

# The role of formal, non-formal and informal learning outcomes in the Recognition Act



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**The Professional and Vocational Qualifications Assessment Law (BQFG) also permits competences acquired by informal and non-formal means to be taken into account in checking the equivalence of a foreign professional or vocational qualification with a German professional or vocational qualification. As long as the prerequisites for a vocational qualification obtained abroad are met, assessment of equivalence takes place on the basis of documentary examination regardless of the route via which competences were gained. Under certain conditions, vocational competences may be assessed on an individual basis. This article highlights the opportunities provided by the BQFG and presents the initial experiences of the chambers.<sup>1</sup>**

## The BQFG as a comprehensive validation procedure

The BQFG<sup>2</sup> provides for a recognition procedure that checks whether documentary evidence can demonstrate the equivalence of a foreign professional or vocational qualification with a current German professional or vocational qualification (the so-called "reference occupation"). This check takes place on the basis of stipulated criteria such as training content and duration. Possession of a foreign professional or vocational qualification certificate is required in order for an application to be made. The certificate is the most important document for the formal assessment process. This first stage of the procedure involves taking formal learning outcomes into account in assessing equivalence. The certificates demonstrating successful participation in the respective training course constitute a third-party assurance that the relevant qualification is held.

The central question is whether there are essential differences between the foreign professional or vocational

qualification and the German reference occupation and, secondly, whether any such differences could possibly be compensated for by occupational experience or further evidence of competence. This applies in particular to deficits in respect of the practical elements of training, which play such an important role within the German dual system. The consideration of occupational experience constitutes one of the major USP's of the German recognition procedure (cf. the statement of the Danish Ministry of Education)<sup>3</sup>. This stage of the process, therefore, moves beyond formal training to take account of learning outcomes that have been acquired informally (occupational experience) or via non-formal means (participation in continuing training, additional training or other advanced and continuing training certificates). This step also involves the necessity of providing evidence of the learning outcomes achieved on the basis of documents in order to enable these to be used to compensate for significant differences.

Apart from such documentary examination, so-called "other suitable procedures" (cf. § 14 BQFG and § 50a (4) HwO – Crafts and Trades Regulation Code), still facilitate the recognition of competences that cannot directly be evidenced as a result of the absence or lack of meaningfulness of paperwork or certificates from the applicants' home countries. The inability to submit the required documentation must not be the fault of the applicant. This procedure is

<sup>1</sup> The present article deals exclusively with the recognition of foreign vocational qualifications within the field of non-regulated occupations. These particularly include the training occupations within the dual system, which number approximately 330. The area of regulated occupations is not taken into account.

<sup>2</sup> The Professional and Vocational Qualifications Assessment Law forms Article 1 of the "Law to improve the assessment and recognition of professional and vocational education and training qualifications acquired abroad" (referred to in abbreviated form as the "Recognition Act"), BGBl. I (Federal Law Gazette) 2011, p. 2515. URL: [www.bmbf.de/pubRD/bqfg.pdf](http://www.bmbf.de/pubRD/bqfg.pdf) (retrieved 05.08.2014).

<sup>3</sup> [www.anerkennung-in-deutschland.de/html/de/daenisches\\_bildungsministerium.php](http://www.anerkennung-in-deutschland.de/html/de/daenisches_bildungsministerium.php) (retrieved 15.08.2014)

Table  
Consideration of various learning outcomes with regard to the German reference occupation

	Type of learning outcomes	Method
Formal check	Outcomes of formal learning (qualification acquired abroad)	Document check
Checking of individual evidence	Outcomes of informal and non-formal learning (occupational experience and continuing training)	Document check
"Other suitable procedures"/ skills analysis	Consideration of the outcomes of all forms of learning (employability skills)	Competence assessment procedure

referred to below as a "skills analysis"<sup>4</sup> (cf. OEHME 2012). This opportunity to establish equivalence represented the first time that specific measures for the assessment of competence below the level of final examinations had been stipulated in law. The main focus of this procedure is on the question of "whether the applicants are in sufficient possession of the necessary skills for proper exercising of the occupation or for carrying out essential tasks within the occupation" (ibid., p. 32).

The BQFG thus integrates formal, non-formal and informal learning outcomes into the validation process via the procedural stages described here. Alongside the checking of documents, competence assessment procedures are also stipulated as a form of the identification and evaluation of professional and vocational competences. Against this background, the BQFG provides the foundations for a comprehensive recognition procedure (cf. Table).

