



Ag Rialáil Gairmithe Sláinte
agus Cúraim Shóisialaigh

Regulating Health +
Social Care Professionals

Recognition of International Qualifications

(Qualifications gained outside of the Republic of Ireland)

Policy (POL-001)

An Chomhairle um Ghairmithe Sláinte agus Cúraim Shóisialaigh
Health and Social Care Professionals Council

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1. INTRODUCTION

This policy sets out the rules by which the Registration Boards will operate their functions in relation to the recognition of professional qualifications, including those undertaken in the Boards' capacity as Competent Authorities, in the context of relevant legislative provisions.

The specific legislation in effect at the time of writing is:

- Directive 2005/36/EC of the European Parliament and of the Council of 09 September 2005 on the recognition of professional qualifications (as amended) (the **“Directive”**)
- The Health and Social Care Professionals Act 2005 (as amended) (the **“Act”**)
- The European Union (Recognition of Professional Qualifications) Regulations 2017(S.I. No 8 of 2017) (the **“Regulations”**)

All the above are subject to amendment. Where a conflict emerges between this policy and primary or secondary legislation in effect at National or EU level the legislation shall take precedence over this policy.

2. CONTEXT

Applicants for registration must hold either:

- a qualification awarded in the State which has been approved by the Registration Board or
- a qualification awarded outside the State which is recognised by the Registration Board.

On the day a register opens for a designated profession, the Registration Board becomes the Competent Authority for that profession under the Directive. A Competent Authority is established for the purposes set out in that legislation, including the recognition of professional qualifications. In addition, the Registration Board is responsible for assessing qualifications from outside the EU/EEA, for the purpose of registration, which are not covered by that Directive.

Recognition of a qualification by the Competent Authority/Registration Board has no function, effect or status in the State other than to demonstrate that an applicant holds an approved qualification in the relevant profession for the purpose of registration in accordance with Section 38 of the Act.

Applicants whose first language is not English may be required to provide evidence as to their knowledge of the language necessary to practice the profession in the State as part of the Recognition process.

3. MAKING AN APPLICTION

3.1 Eligibility

For an application to be considered for recognition, it must fulfil eligibility criteria in relation to the status of:

1. The right to practise
2. The profession
3. The qualification and
4. Language Proficiency

All eligibility criteria must be met for the application to be considered for recognition.

3.1.1 The Right to Practise

An applicant must be eligible to practise the profession in the Home State (i.e. the State where the qualification was obtained). This is confirmed by a letter of confirmation from the Home State Competent Authority or an equivalent body acceptable to the Registration Board. However, it is not required that applicants be currently registered to practise in the Home State. The requirement is that applicants should be eligible to practise their profession, without completing any further training or assessment in their Home State.

Where the profession is not regulated in the Home State:

- The applicant must provide proof of employment in the profession for one year in the past ten years in an upregulated state (either home state or other state where the profession is not regulated).
- If the applicant has qualified in a non-regulated state but is now employed in the profession in a regulated state, then the applicant must provide evidence of the right to practise in that state from the Competent Authority of that state.

3.1.2 The Profession

The profession for which the applicant is qualified, in the country where the qualification was awarded (“the Home State”), must be the same as that profession which the applicant wishes to pursue in Ireland. The profession is the same if the roles, responsibilities, and activities in the Home State are **comparable** to those of the profession as practised in Ireland.

3.1.3 The Qualification

Non-EU Applicants

- The applicant must hold a qualification that the Registration Board decides attests to a standard of proficiency corresponding to the national standard.
- Where the Registration Board has determined that a qualification does *not* attest to the standard of proficiency corresponding to the national standard, the Board may deem the applicant ineligible to progress with the recognition process. The applicant will be informed, and the application will be closed.
- Where the Registration Board has determined that a qualification does *not* attest to the standard of proficiency corresponding to the national standard, the Board may direct the Executive to add this qualification to a list of ineligible qualifications for that profession. The Executive will have responsibility for maintaining this list.
- The Registration Board may delegate the decision of ineligibility to the Registrar for applicants who apply with a qualification on the '*ineligible list of qualifications*'.
- The Registration Board is required to reconsider the qualification after a maximum period of 36 months, which will take the form of the qualification being reassessed by 2 CORU assessors.
- A Registration Board may decide to offer a non-EU applicant a compensation measure, but this is not mandatory.
- Non-EU applicants may be eligible to apply for recognition if they hold a formal qualification required by an EU Member State to pursue the profession in its territory.

EU applicants or Applicants to whom Directive 2005/36/EC Applies¹

- The applicant must hold a formal qualification required by another Member State to pursue the profession in its territory.

OR

- The applicant must hold a formal qualification from a non-member state and have 3 years' experience working in a Member State that has recognised the qualification.

¹ The Directive 2005/36/EC applies to EU Nationals, their "family members" and Refugees, those who hold a member state qualification or those who have a non-member state qualification and three years' experience in a member state that has recognised the qualification.

