



# Office of the Immigration Services Commissioner

Annual Report and Accounts

# 2022/23

Incorporating the Commissioner's  
report on regulation by the Designated  
Professional Bodies of their members.

HC 662



# Office of the Immigration Services Commissioner

## **Annual Report and Accounts**

For the period of 1 April 2022 to 31 March 2023.

Incorporating the Commissioner's report on regulation by the Designated Professional Bodies of their members.

Annual Report presented to Parliament pursuant to paragraph 21(3) of Schedule 5 to the Immigration and Asylum Act 1999.

Accounts presented to Parliament pursuant to paragraph 20(3) of Schedule 5 to the Immigration and Asylum Act 1999.

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# Performance Report

## 1.1 Overview

This overview provides information on the Office of the Immigration Services Commissioner (OISC), including our purpose and activities, the key risks against achieving our objectives and a summary of our performance for 2022/23.

### 1.1.1 Commissioner's statement

**In the 12 months to 31 March 2023, the immigration agenda has become one of the most significant political issues for the Government.**

There have been many different areas of concern, ranging from migrants crossing the channel in small boats, to new immigration laws, policies, and processes to address geopolitical events that impacted immigration to the UK.

*“The ongoing changes to the immigration system has meant the demand for immigration advice has continued to grow.*



The ongoing changes to the immigration system has meant the demand for immigration advice has continued to grow. Fortunately, the number of people wishing to become immigration advisers is also rising. However, the availability of the right kind of advice, in the right place and the right time, is still far below the levels of demand for what is needed across the United Kingdom. A significant challenge for the future will be how to ensure the availability of immigration advice, through appropriate regulated channels, in ways that can meet the needs of those seeking advice.

The regulation by the Office of the Immigration Services Commissioner (OISC) of immigration advisers this year has seen a further steady improvement in the quality of advice being given. While a few practitioners have departed or been removed from the scheme, supportive regulation is doing more to assist all to meet

required standards, and this year has seen the start of moving OISC regulation towards a more principle-based approach, in line with the UK's Better Regulation Framework.

However, the current imbalance of supply and demand encourages those who seek to provide advice illegally, without being registered or regulated. The OISC is committed to disrupting this illegal activity, which often results in exploitation of vulnerable advice seekers and abuse of the immigration system.

In the reporting year, the OISC saw comparable levels of complaints with previous years. These complaints are often the first indication of illegal activity. The OISC also laid the foundations of improved

*“ The OISC is committed to disrupting this illegal activity, which often results in exploitation of vulnerable advice seekers and abuse of the immigration system.*

intelligence sharing mechanisms with other agencies to broaden how illegal advice giving can be detected and disrupted.

A major feature of the last year has been the establishment of three regional operations teams conducting all regulation and enforcement activities the OISC undertakes across the UK. Having people physically situated where they can relate and react to local issues is already proving a more effective way of working than the former London-centric model. It has enabled OISC staff to engage with local advice seekers, immigration advisers and stakeholders in new ways. A pilot in Liverpool with housing organisations has yielded valuable insights into how such engagement activities are best carried out, as well as providing the OISC with much useful information about advice seeker needs and their journeys.

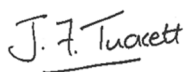
The OISC has now vacated its former offices in Bloomsbury Street, London, and has become an organisation working

entirely remotely, with staff now home-based across the UK. ICT systems have been updated and are now managed within the Cloud environment, giving much greater operational flexibility. Resulting efficiency savings have enabled investment in frontline services and the development of the regional teams. Being a remote organisation has its own challenges; the OISC has therefore adopted a number of novel practices to ensure the vital interactive, collaborative employee engagement that any organisation needs, including regular in person activity.

The OISC is in the middle of a major transformation programme and the last year has been especially challenging for staff as they have come to terms with new models of working and the introduction of new systems and equipment. Next year will be equally challenging as we use the new ICT capabilities to modernise our processes and develop more effective data handling and analysis capabilities to address the

challenges of the immigration environment. The team has responded thus far with professionalism and excellence, clearly communicating invaluable feedback, and I have no doubt the same will be true for the year ahead.

I am extremely proud of the dedication and determination staff have shown to put the advice seeker at the heart of OISC's work and ensure that immigration advisers are regulated in a professional and supportive manner.



**John Tuckett**

Immigration Services Commissioner and  
Accounting Officer

20/03/2024

*“I am extremely proud of the dedication and determination staff have shown.”*

## **1.1.2 About the Office of the Immigration Services Commissioner**

The OISC is an arms-length body of the Home Office, led by the Immigration Services Commissioner, John Tuckett.

Our statutory duties are set out in the Immigration and Asylum Act 1999 and include regulating immigration advice and services across the UK. In 2022/23, we were funded through a grant-in-aid budget of £5,320k to carry out our statutory regulatory responsibilities with 57 employees working remotely across the whole of the UK.

We regulate 3,326 individual immigration advisers and 1,921 organisations. We collected fees of £1,039k in 2022/23, of which £1,039k were remitted to the Home Office.

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

The Commissioner is supported by an Audit, Risk and Assurance Committee and an Executive Team.

Our senior sponsor in the Home Office is the Deputy Director for the 'Human Rights and Family Policy Unit' within the 'Migration and Borders Group', responsible for the policy and legal framework within which we work. Our relationship with the Home Office is defined by a Framework Agreement, which details accountability, governance, finance and reporting arrangements, overseen by the Home Office Sponsorship Unit.

### **1.1.3 Our purpose and core activities**

We fulfil our statutory duties as set out in the Immigration and Asylum Act 1999 by promoting good practice across the sector, setting standards for immigration advice and services, and ensuring those standards are upheld.

Specifically, this means:

- assessing and registering those who want to provide immigration advice against OISC levels of competence (levels 1, 2, and 3);
- auditing the performance of organisations and advisers ensuring standards are maintained;
- managing and investigating complaints against immigration advisers;
- investigating and taking enforcement action against those who provide poor service or immigration advice illegally; and
- overseeing those who regulate immigration advice by solicitors and barristers in Scotland and Northern Ireland, where legal systems differ.

#### **1.1.4 Our key risks and issues**

Each year, our annual business plan is informed by the strategic and operational risks we seek to mitigate and manage. In 2022/23, five principal risks which had the potential to impact on delivery of our



strategic objectives were identified, managed and mitigated. These include:

- A cyber-attack on IT systems.
- An influx of migration leading to an unprecedented demand for immigration advice and services.
- Third party IT suppliers failing to meet OISC operational requirements or effectively manage security risks.
- Current business processes not making optimum use of new IT capabilities.
- Potential fraud arising from the organisation working entirely remote.

More about our risks can be found in Part 2 (page 47).

### **1.1.5 Going concern statement**

Our accounts have been prepared on a going concern basis with the future financing of the OISC's liabilities to be met by Grant-in-aid funding, approved annually by Parliament. Approvals for amounts required for 2023/24 have been given, and there is no reason to believe future approvals will not be forthcoming.

The OISC was established by the Immigration and Asylum Act 1999, and the Triennial Review into the OISC (published in 2017) confirmed that there was a continued need for regulation of immigration advice and services that the OISC should continue to provide as a non-departmental public body.

Our future cash flow projection is adequate to cover liabilities as they are due, up to the period of 12 months after the date of certification by the Comptroller and Auditor General.

## **1.2 Performance summary**

### **Delivery against our business plan**

#### **1.2.1 Strategic aims and objectives**

In our annual business plan we set out a programme of activities in support of our six objectives, measured on a quarterly basis through the organisation's Executive Team and via formal performance meetings. The following section provides a summary of performance against these objectives:

Objective	Summary
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
Promote	Ensure advice seekers and those around them know how and why to access advice from a regulate advisors
Collaborate	We will collaborate with others to create a system that is transparent and easy for the advice seeker to understand and navigate
Enable	Provide high-quality, efficient and cost-effective services where resources are manages dynamically to maximise value

## 1.2.2 Performance summary

# Performance summary

**832 new adviser applications** decided, including regulated individuals applying to raise levels

**70** investigations into complaints of illegal activity completed

**999 continued registration** applications had been **approved**

**5** organisations' **registration cancelled**, or **refused** continued registration

**138 new organisation applications** approved (plus 14 awaiting confirmation)

**81 audits completed**

**742 applicants** sat competence **assessments**

**16** competence assessment events held

**430 passed** competence assessments

## **Objective: Regulate**

The advisers we regulate are supported by our regional teams: Southern, Central and Northern, who provide advice and guidance to advisers, undertake audits, provide advice on applications as well as investigate complaints and disrupt illegal activity.

### ***Applications***

In 2022/23, we received 193 (comparative with 240 in 2021/22) applications from previously unregulated organisations, of which 152 were approved. We received 832 adviser applications, of which 530 were approved. We received 1160 applications for continued registration (in addition, 28 were brought forward from 2021/22). The majority of these (1,036) were approved, 2 were refused and 150 were still to be decided at 31 March 2023.

## ***Assessments***

We ensure that anyone who wants to be an immigration adviser has the right skills and knowledge through our formal competence assessments before accepting them into the OISC scheme. We held 16 online competency assessments (12 at level 1 and 4 at levels 2&3) which ensured all new immigration advisers were fully competent to provide immigration advice. Of the 742 applicants, 430 passed; this is a 58% pass rate, compared with a 55% pass rate achieved by candidates in 2021/22.

