



Department  
for Environment  
Food & Rural Affairs

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# **Summary of responses and government response to introducing language control for migrant EU veterinary surgeons**

**February 2016**



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Any enquiries regarding this publication should be sent to us at

Defra, RCVS Consultation team

Area 5, Nobel House,

17 Smith Square,

London,

SW1P 3JR

or by emailing: [rcvsconsultation@defra.gsi.gov.uk](mailto:rcvsconsultation@defra.gsi.gov.uk)

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# Introduction

1. The Mutual Recognition of Professional Qualifications Directive (“MRPQ”) EC 2005/36/EU<sup>1</sup> provides the framework for the free movement of EU professionals who wish to exercise their right to “free movement” and practise their profession in an EU State other than their own. Amendments to the Directive came into force in January 2014<sup>2</sup>. The amended Directive clarified the requirements on professionals to have the necessary language ability to practise their profession in a host Member State. It also placed obligations on competent authorities to ensure that professionals have the necessary language capability to practise their profession in the host Member State and apply controls where there is serious and concrete doubt about a professional’s language competence.
2. The clarified language requirements in the Directive has provided the Royal College of Veterinary Surgeons (RCVS) with the power to ask for evidence of language ability as a condition for registration for migrant EU veterinary surgeons where there is evidence of serious and concrete doubt about the applicant’s language suitability.
3. Between 22 July and 30 September 2015, we sought views on introducing language control for migrant EU vets wishing to work in the UK and received 112 completed responses from a variety of organisations and individual vets. Each response has been summarised in this document.
4. Although the majority of respondents welcomed and supported the proposal and were happy to see that the current disparity in RCVS registration arrangements for EU, UK and non-EU applicants is being addressed, a number of specific issues were also raised regarding the proposal. These concerns ranged from how the RCVS would apply language control when there is evidence of serious and concrete doubt; how some applicants could evade the proposed process by employing the services of a translator to complete and quality-assure their registration forms.
5. Furthermore, there was also a strong concern that the self-certification system could be misused by applicants and the “discretion” of “other evidence of ability” such as having lived in a multi-lingua household (which includes English) which the RCVS are willing to accept could be abused. Respondents’ views were that this does not guarantee that the applicant will be fluent in English language.

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<sup>1</sup> Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications

<sup>2</sup> Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System (‘the IMI Regulation’)

6. Seemingly, respondents were concerned that the criteria for “serious and concrete” evidence could be flawed as this would be based on the RCVS Registrar’s judgement – this was viewed as likely to open up a case for a legal challenge.

7. We acknowledge concerns that stakeholders have raised regarding the proposal not being “heavy handed and far-reaching” enough, but, we must also point out that the RCVS is bound by the provisions in the MRPQ Directive. The Directive being one of the “free movement of persons” Directive ensures that individuals entitled to EU Community-rights can have the same rights as the nationals of the host Member State. Even though the Directive has now enabled the RCVS to ensure that EU veterinary surgeons must have the necessary language ability to practise in the UK and apply controls where necessary, controls can only be applied after the RCVS has formally recognised the EU vet’s degree. This means that the RCVS cannot formally test every EU applicant before accepting them to the register. Data provided by the RCVS suggests that among the EU nationals that applied to the register between 2012 and 2015, there were concerns about the language ability of approximately 17 applicants who were unable to communicate effectively in English. Seemingly, in the last six years, 118 European vets were referred to the RCVS Preliminary Investigation Committee, only 18 had problems communicating in English– hence the need for the “light touch approach” we have proposed.

8. In response to the other issues highlighted in the consultation, such as the criteria to be used for serious and concrete doubt, applicants cheating on the self-certification forms and abuse of “other evidence of ability” to be accepted at the discretion of the registrar, we will continue to work with the RCVS on their implementation plans to ensure that there is clarity, consistency, and transparency – through guidance to be produced for applicants and the implementation process. The new legislation which underpins the new process already assures this. In addition, we will also ensure that the veterinary surgeons language control proposal align with government’s manifesto commitment which is that, “every public sector worker operating in a customer-facing role must speak fluent English”.

