

# RIBA Policy Note

## Building a post-Brexit immigration system that works for UK architecture

The Royal Institute of British Architects champions better buildings, stronger communities and higher environmental standards through the practice of architecture and our 40,000 members. 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.

As the UK negotiates a new relationship with the EU and the rest of the world, the quality of its built environment will be both a response to the challenges that Britain faces and a reflection of its ambition and success. Meeting these challenges – alleviating the housing crisis, supporting sustainable communities and growing the UK as a global trading nation exporting its services and skills across the world – will determine Britain's future global success.

Architects play a vital role in driving forward new approaches to the built environment that will help Britain meet these challenges, and are global ambassadors for the UK's creativity and innovation, designing ground-breaking buildings on every continent. The UK's architecture sector has been successful because it has embraced diverse talent from around the world – one in four architects working in the UK are EU nationals and over 80% of RIBA members have identified access to skilled international talent as being vital to the profession's future.

International architects, many with highly specialised skills, help British practices fill domestic skills gaps and enrich the practices they work for. Their continued contribution, alongside the high quality and innovative work of British architects, will be crucial as the profession faces the challenge of building a global Britain.

To create a post-Brexit immigration system that ensures the UK job market remains open to skilled professionals from around the world, the RIBA has 8 recommendations for Government:

1. Come to an agreement with the EU over the rights of EU citizens currently living in the UK, and UK citizens living in Europe, that includes continued recognition of professional qualifications, at the earliest opportunity
2. Review the minimum appropriate salary requirements for Tier 2 visas and reduce these requirements for recent graduates or those working for small businesses
3. Reduce the cost and administration burden on businesses seeking to become a visa sponsor for employees
4. Re-introduce post-study work visas to allow international architecture students to develop their professional experience between Part 1 and Part 2 study
5. Secure a transitional relationship with the EU that extends the freedom to study and work in the UK beyond the UK's exit from the EU in 2019
6. Include work visa quotas in new trade agreements
7. Extend mutual recognition of professional qualifications via new trade agreements with priority countries including the USA, Australia and Canada
8. Implement a system of priority access for business travellers to support architectural practices to do business in overseas markets

### **Why is skilled immigration important to UK architecture?**

Being a magnet for the best international talent is central to UK architecture's success. International talent has both helped British practices fill domestic skills gaps and brought distinct training and cultural perspectives to enrich UK architecture as a whole. As an example, practices tell us that Spanish-trained architects bring a strong design background and architects from Eastern Europe bring a rigorous and high level of technical skills. These architects add their diverse skills and perspectives to the expertise and quality of their British-trained peers to bring an unmatched culture of collaboration and excellence to architectural practice in the UK.



**25%** of architects working in the UK are from the EU



**1 in 5** architects plan to respond to Brexit by exporting overseas



**300,000** new homes a year need to be built to solve the housing crisis



**80%** of architects say global talent is vital for the profession's success

Just as the Government plans to grow Britain as a global trading nation, 1 in 5 architects are planning to respond to the Brexit vote by expanding into new markets beyond the UK. British architects design incredible buildings around the world, facilitated by a mobile and diverse workforce, and potential exists for significant growth. Having access to staff with contacts around the world and knowledge of a different language and culture can help open the door to practices looking to work internationally.

With the UK needing to build over 300,000 homes a year to solve the housing crisis and urgently upgrade its infrastructure, architects have a vital role in shaping the high quality, inclusive and well-designed built environment of the future. Creating barriers to British businesses in attracting the best global talent risks creating a capacity crunch in the profession and missing the historic opportunity to create a built environment that supports sustainable and resilient communities.

Whatever immigration system Britain adopts as it leaves the European Union, businesses will continue to demand the best talent, from wherever in the world it comes. Four in five RIBA members have identified access to the best global talent as vital to the continued success of UK architecture. With most architecture practices in Britain being SMEs, it is vital that Britain builds an immigration system which allows these small businesses to survive and thrive and ensures that it is not only large, well-resourced businesses which benefit from skilled migration.

### **Providing certainty for UK citizens and EU nationals**

One in four architects working in the UK and 13% of architecture students at British universities are EU nationals<sup>1</sup>. The ability of these individuals to live, work and study in the United Kingdom as well as the parallel ability of British architects living in Europe to do so should be a top priority. This is underpinned by mutual recognition of professional qualification agreements, which enable professionals to practise outside their own country without taking additional exams or training.

The RIBA recommends:

- 1. The Government should come to an agreement with the EU over the rights of EU citizens currently living in the UK, and UK citizens living in Europe, that includes continued recognition of professional qualifications, at the earliest opportunity.**

The RIBA welcomes the Government's position paper *Safeguarding the Position of EU Citizens Living in the UK and UK Nationals Living in the EU*. The paper outlined proposals to ensure that EU citizens currently living in the UK will be able to remain settled in the UK with no immigration controls placed on their continued residence, and continue to enjoy mutual recognition of their professional qualifications. This was an important step forward in providing some clarity and reassurance to those currently resident in the UK.



**25%** of architects working in the UK are from the EU



**13%** of students of architecture at UK universities are EU nationals

However, practices are reporting that talented architects are now either leaving or seriously considering leaving the UK because of the continued uncertainty over their status. The RIBA believes that both the EU and the UK Government can go further in providing certainty and peace of mind.

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<sup>1</sup> ARB statistics and RIBA Education statistics

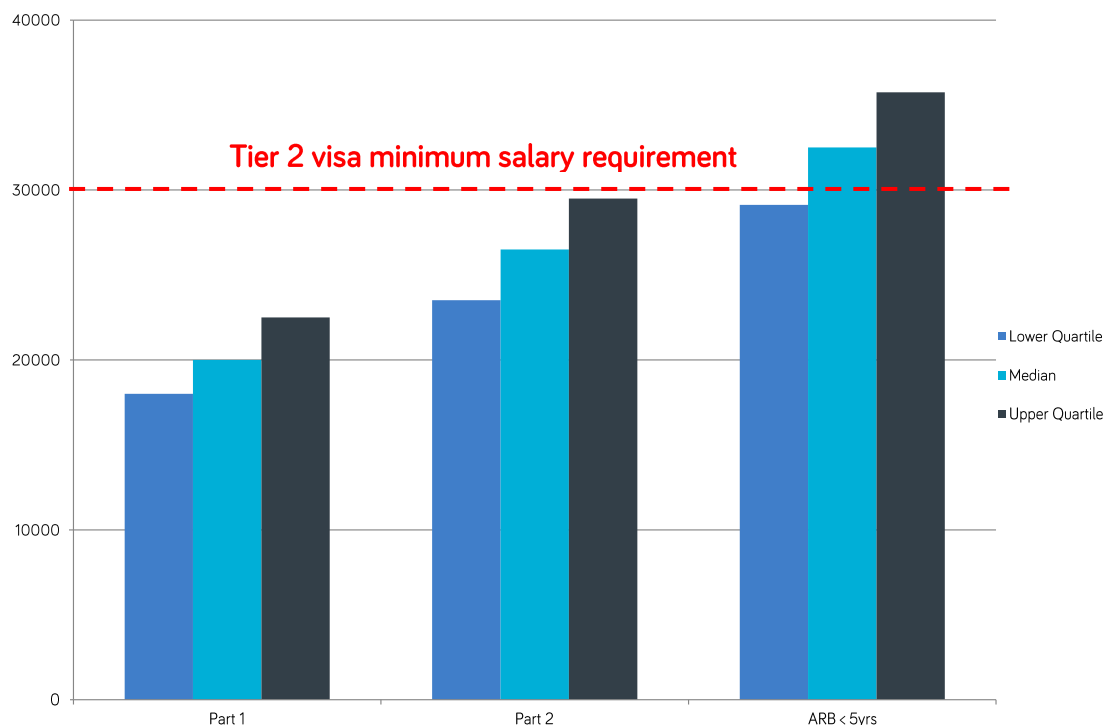
## Ensuring continued access to the best global architectural talent