## ***Audits***

Our audits provide vital information for the Commissioner about the organisations we regulate. Following an audit, we work with those organisations to ensure they remain compliant with our Code of Standards. In circumstances where the audit shows a serious breach of the Code of Standards, or where repeated audit or complaint findings have not been addressed, we cancel their registration in the OISC scheme.

A total of 81 audits were conducted in 2022/23; sixty were organisations we identified as being high-risk, 13 were organisations which were non-compliant following our Continuing Professional Development Thematic Review, and eight were organisations which were non-compliant following our Client Care Thematic Review. Eight organisations had their registrations cancelled. One organisation was suspended.

Online audits proved popular during the Covid-19 pandemic and where appropriate we maintained them. We resumed in-person audits where that approach was the most effective way to achieve our regulatory aims.

We found that the most common area in which organisations were found to be in breach of the Commissioner's Code related to diligence in clients' care. File management issues and poor record-keeping about fees and accounts were further areas in which organisations have required guidance at audit.

Fifteen audits raised concerns about competence regarding the advice provided to clients and six audits indicated that unauthorised persons were providing immigration advice and services. Five organisations were found to have incidents of misleading the authorities.

### ***Policy/Guidance***

Our regulatory policy team provides regulatory guidance for our advisers and the public, published on our website and circulated via our social media channels.

This year we updated our guidance on becoming a regulated immigration adviser and added to the guidance our assessment process. We updated our immigration assistance practice note and information on our website about Ministerial Exemptions from regulation. We also updated our guidance note on fees and charges. We published a position statement regarding advice provision in relation to claimants completing the new asylum claim questionnaire and worked closely with the Upper Tribunal in relation



to the Judicial Review Case Management guidance note, to ensure tasks undertaken by our advisers under that category were not in violation of the Legal Services Act 2007.

In addition, our policy team responded to over 400 enquiries regarding regulatory policy and undertook significant work to review our current Code of Standards, in preparation for our aspiration to move away from a prescriptive regulatory model towards a more principles-based approach to regulation.

### **Objective: Protect**

We work with partners to identify poor quality immigration advice and services and investigate those who are suspected of providing unlawful immigration advice and services. Where appropriate and necessary, we take enforcement action against individuals providing unlawful advice.

In 2022/23, we received 69 new complaints against regulated advisers (comparative with 92 in 2021/22) and brought forward 32 from the previous year. Seventy-one complaints were resolved or determined within the year, 60 of which were done so within five months

of the complaint being opened. Of these complaints closed, 31 were found in favour of the complainant and a further nine were successfully closed through our redirection scheme, in which the organisation resolves the matter directly with the client, with our support. Although we do not have statutory powers to force an organisation to refund fees, our advice and mediation meant we secured £3,550 in refunds for complainants.

We received 75 complaints about unregulated advisers (comparative with 41 in 2021/22). Of these we issued an immediate written warning to eight and took 67 forward to a formal investigation.

We executed 12 search warrants, resulting in additional evidence collected which has been used to progress investigations.

We initiated two prosecutions in 2021/22 and issued 11 formal warnings. A significant sentence was delivered in a court case following a successful prosecution in 2016, after which the convicted adviser had absconded from the UK.

We continued to establish working partnerships with other enforcement and relevant agencies in the regions, with 293 referrals from other agencies received in 2022/23. Although this was a reduction from 314 referrals in 2021/23, there was an increase in the number of referrals that led to an investigation, with 36 investigations under Section 91, and five under Section 92B (18 and 10 respectively in 2021/22).

### **Objective: Develop**

In 2022 we successfully implemented year two of the intensive Development Programme which laid the foundations to enable the OISC to become an outward looking and proactive organisation, capable of delivering its vision and putting the advice seeker at the heart of its work. The Development Programme was formally closed on 31 March 2023, with a 'lessons learnt' analysis due to be undertaken in Quarter 1 of 2023/24.

This programme provided us with a robust foundation on which to launch a new organisational Development Programme in 2023/24 aimed at the OISC becoming a high performing, data-enabled organisation which puts the advice seeker at the heart of everything we do.

**Establishing a permanent remote working model, new organisational structure, and reviewing corporate and national service functions.**

### ***Permanent Remote Working Model & Regional teams***

In November 2022 we formally vacated our premises in London and set up the OISC as a fully remote working organisation, supported by regular face to face staff conferences and team meetings.

In April 2022 we created three regional teams – Southern, Central and Northern – led by Regional Operations Managers, consisting of regional officers undertaking regulation and enforcement work.

This way of working means we are closer to the areas in which we work, and can focus on engaging directly with regional partners, voluntary organisations, community groups and advisers in each region.

### ***New Senior Leadership Team***

After changes were made to the regional and national teams, we established a new Executive team to deliver OISC priorities and statutory regulatory duties.

We created a Director of Service Delivery role, a Director of Corporate Operations role, and a Director of People, Culture and Programmes role. The Executive team is supported by a leadership forum, consisting of the OISC's managers.

### ***Corporate Services Review***

In 2022/23 we also undertook a review of our IT, finance, HR and legal services which resulted in consolidating some corporate roles, introducing third party IT support as we moved our IT systems into the 'cloud', and disposed of our own hardware and IT infrastructure.

As of 31 March 2023, the review of legal services is ongoing and expected to conclude in 2023/24.

### ***Customer Service Unit***

In April 2022 we set up a new Customer Service Unit, creating a one stop shop for advice seekers, public, advisers and other stakeholders. By having a single point of initial contact, we can provide a more resilient and consistent service, ensuring enquiries are responded to in a timely manner.

This also means we can work to eliminate any duplication across teams, and our regional officers are able to concentrate on regulation and investigatory work.

By working in this way, we have been able to better anticipate specific issues from advisers and advice seekers. We are better

*“ We have created a ‘question’ bank of our most frequently asked questions, which will form a key element of our self-service online portal, which will be launched in 2023/24.*

aware of the issues of most importance to advice seekers and those we regulate. We have created a 'question' bank of our most frequently asked questions, which will form a key element of our self-service online portal, to be launched in 2023/24.

**Providing staff with a new framework in which to operate, enabling the OISC to modernise and achieve its vision.**

In 2022/23 we updated and developed a suite of key policies to support remote working with a regional presence, to ensure staff understood the new framework in which to operate and felt supported whilst working in a fully remote working environment.

**Introducing new systems, technology and digital tools across the organisation that support a more modern, dynamic, and flexible approach to regulation and enforcement.**

We introduced a new case management system hosted on the Salesforce platform to replace our inhouse database, migrated all our IT services into the 'cloud'

environment, outsourced IT support to increase IT resilience and security levels, and issued all staff with modern equipment.

We upskilled our staff to maximise the potential of the new technology and will continue to develop these skills in 2023/24 to support our national engagement, regulatory and enforcement strategies.

We also undertook significant work exploring our data capability to streamline our processes and to support the organisation in becoming fully data-enabled, with further work continuing into 2023/24.

### **Developing a set of values to underpin OISC staff actions and behaviours.**

While the Development Programme primarily focussed on changes to our structures, processes, systems and infrastructure, a core element of the programme addressed not just *what* we do, but *how* we do it. We undertook a culture



enquiry exercise to understand our current organisational culture and to examine what drives our behaviour.

A core set of behavioural values was developed collaboratively with staff and an action plan created to embed these values in everything we do and in all our interactions with each other, our stakeholders and the public.

**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.**

In 2022/23 we introduced a new salary framework that is comparable with other public sector bodies. We also invested significantly in learning and development to ensure staff have the right skills and

*“ A core set of behavioural values was developed collaboratively with staff and an action plan created to embed these values in everything we do.*

experience. We embedded new ways of working so that staff were fully supported as they transitioned into new teams, roles and working in a fully remote way.

## **Our values are**

We **support** each other, working as one **organisation**.

Our **success** comes from **collaboration**.

We act with **authority**, putting the **advice seeker** first.

We look to the **future** and are ready to **change**.

We see things from others' **perspectives**.

## **Objective: Promote**

The OISC is a critical organisation in the immigration system and must work effectively and efficiently with its key stakeholders and partners. Therefore, the Promote agenda was central to our mission and integral to fulfilling our vision to put the advice seeker at the heart of what we do.

This year we have had an increased focus on engagement and have adopted an experimental approach to identify the type of engagement that would deliver the best outcomes, and how we could best access and influence advice seekers.

We wanted to focus on a specific geographical area that had fewer advisers than it needed and chose the Liverpool and wider Merseyside area. We selected the housing sector as it is among the first responders on the migrant journey, with excellent knowledge of advice seekers' needs.

We met and spoke with various organisations across the private, public and third sector, listening to the key challenges and opportunities to ensure advice seekers knew how and where to access good quality immigration advice, and were able and confident to complain about poor advice.

The wealth of experience we found in the wider migrant support sector has been invaluable. We have been able to share intelligence, information and expertise which will be vital for us to disrupt future illegal activity in the advice sector.

We will use the lessons we've learned across Merseyside with our regional teams and will continue to focus on specific areas in the UK where we know there are not enough advisers to meet demand. We will also work closely with organisations and community groups who can provide local intelligence and information to ensure our focus is on

*“The wealth of experience we found in the wider migrant support sector has been invaluable.*

ensuring poor quality immigration advice is minimised, and illegal activity is disrupted so we can make a difference for advice seekers.

