

**CPD**  
**Continuing Professional Development**  
**Guidance Booklet**

**Version: April 2015**

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## INTRODUCTION

OISC-regulated advisers, like other professionals, need to continue learning as they must remain aware of developments, keep up-to-date with best practice and alert to ways in which they can improve the service they provide to their clients and to run their businesses more effectively. The CPD scheme has been formulated to focus on ensuring that those advisers who the OISC has assessed as being competent remain so in a sector where rules and legislation frequently change.

The CPD scheme is associated with the Code of Standard's on-going requirement for organisations to have training plans and operates together with the OISC's Competence Assessment programme to encourage advisers to retain and/or expand their skills and knowledge. However, an adviser will only be able to raise their level of regulation if judged competent to do so by the OISC and not through the CPD scheme.

We expect advisers at the beginning of each year to review their skills and knowledge with regards to their work and business plans. They should then produce a Training and Development Plan for their CPD focusing on what they need to learn and how they might do this, for example, by attending classroom training courses, e-learning courses or even attending a conference. A Training and Development Plan form is available to download from the OISC website at [www.oisc.gov.uk](http://www.oisc.gov.uk).

We do not expect advisers to stick to this plan rigidly as long as they complete the requisite hours of CPD and courses undertaken are relevant to their business. Although advisers can choose how they undertake their CPD, the OISC may recommend specific areas they feel should be improved upon, for example, areas identified through competence assessment or a complaint investigation.

Compliance with the scheme will be monitored by the CPD Co-ordinator

The OISC has provided a dedicated CPD website in which each adviser has their own personal portfolio. This enables advisers to record all their CPD activity taken externally, and also provides access to the OISC e-learning courses.

As all advisers are required to record their CPD activity; access to a computer and to the Internet is required. An individual personal email address is required for access and privacy reasons.

To assist advisers with their CPD the OISC offers on-line training courses in immigration and asylum law available via the CPD website. The courses are free-of-charge and available to those advisers who are required to comply with the scheme. These courses are not compulsory and are provided for advisers to take if they choose to. The CPD website also provides links to three on-line course providers in non-core subjects.

## **The CPD Scheme**

- Advisers are to take responsibility for ensuring that they remain competent. Advisers who do not demonstrate competence will not be authorised.
- It is the statutory duty of the OISC to ensure that advisers are competent and CPD is a tool to assist in that judgement.
- Advisers will be responsible for their own training with support provided by their organisation according to the Codes and Rules.
- CPD will benefit both the adviser and the client by increasing the adviser's knowledge, skills and capability.
- Advisers will continue to be judged against the OISC's competence requirements for each level and category they apply to be regulated at.
- No matter what CPD an adviser has undertaken, they will only be able to change their level of competence or their category of service if they are judged competent to do so by the OISC.

## **The Code of Standards – Competence and Training**

- Code 17: An adviser operating at any given level of activity and category must have the relevant knowledge, competencies, resources and information sources as set out in the most recently published version of the Commissioner's Guidance on Competence.
- Code 18: An adviser must have and continue to have the necessary skills, knowledge and competencies to meet their client's needs and must satisfy the Commissioner of this via the processes and systems approved by the Commissioner for this purpose.
- Code 19: An adviser must be able to show that they have acquired the relevant knowledge, competencies and resources, and that these are kept under review in order to ensure that they are up to date. Advisers are required to review their performance regularly.
- Code 21: An adviser must have ready access to up to date information on immigration law and practice, and a written procedure as to how they will keep themselves up to date.
- Code 22: Advisers must have a training plan, which must be documented and regularly reviewed.
- Code 23: An adviser must be able to demonstrate to the Commissioner that their knowledge has been kept up to date by the production of a training log or similar appropriate document and must ensure their continuous professional development in accordance with any scheme as may be prescribed by the Commissioner from time to time.

