

OFFICE OF THE
IMMIGRATION SERVICES
COMMISSIONER



Business Plan 2020/21

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1. Commissioner's foreword

This year will be an exciting and challenging year for the Office of the Immigration Services Commissioner. 2020/21 marks the beginning of a period of significant change for the immigration system, as Government's ambition for a global points-based system is realised.

Immigration advisory services are an important entry point to the immigration system. For many, including vulnerable people, it will be their first experience of the UK's immigration system, so it is essential that it is a positive experience where they are protected from abuse or exploitation. As the main regulator of immigration advisory services, the OISC has a significant role in ensuring this is the case.

2020/21 is my first full year as Commissioner and we will be publishing our new three-year Corporate Plan, setting a new vision and strategic agenda for the OISC. We will also build on the excellent work of 2019/20, continuing to deliver against our statutory duties, raising the standards of immigration advice through regulation. This includes the registration and audit of OISC regulated advisers and protecting people from poor or illegal advice through our complaints, investigation and enforcement activities.

We will also be starting a programme of reform, which over the next three years will see the transformation to a more modern and flexible organisation that places the person seeking immigration advice at the centre of all that we do. We will increase our engagement with our stakeholders, working more collaboratively and improve our data and IT systems, reviewing how and where we deliver our services from.

We will continue to invest in our workforce, through training and development programmes, improving our skills and expertise to support staff and ensure that we have the right people in the right jobs.

2020/21 is the first step in achieving this change, and I very much look forward to the year ahead.

John Tuckett
Immigration Services Commissioner

2. Introduction

The Office of the Immigration Services Commissioner (OISC) 2020/21 Business Plan sets out our priorities and how we will deliver our services for 2020/21. It supports the delivery of the OISC three-year Corporate Plan (2020 – 2023) which provides the strategic framework for this Business Plan.

3. 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

4. Our vision

Our Corporate Plan 2020 – 2023 sets out the OISC's vision that 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

To achieve this, it is our mission to be an enabling regulator, connecting the advice seeker with reliable advice.

5. Our strategic objectives

To provide a strategic framework for how we will achieve our vision and mission, we have developed five strategic objectives. These are:

Promote

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

Collaborate

Collaborate with others to create a system that is transparent and easy to understand

Regulate

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

Protect

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

Develop

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

Enable

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

6. Business Plan activities

The following pages set out a programme of activities which will be delivered in 2020/21 in support of our five objectives. Throughout 2020/21 we will hold ourselves to account and monitor our progress against these activities and measures.

Objective 1: Promote

We will ensure advice seekers and those around them know how and why to access advice from a regulated adviser

Priority area	Outcome	Activity	Outputs / measure
Inform and raise awareness	Increased awareness of the OISC and its responsibilities amongst key stakeholders.	<p>Review and redefine the OISC identity, to create a consistent narrative and differentiate it from other legal regulators.</p> <p>Stakeholder mapping exercise to identify who key stakeholders are.</p> <p>Develop a strategic approach to communications and engagement.</p> <p>Develop and deliver a programme of communications and engagement activity.</p>	<p>OISC Identity Guidelines.</p> <p>OISC Communications and Engagement Strategy.</p> <p>Stakeholder Map.</p> <p>Programme of communications and engagement activity as defined through the Communications and Engagement Strategy.</p>
	OISC has an increased understanding of where immigration advisers are located, where they are needed and have identified market gaps.	<p>Undertake research and data analysis of where immigration advice is currently accessed.</p> <p>Undertake research and data analysis of immigration demographics and other relevant data.</p> <p>Identify trends in complaints to OISC, OISC adviser presence and migrant demographics.</p>	Immigration data analysis report which provides evidence and intelligence of immigration service provision, market needs and gap analysis.

