

## **Practice note on supervision**

### **Supervision - raising Levels or areas of competence:**

1. The most effective means by which authorised advisers can move to a higher advice Level or increase their competencies is through training under effective supervision.
2. An authorised adviser who is working under supervision must not be given work beyond their competence so that it might prejudice a client's best interests and must be closely supervised in relation to the higher-level work.
3. As a general rule, the Commissioner allows authorised advisers to work under supervision to the next advice Level subject to the Commissioner being satisfied in relation to the extent and quality of supervision being provided and that the Commissioner has given written approval. Approval of such supervision arrangements will generally be limited to a period of up to twelve months.
4. The normal supervisory period is up to twelve months, at which point the Commissioner expects the supervisee to submit a competence statement at the higher level for which he/she has been supervised and be ready to take a competence assessment. The Commissioner does, however, recognise that exceptions sometime need to be made to this general rule such as an authorised adviser who has not been able to obtain sufficient experience during that period. The Commissioner, in such circumstances and with the agreement of the supervisor, may agree to an extension of the supervision period. Any extension of supervision must be authorised by the Commissioner in writing.

### **Supervising trainee advisers working at level 1 under supervision:**

5. The term 'trainee adviser' applies to all staff, whether paid employees or unpaid volunteers, who are working under supervision at level 1 and for whom the Commissioner does not have a competence statement. Although the Commissioner does not request a competence statement from trainee advisers, information about them must be provided by the registered organisation including their names and the date they started their training.
6. Trainee advisers who do not have any previous general experience of immigration or asylum work or experience of particular subject areas must be

closely supervised by their individual supervisor (see section 5 below) with the work that they produce carefully checked.

### **Supervisors – principal and individual:**

7. There are two types of supervisors: the principal supervisor who is the person responsible for the work carried out by everyone who is working under Supervision within a registered organisation including those who are working remotely, and the Individual supervisor who is responsible for the work of those directly assigned to be supervised by them. Depending on the size and structure of the registered organisation, a person can be concurrently both a principal and an individual supervisor.
8. Registered organisations with more than one individual supervisor must select one of the Individual supervisors to act as the principal supervisor.
9. It is important that registered organisations provide those who are new to supervision, either principal or individual, with adequate training for their roles.

### **The principal supervisor:**

10. The principal supervisor must ensure that all supervisees are appropriately supervised both as to the advice and services they give and in the way they operate. This must include ensuring:
  - a) adequate supervision and direction of clients' matters by those being supervised
  - b) compliance with the requirements of section 84 (2) (e) of the Act as to the direction and supervision of unqualified persons and with Codes 3.3, 3.6, 4.1 and 8.1
  - c) assurance that the supervisee's training needs are being properly assessed from the start of their supervision and throughout its duration
  - d) assurance that there are regular file reviews of the supervisee's files using a file review form which confirms that the supervisee has been giving competent advice, that client matters are being progressed satisfactorily and that clients have been kept up to date with developments on their case as required by Code 5.5. The principal supervisor must ensure that the file review forms are available to the Commissioner for inspection and are kept on the client's file

### **The individual supervisor:**

11. Individual supervisors must have at least two years' recent and continuous relevant experience in immigration and asylum casework as they must have the necessary breadth of knowledge and experience. To protect clients this requirement is strictly enforced.
12. To supervise effectively an individual supervisor needs to spend sufficient time with their supervisees. The amount of time required needs to be in proportion

to the number of staff they are supervising and the caseloads held by those staff. It is therefore important that realistic caseloads are set for both the Individual supervisor and their supervisees by the registered organisation. The individual supervisor should also be available to answer queries put to them by their supervisees. This includes those where the relationship is conducted via remote working. In addition, the individual supervisor will need to maintain a supervision logbook. The supervision logbook is a summary of the supervisor/ supervisees' discussions, and the files reviewed including learning points and any training needs identified. You can obtain the [supervision logbook](#) from our website.

13. For individual supervisors to remain both up to date with changes in immigration law and practice and be able effectively to supervise, they need to have a personal caseload containing a good spread of cases.
14. Whilst an individual supervisor does not have to be co-located with their supervisee, they both must be providing advice and services on behalf of the same registered organisation. Further, no matter where an individual supervisor is located in relation to their supervisee, they must be able to be easily contactable by them.

#### **In the absence of Individual and Principal supervisors:**

15. When an individual supervisor is away from the office for a significant period, for example, on holiday or sick leave or for any other reason, suitable arrangements must be put in place to ensure that their supervisees continue to be adequately and appropriately supervised. This situation should be covered in the supervision plan.
16. If the principal supervisor is anticipated to be away from the registered organisation for at least a month, adequate arrangements will need to be made for another suitably qualified and experienced person to take on their responsibilities in their absence. If the principal supervisor is away unexpectedly the arrangements to cover their responsibilities during their absence as described at paragraph 16 above will apply.
17. Any arrangement for the replacement of either the principal or individual supervisor while they are away from the office must be agreed with the Commissioner, if possible, prior to their absence.

