



EQAVET Peer Review

‘Quality Assurance in CVET: The examples of distance learning, nationally valid further training regulations and quality requirements in the case of state funding’

14-15 November 2022, Bonn, Germany

Feedback report

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1. EQAVET peer review on ‘Quality Assurance in CVET: The examples of distance learning, nationally valid further training regulations and quality requirements in the case of state funding’

The EQAVET peer review hosted by Germany took place in Bonn from 14-15 November 2022 and was hosted by the Federal Institute for Vocational Education and Training (BIBB). EQAVET Network members from Austria, Czech Republic, Greece, Hungary and Lithuania acted as peer reviewers.

The peer review focused on exploring how the available instruments fit the purpose of quality assurance in continuing vocational education and training (CVET) and how they can serve as a response to the three major challenges of today's labour market in Germany: digitalisation, demographic changes and green transition.

This section briefly describes the existing national quality assurance measures presented by the German hosts.

1.1 Introduction to CVET Quality Assurance in Germany

The German formal CVET is regulated at federal level¹ by the Vocational Training Act (BBiG) and the Crafts Code (HwO). In addition, long-established quality assurance standards and procedures regulate continuing education and training at national level:

1. The Distance Learning Protection Act (FernUSG)
2. Further training regulations according to BBiG and HwO
3. The Accreditation and Approval Ordinance for Employment Promotion (AZAV)
4. The Upgrading Training Assistance Act (AFBG).

All these measures play a decisive role alongside the BBiG in quality assuring CVET. Due to the recent challenges faced by the German authorities in relation to the rapid transformation of the labour market due to digitalisation, demographic changes and decarbonation objectives, quality assurance in CVET has come to the forefront of policy debates. Germany faces a shortage of skilled workers and a mismatch between the distribution of apprenticeships offered and where young people seek apprenticeships.

1.2 The Distance Learning Protection Act (FernUSG)

Distance learning is a regulated form of the delivery of continuing education in Germany. Distance learning offers are available for formal and non-formal education and training. It has rapidly changed in recent years due to the emergence of green and digital skills. It was outlined that the number of approval procedures for distance learning has increased significantly in the last couple of years. Distance learning is regulated by the State treaty on Distance Learning and the Distance Learning Protection Act.

The main purpose of the Distance Learning Protection Act (FernUSG) is to quality assure all continuing training courses which are based on the definition set out in the act and are organised in a distanced way. It ensures that the quality assurance and development of

¹ There are 16 federal states (“Länder”) in Germany.

distance learning courses comply with the requirements of the German authority for distance learning (ZFU), which is ultimately responsible for new distance learning courses approvals. Several stakeholders are involved in the FernUSG, as each course should go through an approval procedure organised by BIBB and ZFU. Courses are rejected if they fail to meet a certain number of objectives including non-compliance with the objectives of vocational education and training.

The Act provides consumer protection through (vocational) learning courses with a recognised quality standard through a nationwide approval. Several challenges exist for consumer protection such as the increasing importance of lifelong and in-service learning and corresponding online offerings. The Distance Learning Protection Act contributes to consumer protection as it offers clear labelling to consumers on courses which are recognised and allows providers to advertise the high-quality standards of their courses.

Furthermore, the close cooperation between the Federal Institute for Vocational Education and Training (BIBB) and ZFU, regulated by the “Guidelines for the Assessment of Vocational Distance Learning Courses” was highlighted. These guidelines set the criteria for the courses’ approval procedure in the case of offers aiming to prepare for further training regulated exams based on BBiG and HwO, bringing also transparency for providers.

The peer review explored further the advantages of quality assurance as consumer protection via the FernUSG and what further developments could be taken forward to overcome the current challenges (digitalisation, skills shortages...).