Objective 1: Promote

We will ensure advice seekers and those around them know how and why to access advice from a regulated adviser

Educate	People who are seeking immigration advice have a greater understanding of who and where OISC regulated advisers are, how to access them and the standard that immigration advice should meet.	Public awareness campaign which maximises the use of social media and key stakeholders to raise awareness of exploitation of immigration advice, OISC role in the regulation of immigration advice and how to find an OISC registered adviser.	Public awareness campaign delivered with clear, measurable objectives met.
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Objective 2: Collaborate

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

Priority area	Outcome	Activity	Outputs / measure
Collaborate	OISC is working in closer collaboration with the Home Office in the development of a new immigration system and understanding the role immigration advice has in it.	Identify and engage with key contacts on opportunities for closer collaboration between OISC and Home Office.	Attendance at identified meetings and events. Increased OISC involvement in Home Office led consultations and engagement activity.
	The OISC actively engages with other legal services regulators.	The OISC will monitor: <ul style="list-style-type: none">• Developments by other regulators in the implementation of recommendations made by the 2017 Competition and Markets Authority report.• The proposed changes to the Scottish Legal Services System.• The new standards and regulations implemented by the SRA.	The OISC will identify if the actions of other legal services regulators will affect OISC regulation and respond appropriately to counter or align with such actions.

Objective 3: Regulate

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

Priority area	Outcome	Activity	Outputs / measure
Authorisation	Provide clarity on the application procedure for advisers.	Use the 2019/20 application survey results and queries from applicant advisers to identify areas where applicants are unclear on the application procedure and improve or make more prominent, information in these areas.	Log areas identified for improvement and what action has been taken. Post action – To identify if the number of queries related to each area has reduced.
	Number of electronic applications increases and paper applications to be the exception.	Encourage use of the electronic forms and consider withdrawing the ability for advisers to submit non-electronic applications in all but exceptional circumstances.	The number of applicants using the electronic application forms continues to increase.
	The Commissioner makes fair and justifiable decisions on registration application appeals.	Quality Assurance and upward review process.	At least 85% of Commissioner’s decisions regarding new and continued registration applications are upheld following an appeal lodged with the First- tier Tribunal (Immigration Services).

Objective 3: Regulate

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

Priority area	Outcome	Activity	Outputs / measure
	The Commissioner makes timely decisions on applications for registration and continued registration.	<p>Applications for the regulation and continued regulation of organisations are processed in a timely manner.</p> <p>Time taken to decide applications is monitored and delivery against targets reported.</p>	<p>80% of Level 1 applications for regulation are decided within 4 months.</p> <p>90% of all new applications for regulation are decided within 6 months.</p> <p>95% of all straight-forward continued registration applications are decided within 15 working days.</p> <p>95% of all continued registration applications are decided within 3 months.</p> <p>95% of all continued registration applications are decided within 5 months.</p>
	Compliance with Better Regulation Executive evaluated.	Monitor and consider developments in regulatory practice with the Better Regulation Executive.	Consider and evaluate proposals identified by Better Regulation Executive in transformation project.
	Proportionate checks are carried out against registered organisations.	Using a risk based approach, identify and audit organisations least likely to be compliant with the Commissioner's Code of Standards.	Audits completed for 90% of organisations identified as requiring an audit during the financial year.

Objective 3: Regulate

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

Priority area	Outcome	Activity	Outputs / measure
	Audited organisations receive feedback in a timely manner.	Monitoring time taken to issue Identified Issues Reports against targets and report on progress.	90% of Audits identified issues reports are issued within 20 working days of the audit. 85% of organisations to receive their Identified Issues Reports within 10 working days.
	Action taken against regulated advisers that are unfit or not competent.	Monitoring activities of advisers through case reviews Review options for publishing details of those removed from the scheme.	Annual report on number of organisations whose registration is cancelled or are refused continued registration, because they are deemed to be no longer fit or competent.
	The three-core regulatory documents (Code of Standards, Guidance on Competence and Complaints Scheme) remain fit for purpose, in a changing immigration environment. Increased compliance with the Code of Standards, Guidance on Competence and Complaints Scheme.	Review Code of Standards and Guidance on Competence Monitor tribunal decision for insight into areas of core regulator documents that have been challenged. Carry out consultation if any changes are deemed necessary. Produce Guidance and Practice notes or webinars (as required) to support the core regulatory documents.	Updated/reviewed Code of Standards and Guidance on Competence published if required. New Guidance or Practice notes or webinars are published in support of any amendments or clarifications made to the Core regulatory documents.
Support	Community and voluntary organisations are successful in gaining OISC registration.	Work with voluntary and community sector support groups to assist applications for registration across all regions of the UK.	The number of successful applications from non- fee charging advisers and organisations increases.

