

# **RIBA Policy Note January 2017**

## **Mutual Recognition of Professional Qualifications**

**The Royal Institute of British Architects (RIBA) is a global professional membership body that serves its members and society in order to deliver better buildings and places, stronger communities and a sustainable environment. We provide the standards, training, support and recognition that put our members – in the UK and overseas – at the peak of their profession. With government and our partners, we work to improve the design quality of public buildings, new homes and new communities.**

Mutual recognition agreements enable professionals in participating countries to practice outside their own country without taking additional exams or professional training. They are essential for UK-based architecture firms to compete internationally and play a vital part in the contribution of the sector to the UK economy. Promoting greater mutual recognition of qualifications in trade deals presents a major opportunity to strengthen trade in architectural services with new markets.

### **What is mutual recognition of qualifications?**

The mutual recognition of professional qualifications enables the free movement of professionals such as doctors or architects within the EU, allowing them to move across borders and practice their occupation or provide services abroad.

Mutual recognition agreements are one of the most obvious responses to the increasingly global markets for professional services and the EU/EEA has arguably the most comprehensive set of these agreements in the world - covering professions across a broad spectrum from architects to vets.

Previously, an architect, doctor or teacher looking to work in another country would need to go through a complex process of validation – and in many cases requalification – before they could take up a job. Mutual recognition agreements simplify the process, setting out agreed standards and establishing the principle that if your skills and experience are of the correct calibre to entitle you to work as a professional in one EU nation state, they are equally as valuable in allowing you to undertake the same work in other countries.

## Why is mutual recognition of qualifications important?

Mutual recognition agreements reduce significantly the administrative barriers to the movement of workers around the world and ensure that high professional standards are maintained. For individual professionals or the businesses looking to employ them, this means that the right to work in one country enables you to work in another country without re-qualification.

Mutual recognition brings four major benefits – a number of which are particularly important to architects and other built environment professionals:

- It enables **temporary mobility** allowing professionals to work in another EU country on the basis of a declaration made in advance. For architects working on projects in other EU countries this is essential;
- It facilitates **establishment in another EU country** by laying down rules for professionals who want to live and work in a country where they didn't obtain their professional qualification;
- It establishes a **system of recognition of qualifications** to simplify the process of working abroad;
- It allows EU trained architects to **help resource UK workload** by responding to the strength of the economy and contributing through taxation and cultural exchange.

## How does this benefit the UK?

The UK is recognised as being a world leader and global hub in architectural practice and training. UK firms have designed the world's most iconic airports and stations, as well as new mega-cities, shopping centres, and cultural institutions. To compete and win in a highly specialised global market requires the ability to attract, train and retain the best talent. Many of these sectors are truly global – no one country creates sufficient demand on its own – so the imposition of barriers to working in the UK would have a crippling impact on the competitiveness of the sector.

The mutual recognition of qualifications is an essential enabler of the UK's global prominence and encourages international architects to take UK-based employment that in turn creates language and global networks benefitting UK business.

This leadership doesn't just help architects - there are broad benefits to the UK economy through highly interconnected project supply chains. From engineers, surveyors and project managers, to product suppliers and insuring and financing projects, UK architects are at the heart of one of the UK's most hidden global success stories. There are also significant multiplier effects in the physical supply chain of projects. UK architects are more likely to specify UK products when working in other markets.

Mutual recognition is also a huge benefit to UK universities. The UK is recognised as one of the world leaders in architectural education and a significant number of students from the EU and elsewhere are attracted by the ability to study in the UK and then work in other parts of the world. If EU students were to lose the ability to use a qualification gained in the UK in the rest of the EU this would have a hugely damaging impact on architectural education in the UK.

### **What are the current arrangements with the EU?**

Directives 2005/36/EC and 2013/55/EU are the basis for pan-European recognition of regulated professions. The UK has transposed these regulations as The European Union (Recognition of Professional Qualifications) Regulations 2015. There are three primary routes to mutual recognition:

- **Automatic recognition** – for professions with harmonised minimum training conditions (i.e. nurses, midwives, doctors (general practitioners and specialists), dental practitioners, pharmacists, architects and veterinary surgeons);
- **General system** – for other regulated professions such as teachers, translators and real estate agents;
- **Recognition on the basis of professional experience** - for certain professional activities such as carpenters, upholsterers, beauticians etc.;

For EU architects looking to work in the UK, the Architects Registration Board is responsible for overseeing what is effectively an administrative process. The latest statistics from September 2016 indicate that around 1 in 4 architects registered in this country are non-UK EU nationals. UK architects looking to work in other EU countries are able to do so using similar processes with the various national registration bodies.

### **What are the current arrangements for architects from outside the EU?**

For architects who qualified outside the EU wanting to work in the UK, the process is significantly more costly and time consuming. The Architects Registration Board does not directly recognise any qualifications from outside the United Kingdom other than those listed under the Professional Qualifications Directive 2005/36/EC when held by nationals of EU Member States or those with other enforceable EC rights.

Non-EU architects need to pass the ARB's examinations at the relevant level if they wish to progress towards registering as an architect in the UK. Non-EU architects must complete a Part 3 Examination in Professional Practice and Management at a UK school of architecture before they can register in the UK.

Similar requirements can also apply to UK architects looking to work outside the EU.

### **What opportunities are there post-Brexit?**

The UK has no mutual recognition agreements with countries outside the EU, despite the significant market opportunities for architectural services in countries such as the USA, Korea and Australia. This is due to the complexity of negotiating bilateral recognition agreements and the pre-referendum government position that all mutual recognition treaties should be negotiated through the EU and not bilaterally.

A separate, but related issue, is the policy decision taken by the ARB not to develop a unilateral recognition system for architectural qualifications from outside the EU. With exports already accounting for over 20% of the value-added of the UK's architecture sector, the added complexity this brings when it comes to securing specialist staff and local knowledge represents a barrier to further international expansion.

Additionally, several of the target markets for UK architects are either unable or unwilling to negotiate mutual recognition treaties with the EU. One example of this is the USA where the mutual recognition situation is complicated by state-level decision making powers on the issue. However, the US National Council of Architects Registration Boards has established agreements with non-EU nations such as Canada and most recently Australia & New Zealand to enable mutual recognition in those states which have agreed to mutually recognise qualifications.

#### **RIBA recommendations**

##### **The UK should seek to maintain mutual recognition of qualifications which reflect the principles of the PQD**

- The UK's international competitiveness relies on the ability of UK firms to attract and retain the most talented staff from across Europe.
- This also applies to schools of architecture in the UK which recruit significant numbers of students from the EU.
- This expertise has been critical in enabling UK firms to win contracts around the world and operate in sectors where UK demand alone is insufficient to support the sector such as transport infrastructure, large commercial premises and sports stadia.

##### **The UK should encourage regulators to open discussions for the mutual recognition of qualifications with new partners.**

- The UK should seek mutual recognition of qualifications with a broader range of partners.
- This will enable easier access to those markets for UK qualified architects, but also ensure that the UK has access to global talent.

##### **The UK should seek to reduce the regulatory burden of employing architects trained abroad by promoting unilateral recognition.**

- While the expansion of mutual recognition remains the RIBA's priority, we recognise that in many cases this will not be possible in the short term. Registration bodies in the UK should move towards allowing professionals trained and registered in non-EU countries to work in the UK where the quality of training and professional practice in their country recognised as broadly equivalent to the UK by the UK regulator.