### Relevance of occupational experience in the recognition procedure

Many of those interested in obtaining recognition have both a professional or vocational qualification obtained in their home country and many years of occupational experience in Germany and abroad. However, can occupational experience be used to compensate for significant differences? Within the scope of the monitoring of the Recognition Act, BIBB conducted a survey of chamber of crafts and trades staff responsible for recognition (cf. box). This shows that it was frequently possible to use recognition of occupational experience to compensate for significant differences. 79 percent of the chambers of crafts and trades which received applications during the period of the survey confirm

<sup>4</sup> Within the scope of the cooperative PROTOTYPING project, which was financed by the BMBF and lead-managed by the West German Association of Chambers of Crafts and Trades, procedures and tools were developed that help in using so-called "skills analyses" to identify the professional competences of applicants (cf. [www.anerkennung-in-deutschland.de/html/de/prototyping.php](http://www.anerkennung-in-deutschland.de/html/de/prototyping.php); retrieved 21.07.2014).

the high degree of relevance of occupational experience for the recognition procedure (cf. Figure).

### Cost of including occupational experience

Many of the chambers of crafts and trades that responded to the survey (44 %) described taking occupational experience into account as time-intensive and therefore costly. The recognition bodies surveyed reported that one of the reasons for this is the fact that documents presented are often not meaningful enough to enable existing occupational experience to be used to compensate for significant differences. It is frequently the case that documents are unable to provide evidence of specific occupational activities and experiences. Learning outcomes acquired by informal means need to be inferred from the paperwork submitted. In many countries, however, the culture of documentary recording is less marked than in Germany. Testimonials, particularly in the form usual in Germany, are frequently absent. If such documents exist, they may simply provide an indication that a person has spent a certain period of time with a company without going into detail regarding the contents and duration of the activities performed or providing any information on the quality of work. These findings, which were obtained from interviews with experts, are also reflected in the standardised survey of the chambers of crafts and trades. Two thirds of the chambers

#### BIBB Recognition Monitoring Project

##### Aim

Obtain transparency in respect of the implementation of the law and accompanying processes for the identification of adaptation and support requirements.

##### Task areas

- Support in the establishment of federal statistics on recognition procedures to take place under the responsibility of the Federal Statistical Office and the statistical offices of the federal states.
- Field observations of aspects relating to the Recognition Act according consideration to the various parties involved in the recognition system.
- Preparation of an evaluation of the law to be tendered externally at a later date.

##### Database for the presentation of results to follow

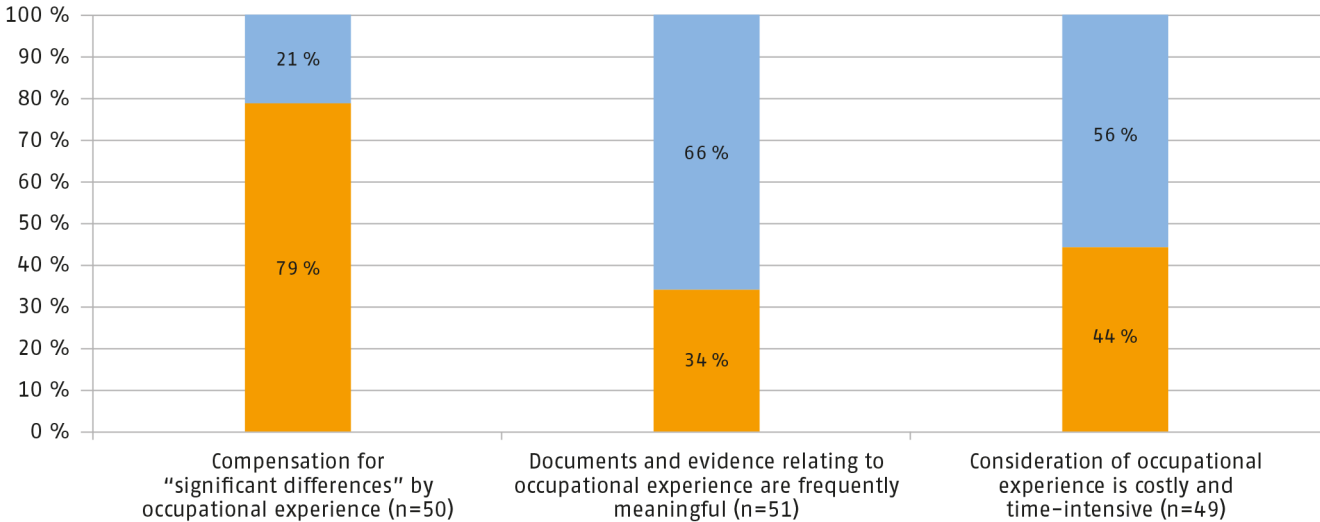
- Written standardised survey of the 53 chambers of crafts and trades (survey period May to June 2014).\*
- Five expert interviews with persons responsible for recognition from five chambers of crafts and trades (survey period June to September 2013).