Objective 4: Protect

We will protect advice seekers, taking action against poor advice, exploitation and criminal activities

Priority area	Outcome	Activity	Outputs/measure
Complaints	Investigations into complaints against registered advisers are completed in a timely manner.	Monitor time taken to determine complaints monitored and report on progress. Review individual performance and discuss complex cases.	85% of complaints against registered advisers are determined within five months of receipt.
	There is greater awareness of illegal immigration advice and services and how to report it.	Promotion of the reporting of illegal immigration advice and services.	Increase in number of people accessing complaints information on OISC website.
	Provision of unlawful immigration advice is reduced.	Take enforcement action against advisers/organisations that stops them providing immigration advice and services illegally (not including convictions).	Report on: number of websites closed/changed number of OISC registrations as a result of direct intervention number of reprimands given number of simple cautions given
	Abuse around the provision of immigration advice following the UK's exit from the EU and variances in the demand for immigration advice connected to the UK's exit from the EU are identified.	Complaints received from the public/stakeholders are analysed and reviewed.	Analysis of complaints received from the public / stakeholders and increase or decrease in abuse identified.

Objective 4: Protect

We will protect advice seekers, taking action against poor advice, exploitation and criminal activities

Priority area	Outcome	Activity	Outputs/measure
Investigations	Enforcement action taken against previously regulated OISC advisers suspected of having acted unlawfully.	To identify previous OISC registered advisers considered to be involved in immigration abuse through appropriate monitoring via stakeholder engagement and intelligence received. Take enforcement action against those found to be providing immigration advice illegally.	Report on prosecutions initiated or other enforcement action taken as a result of individuals identified as continuing to provide immigration advice.
	Wrong doing is deterred by bringing criminal prosecutions that are in the public interest.	Prosecution of those providing unlawful immigration advice and services that meet the criteria specified by the OISC prosecution policy.	Report on number of criminal prosecutions initiated and criminal convictions secured.
	Assist and cooperate in cases where other regulatory or law enforcement agencies have an interest in prosecuting for offences relevant to the provisions of unlawful immigration advice/services.	Provide witness statements and evidence.	Report on number of witness statements produced and PACE interviews, search warrants, arrests assisted with.
	Social media used to identify incidents of immigration advice abuse.	Conduct analysis of how widespread the use of social media is in the provision of illegal immigration advice and advertising.	Report and review findings of analysis of social media use.

Objective 5: Enable

We will provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value

Priority area	Outcome	Activity	Outputs
Business management – People	Have the right people in the right job at the right time (recruitment).	Developing a toolkit for managers on recruiting members of staff – Recruitment and Selection Guidance, which supports best practice guidelines and legislative change.	90% of posts (excluding those which will require security checks) are appointed with skilled people within 13 weeks of placement of the advertisement.
	Flexible and transparent approach to recruitment which attracts talent and encourages a more flexible and dynamic organisation.	Unconscious bias training part of mandatory learning and development for staff.	Demonstrate fairness and consistency in recruitment.
	Have the right people in the right job at the right time (retention). All staff have clear objectives set and regular career development discussions during performance appraisal, with Personal Development Plans in place.	Develop and implement a Talent Management Strategy and Plan to help members of staff build the skills, expertise and confidence to perform.	Maintaining members of staff retention rate above 90%. Demonstration that all members of staff complete annual performance appraisal and objectives link to overall business performance.
The organisation meets best practice standards for diversity and inclusion.	Developing and implementing Diversity and Inclusion Strategy and Plan.	Demonstrate opportunities that promotes the OISC's diversity work with external bodies, leading to enhancing the organisation's brand and reputation.	

