

Services in the internal market. Services Directive

2004/0001(COD) - 09/04/2010 - Follow-up document

The Commission presents a report on training and exchanges of officials in charge of the implementation of mutual assistance under the Services Directive (2006/123/EC). It recalls that an innovative part of the Services Directive concerns administrative cooperation. Competent authorities in all

Member States are required to assist each other directly and across borders, in order to avoid a multiplication of controls and to ensure effective supervision of service providers. The Internal Market Information System (IMI) supports authorities in this task. IMI is an IT-based information network which allows authorities to identify their counterparts in other countries and to exchange information with them in their own language using pre-translated questions and answers. In the event of problems, IMI coordinators can intervene. At present, IMI is being used in the context of the Directive on the recognition of professional qualifications and of the Services Directive. The latter requires the Commission to assess the need to establish a multi-annual programme in order to organise relevant exchanges of officials and training. This report summarises the findings of the assessment. The feedback received from IMI users, coordinators and trainers allows drawing eight main conclusions:

- IMI is user-friendly, but training remains necessary;
- training in the legal and practical implications of the Services Directive is more challenging than training in how to use IMI from a technical point of view;
- general language and computer training is offered as part of on-the-job training and is not essential for administrative cooperation;
- users like to be trained locally;
- the availability of trainers with the right skills is more of a concern than training costs;
- the support material produced by the Commission is much appreciated, but not known well enough;
- the main responsibility for training now lies with Member States, but the Commission should play a role as well;
- exchanges of officials could add significant value.

The report makes a comparison of available policy options:

- **maintain status quo** and continue providing assistance to Member States in the same way as to date: these activities meet with high levels of satisfaction. However, they do not address all of the difficulties that those in charge of training and raising awareness are facing, such as insufficient human resources, lack of expertise in conducting training and lack of support from their hierarchy;
- **adapt and extend** its current approach in line with emerging needs in Member States. For example, the Commission could help in the organisation of conferences with participants from several Member States. It could establish contacts between Member States that are interested in exchanges of officials and provide advice to them. The Commission could also assign a higher priority to wishes voiced by some coordinators, concerning e.g. translation of support material and preferences in the development of the system;
- **set up a multi-annual programme**: this would allow for a sharp increase in the scale of training and awareness-raising activities. Systematic training in all Member States provided by external specialists, professional assistance in organising cross-border conferences and a centralised system for exchanges of officials are examples of measures that could be comprised in it. The impact in terms of financial and human resources would depend on the number and scope of such measures. However, it is not clear at this stage whether the substantial costs of such a multi-annual programme would be balanced by its benefits as long as the medium- and long-term needs of the Member States have not been identified.

The **second approach** would allow for flexibility in respect of emerging needs and could be implemented immediately. It may not be as effective as a multi-annual programme in reaching a lot of IMI users in a consistent manner and it would not address some of the coordinators' concerns. However, it could provide flexible support, whilst not precluding a more resource intensive solution at a later stage.

The report concludes that the overall results of the needs assessment suggest that there is currently insufficient justification to adopt a multi-annual programme for training and exchanges of officials. Such a programme would be premature, at a point in time when cooperation under the Services Directive has only just become operational. The Commission and IMI coordinators need to gain more experience in order to be able to identify the medium- and long-term needs for training and, potentially, exchanges of officials. In the meantime, the Commission will continue its current efforts in supporting Member States in raising awareness for administrative cooperation and in training IMI users, which have been very successful so far. However, it proposes to adapt and extend them in a flexible manner as and when it receives corresponding requests from Member States. On the part of the Member States, and in particular IMI coordinators, this requires that they take seriously their crucial role in raising awareness and in training officials, by making use of the Commission's support and by allocating sufficient financial and human resources to these tasks.

The Commission will continue to monitor developments in Member States closely and will re-assess the necessity to adopt a multi-annual programme on the basis of the experience that will be gathered during the first year of mandatory use of the IMI module for services.