3.1.4 Language Proficiency

- (i) The applicant has completed either a CORU-approved qualification, a Commonly Aligned qualification, or a professional qualification from an EU country where English is a co-official language.

For applicants from EU/EEA/Switzerland, CORU will accept evidence of English language competency equivalent to C1 level (advance proficiency) of the Common European Framework of Reference (CEFR).

OR

- (ii) The applicant can provide a letter from their Higher Education Institution confirming that their professional qualification(s) (on the basis of which he/she is applying for registration) was acquired through the medium of English or Irish and that practice placements in that/those qualification(s) were undertaken and supervised through the medium of English or Irish where the qualification was **obtained within the previous 2 years**.

OR

- (iii) The applicant can provide evidence that he/she has lived in and practised their profession through the medium of English **of not less than 2 years in the past five-year period**.

If an applicant cannot provide evidence of meeting any of the items (i), (ii) or (iii), then the applicant will be required to undertake a CORU-approved test of English language proficiency and meet the minimum score for the relevant profession, in order to be eligible to progress to recognition of their qualification(s). The language requirements for each registration board are provided in the CORU language policy available on the CORU website.

3.2 The Process of Recognition

3.2.1 Completing an Application

Applications must be made in the format prescribed by CORU. Applications that do not use the forms and systems in place at the time of application will not be considered.

Only applications which are confirmed complete and which demonstrate compliance with the criteria for eligibility will be considered valid. An application is not complete if the fee has not been paid in full or if any of the required documents are missing, including any verifications required as part of the application.

An application will be considered invalid if any element of the application is found to be fraudulent or false.

The Executive shall undertake the task of confirming that the applicant has submitted a valid and complete application and that all required documents, translated and witnessed as appropriate, are present to support the application.

The timeframe allowed for considering an application does not begin until the application is complete.

An application must be complete before the assessment process is commenced and the application is considered. A list of the criteria and the required evidence and documentation is provided in the online application form.

Invalid or incomplete applications will be returned with a reasoned explanation.

If a query on essential criteria/content of an application arises advice may be sought from the Registration Board by the Executive where appropriate.

3.2.2 Timeframe for Submission of Documents

In accordance with the provisions of the legislation, an application shall be acknowledged within one month of receipt and the applicant informed of any missing documentation.

Missing documents must be submitted within six months, or the application will be closed. Where an application is closed for this reason, the applicant is entitled to submit a new application, and the full fee will apply.

3.2.3 Assessment and Assessment Timeframe

The Registration Board will assess the qualification(s) awarded outside the State by reference to the Standards of Proficiency required of the national reference qualifications in place at the time when the application for recognition is made. They are the minimum standards necessary to protect the public. In the process, the Standards of Proficiency represent the formal qualifications required in the Host Member State referenced in the Directive (i.e. the reference qualification) as they establish the benchmark requirement for entry to the profession and do not address other aspects of academic standards which are not required for professional recognition.

Where professional traineeship² is a specified condition for access to the profession, the requirements will be considered as part of the recognition process. Proportionality will be carefully considered in the assessment of this criterion.

The Registration Board may establish a Panel of Assessors who may be assigned to consider applications and make recommendations to the Board. Two or more assessors will assess each application.

An application will be assessed to establish whether:

- a) the applicant's training covers substantially different matters than those covered by the evidence of formal qualifications required in Ireland; or

² Article 3(1)(j) Directive 2005/36/EC "‘professional traineeship’: without prejudice to Article 46(4), a period of professional practice carried out under supervision provided it constitutes a condition for access to a regulated profession, and which can take place either during or after completion of an education leading to a diploma;”

- b) the regulated profession in Ireland comprises one or more regulated professional activities which do not exist in the corresponding profession in the applicant's home State, and the training required in Ireland covers substantially different matters from those covered by the applicant's attestation of competence or evidence of formal qualifications.

"Substantial differences" in training means substantial differences in areas in which knowledge skills and competences acquired are essential for the exercise of the profession.

In such scenarios, the next steps will be to:

- a) first ascertain whether the differences identified are substantial, and are essential to performance of the profession in Ireland; and
- b) if they are substantial and essential, consider whether any other knowledge skill and competence acquired by the professional in the course of professional experience or lifelong learning addresses these substantial differences.

If the application does not contain sufficient information to confirm whether the substantial differences are addressed through lifelong learning or professional experience the applicant shall, where possible, be advised of the substantial differences and be provided with an opportunity to submit any relevant evidence within a reasonable timeframe.

The assessment will be completed and the decision made within the three-month time limit, which may be extended to 4 months, which begins the day the file becomes complete.

Substantial differences identified must be expressed in terms of the Standards of Proficiency required of the profession at the time, specifically the indicators provided for each Domain. Differences should not be expressed solely in terms of time spent in practical or professional training, often described as placements.

All recommendations presented to the Registration Board will clearly indicate that the Assessor(s) have assessed the application in accordance with this policy.