# 1. Background

1.1 Currently, the registration arrangements of the RCVS, for EU nationals could be considered a disparity with other applicants, as by contrast, non-EU applicants to the UK register are subject to checks by having to sit the academic International English Testing Systems (IELTS) examination to establish their language competence before they are registered. UK nationals have also proven their language competence by having had their degree taught in English language. The disparity in the registration conditions for EU nationals is now being addressed through the clarified provisions in the amended MRPQ Directive which requires professionals to have the necessary language ability to practise their profession in the host Member State.

1.2 Over the last two and half years, Defra and the RCVS have been working on proposals to introduce language control for migrant EU veterinary surgeons. In November 2014, RCVS held discussions with its Council members at their November Council meeting about introducing language control for migrant EU vets. At this same period, an article was also published on language control in the RCVS News – a copy of which goes to every veterinary surgeon/veterinary nurse on the RCVS register. RCVS News is also published on the RCVS' website and is available to everyone. Furthermore, the Federation of Veterinarians of Europe were informed at the Group's November meeting in 2014 to ensure that the European veterinary regulatory bodies were aware of the proposals. British Veterinary Association was also informed about the proposal by both the RCVS and Defra so that they would inform the members of their organisation.

1.3 From 22 July to 30 September 2015, Defra consulted stakeholders, seeking views on proposals to introduce language controls for migrant EU veterinary surgeons. Awareness of the consultation was raised in Defra's consultation platform on Gov.uk and the RCVS website.

1.4 The consultation sought views on:

- Requirements of the MRPQ Directive – obligations on professionals to have the necessary language competence to practise in the host Member State;
- RCVS conditions for registration – current disparity with the registration process;
- Experience of working with EU vets lacking competence in English language, its impact on animal welfare, animal owners and the veterinary workforce;
- Setting the scene i.e. the language control proposal itself;
- Providing enabling powers to the RCVS Registrar to ask for evidence of English language competence and applying controls where there is evidence of concrete doubt.

1.5 We received 112 formal responses through the consultation's online survey and individual submissions. The responses represented the views of a wide range of interested parties including individual veterinary surgeons (UK, EU, and non-EU nationals), veterinary

nurses, UK vet schools, veterinary practices, and animal and farm owners. The outcome of the consultation enabled us to formulate the final proposals on language control requirements and amend legislation accordingly.

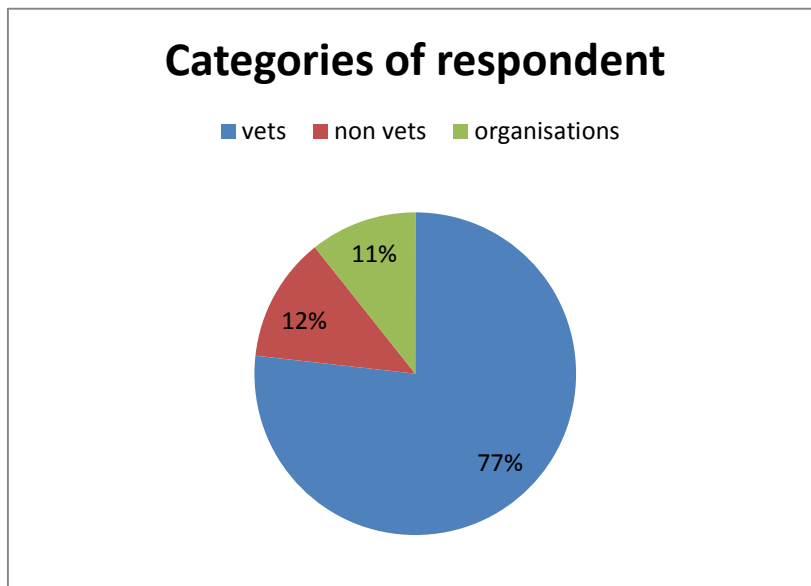
1.6 We want to emphasise that veterinary surgeons play a very important role in every society in the protection of public health, animal health, animal welfare, and food safety. We want members of the public to have confidence in all UK veterinary surgeons and in the Royal College of Veterinary Surgeons (RCVS) as the regulator of the veterinary profession. To ensure this, all vets wishing to practise in the UK must have the necessary linguistic capability to carry out their activities effectively.

