

OISC

**EU Settlement
Scheme - Adviser
Application and
Competence
Statement**

Personal Details

Your application form **MUST** be fully completed or your application may be refused.
Please ensure that all declarations are signed prior to submitting your form.

Each new adviser in an organisation should complete a separate application.

Full name of adviser:

Gender:

National Insurance number:

Also known as/ previously known as:

Date of birth:

Nationality:

Individual email address:

Is the above email address:

Personal:

Business:

Telephone number:

Organisation's name:

(Please note that it is only possible to apply for OISC registration through either an OISC-registered organisation, or an organisation currently applying for OISC registration)

Current Address:

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(you only need to provide this if you need to do a new DBS check through the OISC)

I consent for my personal information (full name, title, date of birth, e-mail address, postal address and phone number) to be forwarded to DDC to carry out a DBS check for me:

(You should not tick this box if you have already submitted or are planning to submit a standard/enhanced DBS check issued within the last 6 months)

Please tick the box indicating your employment status:

Employed member of staff

Self-employed member of staff

Volunteer

OISC reference number (for advisers joining currently registered organisations):

New Adviser Application

Please tick to indicate that you are seeking authorisation at Level 1 Immigration limited to the EU Settlement Scheme.

If you wish to seek authorisation at a higher level or in additional categories please complete the New Adviser Application that can be found at the following link - [New Adviser Application Form](#)

Category of advice	Level 1
Immigration limited to the EU Settlement Scheme	

Requirement	Please tick
I confirm that I am aware of the work permitted to be undertaken by an adviser regulated at Level 1 Immigration limited to the EU Settlement Scheme and will not provide immigration advice or services that fall for regulation outside of this area.	
I confirm that I have read and understand my obligations in relation to all the Commissioner's Codes.	
I enclose a scanned copy of my original Standard DBS disclosure certificate dated within the last 6 months.	
General Data Protection Regulation (GDPR) requirement I confirm that I have read and understood the DBS Standard check privacy policy found below and I understand how DBS will process my personal data: Privacy Policy – Standard Checks Declaration https://www.gov.uk/government/publications/standard-and-enhanced-dbs-check-privacy-policy	

Proof of right to work

If you are a British National, you must provide a legible copy of your passport as proof of right to work.

If you are a European Union citizen, as of 1 July 2021, an EU passport no longer demonstrates proof of right to work – you must also provide a copy of a document showing your immigration status that gives the right to work, such as a Biometric residence card or letter from the Home Office confirming your settled status under the EU Settlement Scheme.

You must demonstrate that you have valid leave to remain and right to work in the United Kingdom for a minimum of 18 months at the point of application*.

If you are a visa national, you will need to provide a copy of your stamped passport and other relevant documents to prove your right to work in the UK.

Advisers should send scanned copies of the above documentation with their application to the OISC via its file sharing facility on the OISC website. Please do not forward or post any original documents as the OISC office is closed.

****individual advisers with less than 18 months leave applying to join existing regulated organisations will be considered on a case by case basis.***

Language Requirements

The Commissioner considers that it is essential for adviser to be able to communicate clearly and accurately in English in order to be able to represent their client effectively when dealing with the Home Office, the Tribunals Service and other relevant third parties.

The Commissioner's Guidance on Competence contains detailed guidance on the communication and comprehension skills expected of advisers applying at Level 1.

Advisers who fail to show that they are able to communicate clearly and accurately in English may have their applications refused.

Required Knowledge and Skills

In order to be authorised at Level 1 limited to the EU Settlement Scheme you must satisfy the Commissioner that you have the knowledge and skills set out below.

