

OISC

New Adviser Application and Competence Statement

November 2021

Personal Details

Your application form **MUST** be fully completed or your application may be refused.
Please ensure that all declarations are signed prior to submitting your form.

Each new adviser in an organisation should complete a separate application.

Title:

Gender:

Full name of adviser:

National Insurance number:

Also known as/ previously known as:

Date of birth:

Nationality:

Individual email address:

(If you are subject to an assessment, this is the e-mail address we will use to register you for your online exam, so please ensure you have access to it for the duration of your application)

Is the above email address:

Personal:

Business:

Telephone number:

Organisation's name:

(Please note that it is only possible to apply for OISC registration through either an OISC-registered organisation, or an organisation currently applying for OISC registration)

Organisation Address:

Home Address (if different from the above):

(you only need to provide this if you need to do a new DBS check through the OISC)

I consent for my personal information (full name, title, date of birth, e-mail address, postal address and phone number) to be forwarded to DDC to carry out a DBS check for me:

(You should not tick this box if you have already submitted or are planning to submit a standard/enhanced DBS check issued within the last 6 months)

Please click on the following link for information on the OISC's DBS process: [OISC: Disclosure and Barring Service \(DBS\) check guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/oisc-disclosure-and-barring-service-dbs-check-guidance)

Please tick the box indicating your employment status:

Employed member of staff

Self-employed member of staff

Volunteer

OISC reference number (for advisers joining currently registered organisations):

New Adviser Application

Please tick which Levels and Categories of advice and services you wish to provide. You will be required to demonstrate the relevant amount of experience and training for your desired levels and categories.

Please note; you only need to tick the highest level in each category.

Category of advice	Level 1	Level 2	Level 3
Asylum and Protection			
Immigration (including: Applications for entry clearance, leave to enter or leave to remain, Nationality & Citizenship under UK law)			

Requirement	Please tick
I confirm that I am aware of the work permitted at all the Levels I have requested to provide immigration advice and services in accordance with the Guidance on Competence.	
I confirm that I have read and understand my obligations in relation to all the Commissioner's Codes.	
I enclose a scanned copy of my original Standard DBS disclosure certificate dated within the last 6 months.	
General Data Protection Regulation (GDPR) requirement I confirm that I have read and understood the DBS Standard check privacy policy found below and I understand how DBS will process my personal data: <u>Privacy Policy – Standard Checks Declaration</u> https://www.gov.uk/government/publications/standard-and-enhanced-dbs-check-privacy-policy	

The Guidance on Competence, the Guidance on Fitness and the Commissioner's Codes can be found on the [OISC website](#).

Proof of right to work

If you are a British National, you must provide a legible copy of your passport as proof of right to work.

If you are a European Union citizen, as of 1 July 2021, an EU passport no longer demonstrates proof of right to work – you must also provide a **copy** of a document showing your immigration status that gives the right to work, such as a Biometric residence card or letter from the Home Office confirming your settled status under the EU Settlement Scheme.

You must demonstrate that you have valid leave to remain and right to work in the United Kingdom for a minimum of 18 months at the point of application*.

If you are a visa national, you will need to provide a copy of your stamped passport and other relevant documents to prove your right to work in the UK.

Advisers should send scanned copies of the above documentation with their application to the OISC via its file sharing facility on the OISC website. **Please do not forward or post any original documents as the OISC office is closed.**

**individual advisers with less than 18 months leave applying to join existing regulated organisations will be considered on a case by case basis.*

Language Requirements

The Commissioner considers that it is essential for advisers to be able to communicate clearly and accurately in English in order to be able to represent their client effectively when dealing with the Home Office, the Tribunals Service and other relevant third parties.

The Commissioner's Guidance on Competence contains detailed guidance on the communication and comprehension skills expected of advisers applying at the different levels. Please read this carefully and ensure that you have the relevant level of skills before applying.

The OISC will assess your communication skills in a number of ways during the application process. It will take account of the quality of your application and supporting documents, your performance in any oral or written assessments and the way you communicate with the OISC generally.

For further information regarding the communication skills required by advisers please see the competence assessment section of the OISC website and the syllabus for Level 1, 2 and 3.