1.7 This document is the summary of the consultation responses received and Defra's formal response to the consultation.



## Analysis of the responses

1.8 The written consultation, which closed on Wednesday 30 September 2015, received 112 responses. For the purpose of analysis, the 112 respondents have been categorised as follows: 12 organisations and 100 individuals (86 veterinary surgeons and 14 non-veterinarians). This is illustrated in the chart below:



1.9 Of the 112 respondents, 18 requested that their comments be treated as confidential. Not every respondent answered every question.

Copies of all the non-confidential responses received can be seen by contacting:

Defra, RCVS Consultation team  
Area 5, Nobel House,  
17 Smith Square,  
London,  
SW1P 3JR  
or by emailing: [rcvsconsultation@defra.gsi.gov.uk](mailto:rcvsconsultation@defra.gsi.gov.uk)

## 2. Brief summary of respondents views

Results table	
<b>General questions</b>	
a) Would you like your answers to be confidential?	19 Answered
b) What is your name?	109 Answered
c) What is your email address?	77 Answered
d) Are you responding on behalf of an organisation or as an individual?	112 Answered Individual 100, Organisation 12
e) What is your organisation's name?	13 Answered
f) If you are a vet, are you registered in the UK, EU, or Abroad?	89 Answered 85 UK; 2 EU; 2 Elsewhere; Not answered 23
g) if you are not a vet, what is the basis of your interest in the consultation	16 Answered
<b>Introduction question</b>	109 Answered
<b>Q1b</b> To help us contextualise your response, in your opinion, what do you think are the key barriers preventing veterinary surgeons from delivering a quality service?	<b>Feedback:</b> Poor communication skills were the issue highlighted by nearly all respondents.
<b>Main questions</b>	103 Answered.
<b>Q2</b> In your experience what are the impacts of migrant vets lacking sufficient knowledge of the English language to practise their profession? Please provide supporting evidence to help illustrate your response?	<b>Feedback:</b> The main impact according to respondents was the inability of the EU vet to understand disease history which resulted in giving poor diagnosis/treatment and also poor communication/advice to the

	owners.
<b>Q3</b> In your view, why do you think that the RCVS should be given powers to assess the English language ability of every vet wishing to practise in the UK?	108 Answered <b>Feedback:</b> The majority, (97%) of respondents were of the opinion that these powers were necessary to allow the RCVS to help safeguard public health interests and animal welfare.
<b>Q4</b> In your view, do you consider that the types of evidence that the RCVS proposes to accept from applicants to demonstrate their English language competence for initial registration are fair and appropriate?	107 answered <b>Feedback:</b> 71% viewed the evidence required as being acceptable. However, many indicated that a more rigorous testing system would have been preferable.
<b>Q5</b> To what extent do you feel that the current language control proposal meets the EU requirements on proportionality?	106 Answered <b>Feedback:</b> Majority indicated that they did not have the knowledge to answer this question. Of those that answered, their main concern related to subjective assessments by the RCVS and the risk of the College being open to legal challenge regarding their assessment methods.
<b>Q6</b> To what extent do you agree that “applicants to the RCVS register who are unable to prove their language abilities should be refused registration, and thus prevented from working as a veterinary surgeon in the UK”?	110 Answered <b>Feedback:</b> Majority agreed that applicants should be refused registration until they are competent in the necessary knowledge of English language relevant to their activity.
<b>Q7</b> Do you think that there is any other evidence or sources that we should consider as proof of language capability?	108 Answered <b>Feedback:</b> Majority suggested that formal testing including verbal assessment should be included.
<b>Q8</b> Do you have any evidence on the likely costs or administrative burdens that we should consider as proof of language capability?	108 Answered <b>Feedback:</b> Majority agreed that the cost of testing would be proportionate to the impact on burden, and that costs of the test should be met by the applicant.
<b>Q9</b> In your opinion, to what extent do you agree or disagree with the assessment that these proposals will address the current	108 Answered <b>Feedback:</b> Majority agreed that the proposal will help to address the current