1.3 Further training regulations according to BBiG and HwO

Building on the highly regulated IVET system, legally regulated further vocational training (CVET) falls under the BBiG (Vocational Training Act) and HwO (Crafts Regulation). Further training regulations of competent bodies such as chambers can be issued at regional level if there is no regulation at federal level. Federal further training regulations must go through a strict procedure to be approved by the State, including the involvement of social partners and an expert procedure involving BIBB, employees’ and employers’ coordinator and employees’ and employers’ experts.

The notion of “further” vocational training refers to a close link to further training regulations which are linked to the IVET-trained occupations. The latest BBiG amendment introduced new standardised qualification designations for the further training levels. As part of the BBiG amendment in 2020, new designations for all three levels have been introduced as equivalent to the already existing levels in formal CVET with minimum learning scopes:

- ❖ First level of further vocational training: **Certified Occupational Specialist** includes qualifications such as certified service technicians and certified technical advisers at level 5 of the Germany qualification framework². Further training regulations on the first level are the only formal degrees at the German qualification framework level 5.
- ❖ Second level of further vocational training: **Bachelor Professional** can be used alongside the longstanding and well-known “Meister” (for crafts and technical occupations). Other qualifications at level two are for example certified senior clerk,

² New further training regulations are allocated to the DQR after their elaboration. German qualifications which have been allocated to the DQR are therefore simultaneously referenced to the relevant EQF level. Sources:

https://www.dqr.de/dqr/en/the-dqr/dqr-and-eqf/dqr-and-eqf_node.html

https://www.dqr.de/dqr/shareddocs/downloads/media/content/german_eqf_referencing_report.pdf?blob=publicationFile&v=2

operative professional or industrial master craftsman/ craftswoman. They correspond to level 6 of the German qualification framework.³

- ❖ Third level of further vocational training: Master Professional are formal further training qualifications, for example: technical business administrator, vocational educator and strategic professional. They correspond to level 7 of the German qualification framework.⁴

1.4 Quality assurance of CVET via quality requirements and state funding

Within the German context, state-subsidized continuing education must meet certain quality assurance requirements, usually provided through accreditation and certification processes. There are two different funding streams, one to support training through Public Employment Service to unemployed and specific groups of employed at risk of becoming unemployed, and another funding stream that provide financial support for those enrolling in formal upgrading CVET. In this context, the Accreditation and Approval Regulation for the Promotion of Employment (AZAV) and the Upgrading Training Assistance Act (AFBG) are the two available quality assurance mechanism related to the two funding streams.

1.4.1 The Accreditation and Approval Ordinance for Employment Promotion (AZAV)

AZAV is applied in the framework of public employment services. Employees at risk of unemployment because of structural changes in the labour market as well as job seekers can benefit from further education that matches labour market needs. Suitable trainings for these target groups are financed by the Federal Employment Agency and offered by accredited and certified providers.

To get accredited, providers must demonstrate a system for ensuring quality to provide formal or non-formal further education and training. Criteria and requirements must ensure input quality (e.g. transparency of structures), process quality (e.g. organizational processes) and output quality (e.g. satisfaction of the participants).

1.4.2 The Upgrading Training Assistance Act (AFBG)

The AFBG aims at the financial support of formal vocational further qualification courses. In principle, funding is provided for qualification courses that prepare for legally regulated upgrading training qualifications in accordance with the BBiG, the HwO or equivalent qualifications. Typical upgrading courses are those that lead to master craftsman, specialist and bachelor professional or technician degrees.

Individuals apply for financial support for courses but also living expenses. Beneficiaries are employed or unemployed persons with a vocational qualification who are aiming to further upgrade their vocational qualification. Formal further education and training is provided by public institutions, institutions under state supervision or private providers that fulfil quality requirements regulated by AFBG.

Providers can offer provisions funded under AFBG in three ways:

³ Note that bachelor's degrees in higher education are also classified at level 6 of the German Qualification framework.

⁴ Note that university-level Master degree are also classified under level 7 of the German qualification framework.

