



12 December 2008

Review of Mutual Recognition Schemes
Productivity Commission
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By email: mutualrecognition@pc.gov.au

The Australian Institute of Building Surveyors (AIBS) in providing comment to the Productivity Commission's Review of Mutual Recognition Schemes recognise that the requirements for registration of Building Surveying practitioners across Australia should be in accordance with the National Accreditation Framework (NAF) guidelines as agreed to by the Council of Australian Governments (COAG).

The AIBS has addressed its comments as follows:

Cross Jurisdictional Review

A particular area of concern is that building surveyors coming or going to other States and Territories are not trained in the legislation for that jurisdiction and there are some significant differences. These differences are the Building Codes of Australia appendices and the legislation (including secondary legislation).

While there is a national building code (BCA) there are still significant technical requirements that reside in the legislation, i.e. alterations to existing buildings, compliance with other legislation (planning) referral mechanisms, special hazard buildings etc. Some of the technical requirements are embedded in documents such as the Building Code Practice Notes in Victoria, and the BCB Practice Notes in Tasmania, and Minister's Specifications in South Australia. These are not easily found. In addition, the administrative provisions are also critical.

There have been numerous examples of practitioners moving between States using forms and quoting regulations from other jurisdictions which not only significantly detracts from the profession but it is potentially a dangerous practice.

The AIBS understand that there will always be differences in local legislation but considers a more practical approach would be that for those seeking to work across borders, they should be required to undertake a short course of education, possibly an examination, to ensure they appreciate the local legal requirements. As the Building Surveyor is the regulator, it is reasonable to expect them to understand the local regulations and requirements. This course should attract continuous professional development (CPD) points which is a mandatory requirement under the NAF.

The building surveyor is seen as the expert in the local regulations, and that should address the shortcomings of others in the process from development application to certification.

The AIBS position does not change from the agreed position of the NAF and COAG.

COAG Skills Recognition Steering Committee

As part of this review is to assess the coverage, efficiency and effectiveness of the MRA and TTMRA with particular attention to matters identified by the COAG Skills Recognition Steering Committee and to explore any possible implications for the operation of the TTMRA arising from participating jurisdictions, the AIBS wishes to comment on the agreed position with the Australian Building Codes Board (ABCB) and the National Accreditation Framework (NAF).

It was in August 2001 that the ABCB formally agreed to the National Accreditation Framework following consultations with the building industry and State and Territory administrations, and in April 2003 the ABCB announced publicly the introduction of uniform national competency standards for Building Surveyors/Certifiers.

The AIBS are a signatory to the NAF which recognises two levels of certification. For each level there is an agreed educational requirement together with practical work experience level. The State and Territory differences on the acceptability of educational qualifications (a diploma may be accepted as a pre-requisite in one jurisdiction, while another may deem a tertiary degree necessary to practice) is not consistent with the agreed benchmarks for the university level and core competencies of the Training Package used by the VET sector.

Students undertaking the approved accredited courses are able to enter the workforce with a full complement of skills, and they should be able to work in and between any State or Territory with the knowledge that their qualifications are recognised. The students learn how to work with performance requirements, are trained in fire engineering technology, energy efficiency, the application of building control legislation and risk management principles in the building regulatory environment.

The scope and content of the competency standards directly align with the National Accreditation Framework for Building Surveyors/Certifiers. However, some States are not adhering to the NAF position and do not recognise that those who are accredited by the AIBS are at a uniform standard of qualification and work/skills experience.

Further, it is suggested that if Building Surveyors/Certifiers are practicing in a State that has a standard of qualification less than that provided by the NAF, then to ensure equivalence is achieved, conditions should be imposed to make registration in another State jurisdiction contingent on the applicant obtaining qualifications or experience that demonstrate competence to the level required in the other jurisdiction.

AIBS understand that in the case of occupations, the principle of mutual recognition means that *registration* in an occupation in one jurisdiction is sufficient grounds for *registration* in the equivalent occupation in another jurisdiction by only notifying the relevant registration authority without the need for further assessment of their qualifications, skills or experience, so as to remove impediments to labour mobility

caused by regulatory differences or duplication in assessment and registration across jurisdictions.

If a requirement for accreditation is enacted in legislation, e.g. “approved building industry accreditation authority means an accreditation body recognised by COAG for the purposes of mutual recognition” this should ensure that a person’s license and registration has been verified.

The AIBS position in relation to skills recognition and educational qualifications has not changed from the agreed position of the NAF and COAG.

COAG’s National Licensing System

The AIBS is aware of the Consultation Regulation Impact Statement for the National Licensing System for Specified Occupations is currently underway and a separate submission and comment by the AIBS will be provided on this.

However, the AIBS believes the National Licensing System and the information provided above on the COAG Skills Recognition Steering Committee are inter-related and should be considered in any decisions made.

Continuing Professional Development (CPD)

One of the most important requirements in maintaining skills is for a practitioner to commit to on-going training and professional development. CPD is mandatory under the NAF and the AIBS continues to provide CPD training as part of one’s practitioner accreditation.

The AIBS support the ongoing development to enhance a practitioner’s skills and knowledge and ensure that any changes to the BCA and local legislation is brought to the attention of accredited practitioners through CPD training, thus improving their professional practice requirements.

The AIBS is expanding its peer support by offering a mentoring program to its student members and others within the profession which will also attract CPD.

The AIBS consider this area to be of vital importance and believe the mutual recognition legislation should make it clear that ongoing conditions or requirements for further training and professional development apply equally to all registered persons within an occupation, including those registered under mutual recognition.

Minor review of ANZSCO Codes

The AIBS wrote to the Australian Bureau of Statistics (ABS) in July this year requesting the profession of Building Surveyor/Certifier be designated with its own ANZSCO Code as it currently sits within Code 2549-70 “not elsewhere classified” section. The AIBS sought a separate code be designated for this professional occupation within the Building and Engineering Professionals area as, for example, a Quantity Surveyor comes under Code 2122 and Cartographers and Land Surveyors come under Code 2123.

The request was made prior to the minor review being undertaken of the agreed codes between Australia and New Zealand and we were advised by the ABS that the AIBS request would be considered under the review.

Other stakeholders such as Government Skills Australia (GSA) and the Construction and Property Services Industry Skills Council (CPSISC) were canvassed by the ABS to provide comment. Both organisations supported the AIBS request.

The AIBS were advised by the ABS in October of progress under the minor review and that although no final recommendations had been made, they had taken the Building Surveyor/Certifier Code out of the professional level and transferred it into the para-professional level of 312199. In a telephone conversation it was ascertained that those conducting the review had considered because New Zealand did not have the professional requirements expected within Australia, that the level of Building Surveyor/Certifier should be downgraded to the para-professional level to accommodate New Zealand.

This will have a direct impact on the MRA and TTMRA as those seeking to work in Australia will not meet either the requirements for licensing or accreditation.

CONCLUSION

The AIBS would like to thank the Productivity Commission for the opportunity to comment on the Review of the Mutual Recognition Schemes and trusts that the issues raised by the AIBS are taken into consideration when providing its findings to COAG and the New Zealand Prime Minister.



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