

OFFICE OF THE
IMMIGRATION SERVICES
COMMISSIONER



Corporate Plan 2020-23

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Contents

1	Introduction	3
2	About the OISC	4
3	Our vision	6
4	Our priorities	7
5	Priority activities for 2020/21	12

1. Introduction

For many people, accessing immigration advice and services is the first step in their journey through the UK's immigration system. For those who are looking to come to or remain in the UK, getting reliable quality immigration advice is essential to understanding and navigating a highly complex and fast changing system.

In developing the Office of the Immigration Services Commissioner (OISC) 2020/23 Corporate plan the following factors are especially significant when considering how immigration advice and services will need to adapt over the next three years.

New Immigration Bill

The Immigration Bill introduced in March 2020 sets out Government's ambition for a world class UK wide immigration system which prioritises skills and talent. The global points-based system will apply to EU citizens as well as those from the rest of the world, so will significantly change the profile of people seeking to remain in the UK, where they come from and where they choose to live and work. As this system is introduced, the OISC anticipates there will be a greater demand for immigration advice and services.

The Immigration Bill also looks to protect the vulnerable by tackling abuse within the immigration system, including reducing criminality in the provision of immigration advice. This will require much closer engagement with migrant communities to better identify and take action against unscrupulous advisers or those providing advice illegally.

A simplified system

In 2020 there have been two high-profile reports into immigration, the Law Commission's Simplifying the Immigration Rules report and the Windrush Lessons Learned Review, which will shape the future immigration system and how it is delivered. These reports identify the need to create a more transparent and simplified system with greater accountability for decisions and proactive engagement with migrant communities. The reports also recognise the impact the current immigration system can have on individuals, due its complexity and inflexibility. Ensuring good and legal immigration advice early is an important part of realising the benefits of a simplified system and addressing the issues identified in these reports.

Regulatory co-operation

Alongside a simplified immigration system, it is important that immigration advice services are coherent and easy to understand. Regulators, such as the OISC provide an essential link between Government and business, setting and maintaining standards for those who provide advice. Currently, the immigration advice and services sector is overseen by a number of different regulatory bodies including Solicitors Regulation Authority (SRA), Bar Standards Board (BSB) and Chartered Institute of Legal Executives Regulation (CILEX)), as well as the OISC. Each has their own set of advisers, professional priorities and means of

regulation, and there is little ongoing, effective collaboration or coordination. To make immigration advice services more transparent and easier for advice seekers to understand, there needs to be greater consistency and coherence, with regulators working together much more closely. This will not only benefit the advice seeker by raising standards, it will also enable regulators to maximise their own resources and achieve better results.

Economic uncertainty

As OISC is an organisation funded solely through Grant in Aid, it is important to recognise the current economic climate and the long-term impact of Government's response to Coronavirus pandemic will have on future funding of Government Departments and public sector services. The full implications of this are still to be realised, but it will undoubtedly change how and where investments can be made and may mean a review of how Government fund organisations such as the OISC moving forward.

2. About the OISC

Led by the Immigration Services Commissioner, the Office of Immigration Services Commissioner (OISC) is an Arm's Length Body of the Home Office. Our statutory duties are set by the Immigration and Asylum Act 1999 and include regulating immigration advice and services across the UK. We are currently funded through a grant in aid budget of £3.82m, with 60 employees and based in London, regulating over 3,000 individual immigration advisers and 1,600 organisations. (Advice provided by solicitors and barristers falls outside of OISC's authority and is regulated by the Solicitors Regulation Authority and the Bar Standards Board).

We are responsible for making sure that everyone who is seeking immigration advice from OISC regulated advisers receives good and reliable advice and are protected from the risks and dangers of illegal advice or poor service. This is done by promoting good practice to immigration advisers, setting standards and making sure those standards are upheld. Specifically, it includes:

- assessing and registering those who want to be an immigration adviser
- auditing the performance of advisers ensuring standards are maintained
- managing and investigating complaints against immigration advisers
- identifying and taking enforcement action against those who provide poor service or immigration advice illegally
- overseeing those who regulate immigration advice by solicitors and barristers in Scotland and Northern Ireland where the legal systems are different

Governance

The Immigration Services Commissioner acts as Corporation Sole and Accounting Officer and is accountable to the Home Secretary for the OISC's activities and performance.

Our Home Office Senior Sponsor is the Director of the Home Office Border, Immigration and Citizenship Systems (BICS), who is responsible for the policy and legal framework within which OISC works. Our relationship with the Home Office is defined by a Framework Agreement, which includes details on accountability, governance, finance and reporting arrangements. These matters are overseen by the Home Office Sponsorship Unit (HOSU).

Audit and risk

The Commissioner is supported by an Audit and Risk Assurance Committee (ARAC) who act as an advisory committee providing appropriate independent advice and challenge to give assurance on overall governance arrangements, financial and risk management and internal audit arrangements.