We have refreshed our social media channels and continued to run regular digital campaigns (posters and videos) to raise awareness of the importance of seeking immigration advice from a regulated adviser, and to encourage people to complain if they have received poor immigration advice. We also used our channels to engage with specific communities, and share our policies, information, best practice and news.

Our posters (which can be used digitally and traditionally) are translated into a range of different languages, and we are able to react quickly to requests for specific languages. This year, we provided posters for events and organisations in Bulgarian, Roma, Lebanese, Afghan and Burmese communities. We also distributed posters to immigration processing

*“This year we engaged closely with those from the Chagossian community.*

centres and holding facilities to promote the need for a regulated immigration adviser. We send these out regularly on request and proactively.

We continued to monitor any new routes to British nationality, where we know people will be seeking advice and therefore more vulnerable to unscrupulous individuals giving poor or illegal advice. This year we engaged closely with those from the Chagossian community in the UK, after the Nationality and Borders Bill gave the right for direct descendants of Chagossians born on the islands to acquire British or British Overseas Territory citizenship. We also continued to respond to the situation in Ukraine by ensuring our Ukrainian guidance was promoted and shared among relevant communities and organisations.

### **Objective: Collaborate**

In 2022/23 we continued to work jointly with other legal regulators (e.g. the Solicitors Regulation Authority, Bar Standards Board, Legal Ombudsman and

the Chartered Institute of Legal Executives), along with third sector partners to help advice seekers overcome any barriers to accessing good quality, regulated advice, and preventing them falling foul of unlawful, unqualified advisers.

We have worked with other regulators this year focusing on best practice for immigration advice, including taking part in webinars with the Solicitors Regulation Authority, and contributing to its thematic review into the immigration sector.

We provide ongoing support to Refugee Action's project which supports partner organisations to build capacity providing advice to migrants, refugees and asylum seekers; this has been achieved by inputting regularly into training sessions and sharing best practice, as well as attending '*Ask Me Anything*' events for the community and voluntary sector.

We also work across the community and voluntary sector to support them in completing the application process, helping

to increase the number of registered advisers to provide more opportunities for advice seekers to find a qualified adviser when and where they need one.

### **Objective: Enable**

To enhance our regulatory, enforcement and engagement work our corporate services have continued to support the organisation. In 2022/23 we have ensured our staff have the assistance they need whilst working in a new fully remote working environment. Our financial statements continue to be produced in line with Government's financial reporting guidance, and we managed our budget within allocated monies.

We also continued to monitor performance and risks; we ensured staff had key work objectives and appraisals, and we

*“We continued to ensure counter anti-fraud activities were identified and maintained across all OISC departments.*



continued to ensure counter anti-fraud activities were identified and maintained across all OISC departments.

We responded to all freedom of information and subject access requests within the required timeframes and our Legal Team also ensured all OISC regulatory and enforcement decisions were proportionate and legally robust.

### **1.2.3 Business Impact Target**

The Immigration Services Commissioner is a 'relevant regulator' for the purposes of section 22 of the Small Business, Enterprise and Employment Act 2015, and therefore the OISC is within the scope of the Regulators' Code.

During the Business Impact Target reporting period (17 December 2021 and 16 December 2022), we made no changes to our regulatory policies and practices that met the qualifying threshold for submission as a Qualifying Regulatory Provision.

## **1.3 THE COMMISSIONERS REPORT ON REGULATION BY THE DESIGNATED PROFESSIONAL BODIES OF THEIR MEMBERS**

This report, which is made in accordance with Part V of the Immigration and Asylum Act 1999, provides the Commissioner's opinion on the extent to which the Designated Professional Bodies (DPBs) have provided effective regulation of their members in the provision of immigration advice and/ or services.

The DPBs are the Law Society of Northern Ireland, the General Council of the Bar of Northern Ireland, the Law Society of Scotland and the Faculty of Advocates.

### **The Law Society of Northern Ireland**

The 2021/22 annual report stated that the Legal Complaints and Regulation Act (NI) 2016 was still awaiting its full enactment which it was hoped would be in 2022/23. However, enactment cannot be progressed until the Northern Ireland Executive is formed. As of 31 March 2023, there are three non-OISC referral matters before the

Solicitors Disciplinary Tribunal (SDT). Two complaint matters are against the same firm and one matter involved issues concerning undue delay, not keeping the client properly informed, failing to respond to reasonable enquiries and acting contrary to client's instructions.

The second concerns issues of undue delay and inaction in relation to an application for a Permanent Resident Card, failing to keep the client properly informed, acting contrary to the client's instructions and failing to respond to the in-house client complaint.

In relation to both the above matters, Law Society of Northern Ireland reported that it had not received any Replying Affidavit/ Questionnaire from the Respondent Solicitor. As of 31 March 2023, the matters have not been listed for hearing before the Solicitors Disciplinary Tribunal.

The third matter is an intervention matter from 2021/22, as the Solicitor has failed to respond to enquiries. The Law Society confirmed that this matter has been listed for hearing in June 2023.

The OISC will monitor the progress of all three matters.

The Society's work with third sector groups continues. These groups assist those seeking immigration advice and assistance, the focus being accessibility to the Society's complaints processes. It was reported that there is now a clear complaints procedure available on the Law Society's website that allows anyone with internet access to make a complaint against their solicitor.

## **The General Council of the Bar of Northern Ireland**

No complaints were received or were outstanding as at 31 March 2023 in respect of the Bar Council.

## **The Law Society of Scotland**

The Society (Scotland) reported that of the three complaints received in 2021 but concluded in the last year, two have been decided on a 'no further action' basis.

Those cases concerned an alleged data breach by an employee of the firm, and a failure to lodge an appeal timeously. As of 31 March 2023, one case has been sent for prosecution at the Scottish Solicitors Disciplinary Tribunal (SSDT). That concerns an allegation that the solicitor inappropriately took money to fee instead of paying the NHS levy.

One prosecution concluded with a 'not guilty' finding.

As of 31 March 2023, of the cases received in 2022, the Society (Scotland) has three under investigation. The allegations are that a solicitor failed to lodge an application for ILR timeously, that a solicitor incorrectly applied for Legal Aid in Scotland rather than England and Wales, and that a Solicitor committed serious breaches of the accounts rules and made various communication failures with his clients. In 2023, the Society (Scotland) received and intimated a further complaint that a client was misinformed by their Solicitor about their right to work in the UK.

The Society (Scotland) informed the OISC that there has been an overall downturn in all cases received through the SLCC gateway.

### **The Faculty of Advocates.**

No immigration complaints were received or were outstanding in the year.

*J. F. Tuckett*

**John Tuckett**

Immigration Services Commissioner  
and Accounting Officer

20/03/2024

# Accountability Report

## 2.1 Corporate governance report

### 2.1.1 Directors' Report

These financial statements report the results of the Office of the Immigration Services Commissioner (OISC) for the year 1 April 2022 to 31 March 2023 and incorporate the content required with a Directors' Report, as required by the Government Financial Reporting Manual (FReM). It has been prepared in accordance with any Accounts Direction given by the Secretary of State for the Home Department with the consent of HM Treasury, in accordance with Schedule 5 paragraph 20 (1 and 2) of the Immigration and Asylum Act 1999 (the Act).

### Commissioners

The OISC is led by the Immigration Services Commissioner, who is a Corporation Sole. The Commissioner is appointed by the Secretary of State for the Home Department (Home Secretary). Mr John Tuckett was appointed as Immigration

Services Commissioner on 8 July 2019 for a period of five years.

Details on salary and pension benefits for the Commissioner can be found in the Remuneration and Staff Report.

### **Non-Executive Advisers**

The Commissioner is supported by an Audit and Risk Assurance Committee (ARAC). Members are appointed by the Commissioner for a three-year period with the option to extend for a further three.

### **Appointment dates**

<b>Name</b>	<b>Title</b>	<b>Date</b>
<b>Simon Smith</b>	ARAC Chair	January 2022 – December 2024
<b>Daniel Bunting</b>	ARAC Member	March 2021 – March 2025
<b>Sue Gallone</b>	ARAC Member	March 2021 – March 2025
<b>Jon Hayes</b>	ARAC Member	March 2021 – March 2025



## **Interests**

During 2022/23 the Commissioner held no company directorships or other significant interests relating to the OISC's interests, and there were no significant interests held by any of the Non-Executive Advisers which may conflict with their responsibilities. A register of interests is held by the OISC and is up to date.

## **Results for the period**

The accounts for the year 1 April 2022 to 31 March 2023 are set out on pages 115 to 120. The notes on pages 121 to 142 form part of the accounts. In accordance with Schedule 5 paragraph 20 of the Act, the OISC's financial statements cover the period 1 April 2022 to 31 March 2023 and are prepared on an accruals basis in accordance with any Accounts Direction issued to the Commissioner by the Secretary of State for the Home Department with the consent of HM Treasury.

Grant-in-aid received was used to finance activities and expenditure which supports the statutory and other objectives of the OISC are treated as financing and are credited to the General Reserve because they are regarded as contributions from a controlling party.

Total operating expenditure for the year was £4,486k (2021/22 £4,053k) of which £3,408k (2021/22 £2,966k) were employment costs.