Knowledge

- An ability to identify EU citizens and their family members who will be likely to qualify for status under the Immigration Rules related to the EU Settlement Scheme
- An ability to advise non-EU citizen family members who are without a documented right of permanent residence, those with retained rights of residence and those who may be unsure of their qualification as a family member of an EU citizen due to bereavement, relationship break down or adoption issues
- A clear understanding of the documents required to support applications under the scheme and an ability to advise clients on how such evidence might be attained
- Knowledge of the simplified process available for EU citizens who have previously been issued a permanent residence document or indefinite leave to remain or enter
- Knowledge of issues that may negatively affect the application such as issues of suitability and time spent outside the UK
- An ability to navigate the Immigration Rules to identify exceptions to the requirements that are applicable to certain groups circumstances applying under the EU Settlement Scheme
- Knowledge of the application process including fees and time limits
- Knowledge of Home Office operating procedure in the consideration of applications submitted under the EU Settlement Scheme
- An ability to advise clients regarding the position of family members currently overseas who may wish to join them in the UK and future family members
- Knowledge of the process and procedures for remedying any simple omissions related to the EU Settlement Scheme applications and an understanding of the principle of evidential flexibility and where this is likely to be applied
- Knowledge of procedure and processes relating to administrative review and an awareness of the processes that will be involved in an appeal against refusal, and which type of refusals attract an administrative review and/or appeal
- A clear understanding of the limits of their knowledge and competence, and an understanding and sensitivity as to when a client's case has to be referred to an adviser authorised at a higher level.

Skills

- The ability to navigate the online instructions for the submission of the application and supporting documents and use the required App
- The ability to draft where necessary clear letters or notes in English to support the application
- Sufficient verbal, communication and interpersonal skills to:
 - identify the client's wishes and intentions and the relevant facts of the case
 - communicate advice clearly to a client, giving reasons and explaining all options; and
 - inform the client of what steps they and the adviser need to take, including any urgent action
- The ability to identify vulnerable clients and to make appropriate provision (including referral) for such clients
- The ability to identify the range of evidence needed to support an application
- The ability to identify appropriate resources (e.g. textbooks, internet) and to use them effectively

- Awareness of, and a commitment to follow, established good practice
- The ability to act with an appropriate sense of urgency
- The ability to maintain clear, comprehensive, accurate and structured records, in line with the requirements of Codes 53-57 of the Commissioner's Code of Standard

Please provide details in the relevant sections below of training and experience which you have undertaken that relates to the knowledge and skill requirements set out above.

For example:

If you have experience of working with migrant groups providing advice related to welfare issues such as housing, employment or education issues then you are likely to have the required verbal, communication and interpersonal skills to identify the client's needs, communicate advice clearly and inform them of what action they need to take.

If you have assisted clients in completing applications in relation to welfare issues then you are likely to have the ability to navigate online or detailed application instructions and be able to identify and collect appropriate evidence and act with an appropriate sense of urgency.

If you have cared for or advised vulnerable adults or children then you are likely to be able to identify vulnerable clients and know how to make appropriate provision for them. Equally, you may have received training regarding vulnerable persons.

If you have received specific training regarding the EU Settlement Scheme or training in other areas of EU Immigration law then this will be helpful in demonstrating your competence of the knowledge required.

If you have not attended any formal training in the EU Settlement Scheme but have received in house training, coaching, mentoring or instruction, then you may need to check if all the points listed under the required knowledge list were covered in your training.

If you have any formal qualifications these may help demonstrate your competence in relation to the knowledge and skills required.

Please ensure you provide sufficient detail regarding:

Experience

- Where experience was gained (please also provide contact details)
- The extent of work undertaken (how many clients did you deal with over what time periods)
- The nature of the work undertaken
- If the work you undertook was regulated by any other regulatory body

Training

- What formal training courses you have attended, their duration, the areas covered by the course, the training provider and dates attended. (Please include a copy of any certificates from relevant training attended)
- Any informal training, study, mentoring or coaching that you have undertaken, with details of the content and duration and persons who facilitated the learning
- Any qualifications you hold which may be relevant (please include a copy of your qualification but do not send us the original)

Applicant's declaration of relevant experience and training

Please state below details of the any experience or training you wish the OISC to take into consideration in relation to this application. Applicants should be aware that the OISC may seek to verify experience or training with former employers or training providers.

