# Regulation (EC) No 452/2008 of the European Parliament and of the Council of 23 April 2008 concerning the production and development of statistics on education and lifelong learning (Text with EEA relevance)

REGULATION (EC) No 452/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 23 April 2008

concerning the production and development of statistics on education and lifelong learning

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission,

After consultation of the European Economic and Social Committee,

Acting in accordance with the procedure laid down in Article 251 of the Treaty[(1)],

Whereas:

(1) The Council Resolution of 5 December 1994 on the promotion of education and training statistics in the European Union[(2)] requested the Commission, in close cooperation with the Member States, to expedite the development of education and training statistics.

(2) The European Council held in Brussels on 22 and 23 March 2005 agreed to relaunch the Lisbon Strategy. It concluded that Europe must renew the basis of its competitiveness, increase its growth potential and its productivity and strengthen social cohesion, placing the main emphasis on knowledge, innovation and the optimisation of human capital. In that respect, the employability, adaptability and mobility of citizens is vital for Europe.

(3) To attain these objectives, European systems of education and training must adapt to the requirements of the knowledge society and the need for an enhanced level of education and better quality employment. Statistics on education, training and lifelong learning are of the highest importance as a basis for political decisions.

(4) Lifelong learning is a key element in developing and promoting a skilled, trained and adaptable workforce. In the Presidency Conclusions of the Spring 2005 European Council it was stressed that ‘human capital is Europe's most important asset’. The Integrated Guidelines for Growth and Jobs including the guidelines for the employment policies of the Member States, endorsed by the Council in its Decision 2005/600/EC[(3)], aim to contribute better to the Lisbon strategy and to establish comprehensive lifelong learning strategies.

**Changes to legislation:** *There are outstanding changes not yet made to Regulation (EC) No 452/2008 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) The adoption in February 2001 of the Council Report 'Objectives of the education and training systems' and the adoption in February 2002 of the work programme for 2001-2011 on the follow-up to this report constitute an important step in honouring the commitment to modernise and improve the quality of the education and training systems of the Member States. Indicators and reference levels of European average performance ('benchmarks') are among the instruments of the open method of coordination which are important for the 'Education and Training 2010' work programme. The Ministers of Education took a decisive step in May 2003 by agreeing on five European benchmarks to be attained by 2010, while stressing they do not define national targets or prescribe decisions to be taken by national governments.

(6) On 24 May 2005, the Council adopted Conclusions on 'New indicators in education and training'[(4)]. In these Conclusions the Council invited the Commission to present to the Council strategies and proposals for the development of new indicators in nine particular areas of education and training and also stressed that the development of new indicators should fully respect the responsibility of Member States for the organisation of their education systems and should not impose undue administrative or financial burdens on the organisation and institutions concerned, or inevitably lead to an increased number of indicators used to monitor progress.

(7) The Council also adopted, in November 2004, Conclusions on European cooperation in vocational education and training, and agreed that priority should be given at European level to 'the improvement of the scope, precision and reliability of vocational education and training statistics in order to enable evaluation of progress'.

(8) Comparable statistical information at Community level is essential for the development of education and lifelong learning strategies and for the monitoring of progress in their implementation. Statistical production should be based on a framework of coherent concepts and comparable data in view of the establishment of an integrated European statistical information system on education, training and lifelong learning.

(9) When applying this Regulation, account should be taken of the notion of people at a disadvantage in the labour market referred to in the Guidelines for the employment policies of the Member States.

(10) The Commission (Eurostat) is collecting data on vocational training in enterprises in accordance with Regulation (EC) No 1552/2005 of the European Parliament and of the Council of 7 September 2005 on the statistics relating to vocational training in enterprises[(5)]. However, a broader legal framework is necessary to ensure the sustainable production and development of statistics on education and lifelong learning, covering at least all relevant existing and planned activities. The Commission (Eurostat) is collecting annual data on education from the Member States on a voluntary basis, through a joint action carried out with the Unesco Institute for Statistics (UIS) and with the Organisation for Economic Cooperation and Development (OECD), usually referred to as the 'UOE data collection'. The Commission (Eurostat) is also collecting data on education, training and lifelong learning through other household sources such as the European Union Labour Force Survey[(6)] and the Community statistics on income and living conditions[(7)] as well as through their ad-hoc modules.

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(11) Since policy formulation and monitoring in the field of education and lifelong learning is of a dynamic nature and adapts to an evolving environment, the statistical regulatory framework should provide for a certain degree of flexibility in a limited and controlled manner, taking into account the burden for respondents and the Member States.

(12) Since the objective of this Regulation, namely the creation of common statistical standards that permit the production of harmonised data cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.