##### Further informations

- Recognition monitoring: [www.bibb.de/de/wlk64579.htm](http://www.bibb.de/de/wlk64579.htm)
- Full report on the Recognition Act: [www.bmbf.de/ipub/bericht\\_anerkennungsgesetz\\_2014.pdf](http://www.bmbf.de/ipub/bericht_anerkennungsgesetz_2014.pdf)

\* All values presented here relate to weighted data by number of applications, i. e. responses from chambers with a high volume of applications are accorded greater consideration than responses from chambers with a low number of applications.

Figure  
 Role of occupational experience, meaningfulness of relevant evidence and costs involved in taking occupational experience into account within the scope of the recognition procedure (data weighted by volume of applications, responses in percent)



Agree\* Disagree\*

\* Dichotomisation of response categories on the basis of a four-level or six-level scale  
 Source: own standardised survey of the 53 chambers of crafts and trades

surveyed believe that the documents submitted are not very meaningful (cf. Figure). If insufficient evidence is available, the competent bodies need to make a follow-up request for relevant documentation. This in turn increases the costs of the procedure and takes up a considerable amount of time. The main consequence is also a greater expenditure of time and money by the applicants themselves. They may have to request a former employer to provide further evidence, a process which may involve a visit abroad and thus further delay the processing of the application.

It is, however, not always the case that applicants have any opportunity to provide such evidence. They may, for example, be refugees who are not able or no longer able to submit meaningful documentation.

**Skills analysis – identification of learning outcomes without documents**

If occupational competences, whether acquired by formal, non-formal or informal means, cannot be evidenced or cannot be evidenced in full by documents thus meaning that a check on the basis of documentation is not possible, the competent body may notify applicants for which essential activities of the reference occupation a skills analysis is required. The aim of skills analyses is to identify the knowledge, skills and competences of a person situationally and to assess whether this knowledge and these skills and competences essentially cover the training contents of the relevant German reference occupation for which evidence cannot be provided via documentation. Within this

context, the skills analysis can be viewed as a competence assessment procedure (cf. ANNEN 2012, pp. 137 ff.)

The law states specific methods for the conducting of this process. These methods “particularly include work samples, specialist discussions and practical and theoretical examinations” (BQFG §14 (2)). The competent body selects professional experts and notifies them of the occupational activities for which essential knowledge, skills and competences need to be assessed. On the basis of this information, the experts identify the most useful method for the skills analysis as well as determining the associated cost and duration of implementation. Following the agreement of the applicant, the skills analysis, which usually involves the completion of various tasks, is conducted on the basis of the dual control principle. One professional expert and a second observer jointly evaluate the performance of participants.

**Use of skills analyses**

In order to be able to make statements on the relevance of the skills analysis, the experiences of the chambers of crafts and trades responsible were surveyed. Two years after the entry into force of the BQFG, 73 percent state that they have already conducted one or more skills analyses. During these analyses, particularly frequent use is made of “work samples” (88 %) and “specialist discussions” (87 %). Other methods are deployed less often. The expert interviews, in which initial experiences with the implementation of skills analyses were surveyed, make it clear that the

organisational expense involved is too great for the competent bodies. Although the assessment is that costs fall as implementation practice becomes greater, each skills analysis ultimately needs to be organised individually. Experts need to be instructed in the procedure to be followed, and workshops and specific materials are also required depending on the method used. Cost of implementation vary, but may be relatively high depending on the amount of time needed. The spectrum ranges from tens of euros (such as in the case of office management clerks) to four-figure sums (e.g. in metal working; cf. ERBE et al. 2014, p. 125). Cost reasons also mean that a skills analysis is primarily only useful in areas where applicants themselves believe that they have the right employability skills or are professionally competent. The labour administration authorities may pay the costs of those who are in receipt of benefits in accordance with German Social Security Code (SGB II and SGB III).