Declarations

<p>In the last five years have you traded under a different name or been known by a different name?</p>		<p>If yes, please give details:</p>
<p>Are you currently regulated by the OISC?</p>		<p>If yes, please state organisation and adviser reference numbers:</p>
<p>Have you previously been regulated by the OISC?</p>		<p>If yes, please state dates, organisation and adviser reference numbers:</p>
<p>Are you or have you been a member of a professional body in the UK or abroad?</p>		<p>If yes, please give details:</p>
<p>Do you currently own or work in any other business?</p> <p>If "Yes", give details of all other businesses, including the nature of the business and your role in it. Please state whether you intend to continue with that business if this application is successful.</p>		<p>If yes, please give details:</p>
<p>Are you currently employed?</p> <p>If not, please give details of your most recent employment and the nature of your work.</p>		<p>If yes, please give details:</p>
<p>Are you subject to any restrictions on your residence in or permission to work in the United Kingdom?</p>		<p>If yes, please give details:</p>
<p>Do you have any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)?</p> <p>and/or</p> <p>Are you currently subject to any criminal proceedings in the UK or abroad?</p>		<p>If yes, please give details:</p>
<p>Have you been the subject of any adverse finding or settlement in civil proceedings?</p>		<p>If yes, please give details:</p>

<p>Have you been or are you the subject of any existing or previous disciplinary proceedings by other regulatory authorities or professional bodies in the UK or abroad?</p>		<p>If yes, please give details:</p>
<p>Have you, or any business of which you have been an owner or manager, been the subject of any substantiated complaint relating to regulated activities?</p>		<p>If yes, please give details:</p>
<p>Have you, or any business with which you have been involved, ever been refused the right to carry out a trade, business or profession requiring a licence, registration or other authority, or have had that authorisation revoked, withdrawn or terminated, or has been expelled by a regulatory or government body?</p>		<p>If yes, please give details:</p>
<p>Have you, or any business with which you have been involved, been investigated, disciplined, censured or suspended or criticised by a regulatory or professional body, a court or Tribunal, whether publicly or privately?</p>		<p>If yes, please give details:</p>
<p>Have you ever been dismissed, or asked to resign and resigned, from employment or from a position of trust, fiduciary appointment or similar?</p>		<p>If yes, please give details:</p>
<p>Have you ever been a Barrister, Solicitor, Advocate or member of CILEX, or supervised by one of the above?</p>		<p>If yes, please give details:</p>
<p>Have you ever been subject to disciplinary action or intervention by a Designated Professional Body or a Designated Qualifying Regulator, e.g. The Law Society or Bar Council or overseas body equivalent to the OISC?</p>		<p>If yes, please give details:</p>
<p>Are you prohibited by The Law Society's Rules or equivalent from being employed as a solicitor's clerk?</p>		<p>If yes, please give details:</p>
<p>Have you ever been declared bankrupt?</p>		<p>If yes, please give details:</p>
<p>Have you ever been disqualified or banned from being a director of a company?</p>		<p>If yes, please give details:</p>
<p>Have you been sued by a client or made a claim on your Professional Indemnity Insurance in the last five years?</p>		<p>If yes, please give details:</p>

Have you ever been disqualified as acting as a charity trustee?		If yes, please give details:
Have you ever been involved in any conduct which may call into question your honesty, integrity or respect for the law?		If yes, please give details:

Declaration

I declare that the answers that I have given are true and correct to the best of my knowledge and belief. I have declared all information relevant to the consideration of my fitness as a person providing immigration advice and services.

I understand that the information given in this application form may need to be checked against the records of other agencies including professional bodies, regulatory agencies and the police in the UK and abroad.

I undertake to notify the OISC of any material changes to the information I have given in this application.

I understand that any false statement or deliberate omission in the information I have given could result in the application being refused.

I have submitted a DBS check and submitted a **photocopy** or **scanned image** of the receipt issued by the Post Office **or** I have submitted a **photocopy** or **scanned image** of my original DBS Disclosure Certificate.

I have submitted a **photocopy** or **scanned image** to demonstrate that I have valid leave to remain and the right to work in the United Kingdom at the point of submitting my application.

By ticking this box I declare that I will be available to supply the Commissioner with any requested amendments or additional information for the duration of my application process

Print full name:

Date: