



Development of ARB's international routes to registration

Mixed qualifications

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Introduction

ARB is an independent professional regulator, established by Parliament as a statutory body, through the Architects Act, in 1997. We are accountable to government.

The law gives us a number of core functions:

- i) To ensure only those who are suitably competent are allowed to practise as architects. We do this by approving the qualifications, required to join the UK Register of Architects.
- ii) We maintain a publicly available Register of Architects so anyone using the services of an architect can be confident that they are suitably qualified and are fit to practise.
- iii) We set the standards of conduct and practice the profession must meet and take action when any architect falls below the required standards of conduct or competence.
- iv) We protect the legally restricted title 'architect'.

1. Purpose of this document

- 1.1 In recent years we have run two separate processes and routes to registration (in addition to the UK route) based on the legal framework: we have had an EU route based on the Mutual Recognition of Professional Qualifications Directive (MRPQD) which created an automatic right to registration for most EU architects; we have also had an international route where architects qualifying outside the European Union were required to complete ARB's Prescribed Examinations as well as complete a Part 3 recognised qualification.
- 1.2 Following the UK's exit from the European Union, we have been exploring a new approach to registration of international architects which we intend to implement once the relevant legislation introduced to Parliament by the Government is in place.
- 1.3 New legislation has been proposed, which if approved will give ARB the power to enter into mutual recognition agreements (MRAs). MRAs provide regulatory bodies with the ability to recognise international, including EU qualifications for the purposes of registration. In establishing MRAs, regulatory bodies are expected to undertake due diligence to ensure that the qualifications that fall within the scope of the agreement are substantially the same in terms of duration and content.
- 1.4 We are seeking views on one specific aspect of policy which we are considering in relation to the use of 'mixed qualifications'.

- 1.5 As part of our new approach to the registration of international architects, we are looking to develop a new MRA with our European counterparts, through the Architects Council of Europe (ACE). We will need to decide whether to accept ‘mixed qualifications’ within the scope of that MRA. To date, our legislation has not given us the ability to recognise ‘mixed qualifications’, however our new legislation, if approved, will give us more flexibility in this area, permitting us to decide which qualifications should be acceptable when negotiating the MRA.
- 1.6 More information is provided in the next sections of this document. A glossary of terms has been provided at the end of this document given the technical nature of the issue.

2. Our current position

- 2.2 Our position is that the standard of entry for those holding EU and other international qualifications should be equivalent to the standard of entry for those holding UK prescribed qualifications. This would mean that individuals must hold qualifications that are equivalent to the outcomes or levels normally satisfied by Parts 1, 2 and 3.
- 2.3 From 1 January 2021, ARB has been provided with some adjusted statutory responsibilities in relation to the recognition of EU qualifications and experience. We are therefore currently operating under a set of interim arrangements in relation to the recognition of European qualifications and experience.
- 2.4 Under those interim arrangements, EU-qualified individuals remain eligible to register subject to certain legislative conditions¹.
- 2.5 For example, in Annex V.7.1 of the MRPQD, the following Belgian qualification, which will be underpinned by a first cycle qualification, must be accompanied by a certificate issued in Belgium to confirm access to the profession of architect and qualify for automatic recognition:

‘5.7.1. Evidence of formal qualifications of architects recognised pursuant to Article 46

Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Certificate accompanying the evidence of qualifications	Reference academic year
België/ Belgique/ Belgien	1. Architect / Architecte	1. Nationale hogescholen voor architectuur / Ecoles nationales supérieures d’architecture	Certificat de stage délivré par l’Ordre des Architectes/Stagegetuigschrift afgeleverd door de Orde van Architecten	1988/1989

¹ See FAQs 2 and 3 at <https://arb.org.uk/eu-exit/eu-exit-faqs/>

- 2.6 The MRPQD may be seen in full at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02005L0036-20200424>
- 2.7 These Annex V.7.1 qualifications provide an assurance that the minimum standards as set out in Article 46 of the MRPQD have been satisfied. The minimum standards are equivalent to UK Part 1 and Part 2 requirements, and prescribed UK qualifications were formerly listed within the Annex prior to EU Exit.
- 2.8 The arrangements also require the applicant to hold any ‘accompanying certificate’ listed alongside the qualification in the MRPQD. However, during the development of the MRA, we have identified that some combinations of qualifications and ‘accompanying certificates’, commonly referred to as ‘mixed qualifications’, do not technically conform to the EU requirements for automatic recognition as set out in the MRPQD.