We have a comprehensive internal audit programme, which is managed and overseen by the Government Internal Audit Agency (GIA) providing independent scrutiny and assurance of our risk management, governance and internal processes. We are also subject to external audit by the National Audit Office.

Progress reporting

We will monitor progress against this Corporate Plan through the delivery of our annual business plans, which set out in detail activities against our strategic priorities and actions. It will be reported through our annual report which are laid before parliament.

3. Our vision

To date the OISC has focussed on regulating immigration advisers. To respond to the challenges that the immigration advice and services system needs to address, we have developed a new vision shifting focus to the person seeking immigration advice and how best to meet their needs.

Vision

Our vision is:

Every person seeking immigration advice within the UK

- makes an informed choice to seek advice only from a regulated immigration adviser
- receives reliable and professional advice and service that they have confidence and trust in

Mission

Our mission in delivering the above vision is an enabling regulator that works with all those involved in the immigration advice and services sector to bring together the informed advice seeker with reliable advice from a regulated adviser. Our mission is:

To connect the advice seeker with reliable advice

Measures of success

Given the current shape of the sector and the forthcoming changes to immigration system, the vision and mission present a considerable challenge for the OISC. Success will not be achieved instantly but incrementally over several years. Progress will be assessed by measuring trends in the following high-level parameters, including establishing benchmarks:

- views of advice seekers and supporting organisations of their knowledge and experiences of immigration advice and services
- levels and nature of advice being sought from advisers
- perceived quality of applications and appeals
- performance of registered advisers through audits and the levels/severity of complaints
- levels of prosecutions and investigations into illegal advisory activities

4. Our priorities

Our vision and mission will be achieved through six strategic objectives. These provide more detail on how we will move towards achieving our vision over the next three years. The next three years will lay the foundations for success in future years. Many of OISC current activities will continue – though they will need to be modernised and new activities will need to be started. Each year’s Business Plan will outline how incremental improvements will be made in each area.

Promote	Ensure advice seekers and those around them know how and why to access advice from a regulated adviser and why this is important
Collaborate	Collaborate with others to create a system that is transparent and easy for the advice seeker to understand and navigate
Regulate	Create a world class regulatory system where good practice is the norm for all OISC regulated advisers
Protect	Protect advice seekers, taking action against poor advice, exploitation and criminal activities
Enable	Provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value
Develop	Reform the OISC into a modern and engaging organisation, geared to meet the needs of advice seekers in the 2020s

1. Promote

The regulatory requirements of immigration advice and services, the benefits of using a regulated adviser and the risks and dangers of using unregulated advisers are not well known. This results in many people accessing immigration advice through different channels outside of the regulatory framework. In turn this can lead to those in need of immigration advice being exploited by illegal or unscrupulous advisers and/or receiving poor or incorrect advice and consequently submitting incorrect applications impacting on the person’s immigration status.

We will:

Ensure advice seekers and those around them know how and why to access advice from a regulated adviser and why this is important.

We will achieve this by:

- raising awareness around the importance of using regulated advisers and the risks and dangers of using illegal or unqualified advisers
- ensuring people know how to find regulated advisers, and what to do if they have received poor or illegal service or advice
- raising awareness of the OISC and its activities with local organisations who are close to the advice seeker
- promoting the work of OISC and its role in the provision of immigration advice and services

2. Collaborate

To make immigration advice and services more cohesive with the wider immigration environment, and easier for the advice seeker to understand, we need to improve how we work together with those involved in developing and regulating immigration systems. In particular, we need to increase collaboration between those regulating immigration advice and services to create a more consistent approach to regulation making it simpler for the person seeking immigration advice to follow.

We will:

Collaborate with others to create a system that is transparent and easy for the advice seeker to understand and navigate.

We will achieve this by:

- better understanding who our partners and stakeholders are, improving our relationships and understanding of each other's priorities and work
- reinvigorating engagement with our stakeholders, increasing transparency of the OISC's decisions and work and improving outcomes
- working collaboratively with other legal service regulators to improve consistency of how immigration advice and services are regulated
- building stronger relationships with the Home Office, working together to ensure immigration policy and immigration advice and services regulation are cohesive

3. Regulate

Over the last 20 years we have developed a tailored approach to regulation, that allows flexibility for immigration advisers to work within and takes a risk-based approach to monitoring and compliance. This approach has made sure our regulatory activities are proportionate and prioritises resources to where they are most needed.