- ❖ if they are already approved for AZAV, eligibility for AFBG is automatic. This allows to avoid double certification and related burden;
- ❖ if they are public bodies or under state supervision;
- ❖ if they are not approved for AZAV nor a public body or institution under state supervision, providers must demonstrate the existence and efficiency of their system of quality assurance.

BIBB has defined seventeen criteria for the accreditation of AFBG on behalf of the Federal Ministry of Education and Research which are comparable to the ones for AZAV. Quality systems are evaluated against the criteria as well as their ability to ensure quality.

Two representants from the German Institute for Adult Education (DIE) and a competent body for AZAV provided insight on the system of quality assurance in CVET. In the German system, the free market and consumer protection prevail. Learners are independent in choosing the training they would like to attend. DIE has developed several instruments to support providers and learners. A survey is available to providers to assess their quality management such as communication and the division of responsibilities. Answers to the survey provide more transparency to learners on the quality of CVET providers, however the assessment is subjective as it is performed internally.

2. The challenges identified by the peer reviewers

Group discussions with the peers were organised around three questions, relating to the present three main quality assurance sub-systems: 1) Quality assurance as consumer protection – the Distance Learning Protection Act (FernUSG); 2) Regulated further vocational training according to the BBiG and HwO; 3) Quality assurance of CVET via quality requirements in the case of state funding. Finally, the coherence of the system as a whole was discussed.

2.1 Subtopic 1: Quality assurance as consumer protection – the Distance Learning Protection Act (FernUSG)

Question: *Quality assurance as consumer protection via the FernUSG – Against the background of your experience and in view of current developments and challenges (digitalisation, etc.): Where do you see the most relevant advantages in this approach and, if applicable, obstacles and starting points for improvement?*

Peers considered as a **strength** that a system for quality assessment of distance learning is already in place, which is *per se* regarded as very useful. Germany can build on a long-lasting tradition of competent bodies that allowed building up advanced institutional capacity in the area. Another strength consists in agile and rapid processes.

It is understood that consumer protection has been the key driving force for state involvement in quality assurance, which is considered as an asset.

Challenges for this part of the quality assurance system are linked to the technological development. Digitalisation of training offers and training implementation, pushed by the COVID-19 pandemic, has led to new forms of delivering training in e-formats, hybrid formats and as blended learning. Part of it is organised as distance learning (in the sense of a non-synchronised implementation of training provided and training received), but boundaries are becoming increasingly blurred. Against this new context, the wording of “distance learning” seemed old-fashioned to the peers. It seemed to peers that the concept and definition could

be updated. The ongoing digitalisation also raises questions around the pedagogy used to deliver the new training formats.

Another challenge pointed out by the peers is the provision of vocational guidance to make an informed choice of distance courses. This does not seem to exist. The peers also discussed that it may be confusing for trainees and for employers that the distance training offers in non-formal CVET is not linked to the German qualification framework. It is understood that distance learning encompasses formal and non-formal education.

Another challenge identified is that the content of online training offers is not necessarily linked to labour market needs. While it could be argued that at a free market, market forces are driving towards matching supply of training offers and skills demanded by participants and by employers, there is no evidence that this match functions well for this particular type of training. Other factors may drive training supply than only labour market needs.

Peers perceived as inconsistent that learners are only protected, and the quality of learning is only ensured when it is delivered 'at distance'. It was asked whether consumer protection should not be enhanced to cover all sorts of CVET and whether the notion of consumer protection should not be extended to SMEs.

2.2 Sub-topic 2: Regulated further vocational training according to the BBiG and HwO

Question: *Strengthen the attractiveness of vocational education and training through regulated further training regulations: In your view, what are the central factors to increase attractiveness? Whether and, if so, to what extent are these addressed by the existing regulations in Germany? Where do you still see potential?*

Peers were impressed by the already existing regulation for the high level of formal CVET. It was considered as a **strength** to have a framework for the regulation of formal CVET with a strong quality assurance system in place with the competent bodies and the legally regulated composition of the examining bodies. The transportability of skills from job to job is thus enhanced.