<p>disparity in language competence of European veterinary surgeons, UK, and overseas applicants?</p>	<p>disparity in the registration process.</p>
<p><b>Q10</b> Please give us any other comments you wish to make in relation to the proposals?</p>	<p>30 Answered</p> <p><b>Feedback:</b> Majority welcomed the proposal.</p>

## **3. Main findings from the consultation**

### **Q1b.Introduction: To help us contextualise your response, in your opinion, what do you think are the key barriers preventing veterinary surgeons from delivering a quality service?**

#### **Commentary**

This question was asked to understand the fundamental deterrents to vets providing a quality service to clients

#### **Summary of views**

Majority of the 109 respondents who answered this question said that communication was a key barrier preventing veterinary surgeons from delivering a quality service as it is an important tool for provision of adequate veterinary service.

Other issues highlighted related to concerns over some registrants not having had adequate medical knowledge and veterinary practices not having appropriate resources (e.g. equipment, medicines etc.) to make the correct diagnosis, referrals and treatment.

In addition, respondents also said that there were issues with clients/customers having unrealistic expectations as to what service they were likely to receive such as free treatment like the NHS, as well as many of them having financial constraints that inhibited them from gaining high quality treatment for their pets.

#### **Government response**

We note the view that good communication skills are a necessary requirement for veterinary surgeons to provide a quality service and agree that some other factors such as resources etc. are also a determinant. Unfortunately, the other determinates listed are out of scope of this consultation, and, only the issue of language capability is being looked at.

## **Q2. In your experience, (if applicable) what are the impacts of migrant veterinary surgeons lacking sufficient knowledge of the English language to practise their profession? Please provide supporting evidence to help illustrate your response?**

### **Commentary**

As outlined in the consultation, veterinary surgeons have a duty of care for the health and welfare of the nation's animals and a crucial role to protect public health through monitoring and control of diseases which can impact on the food chain. Majority of EU vets seek employment in the UK in various capacities especially in public health service. In view of this, animals and members of the public may be put at risk if vets do not have the necessary proficiency in English language to carry out their role.

### **Summary of views**

The main impacts highlighted by respondents who had experienced veterinarians not having adequate standard of English, were:

- Misunderstanding the case history of the animals under their care which often resulted in poor diagnosis and treatment – this has an impact on the health and wellbeing of the animal;
- The vet not understanding clients' concerns about their animals and not able to discuss results of clinical examinations and treatment options satisfactorily;
- Language barrier put a strain on relationships with colleagues since they would have to step in to take over cases or assist due to clients' complaints, clients threatening to leave the practice or confusion with referrals etc.

Other respondents indicated that they had superb experience of working with EU vets and had no problem with the standard of English of those they had worked with.

### **Government response**

We have considered the numerous examples given by respondents that demonstrate that English language incompetency has had some significant impacts. Although these cases could be considered small "in real terms", effective communication is part of the requirement of the RCVS Code of Professional Conduct for veterinary surgeons. Poor language skills make it impossible for the vet to comply with the Code of Conduct thereby putting the rest of the profession into disrepute with clients and members of the public.

### **Q3. In your view, why do you think that the RCVS should be given powers to assess the English language ability of every vet wishing to practise in the UK?**

#### **Commentary**

The amendments to the MRPQ Directive in January 2014 clarified the obligation on professionals to have the necessary language ability to practise their profession in another EU State. At the time this obligation was clarified, UK already had the requirement in place as a condition for registration for both UK and non-EU veterinary graduates in order to practise as a vet in the UK. The criteria had to be met through: having sat their veterinary degree in English language (UK graduates) and having sat and passed the academic International English Language Testing System with a pass at level 7 as well as the RCVS Statutory Examination (non-EU graduates).

#### **Summary of views**

The majority (96%) backed the proposal and felt that it was imperative that RCVS should be given the powers to test the English language capability of all persons eligible to register with the College and practise veterinary surgery in the UK. Their view was that giving this power to the RCVS would help safeguard public health interests and animal welfare.