#### **The process for becoming an authorised supervisory organisation:**

18. If a registered organisation wishes to offer supervision, they must submit to the Commissioner an [application to supervise trainee advisers](#) and wait for the Commissioner's written approval before commencing supervision.
19. Forms should be completed and e-mailed to the IAA at [info@immigrationadviceauthority.gov.uk](mailto:info@immigrationadviceauthority.gov.uk)

20. Registered organisations must remember that any person who is not working with written approval from the Commissioner to work above their authorised level under supervision will be committing a criminal offence.

### **Supervision plan:**

21. Organisations are expected to have a supervision plan in place before commencing supervision. The supervision plan should include:
- the name of the nominated individual supervisor and their supervisee (s)
  - the level of work at which each supervisee will be supervised.
22. The onus is on the registered organisation to be able to demonstrate how the person who will act as the individual supervisor is capable of being an effective supervisor, and, in particular where they will be supervising more than one individual. Evidence should cover, but not be limited to, the matters contained at paragraphs 11-15 above.
1. 23 Registered organisations should address the following in their supervision plans:
- a) The arrangements which have been made to ensure that individual supervisors are adequately trained or have the necessary experience
  - b) The percentage of their time that they will devote to supervision
  - c) The frequency with which they will meet with their supervisee(s) to discuss their cases, and the findings of files reviewed
  - d) To what extent, if at all, supervision will change over time and the intended duration of each particular supervision arrangement; and
  - e) If the individual supervisor and the supervisee are not co-located, how the supervision arrangements will accommodate this
23. A copy of the supervision plan is expected to be made available to the Commissioner upon request.

### **Assessing a supervisee:**

24. Code 3.3 concerns those members of staff who have not submitted a Statement of Competence form to the Commissioner for the level at which they are working. Such persons must be closely supervised to ensure that none of their work strays into inappropriate areas of advice giving. The Commissioner expects such staff to submit a Statement of Competence once they have gained sufficient training and experience.
25. Supervisees who do not have any previous general experience of immigration or asylum work or experience of particular subject areas must be closely supervised by their individual supervisor during their period of supervision, with the work they produce carefully checked. This level of supervision and checking must also be reflected in client file notes.
26. The Individual supervisor must review some of each of their supervisee's client files every month. The Commissioner recommends that at least three

separate file reviews per supervised person are conducted each month. However, the Commissioner recognises that the type and complexity of the cases being handled by the supervisee, as well as their level of experience, will influence how many case files are reviewed. Details as to the extent of the reviews the Individual supervisor intends to undertake should be included in the supervision plan.

27. The Individual supervisor should ensure that each file review form is properly completed and that full file attendance notes of conversations with clients, the supervisee and the supervisor are retained on the client's file. Where an Individual supervisor has given guidance on a matter to the supervisee, the supervisee should record this in the client's file notes documenting the discussion they had with their supervisor. Such notes should be signed off by both the supervisee and their Individual supervisor and should be sufficiently detailed to give a clear understanding of what was discussed.
28. The Individual supervisor should provide regular feedback to their supervisee(s) on their performance, explain any corrective action they need to take and monitor that this is done satisfactorily. Immigration law is constantly changing, and it is important that supervisors keep the training needs of supervisees under continual review. The Individual supervisor should also give a full explanation to the supervisee as to why such corrective action is required.
29. The Individual supervisor should also make a written note on the client's file of any action points. These notes should be retained on the client's file and should include, where appropriate, the assessment by the Individual supervisor of the supervisee's advocacy skills as demonstrated before the First-Tier Tribunal (Immigration and Asylum Chamber).
30. The 'Supervision Logbook' is expected to be completed and available for inspection by the auditor at the inspection audit. Its contents should contain a summary of the supervisor's/supervisee's assessment, agreed learning points and training needs identified.

### **Supervision checklist:**

- If there is more than one named supervisor in a registered organisation, one person must be designated as the Principal supervisor
- The Principal supervisor is responsible for the work carried out by all those working under supervision in the registered organisation
- Before starting a supervision arrangement, the supervision plan for each proposed supervisee must be put in place
- The Individual supervisor must have at least two years' recent and continuous relevant experience of immigration and asylum casework.
- A person who is new to providing supervision must receive appropriate supervisory training
- An application to work under supervision must be submitted to the Commissioner and written authorisation attained before the supervision arrangements begin

- The registered organisation must ensure that those who are working to increase their levels of competence are appropriately supervised at all times and receive appropriate and relevant immigration and asylum training
- It is the Individual supervisor's duty to ensure that the advice or services given by those who are under their supervision is satisfactory
- The time spent by an Individual supervisor in that role must be reasonable considering:
  - The number of staff they are supervising
  - The relative experience of those staff
  - The complexity of the supervisees' caseloads
  - The caseload the Supervisor is carrying
- The Individual supervisor must be readily accessible to their supervisees
- The Individual supervisor must conduct random file reviews of the cases being handled by their supervisees in accordance with the approved supervision arrangements
- The record of such file reviews must be kept on the client's file and be readily accessible to others in the registered organisation and to the Commissioner
- A record of actions required by the Individual supervisor of a supervisee must be recorded on the client file
- A Supervision Logbook must be completed by the Individual supervisor and be available to the Commissioner on request.