### **Compliance with public sector payment policy**

The OISC policy, in line with government policy, is to pay all invoices within 30 days of receipt, unless the amount billed is in dispute. In the year ended 31 March 2023, 98% of invoices were paid within 30 days of receipt (2021/22: 100%). Suppliers can claim statutory interest where a buyer has not paid an undisputed and valid invoice within 30 days (or any earlier payment date agreed in the contract). No such claims were received during the year.

## **Environmental and sustainability report**

The OISC acknowledges our responsibility to manage and reduce the impact that our work as a regulator has on the environment.

By reducing our consumption of resources, using those we must consume more efficiently, and balancing unavoidable emissions where possible. We aim to minimise the environmental impacts of our operations under our Greening Government Commitments and our commitment to Net Zero in 2050. Greening Government disclosures are made in full, by the Home Office in its Annual Report and Accounts.

We also bear in mind the need to provide sustainable solutions as we undertake our regulatory and investigatory activities.

We have adopted the Home Office Environment Policy as it applies to the OISC.

## **Employment policies**

As part of our Development Programme, we reviewed, with our staff representatives and trade unions, key employment policies to ensure they were fit for purpose for our remote organisation, and new ways of working.

We operate a Dignity at Work policy which fully supports the right of all its members of staff and external stakeholders it engages with to be treated with dignity and respect.

## **Social matters, respect for human rights, anti-corruption, and anti-bribery matters**

We operate a Dignity at Work policy which fully supports the right of all its members of staff and external stakeholders it engages with to be treated with dignity and respect.

All staff were required to undertake mandatory training in counter fraud, bribery and corruption over the last year.

The OISC is not required to produce a statement under the Modern Slavery Act. However, we are committed to ensuring that there is no modern-day slavery or human trafficking in any of our supply chains or in any part of our business. Any indication of such activity would be dealt with promptly and robustly. We take a similar approach to the maintenance of human rights, anti-corruption and anti-bribery.

### **2.1.2 Statement of Accounting Officer's responsibilities**

Under the Immigration and Asylum Act 1999, the Secretary of State for the Home Department has directed the Immigration Services Commissioner to prepare for each financial year a Statement of Accounts in the form and on the basis set out in any Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the OISC and of its income and expenditure, financial position and cash flows for the financial year. In preparing the accounts, the Accounting Officer is required

to comply with the requirements of the Government Financial Reporting Manual (FreM) and in particular to:

- observe any Accounts Direction issued by the Secretary of State, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis
- make judgements and estimates on a reasonable basis
- state whether applicable accounting standards as set out in the FreM have been followed, and disclose and explain any material departures in the financial statements
- prepare the financial statements on a going concern basis
- confirm that the annual report and accounts as a whole is fair, balanced and understandable and take personal responsibility for the annual report and accounts and the judgements required for determining that it is fair, balanced and understandable

The Accounting Officer of the Home Office designated the Immigration Services Commissioner as the Accounting Officer of the OISC on appointment on 8 July 2019. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the OISC's assets, are set out in the Accounting Officers' Memorandum issued by HM Treasury.

### **Disclosure of audit information to auditors**

As Accounting Officer, I have taken all the steps I ought to have taken to make myself aware of any relevant audit information and to establish that the OISC's auditors are aware of that information. So far as I am aware, there is no relevant audit information of which the auditors are unaware.

*J. F. Tuckett*

**John Tuckett** Immigration Services  
Commissioner and Accounting Officer

20/03/2024

## **2.1.3 The Governance Statement**

### **Overview**

As the Office of the Immigration Services Commissioner's (OISC) Accounting Officer, I am accountable for the management and control of the resources at the OISC, and for maintaining a sound system of risk management, governance and control in support of achieving the OISC's policies, aims and objectives.

### **Oversight and governance**

The OISC is a Non-Departmental Public Body established through the 1999 Immigration and Asylum Act. As Immigration Services Commissioner, I act as Corporation Sole and am accountable to the Home Secretary.

The OISC's sponsoring department is the Home Office, to which the OISC is accountable for its use of resources and performance. The corporate governance



arrangements between the Home Office and the OISC are set out in a framework document. Home Office oversight of the OISC is managed through the OISC's Senior Sponsor (Deputy Director for the Human Rights & Family Unit within the Migration and Borders Group,) and the Home Office Sponsorship Unit (HOSU).

The OISC complies with the Cabinet Office code of corporate governance to the extent that it is applicable. Owing to the statutory framework under which the OISC was established, with the Commissioner acting as Corporation Sole, the OISC does not have a management board with non-executive directors. The Commissioner is supported by an Audit and Risk Assurance Committee (ARAC) and a senior management team. The ARAC acts 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. The senior management team provides executive governance, reporting on financial, strategic, and operational issues and on performance against the OISC's annual business plan. Their responsibilities are set out in detail in the OISC's Governance Framework.

Assessment of effectiveness includes an annual assessment of the Commissioners' activities and performance by the OISC Home Office Senior Sponsor, who reports accordingly to ministers. A detailed report on performance is presented to the Commissioner at quarterly performance meetings. These meetings are attended by senior individuals across the organisation and, in most instances, data is drawn from reporting systems including the organisation's case management system.

## **Audit and Risk Assurance Committee**

The Audit and Risk Assurance Committee (ARAC) currently comprises of four non-executive members, drawn from a variety of sectors. It provides an independent view and challenge on the OISC's governance, its financial management, risk management and assurance processes. The formal responsibilities are set out in its Terms of Reference. These were considered and agreed at the ARAC held in March 2022. The ARAC meets at least four times a year. Meetings are attended by the Commissioner, and relevant members of the OISC's senior management team. Representatives from internal and external audit, Home Office Sponsorship Unit and Home Office Senior Sponsor are also in attendance.

Reports of ARAC meetings are recorded in formal minutes. The ARAC chair conducts an annual self-assessment review of the committee and reports to the Commissioner.

Additionally, the Commissioner asks ARAC members with relevant expertise to support a range of activities, including periodic attendance at meetings of the OISC's Senior Management Team. The ARAC has provided challenge on the delivery of the 2022/23 Business Plan, reviewed the Corporate and Operational Risk Registers and the OISC's financial position at each meeting, and reviewed key policies. It conducts periodic 'deep dives' into aspects of the OISC's operations, such as the audit processes for regulated entities. Individual members have provided input to recruitment activities and to other operations.

<b>ARAC member</b>	<b>Attendance</b>
<b>Simon Smith</b>	4/4
<b>Daniel Bunting</b>	4/4
<b>Sue Gallone</b>	4/4
<b>Jon Hayes</b>	4/4

## **Risk management**

The OISC proactively manages corporate and operational risks through its risk management process and Corporate and Operational Risk Registers. The risk management process enables the identification, prioritisation, and escalation of operational and corporate risks. It identifies risk owner, pre control risk level, mitigating actions and post control risk level, and facilitates escalation and reporting of risk to appropriate tiers of management to inform

business decisions, enable more effective use of resources, enhance strategic and business plans, and strengthen contingency planning.

The Corporate and Operational Risk Registers and risk review process is managed by the Director of Corporate Operations and is formally considered by the executive team and the ARAC on a quarterly basis. Additionally, the Integrated Internal Audit programme and work of the Government Internal Audit Agency is informed by regular mapping to ensure adequate coverage of all key areas of risk.

## 2022/23 key risks

Risk Description	Key Activities to Mitigate Our Risk
<p>A Cyber-attack on the OISC's IT systems leads to a loss of IT capability or a breach of data confidentiality resulting in loss of access to information and ability to carry out business critical activities.</p>	<p>The OISC continues to be signed up to the National Cyber Security Centre's 'Connect Inform Share Protect' Programme, which provides earlier warning of threats likely to impact us.</p>
<p>Geopolitical tensions give rise to an influx of migration leading to an unprecedented demand for immigration advice and services beyond the capacity of the current system of immigration advisers.</p>	<p>Increase collaboration with the Home Office to ensure the OISC is aware of changes in the overall migration picture.</p>

Risk Description	Key Activities to Mitigate Our Risk
<p>Support supplied by third party IT providers fails to meet operational requirements and effectively manage security risks associated with the cloud environment.</p>	<p>Contract manage external suppliers in their delivery of 'cloud' based services, ensuring value for money, compliance with KPIs and the availability of ICT systems.</p>
<p>Current business processes do not make optimum use of new IT capabilities.</p>	<p>Implement LEAN methodology reviews of all core processes in 2023/24.</p>
<p>Potential fraud arising from being a working from home organisation.</p>	<p>Ensure mechanisms are in place to continually monitor opportunities to conduct fraud.</p>



## **Risk appetite**

The OISC is not averse to taking risks. The approach we take as an organisation is based on evidence and a judgement of the likelihood of the untoward event and its potential consequence on the OISC. This means that as an organisation we will prioritise those risks that the business considers to be the 'Mega risks' it faces. In some instances, it will not be necessary for the business to intervene but, instead, to monitor and set a risk tolerance. Where it is necessary to intervene, the OISC will consider the risk and any benefits to be gained versus the cost of mitigating actions. This will be done in a consistent and transparent way.