Whilst EU architects working in the UK currently benefit from free movement, most non-EU architects working in the UK are here on Tier 2 visas, reflecting their specialist skillset. With the Government intending to end free movement of people from the EU, and without reforms to how the Tier 2 system works, the extension of visa requirements to the much larger European workforce will lead to an exponential increase in the challenges UK architecture practices face when employing international talent. Specifically, the combined weight of financial and administrative costs associated with sponsoring employee visas, along with minimum salary requirements that can 'price out' younger talent, have the potential to severely limit the mainly small businesses in the architecture sector from accessing the best available talent from around the world.

The RIBA recommends:

### **2. Reviewing the minimum appropriate salary requirements for Tier 2 visas and reducing these requirements for recent graduates or those working for small businesses**

Salaries for architects working in small practices and in practices outside London are on average lower than larger or London-based practices. The average salary of a Part 1 graduate working in a practice with 10-20 staff is £20,000, well below the appropriate salary requirement for a Tier 2 visa, and the national average salary for a Part 2 graduate is just £26,500<sup>2</sup>. With 86% of UK architecture practices having fewer than 20 staff, applying similar salary requirements to EU nationals has the potential to severely limit the ability of British architecture businesses to hire the best available talent and leave only the largest, best-resourced practices in London able to benefit from skilled migration.



<sup>2</sup> RIBA Business Benchmarking 2016. Graphic shows lower quartile, median and upper quartile salaries for Part 1, Part 2 & ARB < 5 years qualified architects vs. minimum salary requirement for Tier 2 visa

Architecture is a regulated and highly specialised profession which requires experience of relevant UK law and standards. While overseas-trained architects have the training and skills that practices need, and help practices fill skills gaps, many do not have direct experience of working within UK standards when they first arrive. Especially in the case of younger architects, this means they often cannot command salaries at the higher end of the scale for their qualification.

### Case study: RIBA Chartered Practice (over 500 employees)

"Our approach is to only bring in people from outside the EU, who need a visa, for specialist or high value roles. The minimum salary requirements mean that the practice can't use Tier 2 visas to bring in younger or less experienced staff, such as Part 1 qualified assistants, in practice.

Our ethos right now is to only recruit the best person for the job, regardless of other factors, but if the existing system was applied to EU nationals then losing the ready access to employing them would have a substantial impact on our business. 25% of our staff are from the EU."

### 3. Reducing the cost and administration burden on businesses seeking to become a visa sponsor for employees

Extending the requirement for a visa to work in the UK to EU nationals will mean many more architecture practices will have to take on this responsibility. It is clear that the cost and administrative burden associated with the current system will not be sustainable for the many SMEs in the architecture sector.

Costs can run to over £3,000 per visa plus the staff time necessary to properly satisfy Home Office requirements. The cost implications of sponsoring visas for EU nationals as well as non-EU nationals would be onerous at a time when practices are already seeing their staff costs rising while fees are not going up.

As well as the cost burden, the process of obtaining a visa for a new applicant can take up to 12 weeks after a job has been offered. The obligation to conduct a resident labour market test and other procedural requirements, often when a candidate with specialist experience has already been identified, delays this process even further. This makes it difficult to get talented staff on the ground quickly – the nature of architects' work, which is project-based and relies on having the right people in place at the right time, makes this delay impractical. Delaying the acquisition of specialist skills can affect the delivery of projects.

For these reasons, practices frequently make it a policy to seek Tier 2 visas only for highly specialised skills or, in some cases, do not consider job applications from applicants who would require a visa to work in the UK. Due to the far higher volume of businesses likely to be interacting with the visa system post-Brexit, it will need to become less expensive and easier to manage, allowing businesses to get the right people in post quickly to respond to business need.

