

(English version)

Question for written answer E-004139/25
to the Commission
Peter Agius (PPE)
(21 October 2025)

Subject: A professional license/warrant for learning support educators (LSEs)

Referencing the application of provisions related to the recognition of professional qualifications, learning support educators (LSEs) in Malta have expressed the need to be included within a recognised professional licensing system. Such a system would formally acknowledge the acquisition of established qualifications and relevant experience, ensuring that LSEs are recognised as qualified professionals within the Maltese education framework.

Currently, the profession of LSE is not regulated or restricted in Malta. The introduction of a professional licensing system could significantly contribute to the further development of this essential profession, improving the quality of support provided to students, particularly those with special educational needs or requiring additional attention. Regulation would also promote higher standards of practice, professional accountability, and continuous professional development for LSEs. However, there appear to be differing views on whether such a licensing system would align with current EU rules and directives.

In this context:

1. Can the Commission clarify its stance on whether the introduction of a professional licensing framework for LSEs in Malta — where access to and practice of the profession would depend on proportionate, relevant qualifications — would contravene the Professional Qualifications Directive ⁽¹⁾ or other EU provisions?
2. Can the Commission shed light on what specific conditions must be met to ensure compliance and non-discrimination in respect of such licences/warrants for LSEs.

Submitted: 21.10.2025

Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(8 December 2025)

While the Professional Qualifications Directive (PQD) ⁽¹⁾ sets the EU framework for recognising qualifications, Member States remain responsible for regulating individual professions (such as introducing licensing for learning support educators (LSEs)) and must respect Union law when doing so, in particular, regulation restricting access to or exercise of a profession must be non-discriminatory, justified by an overriding reason in the public interest and must be proportionate.

Any new regulation must align with EU directives, especially the Proportionality Test Directive (PTD) ⁽²⁾, which requires to undertake a thorough proportionality assessment before adopting rules restricting access to professions.

The assessment must show the measure is suitable and necessary for a legitimate public interest (e.g., protecting recipients), and that no less restrictive alternative exists. The results must be made publicly available.

Malta may introduce a licensing framework for LSEs, provided it conducts a detailed, published proportionality assessment per the PTD and ensures requirements are justified, non-discriminatory, and no more restrictive than necessary.

The framework must not create unjustified barriers to free movement within the EU and should recognise relevant qualifications in line with the PQD, thereby supporting professional mobility and transparency.

¹ Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255, 30.9.2005.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02005L0036-20250710>.

² <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018L0958>.