#### **Government response**

We note the support that respondents have given the proposal and have amended the VSA to allow the RCVS Register ask for language competence as a condition for registration where there is evidence of serious and concrete doubt about the EU applicant's ability. Unfortunately, we would have to discount the suggestion that the RCVS should be given powers to test the language ability of every EU applicant wishing to register as a veterinary surgery to practise in the UK as this will be in breach of the requirements of the MRPQ Directive.

## **Q4. In your view, do you consider that the types of evidence that the RCVS proposes to accept from applicants to demonstrate their English language competence for initial registration are fair and appropriate? Please give justification for your response.**

### **Commentary**

In the consultation document, we explained that the language control proposal has to comply with the requirements of the MRPQ Directive – these means that the RCVS can only apply controls when there is serious and concrete doubt about the sufficiency of the professional's knowledge in respect of the particular professional activities. In view of this, RCVS proposes to use a light touch approach by requesting for evidence in a simple and informal way. Evidence to be accepted include but not limited to: having lived in a multi-lingua household (including English); having studies his/her degree in English; having worked for an English-speaking company.

### **Summary of views**

We received a total of 107 responses to this question. The majority (95.5%) supported the idea that the evidence that RCVS wishes to accept are fair and appropriate. However, most felt that the standard of testing did not go far enough and would not adequately deal with those who had an inappropriate level of English to pursue their profession.

There were concerns regarding allowing self- certification of language competency that the ability to provide written responses should not be taken as evidence of language competency. Respondents felt that the form could be completed with the help of another person or an online translation tool. Others were of the view that “having lived in a multilingual household (including English) does not guarantee that the applicant will be fluent in English and be able to converse in English. Suggestions to mitigate this included:

- All applicants should be required to demonstrate their language competency;
- A similar approach to the medical profession and immigration system should be taken;
- Sufficient penalties should be in place if false self-certification is given.

### **Government response**

We have considered the responses and note that some respondents would prefer a more stringent and rigorous approach to be used by the RCVS. However, it must be noted that the RCVS is limited on how far it can take the proposal. In keeping with the requirements of the Directive, RCVS must first recognise the EU veterinary degree, only when there is serious and concrete doubt about the applicant's language competence can any controls be formally applied. Controls to be applied must be fit-for-purpose and proportionate to the veterinary activity to be carried out.



## Q5. To what extent do you feel that the current language control proposal meets the EU requirements on proportionality?

Agree Strongly	Agree Slightly	Disagree strongly	Disagree slightly	No opinion	No answer
19%	7%	13%	10%	44%	8%

### Commentary

The Directive requires that any controls to be applied when there is serious and concrete doubt about an applicant's language ability must be proportionate to the veterinary activity to be carried out. RCVS proposes to have a simple light touch scheme which will begin from self-certification to check language ability and might progress to asking for additional evidence or using formal testing.

### Summary of views

As set out in the grid above, responses to this question were broadly split between respondents. Those that agreed strongly about the proposal and its proportionality to EU requirements were familiar with the EU rules. Just over half of all respondents either did not offer an opinion or did not answer this question as a result of not having the knowledge or expertise to do so.

Those that disagreed strongly were concerned about how the RCVS would judge whether there was serious doubt about a person's language competence, thereby making them open to a legal challenge. Those that agreed slightly felt that the proposal did not go far enough and that human judgement wasn't necessarily the most objective way to assess – rather, testing should be applied to all applicants.

### Government response

We recognise these concerns and will continue to work with the RCVS on their implementation plans to ensure that the language control requirements for EU applicants are proportionate and fit-for-purpose.

## Q6. To what extent do you agree that “applicants to the RCVS register who are unable to prove their language abilities should be refused registration, and thus prevented from working as a veterinary surgeon in the UK”?

Agree strongly	Agree slightly	Disagree strongly	Disagree slightly
79%	6%	9%	3%

### Commentary

We are aware that there will be instances after the self-certification stage i.e. prior to the final registration stage where evidence will show that an applicant lacks the necessary language capability to practise as a vet in the UK. We believe that where this occur, the applicant should be not be registered by the RCVS until they have proven the necessary language capability to practise. We sought respondents’ views on this in order to highlight the implications to applicants who do not have the necessary language ability but may seek to submit a false self-declaration.