## REGULATIONS

### Who has to comply with the scheme?

All advisers that the OISC regulates inc:

- CILEX members
- LSC accredited

### Who does not have to comply with the scheme?

- Members of a professional body with a current practising certificate (excluding CILEX members)
- Education and health sector bodies who are exempt by Ministerial Order
- Government ministers and staff
- CAB Level 1 advisers

### CPD Year

1 April – 31 March

### CPD Hours per Year

Level 1	8 Hours	6 core knowledge	2 non-core knowledge
Level 2	12 Hours	9 core knowledge	3 non-core knowledge
Level 3	16 Hours	12 core knowledge	4 non-core knowledge

- Core knowledge refers to knowledge specifically related to UK and EEA immigration, asylum law and human rights
- Non-core knowledge refers to professional development, management skills and personal skills (such as computer skills, administration, communication). Also immigration and asylum law of other nations and other speciality knowledge required by the adviser's organisation (such as welfare benefits)
- CPD that is undertaken must be relevant to the work of an immigration adviser and relevant to the OISC regulated organisation
- It is necessary to complete the required number of core and non-core hours
- CPD hours cannot be carried over from one year to another
- Those advisers who move up a level should complete CPD for their lower level and then complete CPD at the higher level in the subsequent year (from 1 April)
- Those advisers who move down a level should complete CPD for the lower level in the current year and subsequent years
- Those advisers regulated at more than one level must complete CPD for the higher level

### When does an adviser enter the CPD scheme?

- All advisers who are authorised by the OISC at the start of the new CPD year (1 April) must commence CPD from that date and each year following
- Advisers authorised after the start of the CPD year (1 April) commence CPD in the subsequent year.

- An adviser who moves from one OISC regulated organisation to another following a break of providing immigration advice and services of less than 3 months, must complete CPD for the current year
- An adviser who moves from one OISC regulated organisation to another following a break of providing immigration advice and services of more than 3 months, may commence CPD in the subsequent year (1 April)

### **Non-Compliance with CPD**

Non-compliance is a breach of Code 23 of the Commissioner's Code of Standards and may affect the adviser's continued regulation with the Commissioner.

Advisers are non-compliant with Code 23 if they:

- Have not completed the required number of core and non-core hours by the end of the current CPD year (31 March)
- Have completed the required number of hours but not logged the details in their on-line portfolio by the end of the current CPD year (31 March)

Non-compliance will be dealt with by the OISC following the end of the current CPD year. This may result in the possible deregulation of the non-compliant adviser / organisation and consequently they will no longer be able to provide immigration advice or services.

### **Re-applying to become an adviser within 12 months of deregulation due to non-compliance with CPD**

A deregulated adviser must re-apply to the OISC to be reinstated and to do so they will be required to:

- Submit a competence statement
- Undergo a Disclosure and Barring Service (DBS) check
- Complete the hours of CPD that they failed to do for the year for which they were deregulated
- Complete in advance the full number of CPD hours for the year for which they are applying to rejoin the regulatory scheme
- Such persons should note that access to the on-line CPD portfolio and training will not be provided to them for the purpose of re-applying to be reinstated

### **Re-applying to become an adviser 12 months after deregulation due to non-compliance with CPD**

A deregulated adviser must comply with the application process for new advisers and to do so will they be required to:

- Undergo a Disclosure and Barring Service (DBS) check
- Undergo competence assessment
- Complete in advance the full number of CPD hours for the year for which they are applying to rejoin the regulatory scheme
- Such persons should note that access to the on-line CPD portfolio and training will not be provided

## **Maternity Leave / Long-Term Illness / Sabbatical**

Code 5 of The Code of Standards states:

‘All advisers and/or those in actual control of a regulated advice organisation must notify the Commissioner of any significant changes in their personal or business circumstances within ten working days of those changes occurring.’