Objective 5: Enable

We will provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value

Priority area	Outcome	Activity	Outputs
	Complaints are addressed informally and where necessary, those investigated formally are closed out within target date.	Ensuring complaints against the OISC and/or Staff Procedural Guidance is effectively applied in enabling the organisation to deal with complaints quickly, fairly and consistently.	To maintain 95% of complaints investigated within 8 weeks of receipt. Complex complaints investigated within 12 weeks of receipt.
Business management – finance	Ensure compliance and GiA Sponsor (Home Office) updated with how grant is expended in line with the budget for the financial year. Expenditure and Income are applied in line with Managing Public Money.	Timely preparation of monthly Metis and quarterly financial returns to the Home Office. Reports sent to HO Sponsor unit analysing resources to agreed headings. Meetings held on a monthly basis.	Meetings held with Crime, Policing and Fire Group (CPFG) Teams which consists of the Finance Business Partner and Sponsor Unit. Minutes of the meeting held are filed for audit purposes.

Objective 5: Enable

We will provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value

Priority area	Outcome	Activity	Outputs
	<p>Ensure the OISC operates within its allocated budget.</p> <p>HO Finance Business partner and Sponsorship Unit are informed of any forecast overspend over allowable 1% of GIA.</p> <p>HOSU are informed of any risks and material event occurring in the financial year.</p>	<p>Monthly Metis Report prepared.</p> <p>Notification to HO Finance BP and HOSU of any imminent change to financial forecasts within five working days of month end closure.</p> <p>Meetings held on a monthly basis. Additional financial resources requested where unbudgeted expenditures are incurred.</p>	<p>Meetings held with Crime, Policing and Fire Group (CPFG) Teams i.e. the Finance Business Partner and Sponsor Unit.</p> <p>Minutes of the meeting held for audit purposes.</p>
	<p>Support and guidance provided to ensure compliance on procurement of goods and services within central government rules.</p> <p>Value for money and efficiencies are achieved.</p>	<p>Making full use of Home Office Commercial's offer to ALBs for procurement of goods and services.</p> <p>Liaising with the Sponsor Unit for assistance and direction/signposting when required.</p>	<p>Procurement achieved.</p> <p>Documentations approved by HOSU and Treasury (depending on value).</p>

Objective 5: Enable

We will provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value

Priority area	Outcome	Activity	Outputs
	<p>Compliance with Government Prompt Payment Policy of paying undisputed invoices within thirty working days.</p> <p>Compliance with Crown Commercial Service (CCS) Procurement Policy Threshold.</p>	<p>Adherence to the OISC Payment Policy to promptly process invoices and make accurate payments within thirty days.</p> <p>Monitor and report on progress against targets in monthly reports to HOSU.</p>	<p>100% of undisputed invoices are paid within thirty days.</p> <p>Where possible, 80% of undisputed invoices paid within five working days.</p> <p>Monthly report provided to HOSU.</p>
	<p>Adequate documentation prepared for the audit of the OISC Financial Statement under the Immigration and Asylum Act 1999 which gives a true and fair view.</p> <p>Governance Statement reflects the OISC's compliance with HM Treasury's guidance.</p> <p>Advise on risk of fraud from management override of controls and bias in accounting estimates.</p>	<p>Prepare the financial statement in line with the account's direction issued by the Secretary of State and the financial reporting standards.</p> <p>Maintain proper accounting records and advise the External Auditors there are no Management overrides.</p> <p>Ensure internal controls are in place to enable the preparation of financial statements.</p> <p>Ensure recording of the OISC assets to avoid internal misappropriation or theft perpetrated by management or other employees.</p>	<p>Accounting Officer signs off the Annual Report and Accounts.</p> <p>OISC Annual Report and Accounts prepared and submitted to Home Office.</p>