### Summary of views

The majority (85%) of respondents supported the idea that applicants who were unable to prove their English language capability should be refused registration with RCVS so as not to put the welfare of animals and public health at risk.

Few respondents suggested that those applicants who lacked the necessary English language skills should be supported and given the opportunity to improve their English. Other respondents suggested separating registration and practise – allowing applicants to work whilst improving their language skills, perhaps, in certain veterinary roles where there is limited communication with the public or whilst under supervision.

### Government response

We believe that the proposal addresses some of the concerns that have been raised. Where RCVS has established that there is evidence of serious and concrete doubt about an applicant’s language skills, applicants could seek to improve their practical and professional language skills in any way that they deem fit. They can then reapply to the register once they are confident of their English language competence. The other suggestion about separation of registration and practise has been discounted because the current system in the UK does not permit this in the veterinary profession.

## Q7. Do you think that there is any other evidence or sources that we should consider as proof of language capability?

Yes	No	Unsure	Did not answer
22%	15%	58%	5%

### Commentary

The MRPQ Directive is one of the “free movement of persons” Directives which provides guarantee to EU nationals that they can have access to a profession and pursue it with the same rights as the nationals in another Member State. Provisions of the Directive have a strong focus on the principle that qualifications gained in one Member State should be automatically recognised, based on minimum training requirements. Government wants to ensure that the evidence to be accepted by the RCVS for English language competence underpins the requirements of the MRPQ Directive and conform to the principles of transparency. The consultation sought views on whether there was any other evidence that should be considered by the RCVS for English language competence apart from those listed in the consultation document.

### Summary of views

The majority (58%) were unsure of any other evidence or sources that should be considered as proof of language capability but also raised concerns that written tests alone could be quality checked by interpreters, thus calling into question the validity of the result. Few in this category also commented that verbal assessments in the form of interviews (in person or by telephone) should be included in the tests. As well as this, some suggested including the use of scientific/medical terminology to gauge applicant’s understanding and to have ongoing monitoring until the EU vet has properly settled into the UK system.

Of those that said yes, few noted that an initial verbal assessment should be sufficient, and **only** if there were concerns over language competency, should further evidence be requested – however they agreed that this could also be subjective. Conversely, some were of the view that tests were unnecessary for those applicants who had been taught/completed their EU veterinary degree in English, whilst others suggested that this (degrees taught in English in other EU states) should not also be taken as “given” particularly if some time had passed after graduation before these veterinarians apply to come to work in the UK.

A number of respondents pointed out that even though applicants who were born and lived all their life in some EU/non-EU countries speak English from a young age, they are seen as “recent arrivals”. Therefore, there should be one rule for all foreign veterinarians applying to practice in the UK.

Other evidence which were suggested to be considered are:

- Test of English as a Foreign Language (TOEFL)
- English for Speakers of Foreign Language Course (ESFLC)
- Common European Framework of Reference for Languages
- GCSE English
- A Level English
- British Council Scoring
- Live in the UK” (or English for Speakers of Foreign Language)
- Same assessment used for the medical profession.

## **Government response**

The proposal already addresses some of the concerns about unnecessary testing of those applicants who are already competent in English language. It is essential that any controls to be applied must comply with the requirements of the MRPQ Directive. This means that the RCVS cannot formally test every EU applicant before accepting them to the register. As set out previously, the language control process is intended to be “light touch”. Evidence of competence will be requested in as simple a way as possible and this will only be progressed further if doubt about the person’s ability has been created. Comments regarding how the test should be conducted have been noted and government will continue to work with the RCVS to ensure that Guidance for veterinary surgeons sets out how the process will work in practice.

## Q8. Do you have any evidence on the likely costs or administrative burdens that we should consider as proof of language capability?

Yes	No	Did Not answer
3.5%	93%	3.5%

### Commentary

Being competent in the English language is already a registration condition for UK and non-EU veterinary applicants. RCVS confirmed that the current system in place for these applicants will be extended to EU veterinary applicants – hence the proposal will be cost neutral for the RCVS. As stated in the consultation document, the cost of sitting the test will fall on the applicant.

