



**Office of the Immigration Services
Commissioner (OISC)
Equality Scheme**

CONSULTATION DOCUMENT

The OISC is pleased to consult on its proposed Equality Scheme. Responses to this consultation will assist us in developing our Equality Scheme.

We hope that our consultation document will stimulate discussion on the issues raised, and we look forward to receiving your views and input.

The Consultation ends on 6 May 2011.

Responses should be sent to:

Larry Rush
Head of Human Resources
OISC
5th Floor
Counting House
London SE1 2QN
Tel: 0207 211 1535
Fax: 0207 211 1532
Email: larry.rush@oisc.gov.uk

to reach him no later than **6 May 2011**



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Foreword

The OISC is pleased to introduce this Equality Scheme Consultation Document.

The consultation document has been written in a style that encourages client groups and other stakeholder organisations to play an active part in helping us to plan and deliver our services.

In line with the general duty under the Equality Act 2010 the OISC is committed to:

- Eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advancing equality of opportunity between people from different groups; and
- Fostering good relations between people from different groups.

The OISC will publish the results of the consultation, providing information on what you told us, what we will do with the information and what changes will be made as a result of your comments.

Please help us by taking time to complete this consultation document.

Larry Rush
OISC Head of Human Resources



Introduction

The Equality Act 2010 replaced the previous anti-discrimination laws with a single Act. It simplified the law, removing inconsistencies thereby making it easier for people to understand and comply with it. It also strengthened the law in important ways, helping to tackle discrimination and inequality. The majority of the Equality Act came into force on 1 October 2010.

The OISC is on the list of public bodies listed under Schedule 19 to the Equality Act 2010 that are subject to the general duty and we are also subject to the specific duties under that legislation. Although there is no legal requirement for the OISC to publish an Equality Scheme, we see this as a suitable vehicle for publishing our achievements to date and our plans and objectives going forward. To that end, we aim to publish our Scheme by 31 July 2011.

This consultation is divided into four sections:

Section 1 outlines the role of the OISC as the statutory regulator of immigration advice and services within the UK.

Section 2 sets out the general and specific duties required of the OISC by the Equality Act 2010

Section 3 sets out the next steps in seeking views

Section 4 sets out what will happen once those views have been received.

The Equality questionnaire is at Appendix 1. This questionnaire seeks your views in particular on accessing OISC services, our office and any improvements we could make to our service provision to better assist those with protected characteristics as defined by the Equality Act 2010.



Section 1: The role of the OISC

The Office of the Immigration Services Commissioner (OISC) was established by the Immigration and Asylum Act 1999 (the Act) as an independent Non-Departmental Public Body (NDPB). The organisation's primary strategic aim is to protect those who seek or may seek immigration advice and/or services by ensuring that OISC regulated advisers are fit and competent.

The Immigration Services Commissioner has regulatory, ombudsman and prosecutorial responsibilities. The latter two functions are closely allied to, and are directly supportive of, her regulatory functions. Her main roles are to operate a regulatory scheme, a complaints scheme, to prosecute those operating illegally and to promote best practice within the immigration advice sector. The OISC actively works to ensure that high standards of professionalism are maintained in the immigration advice industry. As of 15 February 2011 3,891 advisers and 1,782 organisations were directly regulated by the OISC.

The OISC's core business is to:

- Make sure that those who give immigration advice and/or services are fit and competent;
- Work towards encouraging advisers who should be within its regulatory scheme to apply for admission to the scheme or be prosecuted;
- Promote good practice within the sector, so far as reasonably practicable; and
- Discharge the Commissioner's responsibilities in respect of the Designated Professional Bodies remaining under her oversight after 1st April 2011.



Section 2: The Equality Duty

The general equality duty

The general equality duty requires public authorities to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share a characteristic and those who do not;
- Foster good relations between people who share a characteristic and those who do not;

This is very similar to the previous 'general duties' for race, disability and gender equality. It entails giving appropriate weight and priority to the need to:

- Remove or minimise disadvantages;
- Take steps to meet the needs of people with protected characteristics; and
- Encourage people with protected characteristics to participate in public life.

Public authorities are also encouraged to take steps to take account of people's disabilities (for example, by making reasonable adjustments). Fostering good relations includes looking at how to tackle prejudice and promote understanding.

Compliance with the general equality duty means that in some circumstances it is lawful to treat some people more favourably than others, when this is allowed by the Equality Act 2010.

Specific duties

The specific duties require public bodies to set specific, measurable equality objectives and to publish information about their performance on equality, so that the public can hold them to account. All information must be published in a way which makes it easy for people to access it.

These equality objectives and how they will measure progress against them must be published by 6 April 2012. Subsequent objectives and accompanying information must be prepared and published at least every four years



Section 3: Next Steps

In order to ensure that the OISC provide services that treat people with protected characteristics in a fair and professional manner and show respect and understanding for their particular needs, the OISC would like to obtain views from those who:

- Have a protected characteristic themselves (see note below);
- Know and understand the issues that affect people with a protected characteristic.

To help you give your views on the OISC services, we have separated the questions on the following pages into four sections:

- Ease of access to OISC services;
- Ease of access to the OISC's office;
- Improvements in service provision; and
- General comments.

NB The protected characteristics are:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief
8. Sex
9. Sexual orientation



Section 4: Your views and comments

In order to ensure that your views are taken into account and to give you time to consider and respond, the consultation period will run until 6 May 2011.

The OISC will carefully consider all the comments and feedback from this consultation. The comments and views you give us will assist in developing, finalising and publishing the OISC Equality Scheme. The aim is that the Equality Scheme will be in place and published by **31 July 2011**.

The OISC will feedback to you the results of the consultation, providing information on what you told us, what we will do with the information and what changes will be made as a result of your comments.

The finalised Equality Scheme will be available to everyone, on request, by ticking this option on the resposdee information form.

If you need assistance in completing the consultation questionnaire(s), please contact Larry Rush at the OISC (details on page 1)



Appendix 1

Equality questionnaire

Ease of access to OISC services

Q 1. The three questions in this section are about ease of access to OISC information and help/assistance given by OISC staff. You may have accessed our services already, in which case we would like to know about your experience and what improvements we might make. Alternatively, if you have not yet accessed these services, we would like to know what you consider would be a positive experience if you did.

a) Ease of access to information on the OISC website:

Your Comments:

b) Ease of accessing the OISC by telephone

Your Comments:

c) Given your individual needs, were our staff able to assist you?

Your Comments:

Ease of access to the OISC's office

Q 2. When visiting us at our premises at Counting House in Southwark, how did you find the following?

a) Ease of access to the building

Your Comments:

b) Once inside our 5th floor office, did you find the environment generally user friendly? If not, please tell us which aspects could be improved.

Your Comments:



Improvements in service provision

Q.3 We would like your comments on how you think we can improve the service we provide to people with protected characteristics?

Your Comments:

General

Q.4 Please use the space below for any additional comments you may wish to make. In particular, is there anything you would like to tell us which is not covered by the questions above?

Your Comments:

Thank you for taking time to give us your views. Your input is vital to ensuring that the OISC Equality Scheme reflects the needs of its stakeholders.

Please tell us if you would like to be involved in the design and delivery of our services for people with protected characteristics. If so, please provide us with your contact details below.

Contact details:

If you would like a copy of the published OISC Equality Scheme to be sent to you, please tick this box [].