### Benefits of wide-ranging recognition opportunities

In summary, we can say that the BQFG provides for learning outcomes of persons with a qualification acquired abroad to be taken into account on various levels. The law offers this target group comprehensive consideration of their learning outcomes. Experiences gained with the validation of learning outcomes pursuant to the BQFG could be used or the creation of further opportunities within a new legal framework that also includes those who have gone through the domestic educational system without achieving a formal qualification.

The statutory provisions also provide development possibilities for applicants and for companies by dint of the fact that an application process may be reinitiated or a new application may be made following the identification of “partial equivalence”. In this way, continuing training courses to compensate for significant differences could, for example, be taken into account within the application procedure after assessment of “partial equivalence”.

During the first year of the law’s existence (April to December 2012), approximately 66 percent of assessment notices in the area of non-regulated occupations awarded full equivalence, whilst nine percent granted partial equivalence. In the case of the latter, it is important for companies and continuing training providers that training requirements can be inferred from the assessment notices. Persons with qualifications acquired abroad who are in possession of a notice of assessment granting full equivalence enjoy the same legal status and the same rights of disposal as persons with a German professional or vocational qualification. Nevertheless, the question arises of whether employers actually perceive a notice of assessment granting full equivalence as being of equal value to the famil-

iar German professional or vocational qualification. Are those who hold such notices presumed to have the same competences as colleagues with a vocational qualification acquired in Germany?

No data is yet available that permits comprehensive statements to be made regarding acceptance of the assessment notices on the labour market. Within the scope of the BiBB project “Monitoring of the Recognition Act”, a survey of companies and of persons interested in seeking recognition will be carried out in 2014. This will permit deeper analyses and statements regarding the extent to which the opportunities afforded by the Recognition Act have found their way into the recruitment strategies of companies and could inform such strategies in future.

It is clear that immigrants need to be “employment ready” to be able to meet the requirements of trade and industry. On the other hand, companies increasingly need to be “migrant ready” if they are to cover their requirements for skilled workers (cf. ENGLMANN 2012). In order successfully to employ qualified migrants, certain general provision such as language courses and support with such matters as finding accommodation and dealing with government authorities should be offered as and when needed.

The decision as to whether to submit an application ultimately depends on an individual assessment of costs and benefits undertaken by those affected. Persons with relevant qualifications in the non-regulated sector can in principle exercise the occupation in question without formal recognition. For this reason, those interested in seeking recognition need to give careful consideration as to whether the time commitment needed to submit an application (which may include making subsequent request for documentation) and the associated costs (particularly for persons who are only able to acquire equivalence via the skills analysis) are worthwhile (for information regarding the reasons not to submit an application cf. ERBE et al. 2014, pp. 87 ff.). ◀

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#### Literature

ANNEN, S.: Anerkennung von Kompetenzen. Kriterienorientierte Analyse ausgewählter Verfahren in Europa. Bielefeld 2012

ENGLMANN, B.: Migrant-ready? Der Nutzen des Anerkennungsgesetzes für Unternehmen. In: BWP 41 (2012) 5, pp. 33–37 – URL: [www.bibb.de/veroeffentlichungen/de/publication/show/id/6938](http://www.bibb.de/veroeffentlichungen/de/publication/show/id/6938) (retrieved 21.08.2015)

ERBE, J. et al.: Monitoring zum Anerkennungsgeschehen. In: BMBF (Federal Ministry of Education and Research) (Ed.): Bericht zum Anerkennungsgesetz. Berlin 2014, pp. 37–147 – URL: [www.bmbf.de/pub/bericht\\_erkennungsgesetz\\_2014.pdf](http://www.bmbf.de/pub/bericht_erkennungsgesetz_2014.pdf) (retrieved 21.08.2015)

OEHME, A.: PROTOTYPING – ein Verbundprojekt zur Qualifikationsanalyse. In: BWP 41 (2012) 5, pp. 31–32 – URL: [www.bibb.de/veroeffentlichun/gen/de/publication/show/id/6939](http://www.bibb.de/veroeffentlichun/gen/de/publication/show/id/6939) (retrieved 21.08.2015)

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