Peers found the equalisation of formal CVET (building on IVET) and university degrees in the German qualification system and the related renaming of 'higher' CVET certificates confusing. The title of master craftsman under the Crafts Code will be retained and supplemented by the new designations. The master craftsmen (Meister) is on level 6 DQR together with the bachelor level in higher education. The master craftsmen keep their titles and get the "Bachelor Professional" automatically (they are regulated in a different part of the crafts code). For the rest of the further training regulations, it is possible to decide, if the experts involved in the regulation process agree, whether the new designation is added to an existing designation or replaces it.⁵

The new title is equal to the old "Meister", but uncertainties among peers among these two notions persists. In the peers' opinion, marketing the (traditional) CVET certificates such as the "Meister" would be more straightforward, as these already have a good reputation and

⁵ Source:
https://www.bmbf.de/bmbf/de/home/_documents/die-novellierung-des-berufsbildungsgesetzes-bbig.html

provide highly skilled workers for different labour market and company segments. It could also be considered to use both titles in parallel.

The peers understood from the discussion that there was a competition between VET and the tertiary education system to attract new enrolments into the IVET system in a context of demographic change and declining numbers of new entrants. They understood that the German authorities would like to counter the decline of enrolments in VET by making high level upskilling pathways more attractive. The peers commented that systematic information on career paths and wages in both systems may increase clarity for young people and their parents who have to make a choice for an education and training pathway as well as career choices early on.

Peers felt that the validation process of prior learning was unclear (formal CVET regulates final examinations rather than a CVET course) In the context of the approval process of the chambers for the final exams an evaluation and recognition of prior learning (experiences etc.) takes place. Also, they pointed to the lack of a nationwide validation system and recognition of prior learning. Peers perceived some inconsistencies as the formal CVET system is being highly regulated, but non-formal CVET is not.

2.3 Sub-topic 3: Quality assurance of CVET via quality requirements in the case of state funding

Question: *Quality Assurance of CVET via quality requirements in the case of state funding – Against the background of your national contexts: What strengths and weaknesses do you see in relation to the instruments and processes used in Germany (AZAV/AFBG)?*

For the peers, the existence of a framework accreditation system for certification bodies is a **strength**.

As a major **challenge**, peers pointed out that having two parallel systems in place for quality assurance contradicts the idea of transparency and efficiency. Linking quality assurance to funding mechanisms and laws is understandable, as public money should not be spent without making sure the service is of good quality. However, it was argued that this comes at the price of not having a common uniform system. The certification system was considered to be complex with many different frameworks. The costs of certification were perceived to be a limitation for small training providers.

Peers commented that the quality assurance system was not assessing the market relevance of the training. They believed that controlling the market system through setting minimum standards regarding the training providers was not a guarantee for being inclusive and responding to different needs of learners.

3. Conclusions and next steps

The peers stressed the big advantage of having a long-lasting quality assurance system for CVET in place, including a framework of accreditation and certification bodies and clear guidelines. Another strength of the system is that decision-making is based on a consensus from a variety of stakeholders. The recently launched national CVET strategy is also perceived as an important policy instrument, which provides a basis for putting additional efforts in developing a coherent strategy.

It is exactly the lack of a coherent quality assurance system for CVET and the lack of transparency of the CVET system which is regarded as the main challenge by peers. The quality sub-systems only cover some areas of CVET: formal CVET delivered within the VET system; formal and non-formal CVET as long as it is delivered at distance as a consumer protection of learners; and two different systems for granting quality of training in case CVET participants get extra support from the government. The quality assurance sub-systems do not seem to be linked, e.g. they are using different check lists. There is no requirement for quality assurance of non-funded non-formal training, if the offer does not fall under the Distance Learning Protection Act. This gap seems to be filled by the delivery of company certificates. In the view of the peers, this gives these companies a great deal of power, with no or little dialogue with state institutions on training contents and the quality of training delivery.