### Maternity Leave

- An ‘Application for Waiver of CPD due to Maternity Leave’ must be completed and sent to the CPD Coordinator before commencement of maternity leave
  - The application form can be found in the CPD section of the OISC website
- Upon authorisation, CPD requirement will be waived for the CPD year the adviser commences maternity leave and for the CPD year the adviser returns from maternity leave (if different)
  - The OISC does, however, encourage advisers to undergo some CPD before maternity leave commences
- An adviser who requests a waiver of CPD must not provide immigration advice or services during their maternity leave
- If an adviser continues to work during maternity leave they must comply fully with the CPD requirements
- It is the employer’s responsibility to ensure:
  - The adviser undergoes refresher training on return to work and before advising clients
  - Refresher training must be agreed in advance with the OISC caseworker and be appropriate
  - The adviser must have access to the updates and training provided to other advisers in the organisation during their maternity leave
  - The adviser should be invited, where practicable, to attend training provided to other advisers in the organisation or should be provided with the same training on their return to work
  - Any training undertaken must be logged in their on-line CPD portfolio

### Sabbatical

- An ‘Application for Waiver of CPD due to Sabbatical’ must be completed and sent to the CPD Coordinator before commencement of the sabbatical
  - The application form can be found in the CPD section of the OISC website
- Authorisation for a waiver of CPD for those on sabbatical will be dealt with on an individual basis by the caseworker
- An adviser who requests a waiver of CPD must not provide immigration advice or services during their sabbatical leave
- If an adviser undertakes work during their sabbatical they must comply fully with the CPD requirements
- It is the employer’s responsibility to ensure:
  - The adviser undergoes refresher training on return to work and before advising clients
  - Refresher training must be agreed in advance with the OISC caseworker and be appropriate
  - The adviser must have access to the updates and training provided to other advisers in the organisation during their sabbatical
  - Any training undertaken must be logged in their on-line CPD portfolio

### Long-Term Illness

- It is the employer's responsibility to inform the OISC of any long-term illness when it becomes known
- If an adviser requires a reduction in or waiver of their CPD requirement due to ill health they must complete an 'Application for Reduction / Waiver of CPD due to long-term illness' and return it to the CPD Coordinator upon return to work
  - The application form can be found in the CPD section of the OISC website
- Applications will be dealt with on an individual basis
- Supporting documentation must be provided in the form of a medical certificate from the GP or hospital, or a doctor's letter
- It is the employer's responsibility to ensure:
  - The adviser undergoes refresher training on return to work and before advising clients
  - Refresher training must be agreed in advance with the OISC caseworker and be appropriate
  - The adviser must have access to the updates and training provided to other advisers in the organisation during their absence
  - Any training undertaken must be logged in their on-line CPD portfolio



## ACCEPTED ACTIVITIES

### What activity can be accepted as CPD?

Activity	CPD to be claimed	Evidence Required
OISC e-learning course	Core CPD - see course introduction for the number of hours awarded.	Information stored automatically in CPD portfolio
Core knowledge course or event provided by a professional training organisation and accredited by The Bar Standards Board (BSB) or The CPD Standards Office	CPD hours awarded by the BSB or The CPD Standards Office	Entry of details into CPD portfolio with proof of attendance and BSB or The CPD Standards Office accreditation code
Non-core knowledge course provided by a professional training organisation	1 hour of CPD for each hour of learning (excluding breaks)	Entry of details into CPD portfolio with proof of attendance
Core knowledge conference by a professional organisation accredited by The Bar Standards Board (BSB) or The CPD Standards Office	CPD hours awarded by the BSB or The CPD Standards Office	Entry of details into CPD portfolio with proof of attendance and BSB or The CPD Standards Office accreditation code
Home Office event	1 core CPD hour for each hour of the event (excluding breaks)	Entry of details into CPD portfolio with proof of attendance
Non-core knowledge conference provided by a professional organisation	CPD hours awarded to the conference accepted in full	Entry of details into CPD portfolio with proof of attendance
Core knowledge meeting organised by a representative body for immigration advisers, a professional organisation or a regional forum	2 hours of core CPD for full day 1 hour of core CPD for ½ day	Entry of details into CPD portfolio with proof of attendance
In-house training course provided by a qualified trainer in that subject or by a professional training organisation	1 hour of CPD for each hour of learning (excluding breaks). Core or non-core depending upon the subject matter	Entry of details into CPD portfolio with proof of attendance
OISC workshop	2 hours of non-core CPD	Entry of details into the CPD portfolio
University qualification		Contact CPD Coordinator
Preparation of training material for a core knowledge course, lecture or seminar accredited by The Bar Standards Board (BSB) or The CPD Standards Office	Actual time of delivery of the course, lecture or seminar can be claimed	Entry of details into CPD portfolio with BSB or The CPD Standards Office accreditation code
Delivery of a core knowledge course, lecture or seminar accredited by The Bar Standards Board (BSB) or The CPD Standards Office	Actual time of delivery can be claimed Repeat delivery in the same CPD year will not be accepted	Entry of details into CPD portfolio with BSB or The CPD Standards Office accreditation code