## Case study: RIBA Chartered Practice (over 100 employees)

"We recently sponsored a candidate from Mexico as she has a significant skill set that we currently have a shortage of in the practice. She was interviewed back in April and due to the Tier 2 process we are still waiting for her to join.

We had the job advertised for a month, then conducted interviews and once it was apparent that she was the most suitable candidate; we had to apply for a Restricted Certificate of Sponsorship which took a further month to come through. She now has this and is applying for her visa. The cost to us is £3,000 for the visa + £199 fee. The wait is frustrating as we have identified somebody with skills we need but are having to wait six months to get those skills into the business."

### Ensuring the UK remains a magnet for the best architecture students

A third of architecture students in the UK are foreign nationals, a proportion which has been increasing over the last decade. Restrictions on the ability of foreign students to study in the UK therefore risks impacting on the supply of architectural talent in the long-term. However, Britain's exit from the EU does provide an opportunity to address the challenges that foreign architecture students face when completing their studies in the UK's world-leading universities.

The RIBA recommends:

#### **4. Re-introducing post-study work visas to allow international architecture students to develop their professional experience between Part 1 and Part 2 study**

Non-EU students studying architecture in the UK typically enter the UK on Tier 4 student visas. These allow students to take work placements as part of their courses while studying in the UK. However, they do not provide for the professional experience which students typically undertake between their Part 1 and Part 2 courses, which can lead to Part 1 graduates being unable to obtain the experience they need before commencing their Part 2 studies. This professional experience is a vital part of architects' education and practical experience is a requirement from both the RIBA and the Architects Registration Board to obtain qualification as an architect.

Students on Tier 4 visas often find that the allowed duration of their stay after finishing study does not cover the time they need to obtain this practical, professional experience. Meanwhile employers, in view of the issues with Tier 2 visas outlined above, are frequently unwilling to take on this burden for Part 1 graduates for a short period of time – perhaps 1 or 2 years – before they go back to study.

Historically, non-EU architecture students could make use of Tier 1 post-study work visas to obtain this practical experience at the end of their Part 1 studies, providing a bridge between their undergraduate and postgraduate training in the UK. The closure of this route has left many

students, who have paid tens of thousands of pounds to study in the UK, being unable to obtain the experience they need to complete their further qualification in Britain and being forced to leave the country just at the point they are skilled and ready to work.

With immigration controls extending to EU students after the UK leaves the EU, the RIBA believes that there is a strong case for the reintroduction of post-study work visas, to ensure that talented architecture students from around the world are not locked-out of obtaining the professional experience they need to continue studying and working in the UK after they complete their initial qualification.

### Case study: RIBA Chartered Practice (under 10 employees)

"We have one member of staff from outside the EU, who came to us originally on a post-study work visa. She is now working on a Tier 2 visa. The post-study work visa gave her the opportunity to work for us and build up a relationship to the point that we were prepared to take on the cost of sponsoring a visa to keep her.

Other than that, we would not consider employing anybody we don't already know, who needed us to sponsor them for a visa - it's too expensive and takes far too much time to satisfy the requirements. We're a small business without a HR team, we have to do it all ourselves - honestly, if we get an application from anybody who needs a visa to work in the UK it goes straight in the bin."

## 5. A transitional relationship with the EU that extends the freedom to study and work in the UK beyond the UK's exit from the EU in 2019

The RIBA has made the case for reform of architectural education in the UK, moving from a system of distinct and often unconnected periods of study and practical experience to an integrated pathway to qualification as an architect.

The RIBA validates programmes at 50 schools of architecture and other course providers in the UK and in this capacity launched a far-reaching review of UK architecture education in 2013. The RIBA Education Review recommended reforms to architectural education in the UK, including an integrated 7-year award containing two years of formally-assessed, practical professional experience. The RIBA has encouraged schools of architecture to complete proposals for offering these awards by September 2019. This reform, which will bring practical experience in the scope of work placements provided for under Tier 4 visas, will therefore not be completed before Brexit.