The peers were impressed by the excellent availability of data on skills and employment, including in the area of skills anticipation. However, they were wondering whether this data was used in a systematic way to match training offer and skills demand from the labour market.

The peer reviewers suggested **areas for further reflection** - within the different sub-systems of quality assurance as well as for the improving the coherence of the system. The box below gives an overview.

Areas for further reflection, suggested by the peers

Quality assessment of distance learning

- There may be a need for a support structure for the evaluators.
- It should be discussed whether the objective of consumer protection should be restrained to the consumer or also include organisations (such as SMEs buying CVET for their employees).
- A more active engagement of the learner and the trainers in the assessment process of the provider was suggested.

Regulated further vocational training according to the BBiG and HwO

- The attractiveness of formal CVET could be enhanced through a clear communication of the benefits of choosing the VET pathway, as formal CVET offers an important pathway to upskilling. This would include providing information on career prospects and wages for different pathways of training and education. Also, permeability between the formal CVET system and university education should be clearly communicated.
- The impact of unexpected negative effects of the rebranding of formal CVET should be reconsidered. Is it really attracting more young people into IVET? What is the perception of employers of the rebranding?
- The benefits and challenges, and the possible side effects of free market regulation in the CVET sector should be further reflected.

Quality assurance of CVET via quality requirements in the case of state funding

- The purposes of the quality assurance system for the end users should be clearly communicated.

- It is suggested to explore how Germany could move towards a simpler and more coherent system for different funding streams with regard to quality assessment.
- It is suggested that the auditor may carry out on-site inspections.
- It should be explored if a digitalisation of the certification process would lead to efficiency gains.

Coherence of the system and overall reflections

- Further efforts should be made to move towards a more holistic CVET and lifelong learning system, with a coherent quality assurance system.
- The quality assurance measures in place could put a greater emphasis on a learner centred approach.
- The quality assurance measures in place should put more emphasis on ensuring the CVET offer is inclusive (e.g. taking into account the needs and pedagogy of older workers, of low-skilled workers, etc).
- This would also include further reflection on the current mix of free market mechanisms within CVET and a regulated formal CVET. What are the benefits and limitations of a free market mechanism? What could be done to expand quality assurance to non-formal, non-funded CVET that is not provided as distance learning?
- The rich labour market data and evidence on skills mismatch, skills anticipation, and new ways of skills governance, could be better used for decision-making in the CVET sector, and to ensure CVET helps to close skills mismatches and tackle skills shortages.
- It seems that guidance and counselling is important for adults to make well-informed choices between different CVET offers. Especially low-skilled groups of workers and jobseekers cannot be expected to have a detailed knowledge about their training needs and the available options.
- It would be interesting to track CVET and participants of all lifelong learning offers.
- The need to develop a nationwide system for validation of non-formal and informal learning as well as for recognition of prior learning should be reflected upon.
- The discussions during the peer review were very open and in-depth. It is recommended that Germany continues with EQAVET peer learning activities.

The peer reviewers and the EQAVET team thanked the Germany organisers and presenters for all their work and the clarity of their explanations of the different sub-systems of the quality assurance landscape.

The [2020 Council Recommendation on VET](#) called on the EQAVET Network to develop a specific methodology for EQAVET peer reviews, with the objective to support the improvement and transparency of quality assurance arrangements at system level in Member States. Over the course of 2021, with the support of DG EMPL and the EQAVET Secretariat, the EQAVET Network agreed on a joint methodology and prepared a Peer Review Manual. The Quality Assurance National Reference Points (EQAVET NRPs) from 21 Member States agreed to take part in the first phase of the EQAVET Network's peer

review initiative. The Germany Peer Review was the sixth of nine peer reviews scheduled for 2022, with twelve more following in 2023.