Type of Risk	Risk level	Comments
External Environment	Open	The OISC has an <b>open</b> risk appetite to taking well managed risks that promote innovation, value for the customers. Our aim is to be efficient and effective in using public money.
Operational	Minimalist	The OISC is heavily reliant on the information, data and intelligence it receives in order to effectively regulate. We operate a risk-based strategy for identifying organisations that warrant close regulation of its activities. We therefore have a <b>minimalist</b> appetite for risk.
	Open	The OISC adopts an <b>open</b> risk appetite for the development and enhancement of its internal processes. We endeavour to implement lean and efficient processes where data can be extracted easily to influence performance.

Type of Risk	Risk level	Comments
Financial	Averse	The OISC is <b>averse</b> to risks regarding internal fraudulent behaviour and maintains robust controls designed to deter and detect this type of behaviour. Such controls are reviewed monthly. The OISC also has in place a whistleblowing policy and a process for reporting and identifying serious staff misconduct with appropriate sanctions.
	Averse	The OISC maintains an <b>averse</b> appetite with regards to an overspend of grant-in-aid funding.

Type of Risk	Risk level	Comments
Legal	Open	The OISC’s statutory legislation has remained unchanged for several years and has been tested on many occasions. We adopt an <b>open</b> appetite to achieving our statutory objectives and to determine the extent of our powers and jurisdiction.
	Averse	We maintain an <b>averse</b> risk appetite to acting illegally or unlawfully or demonstrating behaviour that is likely to give rise to a successful Judicial review challenge.

Type of Risk	Risk level	Comments
Reputational	Open	Reputation is key to the successful delivery of the OISC's objectives. We seek to work and secure the engagement of other regulators and organisations to improve the immigration advisory system. We are committed to raising our profile and being seen to be a proportionate regulator. We therefore adopt an <b>open</b> risk appetite about our reputation.

## Significant lapses of protective security

There were no reportable significant lapses of protective security (e.g. data losses) in 2022/23.

## Internal Audit

The Government Internal Audit Agency provide internal audit services for the OISC.

A programme of three internal audits were carried out in 2022/23. These were:

- Remote Competence Assessment (Moderate)
- Cloud Transition (Limited)
- Cloud Service Management (Limited)

The moderate classification confirms that the systems reviewed operated effectively with no critical actions being identified. The limited classification confirms that some improvements are needed to the framework of governance, risk and management and control. The recommendations have either been addressed, or work is being undertaken to address them.

### **Other matters**

Internal controls are in place to mitigate against risk in relation to financial loss, handling of information, health and safety, security incidents and business continuity. All policies and processes relating to these matters are reviewed at appropriate intervals and are effective.

## **Ministerial directions**

In 2022/23 no ministerial directions were given to the OISC.

## **Whistleblowing**

The OISC 'Whistleblowing Policy and Procedure' aligns with the principles of the model policy recommended by the Cabinet Office. The OISC policy allows staff to raise legitimate issues of public interest via the Director of People, Culture and Programmes, through a confidential central reporting email address. During the reporting year, no whistleblowing cases were received.

## **Remote working**

During this year, we became a remote organisation, which means our workforce works overwhelmingly from home, significantly reducing commuting carbon emissions.

Most of our work is undertaken digitally only (legal papers must still be in hard

copy), and we use shared IT systems to collaborate with each other and external stakeholders. We have made increased use of digital communications methods and enhanced video conferencing capability, reducing the need to travel to meetings and thereby lowering the levels of associated emissions.

We also adopted a new approach to audits, developing online audits where appropriate, again lowering the levels of associated emissions.

We now hold online assessments, rather than asking applicants to travel to the assessments in London.

Where we hold all-staff events, we encourage the use of public transport and use buildings with a sustainable environmental policy. Our events are predominantly hosted in the southeast of England where the majority of staff are based.



## **Functional standards**

In October 2021, we were asked to assess ourselves against the relevant mandatory Government Functional Standards that set expectations for the management of functional work across government. They mainly (but not exclusively) relate to corporate services and cross cutting functions.

The suite of functional standards:

- supports the governance, planning, delivery and assurance of functional work.
- supports organisational continuous improvement and professional development.

At the time of initial assessment, we identified six out of the 11 standards where work was needed to achieve compliance, two of these were outstanding at the end of 2022/23. These were related to realising the environmental and sustainability benefits of our development programme and processes related to monitoring diversity and protected characteristics.

The use of functional standards has been embedded into our corporate and business planning processes.

## **Office move**

In 2022/23, we moved completely out of our previous headquarters in London and moved our IT systems into “the cloud”. This has significantly minimised waste from the OISC and eliminated consumption of electricity, water and waste products associated with use of an office, and the IT servers housed there, and significantly reduced our consumption of paper.

## **Procurement**

We support a sustainable procurement programme. When tendering contracts, we seek to engage with suppliers that adopt a positive approach to environmental and sustainability matters, such as our printing and copying supplier, which has a robust recycling and reducing carbon emissions policy.

During the year, we paid a £88,734 service charge and £5,362 on heat and light before vacating the office in November 2022.

## **Conclusion**

“I confirm that the systems have been in place for the year under review and up to the date of approval of the annual report and accounts. I am therefore satisfied that throughout 2022/23 the resources for which I am responsible were subject to appropriate controls.”

*J. F. Tuckett*

**John Tuckett** Immigration Services  
Commissioner and Accounting Officer

20/03/2024

## **2.2 Remuneration and Staff Report**

### **Remuneration report**

Part V of the Immigration and Asylum Act 1999 created the role of the Immigration Services Commissioner. The Commissioner is the head of the Office of the Immigration Services Commissioner (OISC) and is supported by an Executive Team. The Commissioner is a Ministerial appointee.

In accordance with schedule 5 of the Immigration and Asylum Act 1999, Mr John Tuckett was appointed to the position of Immigration Services Commissioner for a period of five years commencing 8 July 2019.

## **Remuneration policy**

The Commissioner's salary is determined by the Secretary of State for the Home Department. Salary increases are awarded to the Commissioner in accordance with the Senior Salaries Review Body's annual recommendations.

## **Salary and pension entitlements**

The following sections provide details of the remuneration and pension interests of the most senior members of the OISC.

'Salary' includes: gross salary, pay award and other performance related payments, recruitment and retention allowances, to the extent that it is subject to UK taxation.

## **Senior staff remuneration and fair pay disclosure (audited)**

**John Tuckett  
Commissioner**

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**Band of Highest Paid Commissioner's Remuneration  
(annualised FTE) – (£'000)**

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**Range of Staff Remuneration, excluding highest paid  
above (annualised) - (£'000)**

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**John Tuckett  
Commissioner**

---

**Band of Highest Paid Commissioner's Remuneration  
(annualised FTE) – (£'000)**

---

**Range of Staff Remuneration, excluding highest paid  
above (annualised) - (£'000)**

---

\* The Commissioner works 0.8 FTE.

\*\*Full time equivalent salary

\*\*\*There are no changes in the salary for the commissioner except for the slight increase in the pension contribution.

				<b>2022/23</b>
<b>Salary</b>	<b>Non-Consolidated Performance Pay</b>	<b>Pension Related Benefits</b>	<b>Total</b>	
<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	
85-90*	0	34***	115-120*	
110-115**			140-145**	
			110-115	
			25-85	
				<b>2021/22</b>
<b>Salary</b>	<b>Non-Consolidated Performance Pay</b>	<b>Pension Related Benefits</b>	<b>Total</b>	
<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	
85-90*	0	32	115-120*	
110-115**			140-145**	
			110-115	
			26-69	

Amounts paid to members of the Audit and Risk Assurance Committee are not included in this table since they are not members of the executive team but are appointed as advisers by the Commissioner, a Corporation Sole.

## **Benefits in kind**

The monetary value of benefits in kind covers any benefits provided by the OISC and treated by HM Revenue and Customs as a taxable emolument. The Commissioner did not receive any benefits in kind for 2022/23.

## **Bonuses**

Bonuses are not payable to the Commissioner and other employees of the OISC.

## **Fair pay multiples (audited)**

In the reporting year, the highest paid director of the OISC was the Commissioner (0.8 FTE). His full-time equivalent banded remuneration in 2022/23 was £110,000 – £115,000. This is 0% increase over the previous financial year full-time equivalent banded remuneration of £110,000 – £115,000.

The average remuneration reflects salary only as no benefits were paid to the highest paid director or to any other employees. In the reporting year, the average remuneration in respect of the employees of OISC taken as a whole was £38,883. This is a 6%



increase over the previous financial year when the average remuneration in respect of the employees of OISC taken as a whole was £36,676. The pay ratio information is in the table below.

## Pay ratio table

	2022/23	2021/22
Pay* and benefits of the highest paid director	112,500	112,500
25 <sup>th</sup> percentile pay and benefits £	36,235	30,420
25 <sup>th</sup> percentile ratio	3.10	3.70
Median percentile pay and benefits £	38,883	36,676
Median ration	2.89	3.07
75 <sup>th</sup> percentile pay and benefits £	44,037	40,991
75 <sup>th</sup> percentile ratio	2.55	2.74

\*The reported figures are salary only as no benefits were paid to the highest paid director or to any other employees

## **Audit and Risk Assurance Committee (ARAC)**

The non-executive members of the Audit and Risk Assurance Committee were paid a flat annual rate of £3,750 per annum (£4,250 Chair of Committee) for attendance at OISC meetings in 2022/23.

### **Pension benefits (audited)**

During the year ending 31 March 2023, the Commissioner was a member of the Civil Service pension arrangements. The table below provides details of his pension benefits.