Therefore, the RIBA welcomes the Government's intention to seek a transitional period which means European students will be able to study and work in the UK on current terms, as outlined in the Prime Minister's recent Florence speech. We believe this is critical to preserve the UK's status as a magnet for overseas students and provide a smooth transition to post-Brexit immigration controls on students wishing to study architecture in the UK.

## What opportunities are there post-Brexit?

Whilst the end of freedom of movement presents many challenges to the architecture sector and its mobile, globally-sourced workforce, a new immigration system also presents opportunities to make the UK more accessible to prospective investors and employees.

The RIBA recommends:

### **6. Including work visa quotas in new trade agreements**

As the UK looks to new markets, there will be opportunities to include work visas in any trade agreements. These could provide access to a wider pool of global architectural talent from around the world and help the UK forge stronger trade and business links internationally.

A number of bilateral trade agreements already include work visa quotas. The most notable examples are the agreements between the USA and Australia, Singapore and Chile. These agreements have helped boost trade by facilitating business links and helped countries in these markets gain new insights into their trade partners.

### **7. Extending mutual recognition of professional qualifications via new trade agreements with priority countries including the USA, Australia and Canada**

In addition to work visas, the Government also has an opportunity to go further and include new agreements for the mutual recognition of professional qualifications in post-Brexit trade deals with third countries. As outlined above, these agreements enable professionals to practice outside their own country without taking additional exams or training. Mutual recognition of professional qualifications in the EU has extended the ready pool of talent that UK practices can recruit from, and extending mutual recognition agreements to countries beyond the EU will widen this pool of global talent still further. New agreements will also open up easier access for UK architects to significant market opportunities in countries such as the USA, Australia and Canada.

### **8. Implementing a system of priority access for business travellers to support architectural practices to do business in overseas markets**

For sectors like architecture which export through services delivered from the UK, the current visa system presents an extra source of frustration. With over 75% of exports from outside the EU, many current or potential clients are based in countries which require visas to visit the UK. Applications are regularly subjected to lengthy delays and visitors are often denied permission to come to the UK. In some cases, businesses have reported having to schedule meetings in mainland Europe due to delays or refusals of visa applications for clients.

#### **Sources of overseas revenue**

**38%** Middle East  
**17%** European Union  
**13%** Asia  
**13%** North America  
**6%** South America





The RIBA believes that the UK should establish or participate in a scheme of priority access for business travellers that would provide expedited border crossing for architects and other professionals looking to do business overseas. For example, the APEC Business Travel Card, which is issued to business travellers who are citizens of the Asia-Pacific Economic Cooperation (APEC) group of countries, allows card-holders to travel for business visits of up to 59 days without a visa. This system greatly reduces the cost and administrative burden associated with doing business internationally, and a similar system would support the UK's architecture practices to sell their services globally.

### **Case study: RIBA Chartered Practice (over 100 employees)**

"Our practice does a lot of business in Malaysia and the system for sending staff there to work is very onerous compared with sending people to work in Europe. As an international practice we rely on the ability to assign staff and move people around to work on projects internationally and the visa system makes this difficult in practice."

### **A post-Brexit immigration system that works for UK architecture**

The UK is a global hub for architectural excellence, at the forefront of innovations in quality, creativity and sustainability, setting the international gold standard for architectural practice across the world. In large part, this success is built on the contribution of incredible architectural talent from around the world. We now have the opportunity to go further.

It is vital that, as Britain leaves the European Union and seeks to grow itself as a global trading nation, it continues to act as a beacon for the best and brightest professionals. The RIBA believes that the recommendations in this paper will help Britain build a post-Brexit immigration system that continues to welcome and embrace the global talent that has made UK architecture a global success story.