

## Level 1 Immigration Syllabus

Immigration Law	Detailed Learning Objective
<p><b>Detailed knowledge of the structure and sources of immigration law, including the framework of the immigration legislation</b></p>	<ul style="list-style-type: none"> <li>• The key principles of immigration control - the right of abode, entry clearance and the relevance of being a visa national, leave to enter and leave to remain.</li> </ul>
<p><b>Detailed knowledge of the procedure for making applications under the immigration rules</b></p>	<ul style="list-style-type: none"> <li>• The procedures and processes for making applications under the immigration rules.</li> <li>• General provisions within Part 1 of the immigration rules.</li> </ul>
<p><b>Knowledge of the structure and operation of the immigration rules</b></p>	<ul style="list-style-type: none"> <li>• Understanding how the immigration rules are amended.</li> <li>• Effective navigation of the rules to enable determination of which immigration category and which rules are applicable to a client's case.</li> <li>• The main categories of entry and stay under the immigration rules – Visitors, Students, PBS and other work and business visas, Partners, Children, Parents, Adult Dependent Relatives, and the operation of Appendix FM, long residence, Appendix EU and Appendix EU (Family Permit).</li> <li>• The key concepts within the immigration rules – validity, eligibility, suitability, financial and English language requirements, accommodation, sponsorship.</li> <li>• Key definitions in the Introduction of the immigration Rules, the definition of public funds, parent, adequately, leading an independent life etc.</li> <li>• How to identify whether a particular category of entry can lead to settlement, whether switching is permitted, and what period of leave an applicant under a particular rule can anticipate receiving.</li> <li>• Conditions that will be imposed on grants of leave.</li> </ul>

	<ul style="list-style-type: none"> <li>• The mandatory and discretionary general grounds for refusal within Part 9 of the Immigration Rules, and the Suitability criteria.</li> </ul>
<p><b>Awareness of the scope for applications outside the rules</b></p>	<ul style="list-style-type: none"> <li>• The concept of leave to remain outside the immigration rules.</li> <li>• Where to locate policies operating outside the immigration rules.</li> <li>• the structure of the UKVI's Operational Guidance.</li> </ul>
<p><b>Detailed knowledge of the appropriate application forms, fees and supporting documentation</b></p>	<ul style="list-style-type: none"> <li>• The appropriate application form for each category of entry and stay, fees for immigration applications, and what documentation should be obtained to ensure that a criteria of the immigration rules is satisfied.</li> <li>• The consequences of failure to make an application within time or on the appropriate prescribed form.</li> <li>• Where late applications related to the EU Settlement scheme can be made by OISC Level 1 advisers.</li> <li>• The procedures that people who are subject to immigration control who wish to marry in the United Kingdom must follow.</li> <li>• The operation of the statutory extension of leave to remain when an application is made.</li> </ul>
<p><b>Detailed knowledge of the personnel and terminology relating to immigration law</b></p>	<ul style="list-style-type: none"> <li>• The common terms encountered in immigration practice as they appear in the interpretation section of the immigration rules or relevant statutory provisions.</li> </ul>
<p><b>Detailed Knowledge of the types of immigration decision that may be made in an individual's case dependent upon the stage of the entry or expulsion process that they have reached</b></p>	<ul style="list-style-type: none"> <li>• Extensions, variations and cancellation of leave.</li> <li>• Indefinite leave to remain and the grant of citizenship.</li> <li>• Awareness of illegal entry, overstaying, administrative removal and removal directions, and deportation orders.</li> </ul>

Asylum and Protection	Detailed Learning Objective
<b>Awareness of the requirements of the Refugee Convention and the principle Articles of the ECHR</b>	<ul style="list-style-type: none"> <li>• The Refugee Convention and the Qualification Directive.</li> <li>• The definition of a Refugee.</li> <li>• Awareness of the potential relevance of Articles 2, 3 and 8 of the ECHR.</li> </ul>
<b>Awareness of the procedure for making an asylum application and managing those within the system</b>	<ul style="list-style-type: none"> <li>• The procedure for claiming.</li> <li>• Availability of asylum support.</li> <li>• Awareness of grants of bail.</li> <li>• Notifying change of address.</li> </ul>
<b>Awareness of consequences of grant of refugee status or Humanitarian Protection</b>	<ul style="list-style-type: none"> <li>• Awareness of the provisions on family reunion for refugees.</li> <li>• Awareness of leave to remain granted as a result of humanitarian protection and discretionary leave to remain.</li> </ul>