	<b>Accrued pensions at pension age as at 31.03.2023</b>
	<i>£'000</i>
Mr John Tuckett Commissioner	0-5

\* Alpha benefits as at 31/03/2022 stated incorrectly in last year's results

## Civil Service Pensions

Pension benefits are provided through the Civil Service pension arrangements through either Principal Civil Service Pension Scheme or ALPHA scheme, introduced 1 April 2015. These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Employee contributions are salary-related and range between 4.6% and 8.05% of pensionable earnings.

			2023
Real increase in pension and related lump sum pension at pension age	CETV at 31.03.23	CETV at 31.03.22	Real increase in CETV
£'000	£'000	£'000	£'000
0-2.5	61	31*	23

## **Cash Equivalent Transfer Values**

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement, which the member has transferred to the Civil Service pension

arrangements. They also include any additional pension benefit accrued to the member as a result of buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax, which may be due when pension benefits are taken.

### **Real increase in CETV**

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

CETV figures are calculated using the guidance on discount rates for calculating unfunded public service pension

contribution rates that was extant at 31 March 2023. HM Treasury published updated guidance on 27 April 2023; this guidance will be used in the calculation of 2023-24 CETV figures.

### Staff Report Table (audited)

Staff costs comprise:

	2022/23			2021/22
	Total	Permanently Employed Staff	Others	Total
	£,000	£,000	£,000	£,000
Wages and salaries	2,366	2,287	79	2,162
Social security costs	265	265	0	228
Other pension costs	609	609	0	576
	<b>3,240</b>	<b>3,161</b>	<b>79</b>	<b>2,966</b>
Voluntary exit costs	168	168	0	0
	<b>3,408</b>	<b>3,329</b>	<b>79</b>	<b>2,966</b>

## Average number of persons employed (audited)

The average number of full-time equivalent persons employed during the year was as follows:

	2022/23			2021/22
	Total	Staff	Others	Total
Directly employed	54.97	54.97	0.00	52.12
Others*	0.52	0.00	0.52	2.58
Staff engaged on capital projects	0.00	0.00	0.00	0.00
<b>Total</b>	<b>55.49</b>	<b>54.97</b>	<b>0.52</b>	<b>54.70</b>

\* Others consists of agency staff

## Pensions contributions

The Civil Service Pension Scheme (CSPS) is an unfunded multi-employer defined benefit scheme, but the OISC is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the scheme as at 31 March 2016.

	2022/23	2021/22
	£s	£s
CSPS	604,206	575,586
Stakeholder pension providers	4,809	8,608
Partnership pension provider	0	280

For 2022/23, employer contributions of £604,206 were payable to the CSPS (2021/22: £575,586) at one of three rates in the range 26.6% to 30.3% of pensionable pay, based on salary bands.

The scheme's actuary reviews employer contributions every four years following a full scheme valuation. The contribution rates are set to meet the costs of benefits



accruing during 2021/22 to be paid when the member retires and not the benefits paid during this period to existing pensioners. Employees can opt to open a partnership pension account – a stakeholder pension with an employer contribution. Employer contributions of £4,809 (2021/22: £8,608) were paid to the appointed stakeholder pension providers. Employer contributions are age-related and for the period 1 April 2022 to 31 March 2023 ranged from 8% to 14.75% of pensionable pay.

Employers also match employee contributions up to 3% of pensionable pay.

No contributions were due to Partnership Pension providers at 31 March 2023 (2021/22: £280).

## Reporting of Civil Service and other compensation schemes – exit packages (audited)

Exit package cost band	Number of compulsory redundancies
<£10,000	0
£10,000-£25,000	0
£25,000-£50,000	0
£50,000-£100,000	0
£100,000-£150,000	0
£150,000-£200,000	0
<b>Total number of exit packages</b>	<b>0</b>
<b>Total resource cost/£</b>	<b>0</b>

Redundancy and other departure costs have been paid in accordance with the provisions of the Civil Service Compensation Scheme (CSCS), a statutory scheme made under the Superannuation Act 1972. The table

	<b>FY 2022-23</b>		<b>FY 2021-22</b>
<b>Number of other departures agreed</b>	<b>Total number of exit packages by cost band</b>		<b>Total number of exit packages by cost band</b>
	0	0	0
	1	1	0
	2	2	0
	0	0	0
	0	0	0
	0	0	0
	<b>3</b>	<b>3</b>	<b>0</b>
	<b>£ 120,315.47</b>	<b>£ 120,315.47</b>	<b>0</b>

above shows the total cost of exit packages agreed and accounted for in 2022-23 (2021-22 Nil). £120,315.47 exit costs were paid in 2022-23, the year of departure (2021-22 NIL).

## Number of persons of each sex employed.

The number of persons of each sex employed during the year was as follows:

	2022/23	2021/22
Commissioner*	1	1
Female (F) staff	40	36
Male (M) staff	25	25
<b>Total</b>	<b>66</b>	<b>62</b>

\*The Commissioner is male and ministerial appointment.

## Sickness data

During the period from 1 April 2022 to 31 March 2023, 386 sick days were taken by OISC staff. 119 days (31% were taken as short-term sickness absence and 267 were taken as long-term sickness absence). This equates to 7.64 days average per person overall compared to the latest comparison figures available from the public sector of

6.1 days average per person. Long-term sick absence has a disproportionate impact on the organisation, given our relatively small number of staff. Our short-term sickness absence equates to an average sickness rate of 2.38 days per person.

### **Staff turnover**

During 2022/23 the annual turnover of staff was 24.4%, equating to 12.33 members of staff. This is based on the number of employees leaving as a percentage of the total number of staff (headcount) employed.

### **Equality and diversity**

The OISC recognises the business benefits of having a diverse workforce and is committed to maintaining a culture in which diversity and equality are actively promoted and where discrimination is not tolerated.

## **Staff involvement and development**

The OISC is committed to keeping its members of staff informed of performance, career and personal development and progress. The OISC encourages staff involvement in its development and recognises the Public and Commercial Services Union for collective bargaining purposes.

We have embedded the role of the OISC's staff voice consultative body into the organisation's engagement process and continue to work with it and the Union Branch Executive Committee's representatives in continuing two-way engagement on OISC business.

To complement our remote working business model, we promote a staff engagement model whereby staff meet face-to-face at regular intervals throughout the year.

## **Trade union facility time**

The OISC has an agreement in place with the Public and Commercial Services Union, its recognised trade union, for its Branch Executive Committee (BEC) members to have access to 52 days' facility time which can be used between them to carry out trade union duties. In addition, the BEC's Health and Safety Committee and the Union Learning and Development Working Group Representatives each have a total of 10 days' paid leave to attend training for their respective roles. All BEC members work within the allotted allowances.

## **Off payroll engagement**

No employee was paid through their own limited company.

## **2.3 Parliamentary Accountability and Audit Report**

These notes and disclosures are subject to audit.

### **Losses and special payments**

The OISC incurred nil extra-contractual costs in the year ended 31 March 2023. In 2022/23 it incurred nil extra-contractual costs in respect of legal services for criminal investigations.

There were no losses and special payments in the year ended 31 March 2023.

### **Remote contingent liabilities**

There are nil Tribunal matters that meet the criteria of remote contingent liabilities as of 31 March 2023 (31 March 2022: nil).

### **Gifts**

There were no gifts for the year ended 31 March 2023 (31 March 2022: no gifts).



## Fees and charges

OISC costs and fee income are as follows:

### Fees and charges table

	2022/23		
	Costs	Income	Surplus/ (Deficit)
	£'000	£'000	£'000
Advisor fees	4,486	(1,039)	(3,447)
	<b>4,486</b>	<b>(1,039)</b>	<b>(3,447)</b>

	2021/22		
	Costs	Income	Surplus/ (Deficit)
	£'000	£'000	£'000
Advisor fees	4,053	(1,113)	(2,940)
	<b>4,053</b>	<b>(1,113)</b>	<b>(2,940)</b>

\* Adviser application fees are paid by advisers at a level set by the Home Office (S.I. 2011/1366). This generates income which is less than the total cost of OISC operations.

## **Regularity of expenditure**

The OISC operates within a Framework Document dated 14 February 2017 which sets out the financial transaction limits to which the OISC may operate without further referral to the Home Office. During 2022/23, there were no additional expenditure controls. The Commissioner also operates to the standards set out in HM Treasury's 'Managing Public Money' and can confirm no irregularity with any of the provisions contained therein.

*J. F. Tuckett*

**John Tuckett** Immigration Services  
Commissioner and Accounting Officer

20/03/2024

## **2.3.1 The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament**

### **Opinion on financial statements**

I certify that I have audited the financial statements of the Office of the Immigration Services Commissioner for the year ended 31 March 2023 under the Immigration and Asylum Act 1999.

The financial statements comprise the Office of the Immigration Services Commissioner's:

- Statement of Financial Position as at 31 March 2023;
- Statement of Comprehensive Net Expenditure, Statement of Cash Flows and Statement of Changes in Taxpayers' Equity for the year then ended; and
- the related notes including the significant accounting policies.

The financial reporting framework that has been applied in the preparation of the financial statements is applicable law and UK adopted International Accounting Standards.