Objective 5: Enable

We will provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value

Priority area	Outcome	Activity	Outputs
Business management – IT and data	The OISC fulfils its objectives regarding information access requested under statutory rights.	Activity – Respond to FOI/SAR requests within 20 working days/1 calendar month respectively.	100% responded to within 20 working days/1 calendar month.
	The ICT systems continue to support the OISC's operations throughout strategic transformation.	Embark upon and deliver ICT projects in line with the work plan derived from the OISC Corporate Strategy.	Project Status (Narrative).
	Ensure compliance with Business Impact Target requirements.	Assess the economic impact of changes to regulatory policies and practices that affect regulated organisations.	Report to Government and publish details of any changes to our regulatory policies and practices that will benefit the sector by reducing the regulatory burden.
	Staff able to work because ICT systems are operational.	Maintain the systems so that staff have access to ICT.	Telephone uptime is >99%
	Staff are able to work due to high priority issues being acknowledged and dealt with in a timely manner.	Supporting staff through actioning helpdesk tickets.	Unscheduled IT downtime is < 1% >95% of high priority helpdesk tickets to be acknowledged within 24 hours.
Business management – Legal	Reduction in sentencing disparities that arise nationally.	Continue consultation with the Sentencing Council to produce guidelines for offences committed under section 91 of the Immigration and Asylum Act 1999.	Continue consultation with Sentencing Council to ensure OISC's position is reflected.

Objective 5: Enable

We will provide high-quality, efficient and cost-effective services where resources are managed dynamically to maximise value

Priority area	Outcome	Activity	Outputs
Business management – planning and performance	OISC departments have clear and measurable objectives and are monitored for their progress against them.	Business Performance Management Framework developed and published. 2020/21 Business Plan implementation is reviewed and reported on. 2021/22 Business Plan is developed and agreed.	Monthly department performance meetings held (100%). Quarterly performance review completed (100%). 2021/22 Business Plan produced and agreed.
	OISC risk management is dynamic and effective in reducing the impact of risk to the OISC.	Risks are identified and raised in a timely manner. Risks are monitored with mitigating actions identified and actioned. Risks are reviewed by SMT and ARAC.	Monthly risk management meetings held (100%). Quarterly corporate risk review completed (100%).
Business management - communications	OISC departments and activities are supported by high quality and engaging communication channels and materials.	Review and refresh of OISC website to create a content-driven, user centric platform. Develop a strategic approach to the OISC's use and growth of social media.	Website review report and recommendations, with refreshed website structure and content. Social media strategy and programme of planned content.
	Colleagues are more engaged, informed and invested in the OISC's strategic direction and delivery of its operational priorities.	Review current internal communication activities. Develop an Internal Communications Strategy and delivery plan	Internal Communications survey. Internal Communications Strategy and engagement plan.

6. Our development programme

Alongside our Business Plan activities, in 2020/21 we will also begin a new development programme which will reform the OISC into a modern and engaging organisation, geared to meet the needs of advice seekers in the 2020s.

In 2020/21 our development aims are:

- To better understand users of the immigration system, where and how advice is sought, improving the data we hold and becoming more intelligence led in all our decisions.
- To establish closer relationships with our peers and key stakeholders, becoming more collaborative in our ways of working and engaging others in our plans.
- To explore different models of delivery that will make us more effective and efficient in how we register and monitor immigration advisers, improving the service we provide.
- To develop our systems and technology around the needs of our staff and our customers so we are a more modern, responsive and efficient organisation.

Outcome	Activity	Outputs / measure
Clear understanding of the transformation agenda priorities and activities to be undertaken in 2020/21.	Develop a transformation strategy which meets the requirements of the OISC vision and is in line with identified budgets and available resources.	Transformation strategy developed and adopted.
Programme of activity for 2021/22 identified early and resource implications and prioritisation understood and accepted.	Transformation activities are identified and built into the 2021/22 Business plan alongside Business as Usual objectives and activities.	Transformation activities for 2021/22 identified. 2021/22 Business Plan has identified transformation activities included.

7. Our resources

People

We employ 65 colleagues across the OISC. Our business plan activities include a number that focus on developing and investing in our staff, to ensure we have the right leadership, skills and values to deliver our 2020/21 Business Plan.

Finance

Our budget to deliver the Business Plan activities and transformation aims for 2020/21 is £3,820,000.