**What activity is not accepted as CPD**

- Preparation and presentation of core knowledge activity that is not accredited by the BSB or The CPD Standards Office
- Preparation and presentation of non-core knowledge activity
- Mentoring and coaching
- Writing of papers for publication
- In-house meetings
- Self study

## Definitions

Professional training organisation	<ul style="list-style-type: none"> <li>• An organisation that produces and delivers training to outside organisations and individuals</li> <li>• Employs qualified trainers</li> </ul>
Qualified trainer	<ul style="list-style-type: none"> <li>• Someone who has a UK recognised qualification in training e.g.             <ul style="list-style-type: none"> <li>• CIPD Certificate in Training</li> <li>• NVQ Level 3 &amp; 4</li> <li>• City &amp; Guilds Level 3 &amp; 4</li> </ul> </li> <li>• For an adviser with a number of years experience in teaching / lecturing we can accept a Training the Trainers course together with a brief relevant history</li> </ul>
A representative body for immigration advisers	<p>An organisation that represents the business interests and welfare of immigration advisers such as</p> <ul style="list-style-type: none"> <li>• ARIA</li> <li>• ILPA</li> </ul>
A regional forum	<p>A meeting amongst immigration advisers from different organisations to discuss relevant issues in immigration and asylum law</p>
Core knowledge	<ul style="list-style-type: none"> <li>• UK and EU Immigration and asylum law</li> <li>• Human rights</li> <li>• Appeals</li> </ul>
Non-core knowledge	<ul style="list-style-type: none"> <li>• Professional development and business related knowledge such as:             <ul style="list-style-type: none"> <li>• Accounting</li> <li>• Computer</li> <li>• Management</li> <li>• Administration</li> </ul> </li> <li>• Personal development skills such as:             <ul style="list-style-type: none"> <li>• Communication</li> <li>• Presentation skills</li> </ul> </li> <li>• OISC workshops</li> <li>• Client Care</li> <li>• Ethics</li> <li>• Immigration and asylum law of other nations</li> <li>• Other knowledge required such as welfare and housing benefits</li> </ul>

Meeting	<ul style="list-style-type: none"> <li>• Planned in advance for a specific time and date</li> <li>• Held in a room used solely for the meeting</li> <li>• Agenda supplied</li> <li>• Record of attendance kept</li> <li>• Subject of meeting to be relevant to adviser's work in immigration and asylum law</li> </ul>
In-house training course	<ul style="list-style-type: none"> <li>• Formal classroom training format</li> <li>• Fixed programme</li> <li>• Record of attendance</li> <li>• Qualified trainer or professional training organisation</li> </ul>
University	<ul style="list-style-type: none"> <li>• A recognised body as defined in the Further and Higher Education Act 1992</li> <li>• Approved on an individual basis</li> <li>• If approved, 1 CPD hour accepted for each hour of learning</li> </ul>
Evidence Required / Proof of attendance	<p>To include at least one of the following:-</p> <ul style="list-style-type: none"> <li>• Certificate of attendance</li> <li>• Booking confirmation</li> <li>• Programme</li> <li>• Meeting agenda</li> <li>• Participant list</li> <li>• Register signed by participants and kept by event organiser</li> </ul>

## ON-LINE E-LEARNING PLATFORM

The OISC CPD scheme operates using an on-line e-learning platform that provides each adviser with his or her own personal CPD portfolio. It is a requirement that details of all CPD activity are entered into this portfolio.