Nationality	Detailed Learning Objective
<b>Detailed Knowledge of the processes for naturalisation/registration</b>	<ul style="list-style-type: none"> <li>• The modes of obtaining nationality – by operation of law, by registration, and naturalisation.</li> <li>• The structure of UK nationality law: the key provisions under sections 1,2,3 and 6 of the British Nationality Act 1981.</li> <li>• The procedure for making an application for naturalisation and registration as a British citizen.</li> <li>• The procedure for making an application for registration as a British citizen for children born in the United Kingdom.</li> </ul>

Appeals	Detailed Learning Objective
<p><b>Awareness of the structure and remedies available in the First-tier Tribunal (IAC)</b></p> <p><b>Detailed knowledge of review and reconsideration processes.</b></p>	<ul style="list-style-type: none"> <li>• Immigration decisions capable of generating a right of appeal under section 82 Nationality Immigration and Asylum Act 2002</li> <li>• Processes for the challenge of decisions such as Administrative Review or Reconsideration where such processes are permitted at Level 1. See OISC Guidance on Competence.</li> </ul>

Ethics	Detailed Learning Objective
<p><b>Knowledge of professional and ethical practices in the provision of immigration advice and services.</b></p>	<ul style="list-style-type: none"> <li>• Knowledge of the principles which define OISC level 1 work and awareness of work that is restricted to advisers registered at a higher level which should be referred or signposted.</li> <li>• The duty of care owed by a legal representative to clients and to upholding UK law, including issues around conflict of interest and confidentiality, acting in the client's best interests and appropriately and professionally in their dealings with the Home Office, the courts and other legal representatives, as laid down in the Commissioner's Code of Standards.</li> </ul>

Essential skills and abilities	Detailed Learning Objective
<p><b>Communication Skills</b></p>	<p>Ability to communicate effectively in written English with the client, Home Office and other agencies so as to be able to;</p> <ul style="list-style-type: none"> <li>• Identify to whom an enquiry relates to, establish their wishes and intentions and the relevant facts of the case.</li> <li>• Communicate advice clearly, giving reasons and explaining options.</li> <li>• Draft letters and complete application forms clearly and accurately in plain English.</li> <li>• Use correct terminology and enclose the appropriate evidence or provide a clear explanation why it has not been provided.</li> </ul> <p>Ability to identify the need for, and use of interpreters.</p>

<b>Casework Skills</b>	<ul style="list-style-type: none"> <li>• Ability to identify if it is appropriate for an application to be made and if so, the appropriate application to be made according to the client's circumstances.</li> <li>• Ability to identify vulnerable clients and to make appropriate provisions (including referral)</li> <li>• Ability to identify the range of evidence needed to support an application.</li> <li>• Ability to identify appropriate resources (e.g. textbooks, internet) and use them effectively</li> <li>• Awareness of and a commitment to follow established good practice.</li> <li>• Ability to act with an appropriate sense of urgency.</li> <li>• Awareness of the limitations of the adviser's own competence and when to refer cases to a suitably qualified adviser.</li> </ul>

**Detailed knowledge** - An adviser will be familiar with and understand specific information and have the skills, training and experience to know and apply its fullest implication, to a client's case.

**Knowledge** - An adviser will be familiar with and understand information and have the skills to apply it directly to a problem or case.

**Understanding** - An adviser will be able to identify and comprehend information and be able to summarise and apply it to a problem or a case.

**Awareness** - Knowing general concepts, topics, procedures and methods without needing to be able to apply the information directly. An adviser should be able to identify the limits of their awareness. They should also be able to identify and refer to relevant sources of information for more in-depth knowledge.