With the changes to the immigration system and the new OISC vision focussing on the immigration advice seeker we will need to review and develop our regulatory regime. This

will make sure our ways of working continue to be the most effective way to deliver regulation and enable OISC immigration advisers to provide world class advice services where good practice is the norm. We will also look at how we can support immigration advisers, so they are best placed to support everyone who needs immigration advice. We will:

Create a world class regulatory system where good practice is the norm for all OISC regulated advisers

We will achieve this by:

- reviewing our regulatory framework to make sure it is fit for purpose for the new immigration system
- modernise our regulatory processes to ensure maximum efficiency and effectiveness
- continue to set standards, register and formally authorise immigration advisers and provide ongoing oversight of registered immigration advisers and their activities
- supporting immigration advisers to maintain their learning and skills, encouraging continue development as the new immigration system requirements are introduced
- encourage new advisers to join the scheme so that there is an appropriate supply of immigration advisers to meet local demands

4. Protect

Illegal and poor immigration advice has a serious adverse impact on people looking to remain in the UK. There are also established links between illicit practices of unregulated immigration advisers, organised crime and abuse of the immigration system. Investigating complaints and reported illegal activity by immigration advisers is an essential part in tackling abuse within the immigration system and protecting vulnerable people from exploitation.

We will continue to investigate reported activities of registered and unregulated immigration advisers, bringing enforcement action where appropriate, including criminal prosecutions. It is important that we have the right legal powers in order to carry out this role effectively. We will review options for how we can increase and enhance these powers, so we can comprehensively investigate reported illegal activity and poor practice. We will:

Protect advice seekers, taking action against poor advice, exploitation and criminal activities

We will achieve this by

- investigating complaints and where appropriate take action against those who do not act in the interest of their clients or uphold the code
- investigating illegal activity and taking enforcement action where appropriate against those who are not qualified or registered with the OISC or legal regulator

- reviewing our legal powers, working with the Home Office enhance these powers where appropriate

5. Enable

As well as engaging in a major reform agenda, it will be imperative over this period that OISC continues to deliver on its core functions and maintain a high-quality service. Key to this will be ensuring critical “Enable” functions of HR, Communications, Finance, IT, Business Planning and Performance Management, all continue in support. We will:

Provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value.

We will achieve this by:

- producing annual Business Plans that will detail how and where each area of OISC will evolve whilst continuing to deliver on the core services, and how resources will be appropriately allocated to ensure reform and core business activities are in balance
- continuing to drive efficiencies through strong financial, performance and risk management, ensuring we continue to deliver excellent value for money and business outcomes to the benefit of our customers and the wider immigration system
- living within the resources available to us whilst exploring every opportunity for additional funding
- continuing with a progressive HR agenda focussed on ensuring we have the right people with the right skills in the right positions
- maintaining and develop our IT capabilities in support of our current business models
- building a comprehensive set of communications activities and tools that enable us to engage with all our stakeholders, external and internal, making the best use of modern technologies and social media platforms.

6. Develop

We anticipate that the changes to the UK’s immigration system will increase demand for immigration advice and services as new rules are introduced and the demographics of those needing advice changes. With this our role will become increasingly important.

In meeting these demands, the new vision for immigration advice and services requires a significant change in the both what the OISC does and the way it works. Many of the current activities will continue but need to be modernised and made more efficient and effective. Additionally, new activities need to be started and become an integral part of the OISC’s work. To achieve this requires an organisational reform agenda, which includes a possible move out of the London Head Office when the lease expires in November 2022. Over the next three years we will:

Reform the OISC into a modern and engaging organisation, geared to meet the needs of advice seekers in the 2020s.

We will achieve this by:

- reviewing the organisational design of the OISC to develop options for financial models and ways of working, so we are best placed to respond to the changing needs of those seeking immigration advice
- developing a set of values to underpin our actions and behaviours, creating a new culture that makes the OISC an exciting, modern and engaging organisation to work for
- investing in our people so they have the right skills and experience to be high performing, engaged and ready to adapt to the new ways of working
- creating an organisation that values and safeguards the data that it holds, building our evidence base and data capabilities, enabling us to make sound, intelligence-led decisions
- determining a new estates model of working for the OISC that better enables it to deliver its UK wide responsibilities whilst delivering on the overall vision
- Modernising our IT systems so they are fit for purpose and support a more modern, dynamic and flexible approach to regulation

Priority activities for 2020/21

In setting priority activities for the three years covered by this Corporate Plan, it is important to take into consideration the current uncertainty on financial and operational activities, due to the Coronavirus pandemic. In particular it is highly unlikely that industry and the OISC will revert to former models of working in the near future if at all.

Until the full consequences of the current crisis are clearer, a more agile and incremental approach towards making progress in achieving the vision will be adopted. This will include learning lessons from how we have had to adapt our ways of working during the crisis and building on these experiences. Alongside the activities set out in our annual business plans, this will be a key feature of work in 2020.

Over the next three years, the following are key areas of work that will need to be taken forward:

- work with staff to develop and embed new OISC values and behaviours
- explore options for a new model of working and organisational structure to deliver on key priorities, including the opportunities arising out of having to move out of the London Office by November 2022
- develop a new approach to communications and stakeholder engagement
- develop a new people strategy which matches the right people to the right roles in line with any new model of working, and which recognises talent
- improve our IT systems to support more modern, flexible ways of working and increase our access to and understanding of available data
- explore options for a new financial model in line with the Regulatory Futures agenda
- review our regulatory framework including our legal powers and regulatory processes