The portfolio not only records CPD activity by the adviser but also gives access to the OISC immigration and asylum e-learning courses.

Please be aware that the OISC has access to each CPD portfolio for monitoring purposes. No other person or organisation will have access.

### OISC Website

The CPD section on the website includes the following: -

- Link to adviser CPD portfolio
- Information on the CPD scheme
- Training providers of courses in core knowledge
- CPD Training and Development Plan
- CPD Record Sheet
- Frequently Asked Questions

### Adviser Portfolio in CPD Website

This provides the following: -

- Resources such as CPD Guidelines, FAQ's and CPD waiver forms
- Record of and statistics of all CPD activity undertaken
- Record of and statistics of all CPD activity undertaken since 2013-14 CPD year
- Access to the OISC e-learning courses
- Access to websites of three providers of non-core CPD
- Facility to manually enter details of external CPD activity undertaken
- Calendar showing dates relevant to CPD
- News update from the OISC on relevant CPD matters

### Adviser Log In Details

- Log in - access via the link <http://www.oisc-cpd.co.uk/>
- User Name - adviser number provided during registration with the OISC consisting of 6 numbers
- Password - organisation number to be used for the initial login and a prompt will be given to change it for security reasons

### OISC E-Learning Courses

- These courses are Core CPD except for the Professional Conduct course which is non-core CPD
- Courses are provided free of charge
- Courses are not compulsory and are provided for advisers to take if they choose to
- An adviser can take any course regardless of the category or level of the course as long as it is relevant to their work
- Core CPD courses are divided into 3 levels: basic, intermediate and advanced
- Access is through the adviser on-line CPD portfolio
- The number of hours allocated varies depending upon the length of each course

- A score of 70% and above on the course quiz will have to be achieved before CPD hours are allocated
  - 3 attempts at the quiz will be allowed in order to gain a score of 70%
  - Answers and feedback will be given on completion of a quiz
  - CPD hours will be allocated for each course only once per CPD year
- Details of the course taken and the hours allocated upon passing the quiz are automatically recorded in the adviser's portfolio and can be seen in the section View CPD Records / Ongoing CPD records.

### **Personal Development and Management Courses**

- These courses are non-core CPD
- Links to three on-line course providers are available through the adviser on-line CPD portfolio
- These courses are not compulsory and are available for advisers to take if they choose to
- The courses are either free-of-charge or reasonably priced
- Details of the course have to be entered into the adviser CPD portfolio on completion
- Proof of course completion is required in order for the course to be accepted as CPD

### **Input of CPD Activities (other than OISC courses)**

- Details of CPD activities undertaken should be entered into the section 'Register New CPD' The activity will be reviewed by the CPD Co-Ordinator and either 'accepted' or 'declined' according to the criteria detailed above. Information required:
  - Choose 'Core' or 'Non-Core' activity
  - Title of activity
  - Organisation who delivered the activity
  - Basic description of activity
  - Date and time of activity
  - CPD hours and minutes awarded
  - Core CPD only - who accredited the activity (BSB or The CPD Standards Office) and the provider reference number
  - Attachment of certificate or proof of attendance
    - originals to be kept for review during audit
- Ensure that you 'Save Entry' to complete process
- Changes can be made to the entry prior to review by the CPD Co-Ordinator

### **Review of CPD Records**

- Access is via the section 'View CPD Records'
- Information provided includes:
  - External activities awaiting approval
  - Ongoing CPD records including:
    - Hours required, hours completed and hours outstanding
    - Record of OISC on-line courses completed
    - Record of external courses completed
- Access to CPD completed in previous years. Access the section 'View CPD Records / On-going CPD Records', select the year required and press the 'search' button.