(13) The production of specific Community statistics is governed by the rules set out in Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics[(8)].

(14) This Regulation ensures full respect for the right to the protection of personal data as provided for in Article 8 of the Charter of Fundamental Rights of the European Union.

(15) The transmission of data subject to statistical confidentiality is governed by the rules set out in Regulation (EC) No 322/97 and in Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities[(9)].

(16) Commission Regulation (EC) No 831/2002 of 17 May 2002 implementing Council Regulation (EC) No 322/97 on Community statistics concerning access to confidential data for scientific purposes[(10)] established the conditions pursuant to which access to confidential data transmitted to the Community authority may be granted.

(17) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission[(11)].

(18) In particular, the Commission should be empowered to select and specify the subjects of the statistics, their characteristics in response to policy or technical needs, the breakdown of characteristics, the observation period and deadlines for transmission of results, the quality requirements including the required precision and the quality reporting framework. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation, inter alia, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

(19) The Statistical Programme Committee established by Council Decision 89/382/EEC, Euratom[(12)], has been consulted in accordance with Article 3 of that Decision,

HAVE ADOPTED THIS REGULATION:

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*Article 1*

**Subject matter**

This Regulation establishes a common framework for the systematic production of Community statistics in the field of education and lifelong learning.

*Article 2*

**Definitions**

For the purpose of this Regulation:

(a) 'Community statistics' shall be defined as in the first indent of Article 2 of Regulation (EC) No 322/97;

(b) 'production of statistics' shall be defined as in the second indent of Article 2 of Regulation (EC) No 322/97;

(c) 'national authorities' shall be defined as in the third indent of Article 2 of Regulation (EC) No 322/97;

(d) 'education' means organised and sustained communication designed to bring about learning[13];

(e) 'lifelong learning' means all learning activity undertaken throughout life, with the aim of improving knowledge, skills and competences within a personal, civic, social and/or employment-related perspective[14];

(f) 'micro-data' means individual statistical records;

(g) 'confidential data' means data which allow only indirect identification of the statistical units concerned, in accordance with Regulation (EC) No 322/97 and Regulation (Euratom, EEC) No 1588/90.

**[***F1**Article 3*

**Domains**

This Regulation shall apply to the production of statistics in two domains:

(a) Domain 1 shall cover statistics on education and training systems;

(b) Domain 2 shall cover other statistics on education and lifelong learning, such as statistics on human capital and on the social and economic benefits of education, which are not covered by Domain 1 or by Regulation (EU) 2019/1700 of the European Parliament and of the Council[15].

The production of statistics in those domains shall be carried out in accordance with the Annex.**]**

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**Textual Amendments**

**F1** Substituted by Regulation (EU) 2019/1700 of the European Parliament and of the Council of 10 October 2019 establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples, amending Regulations (EC) No 808/2004, (EC) No 452/2008 and (EC) No 1338/2008 of the European Parliament and of the Council, and repealing Regulation (EC) No 1177/2003 of the European Parliament and of the Council and Council Regulation (EC) No 577/98 (Text with EEA relevance).

*Article 4*

**Statistical actions**

1 The production of Community statistics in the field of education and lifelong learning shall be implemented by individual statistical actions as follows:

**[**[F1]a the regular delivery of statistics on education and lifelong learning by the Member States, within specified deadlines for Domain 1;

b the use of other statistical information systems and surveys, to provide additional statistical variables and indicators on education and lifelong learning, corresponding to Domain 2;**]**

c the development, improvement and updating of standards and manuals on statistical frameworks, concepts and methods;

d the improvement of data quality, in the context of the quality framework, to include:

— relevance,

— accuracy,

— timeliness and punctuality,

— accessibility and clarity,

— comparability, and

— coherence.

Available capacities within the Member States for data collection and the processing and development of concepts and methods shall be taken into account by the Commission.

Where appropriate, special attention and consideration shall be given to the regional dimension of the data collected. Where appropriate, data shall be systematically broken down by gender.

2 Whenever possible, the Commission (Eurostat) shall seek cooperation with the UIS, the OECD and other international organisations with a view to ensuring international comparability of data and to avoid duplication of effort, in particular as regards the development and improvement of statistical concepts and methods and the delivery of statistics by the Member States.

3 Whenever significant new data requirements or insufficient quality of data are identified and before any data collection, the Commission (Eurostat) shall institute pilot studies to be completed on a voluntary basis by the Member States. Such pilot studies shall be carried out in order to assess the feasibility of the relevant data collection, taking into consideration the benefits of the availability of the data in relation to the collection costs and the burden on respondents. Pilot studies shall not necessarily lead to corresponding implementing measures.