The consultation sought to establish whether there were unforeseen administrative burdens that should be considered as part of the English language proposal.

### Summary of views

The majority (93%) of respondents did not have any evidence of the likely costs or administrative burdens that should be considered. Of those who had evidence, few commented that they had done an English course and a language test is a small price to pay to be eligible to practise veterinary surgery in the UK. Other evidence include working in a busy practice with huge staff members and being unable to communicate with those incompetent in the language as being a burden for the entire practice which will add to overhead costs and stress.

Majority agreed that the cost of language testing should be borne by the applicant whilst one responded commented that the cost of language testing should be borne by the Government as it is in the public interest.

A concern was raised that there could be a burden to UK vet schools if they are expected to pay particular importance to language competence.

### Government response

There were no burdens mentioned above that have not already considered, but, we will discount the issue raised about increased burden levels on UK vet schools since all UK veterinary degrees are taught in English.

**Q9. In your opinion, to what extent do you agree or disagree with the assessment that these proposals will address the current disparity in language competence of European veterinary surgeons, UK, and overseas applicants?**

Agree strongly	Agree slightly	Strongly disagree	Slightly disagree	No opinion	Did not answer
44%	33%	8%	2%	10%	2%

**Commentary**

As previously stated, English language as “a condition for registration to practise” already exists for UK and non-EU veterinary applicants. The amendment to the MRPQ Directive which makes language competence an obligation for professionals to be able to practise their profession in another Member State provided the mechanism to close the current disparity in the UK’s registration system. Government believes that proficiency in English language is a required skill for all veterinary surgeons.

**Summary of views**

The majority (77%) of respondents agreed these proposals will address the current disparity since UK graduates already sat their degrees in English and non-EU graduates have to sit the RCVS Statutory Examination as well as pass the IELTS with a level 7 score. Some of the respondents in this group also suggested that English language testing should apply equally to all veterinary graduates regardless of whether they are UK, EU and non-EU as this would ensure consistency and transparency.

There were some concerns that the proposal would not completely address the disparity unless the language testing was rigorous and included both written and verbal communication tests. It was also suggested that it would be good for the RCVS to put in place reassessments of English language competence and continuous monitoring.

Those who disagreed were of the view that all applicants, including UK graduates with a foreign background should be tested.

**Government response**

We believe that the proposals will improve equality, address the current disparity in the registration process, as well as give members of the public and animal owners’ additional reassurance about the competence of the veterinary profession. Comments relating to how testing should be implemented will be discussed further with RCVS.

## **Q10. Please give us any other comments you wish to make in relation to the proposals?**

### **Commentary**

As far as possible we have tried to ensure that the language requirement address the current registration disparity between EU, UK and non-EU vets seeking to work in the UK. The intention is that the new language requirement for EU vets will improve equality rather than being detrimental to one group of people.

### **Summary of views**

The number of responses to this question strongly supported the proposal. Respondents stated that:

- EU vets are put at an unfair advantage over UK and non-EU applicants
- Proposal is both fair and proportionate
- Members of the public and animals need to be assured that they are not at risk from the veterinary profession – therefore everything necessary should be done to protect public health and animal welfare
- “This proposal is highly welcomed, it is not about discriminating EU vets but making sure that all UK vets are highly competent in English and respected by members of the public”
- Proposal is not far reaching since it is restricted by EU law
- Defra should work with Other Government Departments like the Cabinet Office to ensure that the English language proposal align with the delivery of government’s manifesto commitment that “every public sector worker operating in a customer-facing role must speak fluent English”.

There were a small number of comments which suggested that the proposal will discriminate against EU applicants. Few suggested that Defra and Animal and Plant Health Agency should include language competence in the employment criterion for vets since they are the main employers of EU vets.

### **Government response**

We do not agree that the language requirement will discriminate against EU veterinary applicants who are highly competent in English language. As we have stated in the consultation document and throughout this government response, language control will only be applied when there is serious and concrete doubt about an applicant’s language competence. This means that for EU applicants who are highly competent in English language, registration will proceed for them as normal. We believe that the proposal will maintain and establish a uniform system of language controls for everyone applying from abroad.