The Assessor(s) will clearly recommend, and properly substantiate, to the Registration Board whether an application should be:

- (i) recommended for recognition;
- (ii) recommended for a compensation measure; or
- (iii) recommended for ineligibility for recognition on the basis that the profession to which the qualification relates is not the same as the profession in the State, in that the qualification and activities covered are not comparable.

Board decisions shall be communicated to applicants as soon as reasonably possible after they are made (within 1 week of the Board decision).

4. RECOGNITION DECISIONS

4.1 Compensation Measures

1. A Compensation Measure may be imposed if
 - a. the applicant's training covers substantially different matters to those covered by the evidence of formal qualifications required in Ireland;

OR

 - b. the regulated profession in Ireland comprises one or more regulated professional activities which do not exist in the corresponding profession in the applicant's Home State, and the training required in Ireland covers substantially different matters from those covered by the applicant's attestation of competence or evidence of formal qualifications.³
2. If a compensation measure is required, the applicant must be offered the choice between a period of adaptation or undertake an aptitude test.
3. If the applicant chooses a period of adaptation, they must complete and submit an official period of adaptation proposal form (available from CORU). The proposed period of adaptation must be approved by the Registration Board prior to its commencement.
4. Applicants are requested to confirm their choice of compensation measure within thirty days of issue of the decision letter.
5. Any costs associated with a period of adaptation or aptitude test must be borne by the applicant.
6. The fee for a compensation measure administered by CORU is designated by the Health and Social Care Professionals Council. Fees charged by other providers may in some circumstances be subject to approval by CORU.
7. An applicant who has failed a compensation measure will be offered a single opportunity to repeat.
8. An applicant who fails to demonstrate proficiency in the areas of substantial differences identified, having had a second opportunity to complete a compensation measure (aptitude test, period of adaptation or both) will be refused recognition.
9. While an applicant may opt for a different compensation measure for the second opportunity this will not increase the number of opportunities the applicant has to successfully complete the compensation measures. The maximum number of opportunities is two (2). So if, for example, an applicant fails an aptitude test they could then opt to complete a period of

³ Article 14(1) Directive 2005/36/EC

adaptation (if approved by the Registration Board), and if they fail that, there are no further opportunities to successfully complete the compensation measures.

10. An applicant who is refused recognition can make a new application at any time.

4.1.1 Period of Adaptation

1. Periods of adaptation, including additional academic training if applicable, must take place in the State.
2. A period of adaptation shall be a period of supervised practice under the supervision of a CORU registered member of the profession. The period of adaptation may, by a decision of the Registration Board, be supplemented with additional independently assessed academic training.
3. The Registration Board will determine the length and nature of the period of adaptation based on the deficits identified in each individual application. A period of adaptation shall be of three years' duration at a maximum, and shall normally be required to be initiated by the applicant within eighteen months of the Registration Board approving the period of adaptation proposal submitted by the applicant.
4. Once an applicant opts for a period of adaptation, it is their responsibility to locate an agency and supervisor willing to provide a placement, and if applicable, to locate suitable additional academic training. The official *period of adaptation proposal form* for a practice placement must be completed by the applicant, signed by the proposed supervisor and submitted to CORU for approval. Approval by the Registration Board must be granted in advance of commencement of the period of adaptation.
5. Guidance regarding level and frequency of supervision of the applicant during a period of adaptation should be linked to identified differences in order to ensure public protection.
6. When the period of adaptation is completed, the applicant and the supervisor will both be required to submit reports to the Registration Board.
7. Once the Registration Board has approved the completed Period of Adaptation the applicant will be recognised and can progress to registration.

4.1.2 Aptitude Test

1. The aptitude test will assess the substantial differences identified in the Registration Board's decision. The aptitude test may also include knowledge of the professional rules applicable to the profession in Ireland.
2. The aptitude test will be made available within six months of the applicant opting to take the test. The applicant will normally be required to undertake the aptitude test within one year of notification by the Registration Board.
3. Aptitude tests shall be conducted by appropriately qualified individuals or organisations appointed by CORU for this purpose.

4. Guidance on the aptitude test and on the Standards of Proficiency will be provided to the applicant.
5. The aptitude test will be evaluated on the applicant's ability to demonstrate proficiency in the areas where substantial differences were identified.
6. On receipt of a report on the outcome of the aptitude test, the Registration Board will decide if the applicant has demonstrated proficiency in the areas where substantial differences were identified.
8. Once the Registration Board has approved the completed and successfully passed aptitude test, the applicant will be recognised and can progress to registration.

5. WITHDRAWAL OF AN APPLICATION

An applicant may withdraw an application prior to the issuing of the file to the Board for consideration. An application to withdraw must be made in writing, dated, and issued from a verifiable source.

Fees will generally be retained to reflect the work undertaken. A partial refund may be available according to the stage reached in the process.

6. APPEAL THE DECISION OF A REGISTRATION BOARD

Certain decisions may be appealed to the Appeal Committee of Council. An appeal to Council against a decision of a Registration Board in respect of recognition must be made within 30 days from the date that an applicant receives the notice from the Registration Board that recognition has been refused. Details of Council's Appeals Procedure is available on the CORU website.