facilitate the implementation of the changes of the modernised Directive into the national nursing curricula.



From the beginning of the modernisation, until the final adoption in April 2015, the EFN members together with other stakeholders such as educators, regulators, chief nurse officers and academics built a consensus to make sure that free movement and mutual recognition of professional qualifications becomes a real opportunity for nurses, ensuring that safety, quality and trust remain at the forefront of the process.

Competences included in the modernised Directive

The competences included are part of the minimum educational requirements for nurses responsible for general care. Interesting to highlight are the opportunities that these competences bring in for the nursing profession to develop a solid foundation for general care nurse education. Especially, the competency "a" expresses the importance for a nurse responsible for general care to provide evidence that he/she can "independently diagnose the nursing care required" and "plan, organise and implement nursing care".

Furthermore, he/she will work together effectively with other players in the health sector and communicate comprehensively and professionally while empowering individuals, families and groups towards healthy lifestyles and self-care and provide independently advise, instruct and support individuals needing care.

Very important, he/she will independently initiate immediate measures to preserve life and to carry out measures in crisis and disaster situations. The competences formulated in the Directive indicate that any future nurse will independently ensure the quality of nursing care and assess it. Analyse the quality of care in order to improve their own professional practice as general care nurses becomes a key competence!

It is clear that the nursing profession in the EU has become legally and professionally strengthened.

From 8 Legislative Competences to an EFN Competency Framework

The term "competency" has different definitions, although there are key common aspects to all of them: knowledge, skills, attitudes and values. In addition, it is interesting to incorporate the concept of "transfer", that is, the mobilisation of these components in order to use them within a specific context and provide the best possible answer making use of available resources (Gómez Del Pulgar, M. 2011).

The EFN Competency Framework establishes a logic pathway that connects the 8 nurse competences of the Article 31 followed by the identification of the related competency areas, and continues with the breakdown of competences, describing what is expected to be achieved with the competences, the necessary education to be covered in the curricula, and finalises with potential learning outcomes that would prove the acquisition of such competences. The process presented above will allow the assessment of nurse students' education according to a European Framework.



Time Constraints and consequences of non-compliance

A modernised educational system in the EU becomes a political priority to boost free movement and safety when delivering health services to the public, and an updated Annexe V would need to be developed to guide the implementation of the nurse competences into educational topics. Unfortunately, the delegated act to be prepared by the Commission will not see its light before end 2016, due to time consuming activities of the European Professional Card, etc.

Therefore, the professional associations, unions and regulators within EFN took the responsibility to develop the EFN Competency Framework as a guideline for transposition. The first nurse students benefiting from the modernised Directive will need to comply with EU legislation, if not, their automatic recognition would be at risk.

The EFN guideline to transpose Article 31 into national legislation, and consequently into the nursing curriculum of each nursing school is perceived as a support to the education sector. Those schools and governments deciding that no efforts need to be done could face infringement procedures based on the results of the Commission evaluation of their transposition.

Furthermore, those nurses graduating from nursing schools in the EU of which nursing curricula do not comply with the modernised Directive will not be recognised within the EU based on mutual recognition of professional qualifications, but will fall under the general system, which undertakes a case by case analysis.

Historically we have observed that these “nurses” falling under the general system, move to other Member States as healthcare assistants, although in their country they are “nurses”. A waste of a precious nursing workforce which is urgently needed⁵



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¹ European Federation of Nurses Associations (2015), EFN Competency, Framework. EFN Guideline to implement Article 31 into national nurses' education programmes. Brussels, Belgium. [online] http://www.efnweb.be/?page_id=6897

² Directive 2005/36/EC on Mutual Recognition of Professionals Qualifications, amended by Directive 2013/55/EU.

³ The EFN Competency Framework was developed taking into account existing documents on nurse competences developed by the ICN, WHO, Tunning project, etc. Particular attention was given to the work done by Dr Mercedes Gomez Del Pulgar on the development of nurse competences.

⁴ Members of the EFN Working Group of Competences: Chair: Maximo Gonzalez Jurado; Vice-Chair: Herdis Gunnarsdottir; Members: Branka Rimac, Carol Hall, Birgitta Wedahl, Bruno Gomes, Miklos Bugarszky and Yves Mengal

⁵ European Commission 2012, Action Plan for the EU Health Workforce. [online] http://ec.europa.eu/health/workforce/docs/staff_working_doc_healthcare_workforce_en.pdf