Advisers who fail to show that they are able to communicate clearly and accurately in English may have their applications refused.

Experience

Details of experience in the field of UK immigration advice and services.

Please provide details of relevant experience you have gained in any of the following areas in the Employment History section:

1. Providing immigration advice and services to clients within the UK.
2. Working for or with the Home Office or other immigration agencies.
3. Working in any UK legal or advice giving capacity.

Please provide a summary of your relevant experience:

You must satisfy the Commissioner that you have the knowledge and skills to advise competently at the level and in the categories applied for. Please refer to the Commissioner's Guidance on Competence for details.

Level 1 advisers

Should normally have at least 3 months full time or the equivalent part-time experience of providing UK immigration advice and services or 6 months full time or the equivalent part-time experience of non-immigration advice giving (such as Welfare, Debt, Housing, Legal or Employment) along with an up-to-date training course in immigration law which covers each area of work you are applying for. The training should be undertaken with a professional training organisation. It is not sufficient for advisers to have completed their own applications to the Home Office or the applications of a few friends or family.

Level 2 advisers

Should have at least 12 months full time or the equivalent part-time experience of providing UK immigration advice and services. This should include 6 months full time or the equivalent part-time experience of Level 2 work.

Level 3 advisers

Should have at least 18 months full time or the equivalent part-time experience of providing UK immigration advice and services. This should include 6 months full time or the equivalent part-time experience of Level 3 work.

For further information with regards to obtaining the relevant experience please see the OISC [Application for Registration Guidance Notes](#).

Employment History

Organisation name:

Address:

Telephone number:

Email:

Regulatory Body:

Job title:

Dates from:

To:

Referee:

Nature of the work undertaken, estimation of clients seen or caseload numbers, other relevant details:

Organisation name:

Address:

Telephone number:

Email:

Regulatory Body:

Job title:

Dates from:

To:

Referee:

Nature of the work undertaken, estimation of clients seen or caseload numbers, other relevant details:

Employment History

Organisation name:

Address:

Telephone number:

Email:

Regulatory Body:

Job title:

Dates from:

To:

Referee:

Nature of the work undertaken, estimation of clients seen or caseload numbers, other relevant details:

The Commissioner may contact your referee to verify your experience.

Training and Qualifications

Details of training

Advisers at Level 1, 2 and 3 should be able to demonstrate that they have attended up to date training in UK immigration law, covering each area of work they are applying for. Training should be undertaken with a professional training organisation.

Please note that advisers are expected to provide evidence of training within the last 12 months, in order to demonstrate that they have sufficient knowledge of any recent amendments to the Immigration Rules.

Please note that if you do not have any relevant qualifications, the Commissioner will usually need to see other evidence of formal, structured immigration training. Advisers applying at Levels 2 and 3 would normally be expected to have some relevant qualifications (e.g. Solicitor, Barrister, CILEX Fellow, LIB, LIM).

Details of any in house training, mentoring or supervision undertaken must be provided.

Advisers who hold current certification with the Immigration and Asylum Accreditation Scheme (IAAS) should provide details of the level of their accreditation and a copy of their current and valid accreditation certificate.

However, please note that the tests are just one of the ways in which the OISC assesses adviser competence and IAAS accreditation does not guarantee regulation at any level.

Training and Qualifications

Please provide specific details of all external immigration training you have undertaken within the last 5 years. Details must include when the course was taken, its duration, course content and the course provider. Please provide copies of certificates for all training you have detailed within this form.

Course	Provider	Dates	Course Content

**Please provide details of any in house training and/or supervision.
Please submit copies of OISC approved supervision plans.**

Other Relevant Qualifications

**Please provide details of any other qualifications held or training undertaken which you believe are relevant to your competence as an immigration adviser.
Please provide copies of certificates of qualifications.**

