Suzanne McCarthy

"SGuidance on Competence

Office of the Immigration Services Commissioner

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Commissioner's Responsibility

- To ensure that those allowed entry into the OISC's regulatory scheme are fit and competent to give immigration advice and services.
- The Guidance on Competence sets out the competency standards (skills and knowledge) that OISC regulated advisers must meet for their relevant OISC authorised advice level.



The New Guidance

The intention is for the revised Guidance on Competence to be published by the end 2010 with changes implemented from early 2011.



Why the OISC Consulted?

Many changes have taken place in the immigration sector since the Guidance was last substantially reviewed in May 2005.

 The OISC needs to ensure that the Guidance remains appropriate for the immigration and regulatory environment in which advisers work.



The Consultation Process

- Consultation published November 2009
- 135 consultation responses received
- The OISC's Report on the Consultation published May 2010



The Outcome of the Consultation

- We expect to reduce the categories of work from five to three Asylum and Protection; Points Based System; and Migration
- Advice Level 2 work will be retained but clarified with particular reference to appeals.
- Recognising that advisers who appear before Tribunals must be good advocates, we are researching how specifically to assess these advisers' advocacy skills.
- Advisers should be able to demonstrate their general competence. To do this we are planning to assess a wider range of skills and knowledge (such as English language and ethics) of those applying to join the regulatory scheme.



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