3. Mixed Qualifications

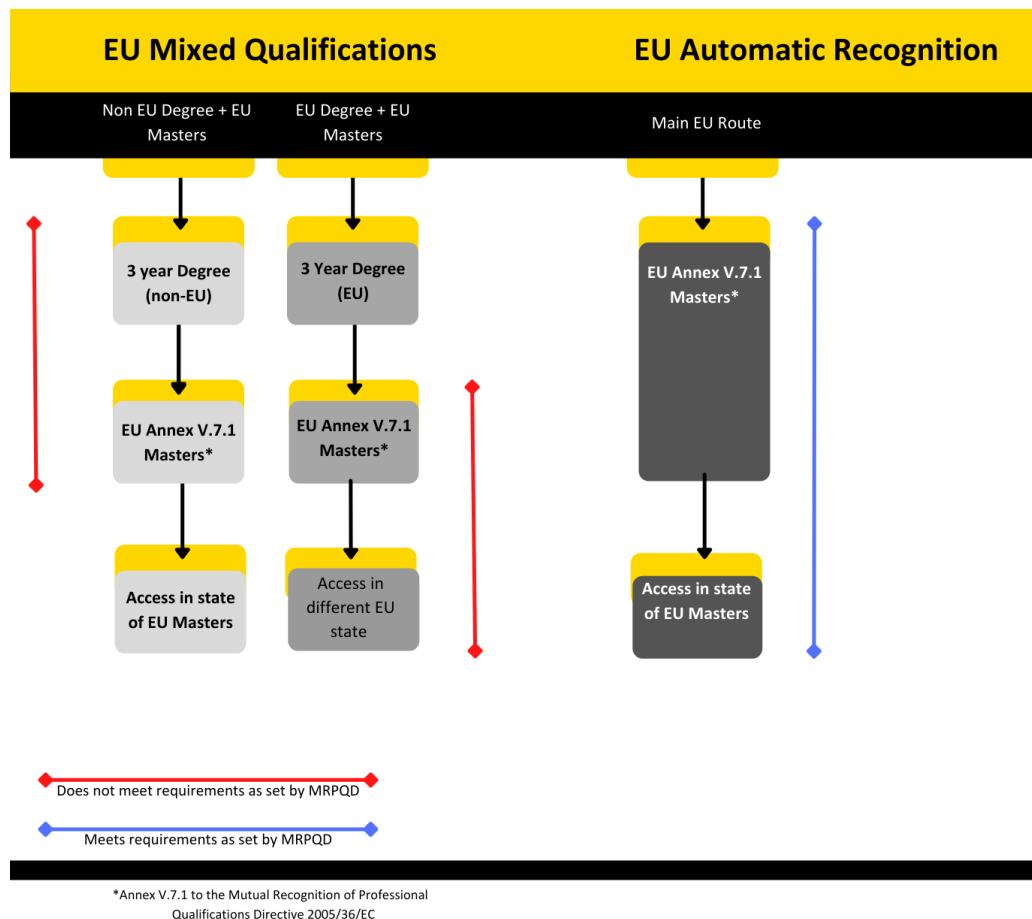
- 3.1 Mixed qualifications fall into the following two categories:
- i) First (degree level) and second (master’s level) cycle qualifications issued in two different countries
 - ii) First and second cycle EU qualifications obtained in one state where access to the profession of architect/accompanying certificate have been obtained in different EU states.
- 3.2 Not all those who have qualified as architects in an EU member state will have secured qualifications which comply in full with the requirements for automatic recognition. The Directive was drafted on the basis that for applicants to qualify for automatic recognition, they must complete their education and training in a single EU member state, receiving both the EU qualification and the accompanying certificate listed alongside it confirming access to the profession of architect.

4. First (degree level) and second (master’s level) cycle qualifications issued in two different countries

- 4.1 Where an individual holds first and second cycle qualifications that have been undertaken in two different countries (e.g. a bachelor’s degree in Argentina and a master’s degree in Spain), ARB has taken a precautionary approach and not accepted applications with these types of combination.
- 4.2 There are a number of reasons why this has been the position. Technically, the MRPQD does not make provision for this as the majority of the five years of study required for compliance with the Directive needs to have been undertaken in the EU. We have also raised concerns in the past regarding this area given that we had no

control or the ability to scrutinise international first cycle qualifications as part of the EU notifications and listings processes.

- 4.3 However, we are aware that a number of EU universities allow access to master’s-level courses, without requiring that an undergraduate programme has been undertaken in the EU. In turn, once they have achieved their masters level qualification, the authority in an EU country may not have provision to look below that qualification to determine compliance with the Directive. This means that there is limited assurance that applicants with these qualifications will meet the same standards as those qualified in full in the EU.
- 4.4 A change in approach would accept the level of assurance which comes from the EU master’s level qualification together with an undergraduate degree from another country. We would therefore, in effect, be relying on the higher qualification and the processes within EU states to seek assurance.



- 4.5 It should also be noted that in line with the proposed new legislation, ARB is likely to apply additional requirements to EU qualification holders before they enter the UK Register. This would mean that although individuals will need to hold appropriate qualifications and an accompanying certificate, they will also need to meet an experience requirement and will need to undertake a UK adaptation assessment. ARB is likely to impose these requirements as a way of providing an assurance that

the appropriate UK standards are being met. The additional requirements are however being developed on the basis that the underlying EU qualifications all meet the same common standards equivalent to UK Part 1 and Part 2. The question is therefore whether differences in content of undergraduate programmes are likely to compromise the competence of an established EU architect, who has completed a European master's-level qualification.

- 4.6 If we opted not to accept this combination of mixed qualifications, the alternatives would be to either offer a tailored assessment to cover the full period of an architect's education, or to require that an application for Part 1 equivalence is made via ARB's existing process for assessing unrecognised qualifications, the Prescribed Examination. Either of these possible approaches will have substantial additional costs associated with them, which may make UK registration less attractive than that of EU states.
- 4.7 We would like to receive feedback from our stakeholders about whether they feel first cycle qualifications issued in other countries, followed by an EU second cycle qualification ought to qualify for consideration under the new international route or if ARB's existing Prescribed Examination at Part 1 is an appropriate form of assessment for non-EU first cycle qualifications.
- 4.8 Users of architects' services would not under such a changed approach have the same assurance that the undergraduate programme had been checked against UK Part 1 requirements, as would happen under the Prescribed Examination approach described above.

5. Annex V.7.1 qualifications where access to the profession of architect/accompanying certificate have been obtained in different EU states

- 5.1 Individuals holding first and second cycle qualifications from one EU member state must, under the terms of the MRPQD, complete their access to market requirements in the same state before being eligible to register automatically in another EU State. This requirement has been carried over into the Architects Act 1997 and as a result ARB is currently inhibited in its ability to accept an applicant for registration who holds first and second cycle qualifications from one EU member state together with an accompanying certificate from another EU member state. For example, an individual who has undertaken a first and second cycle qualification at the Politecnico di Milano in Italy and who has gained an accompanying certificate in Romania, could not be admitted to the UK Register automatically.
- 5.2 Prior to 1 January 2021, our legislation similarly prevented us from automatically accepting qualifications from one member state and accompanying certificates from another member State. Notwithstanding the approach that the UK has taken to qualifications and access to market requirements being obtained in different

member states, we are aware that a number of EU member states continue to accept applications based on mixed qualifications. We are aware that the majority of EU member states are looking to reinterpret the Directive in connection with this area.

- 5.3 We have traditionally been uncomfortable with this position because there can be substantial differences in EU member states' accompanying certificates ranging from no requirements to three years of experience and a test; and there are no accompanying certificate criteria held in common by EU member states under the MRPQD.
- 5.4 As noted above, we are likely to apply additional requirements to those joining the Register with EU qualifications and accompanying certificates in the future, and that individuals will need to have gained a period of experience and undertake a UK adaptation assessment. It is our view that as a period of experience and an assessment will exceed EU requirements and provide assurance that the UK standard is being met by all applicants in scope.
- 5.5 If we opted not to accept this combination of mixed qualifications, the alternatives would be to either offer a tailored assessment to cover the full period of an architect's education, or to require that a Part 3 is completed at a UK school of architecture. Either of these possible approaches will have substantial additional costs associated with them, which may make UK registration less attractive than that of EU states.
- 5.6 We would like to receive feedback from our stakeholders about whether they feel a qualification listed in Annex V.7.1 ought to be accepted where access to the profession of architect/accompanying certificate has been obtained in a different EU state under the new international route, or if a tailored assessment or a requirement to complete a Part 3 qualification is appropriate.

6. Summary of key points and questions

- 6.1 To summarise, we are seeking stakeholder feedback on the following points to allow us to determine what the ARB's policy regarding 'mixed qualifications' should be so that we can make appropriate provision for this within the new MRA we are exploring with our EU counterparts. We will use your feedback to inform the Board's policy development.
- i) Should we accept Annex V.7.1 qualifications where access to the profession of architect/accompanying certificate have been obtained from different EU member states, provided education and training totals at least seven years; or, should we accept Annex V.7.1 qualifications where access to the profession of architect/accompanying certificate have been obtained in the same EU member state provided education and training totals at least seven years?

- ii) Should we accept international first cycle qualifications together with a second cycle EU qualification in Annex V.7.1 and where access to the profession of architect/accompanying certificate have been obtained from any EU member state, provided education and training totals at least seven years? In particular, do you feel that the higher level EU qualification together with the UK Adaptation Assessment manages the risk to users of architects' services.

6.2 Please give any reasons that you feel may be helpful to support your view. Comments or feedback can be emailed to us at communications@arb.org.uk by **28 February 2022**.

6.3 We have however decided to seek views for a period of four weeks as opposed to three months. We need to do this as it is a technical and targeted request for feedback to inform our ongoing negotiations with ACE/EU27 in as timely a manner as possible.

Glossary

ACE – The Architects Council of Europe, represents the interests of over 600,000 architects from 30 countries in Europe.

ARB's Prescribed Examination – our assessment process for considering unrecognised qualifications.

Article 46 of the MRPQD – the common standards that all EU qualifications must meet before official approval is possible in the EU.

EU Annex V.7.1 – an official list of EU qualifications equivalent to UK Part 1 & 2 standard as published in February 2020.

EU Accompanying Certificate – any lawful requirement that must be completed to secure access to the profession of architect in an EU member state (often described as access to the profession of architect).

First Cycle Qualification – an undergraduate or degree-level qualification.

MRA – mutual recognition agreement.

MRPQD – Mutual Recognition of Professional Qualifications Directive (2005/36/EC).

MOU – memorandum of understanding.

Second Cycle Qualification – a postgraduate or masters-level qualification.

UK Adaptation Assessment – a supportive assessment we aim to offer to ensure incoming international architects are prepared for UK practice.