## 4. Summary of actions by government and process for implementation by the RCVS

Language competence is now an obligation for all professionals benefiting from the MRPQ Directive if they wish to practise their profession in another EU other than their own. Implementing the requirements of the Directive for EU applicants has ensured that every veterinary surgeon seeking to work in the UK must have the necessary language competence to practise.

The consultation received many responses from individual vets from the UK and abroad, veterinary nurses, animal owners, employee representatives, veterinary schools and businesses. Part of the next steps as a result of this consultation is that we have now changed the law. Language control has now been brought into law by the RCVS under Statutory Instrument 2015 No 2073 “The Veterinary Surgeons Qualifications (European Recognition and Knowledge of Language) Regulations 2015”.

The responses highlighted anxiety from people regarding RCVS testing competent EU applicants who are already fluent in English language, it also showed levels of uncertainty about what serious and concrete would mean in reality as this could be relative and subjective. It is important to note that the new requirement for EU applicants will build on the existing registration processes and will not impose an automatic language test. RCVS expects EU vets to have the necessary language competence to practise their profession in the UK.

During the registration process, applicants will be asked to self-certify by answering a series of questions on their registration forms. The ability of an applicant to answer these questions accurately without the help of an interpreter or other means will in itself be a demonstration of English language capability. Other evidence of ability will also be accepted at the discretion of the Registrar. In instances where the RCVS has established that there is serious and concrete doubt about an applicant’s language capability, formal language control will be applied. This doubt could arise at various stages of the application and registration process, for example, at application, after application but before registration or where any evidence presented by the applicant prior to the final registration stage does not demonstrate necessary language capability. Applicants will be contacted by the RCVS regarding the outcome of the Registrar’s decision.

In accordance with the requirements of the MRPQ Directive, the EU veterinary degree will be recognised but the applicant will not be registered by the RCVS. RCVS will endeavour to give the EU applicant several options to aid improvement and competence in English language – formal testing will also be applied where it is deemed necessary.

We will continue to work closely with the RCVS to ensure that language control system is fit-for-purpose. RCVS will update its Guidance and Code of Conduct for Veterinary Surgeons which will clearly set out a step-by-step process for each stage of language control and the decisions/implications for applicants.

On the issue of concerns raised about employers including a higher requirement in their job description than what is permitted by the MRPQ Directive, it is important to note that



the issue of employment must not be linked with recognition of the degree. Employers can ask any level of requirement as long as they are not discriminatory. It is also highly probable that they already do so when advertising for specialist posts. For example, this could be done when advertising for specialists to work in a zoo who have experience of working with elephants, snakes etc. which the average vet dealing with small animals (like cats and dogs) will not have. In essence, none of this affects the process of the RCVS recognising the qualifications of a migrant vet as long as they meet the general UK requirements. The fact that they have worked in a big zoo elsewhere or worked in for example like Africa might mean that they would meet the higher requirements for the post.

We recognise that there will be instances where some EU vets who are still living abroad will apply for jobs directly with employers and be offered the job. We would like to emphasise that a person is not legally allowed to work in the UK until they have been registered with the RCVS. The RCVS website makes clear that businesses in the UK have to be careful when recruiting from the EU or EEA as not all such veterinary surgeons are eligible for automatic registration.

Government's view is that English language should already be a consideration for businesses when recruiting from abroad since they already have a responsibility to employ EU veterinary surgeons who can communicate effectively in English language as set out in the current RCVS Code of Professional Conduct and Supporting Guidance for Veterinary Surgeons.

# **Annex A: List of organisations and individuals that responded to the consultation**

Association of Veterinary Surgeons Practising in Northern Ireland

British Equine Veterinary Association

British Small Animals Veterinary Association

British Veterinary Association

Cats Protection

Farriers Registration Council

Greyhound Veterinary Society

Royal College of Veterinary Surgeons

The Kennel Club

Twemlows Stud

University of Cambridge Veterinary School

Vet Schools Council

14 non-veterinarians

86 veterinarians