Qualification	Provider	Dates	Course Content

Declarations

In the last five years have you traded under a different name or been known by a different name?		If yes, please give details:
Are you currently regulated by the OISC?		If yes, please state organisation and adviser reference numbers:
Have you previously been regulated by the OISC?		If yes, please state dates, organisation and adviser reference numbers:
Are you or have you been a member of a professional body in the UK or abroad?		If yes, please give details:
Do you currently own or work in any other business? If "Yes", give details of all other businesses, including the nature of the business and your role in it. Please state whether you intend to continue with that business if this application is successful.		If yes, please give details:
Are you currently employed? If not, please give details of your most recent employment and the nature of your work.		If yes, please give details:
Are you subject to any restrictions on your residence in or permission to work in the United Kingdom? Please note you must have a minimum of 18 months Leave to Remain in the United Kingdom.		If yes, please give details:
Do you have any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)? and/or Are you currently subject to any criminal proceedings in the UK or abroad?		If yes, please give details:
Have you been the subject of any adverse finding or settlement in civil proceedings?		If yes, please give details:

Have you been or are you the subject of any existing or previous disciplinary proceedings by other regulatory authorities or professional bodies in the UK or abroad?		If yes, please give details:
Have you, or any business of which you have been an owner or manager, been the subject of any substantiated complaint relating to regulated activities?		If yes, please give details:
Have you, or any business with which you have been involved, ever been refused the right to carry out a trade, business or profession requiring a licence, registration or other authority, or have had that authorisation revoked, withdrawn or terminated, or has been expelled by a regulatory or government body?		If yes, please give details:
Have you, or any business with which you have been involved, been investigated, disciplined, censured or suspended or criticised by a regulatory or professional body, a court or Tribunal, whether publicly or privately?		If yes, please give details:
Have you have ever been dismissed, or asked to resign and resigned, from employment or from a position of trust, fiduciary appointment or similar?		If yes, please give details:
Have you ever been a Barrister, Solicitor, Advocate or member of CILEX, or supervised by one of the above?		If yes, please give details:
Have you ever been subject to disciplinary action or intervention by a Designated Professional Body or a Designated Qualifying Regulator, e.g. The Law Society or Bar Council or overseas body equivalent to the OISC?		If yes, please give details:
Are you prohibited by The Law Society's Rules or equivalent from being employed as a solicitor's clerk?		If yes, please give details:
Have you ever been declared bankrupt?		If yes, please give details:
Have you ever been disqualified or banned from being a director of a company?		If yes, please give details:
Have you been sued by a client or made a claim on your Professional Indemnity Insurance in the last five years?		If yes, please give details:

Have you ever been disqualified as acting as a charity trustee?		If yes, please give details:
Have you ever been involved in any conduct which may call into question your honesty, integrity or respect for the law?		If yes, please give details:

Declaration

I declare that the answers that I have given are true and correct to the best of my knowledge and belief. I have declared all information relevant to the consideration of my fitness as a person owning and / or running a business providing immigration advice.

I understand that the information given in this application form may need to be checked against the records of other agencies including professional bodies, regulatory agencies and the police in the UK and abroad.

I undertake to notify the OISC of any material changes to the information I have given in this application.

I understand that any false statement or deliberate omission in the information I have given could result in the application being refused.

I have given my consent for DDC to carry out a standard DBS check or I have enclosed a copy of my standard DBS disclosure.

I have submitted a **scanned image** to demonstrate that I have valid leave to remain and the right to work in the United Kingdom for at least 18 months at the point of submitting my application.

Please view the upcoming assessment dates on our website [\(OISC Online competence assessments: dates - GOV.UK \(www.gov.uk\)\)](#). By submitting your application, you are agreeing that you are ready to sit an assessment at the next available date, if you are subject to being tested.

If you are unable to take the assessment on the allocated day or need to postpone, you must notify your OISC caseworker, however it is important to note that assessments are only deferred in exceptional circumstances and documentary evidence will be necessary to grant a postponement.

I have read and understood the information documented in the OISC Assessment process found on the OISC website: [Competence assessment process - GOV.UK \(www.gov.uk\)](#) and I am aware that if I do not pass the Level 1 assessment my application for registration will be refused:

By ticking this box I declare that I will be available to supply the Commissioner with any requested amendments or additional information for the duration of my application process, including the completion of OISC Competence Assessment:

By ticking this box I give consent to the OISC sharing information about the progress of this application to the primary contact of the organisation on behalf of which I am making this application:

Print full name:

Date:

Please upload your application form via this link: [OneDrive for Business \(sharepoint.com\)](#)