In my opinion, the financial statements:

- give a true and fair view of the state of the Office of the Immigration Services Commissioner's affairs as at 31 March 2023 and its net expenditure for the year then ended; and
- have been properly prepared in accordance with the Immigration and Asylum Act 1999 and Secretary of State directions issued thereunder.

### **Opinion on regularity**

In my opinion, in all material respects, the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

## **Basis for opinions**

I conducted my audit in accordance with International Standards on Auditing (UK) (ISAs UK), applicable law and Practice Note 10 *Audit of Financial Statements and Regularity of Public Sector Bodies in the United Kingdom (2022)*. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate.

Those standards require me and my staff to comply with the Financial Reporting Council's *Revised Ethical Standard 2019*. I am independent of the Office of the Immigration Services Commissioner in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

## **Conclusions relating to going concern**

In auditing the financial statements, I have concluded that the Office of the Immigration Services Commissioner's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the Office of the Immigration Services Commissioner's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the Accounting Officer with respect to going concern are described in the relevant sections of this certificate.

The going concern basis of accounting for the Office of the Immigration Services Commissioner is adopted in consideration of the requirements set out in HM Treasury's

Government Financial Reporting Manual, which require entities to adopt the going concern basis of accounting in the preparation of the financial statements where it is anticipated that the services which they provide will continue into the future.

### **Other Information**

The other information comprises the information included in the Annual Report but does not include the financial statements nor my auditor's certificate and report. The Accounting Officer is responsible for the other information.

My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my certificate, I do not express any form of assurance conclusion thereon.

My responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

### **Opinion on other matters**

In my opinion the part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with Secretary of State directions issued under the Immigration and Asylum Act 1999.

In my opinion, based on the work undertaken in the course of the audit:

- the parts of the Accountability Report subject to audit have been properly prepared in accordance with Secretary of State directions made under the Immigration and Asylum Act 1999; and



- the information given in the Performance and Accountability Reports for the financial year for which the financial statements are prepared is consistent with the financial statements and is in accordance with the applicable legal requirements.

### **Matters on which I report by exception**

In the light of the knowledge and understanding of the Office of the Immigration Services Commissioner and its environment obtained in the course of the audit, I have not identified material misstatements in the Performance and Accountability Reports.

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- Adequate accounting records have not been kept by the Office of the Immigration Services Commissioner or returns adequate for my audit have not been received from branches not visited by my staff; or
- I have not received all of the information and explanations I require for my audit; or

- the financial statements and the parts of the Accountability Report subject to audit are not in agreement with the accounting records and returns; or
- certain disclosures of remuneration specified by HM Treasury's Government Financial Reporting Manual have not been made or parts of the Remuneration and Staff Report to be audited is not in agreement with the accounting records and returns; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

### **Responsibilities of the Accounting Officer for the financial statements**

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for:

- maintaining proper accounting records;
- providing the C&AG with access to all information of which management is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters;

- providing the C&AG with additional information and explanations needed for his audit;
- providing the C&AG with unrestricted access to persons within the Office of the Immigration Services Commissioner from whom the auditor determines it necessary to obtain audit evidence;
- ensuring such internal controls are in place as deemed necessary to enable the preparation of financial statement to be free from material misstatement, whether due to fraud or error;
- ensuring that the financial statements give a true and fair view and are prepared in accordance with the Secretary of State made under the Immigration and Asylum Act 1999;
- ensuring that the annual report, which includes the Remuneration and Staff Report, is prepared in accordance with Secretary of State directions made under the Immigration and Asylum Act 1999; and

- assessing the Office of the Immigration Services Commissioner's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Accounting Officer anticipates that the services provided by the Office of the Immigration Services Commissioner will not continue to be provided in the future.

### **Auditor's responsibilities for the audit of the financial statements**

My responsibility is to audit, certify and report on the financial statements in accordance with the Immigration and Asylum Act 1999.

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a certificate that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always

detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

***Extent to which the audit was considered capable of detecting non-compliance with laws and regulations including fraud***

I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulations, including fraud. The extent to which my procedures are capable of detecting non-compliance with laws and regulations, including fraud is detailed below.

***Identifying and assessing potential risks related to non-compliance with laws and regulations, including fraud***

In identifying and assessing risks of material misstatement in respect of non-compliance with laws and regulations, including fraud, I:

- considered the nature of the sector, control environment and operational performance including the design of the Office of the Immigration Services Commissioner's accounting policies;
- inquired of management, Office of the Immigration Services Commissioner's head of internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to the Office of the Immigration Services Commissioner's policies and procedures on:
  - identifying, evaluating and complying with laws and regulations;
  - detecting and responding to the risks of fraud; and
  - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including the Office of the Immigration Services Commissioner's controls relating to the Office of the Immigration Services Commissioner's compliance with the Immigration and Asylum Act 1999 and Managing Public Money.

- inquired of management, Office of the Immigration Services Commissioner's head of internal audit and those charged with governance whether:
  - they were aware of any instances of non-compliance with laws and regulations;
  - they had knowledge of any actual, suspected, or alleged fraud;
- discussed with the engagement team regarding how and where fraud might occur in the financial statements and any potential indicators of fraud.

As a result of these procedures, I considered the opportunities and incentives that may exist within the Office of the Immigration Services Commissioner for fraud and identified the greatest potential for fraud in the following areas: revenue recognition, posting of unusual journals, complex transactions, bias in management estimates. In common with all audits under ISAs (UK), I am also required to perform specific procedures to respond to the risk of management override.

I obtained an understanding of the Office of the Immigration Services Commissioner's framework of authority and other legal and regulatory frameworks in which the Office of the Immigration Services Commissioner operates. I focused on those laws and regulations that had a direct effect on material amounts and disclosures in the financial statements or that had a fundamental effect on the operations of the Office of the Immigration Services Commissioner. The key laws and regulations I considered in this context included Immigration and Asylum Act 1999, Managing Public Money, employment law and pensions legislation.

### ***Audit response to identified risk***

To respond to the identified risks resulting from the above procedures:

- I reviewed the financial statement disclosures and testing to supporting documentation to assess compliance with provisions of relevant laws and regulations described above as having direct effect on the financial statements;



- I enquired of management and the Audit and Risk Committee concerning actual and potential litigation and claims;
- I reviewed minutes of meetings of those charged with governance and the internal audit reports; and
- in addressing the risk of fraud through management override of controls, I tested the appropriateness of journal entries and other adjustments; assessed whether the judgements on estimates are indicative of a potential bias; and evaluated the business rationale of any significant transactions that are unusual or outside the normal course of business.

I communicated relevant identified laws and regulations and potential risks of fraud to all engagement team members and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting

Council's website at: [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of my certificate.

### ***Other auditor's responsibilities***

I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control I identify during my audit.

### **Report**

I have no observations to make on these financial statements.

**Gareth Davies**

Comptroller and Auditor General

22 March 2024

National Audit Office, 157-197 Buckingham  
Palace Road, Victoria, London, SW1W 9SP

# Financial Statements

2022/23

## 3.1 Statement of Comprehensive Net Expenditure

For the year ended 31 March 2023

		2022/23	2021/22
	Note	£'000	£'000
Revenue from contracts with customers	3	(1,039)	(1,113)
Other operating income	3	0	(7)
<b>Total operating income</b>		<b>(1,039)</b>	<b>(1,120)</b>
Staff costs	4	3,408	2,966
Other expenditure	5	1,078	1,087
<b>Total operating expenditure</b>		<b>4,486</b>	<b>4,053</b>
<b>Net expenditure</b>	<b>CTE</b>	<b>3,447</b>	<b>2,933</b>

All income and expenditure are derived from continuing activities. There is no other Comprehensive Net Expenditure

The notes on pages 121 to 142 form part of these accounts.

## 3.2 Statement of Financial Position

As at 31 March 2023

		<b>31 March 2023</b>	<b>31 March 2022</b>
	<b>Note</b>	<b>£'000</b>	<b>£'000</b>
<b><i>Non-current assets</i></b>			
Property, plant and equipment	<b>6</b>	86	9
Intangible assets	<b>7</b>	600	29
<b>Total non-current assets</b>		<b>686</b>	<b>38</b>
<b><i>Current assets</i></b>			
Trade and other receivables	<b>8</b>	209	168
Cash and cash equivalents	<b>11</b>	2,083	910
<b>Total current assets</b>		<b>2,292</b>	<b>1,078</b>
<b>Total assets</b>		<b>2,978</b>	<b>1,116</b>
<b><i>Current liabilities</i></b>			
Trade and other payables	<b>9</b>	(1,881)	(687)
<b>Total current liabilities</b>		<b>(1,881)</b>	<b>(687)</b>

		<b>31 March 2023</b>	<b>31 March 2022</b>
<b>Non-current assets plus net current assets</b>		<b>1,097</b>	<b>429</b>
<b><i>Non-current liabilities</i></b>			
Provisions for liabilities and charges	<b>10</b>	0	(212)
<b>Assets less liabilities</b>		<b>1,097</b>	<b>217</b>
<b><i>Taxpayers' equity</i></b>			
General Fund	<b>SoCTE</b>	1,097	217
<b>Total taxpayers' equity</b>	<b>SoCTE</b>	<b>1,097</b>	<b>217</b>

*J. F. Tuckett*

**John Tuckett**

Immigration Services Commissioner and Accounting Officer

20/03/2024

The notes on pages 121 to 142 form part of these accounts.

### 3.3 Statement of Cash Flows

For the year ended 31 March 2023

		2022/23	2021/22
	Note	£'000	£'000
<b>Cash flows from operating activities</b>			
Net expenditure	SoCNE	(3,447)	(2,933)
<i>Adjustments for non-cash costs</i>			
Depreciation and amortisation	5	47	21
(Increase)/Decrease in trade and other receivables	8	(41)	(24)
Increase/(Decrease) in trade and other payables	9	1,194	(80)
Increase/(Decrease) in provision for liabilities and charges	10	(212)	65
In year non-cash adjustments relating to historical balances		46	0
<b><i>Net cash outflow from operating activities</i></b>		<b>(2,413)</b>	<b>(2,951)</b>

		2022/23	2021/22
<b>Cash flows from investing activities</b>			
Purchase of property, plant and equipment	6	(95)	0
Purchase of intangible assets	7	(600)	0
<b><i>Net cash outflow from investing activities</i></b>		<b>(695)</b>	<b>0</b>
<b>Cash flows from financing activities</b>			
Grant-in-Aid	SoCTPE	5,320	4,032
Appropriation of fees to the Home Office	SoCTPE	(1,039)	(1,114)
<b><i>Net cash outflow from financing activities</i></b>		<b>4,281</b>	<b>2,918</b>
Net increase/(decrease) in cash and cash equivalents in the year		1,173	(33)
Cash and cash equivalents at the beginning of the period		910	943
<b>Cash and cash equivalents at the end of the period</b>	<b>11</b>	<b>2,083</b>	<b>910</b>

The notes on pages 121 to 142 form part of these accounts.

### 3.4 Statement of Changes in taxpayers' equity

For the year ended 31 March 2023

		<b>General Reserve</b>
	<b>Note</b>	<b>£'000</b>
<b>Balance at 31 March 2021</b>		232
<b>Changes in taxpayer's equity for 2021/22</b>		
Appropriation due to the Home Office		(1,114)
Net Expenditure for Year Ended 31 March 2022	<b>SoCNE</b>	(2,933)
Grant-in-Aid		4,032
<b>Balance at 31 March 2022</b>		<b>217</b>
<b>Changes in taxpayers' equity for 2022/23</b>		
In year adjustments relating to historical balances		46
Appropriation due to the Home Office		(1,039)
Net Expenditure for Year Ended 31 March 2023	<b>SoCNE</b>	(3,447)
Grant-in-Aid		5,320
<b>Balance at 31 March 2023</b>		<b>1,097</b>

The notes on pages 121 to 142 form part of these accounts.



## Notes to the accounts

### **1. Statement of accounting policies**

The Annual Report and Accounts have been prepared and issued by OISC, under directions given by the Secretary of State, with the approval of HM Treasury, in accordance with the Immigration and Asylum Act 1999. The financial statements have been prepared in accordance with the 2022/23 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context.

Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of OISC for the purpose of giving a true and a fair view has been selected. The particular policies adopted by OISC are described below. They have been consistently applied in dealing with items that are considered material to the accounts.

## **1.1 Accounting Conventions**

These accounts have been prepared under the historical cost convention. Depreciated historical cost is used as a proxy for current value in existing use.

## **1.2 Changes in accounting policies and standards: New accounting standards adopted**

There are no new accounting standards applicable this year.

IFRS 16: Leases is effective for OISC from 1 April 22, however, as the OISC vacated all leasehold properties in year, there is no impact on the OISC accounts.

## **1.3 Grant-in-aid**

Grant-in-aid and grant used to finance activities and expenditure which supports the statutory and other objectives of the OISC are treated as financing and are credited to the General Reserve because they are regarded as contributions from a controlling party.

## **1.4 Going concern**

Our accounts have been prepared on a going concern basis with the future financing of the OISC's liabilities to be met by Grant-in-aid funding, approved annually by Parliament. Approvals for amounts required for 2023/24 have been given, and there is no reason to believe future approvals will not be forthcoming.

The OISC was established by the Immigration and Asylum Act 1999, and the Triennial Review into the OISC (published 2017) confirmed that there was a continued need for regulation of immigration advice and services that the OISC should continue to provide this as a non-departmental public body.

Our future cash flow projection is adequate to cover liabilities as they fall due for a period of 12 months after date of certification, by the Comptroller and Auditor General.

## **1.5 Non-current assets**

Assets are capitalised as non-current assets if they are intended for use on a continuous basis and their original purchase cost, on an individual or grouped basis, is £1,000 or more. The OISC has elected to adopt a depreciated historical cost basis as a proxy for current value in existing use for assets that have short useful lives or low values.

All historical non-current assets were fully depreciated at the end of OISC office lease in 21 Bloomsbury Street on 07 November 2022. These are shown as disposals in Notes 6 and 7.

New non-current assets purchased as part of Development Programme have been recognised in year and these are shown as acquisitions in Notes 6 and 7.

## 1.6 Depreciation and amortisation

Assets are depreciated/amortised as follows:

- Property Plant & Equipment-IT 2-15 years
- Internally developed software 3-10 years

Internally developed software includes software that arises from internal or third-party development for internal or external access. The direct costs associated with the development stage of internally developed software are included in the cost of the asset. These assets are amortised over the useful economic life of 3 to 10 years.

Depreciation for historical assets was provided on all property, plant and equipment over life of the tenancy agreement, March 2014 to 22 November 2022. Amortisation on historical intangible assets was provided for on a 20% reducing balance basis with any residual balance disposed of.

## **1.7 The dilapidation provision**

The OISC recognised a dilapidation provision for the leased premises it occupied where it had an obligation to bring the property into a good state of repair at the end of the lease. The provision was recognised annually as wear and tear was incurred, on a straight-line basis. The OISC exited the building on the 7th of November 2022 and the provision has been accrued/written back to the value of the latest estimate as provided by the landlord in these accounts.

## **1.8 Revenue from contracts with customers**

Fees that accompany applications to the Commissioner for registration or continued registration are recognised in the Statement of Comprehensive Net Expenditure at the point in time when a decision is made as to whether to register the applicant as an immigration adviser.

Under Paragraph 5(2) of Schedule 6 of the Immigration and Asylum Act 1999 the

Commissioner cannot consider an application for either registration or continued registration unless the application is accompanied by the specified fee.

Except where a fee was received in error or a mistake was made in accepting that fee by the OISC, fees are non-refundable either in full or in part.

Where the Commissioner is in receipt of fees for which decisions have not yet been made on the applications at year end, the fees are held in contract liabilities and only recognised when the decision has been made.

## **1.9 Appropriation of fees to the Home Office**

All fees are held by the Commissioner in a separate bank account from that used for the running expenses of his Office and are remitted in full to the Home Office on a quarterly basis. These payments are disclosed as an appropriation within the Statement of Changes in Taxpayer's Equity.

## **1.10 Pension costs**

Past and present employees are covered by the provisions of the Civil Servants and Others Pension Scheme for those in the alpha pension scheme and the Principal Civil Service Pension Scheme (PCSPS) for those in one of the other civil service occupational pension schemes, which are defined benefit schemes and are unfunded and non-contributory. As it is a multi-employer scheme, the OISC is unable to identify its share of underlying assets and liabilities. The OISC recognises the expected cost of providing pensions on a systematic and rational basis over the period during which it benefits from employees' services by payment to the appropriate scheme of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the Civil Servants and Other Pension Scheme and the PCSPS. The rate of the employer's contribution is determined from time to time by the Government Actuary and advised by HM Treasury. Contributions are charged to the Statement of Comprehensive Net Expenditure.



## **1.11 Value Added Tax**

The OISC is not registered for VAT and all costs are shown inclusive of VAT.

## **1.12 Cash and cash equivalents**

Cash in the Statement of Financial Position comprises cash at bank. For the purpose of the cash flow statement, cash and cash equivalents consist of cash held at bank.

## **2. Operating segments**

The statutory duty of the OISC, as enacted in the Immigration and Asylum Act 1999, is to promote good practice by those who provide immigration advice or immigration services and to ensure that those who do so are fit and competent. It is also to operate a complaints scheme regarding all who provide immigration advice or services. All the financial resources of the OISC are used towards the furtherance of this statutory duty. The OISC does not, therefore, have separate reporting of operating segments as envisaged by IFRS 8.

### 3. Income

#### 3.1 Revenue from contracts with customers

	2022/23	2021/22
	£'000	£'000
Advisor fees	1,039	1,113
	<b>1,039</b>	<b>1,113</b>

#### 3.2 Other Operating income

	2022/23	2021/22
	£'000	£'000
Court Fees - S91	0	7
<b>SOCNE</b>	<b>0</b>	<b>7</b>

## 4. Staff costs

	2022/23			2021/22
	Total	Permanently Employed Staff	Others	Total
	£'000	£'000	£'000	£'000
Wages and salaries	2,366	2,287	79	2,162
Social security costs	265	265	0	228
Other pension costs	609	609	0	576
	<b>3,240</b>	<b>3,161</b>	<b>79</b>	<b>2,966</b>
Voluntary exit costs	168	168	0	0
	<b>3,408</b>	<b>3,329</b>	<b>79</b>	<b>2,966</b>

## 5. Other expenditure

	2022/23	2021/22
	£'000	£'000
<b>Running costs</b>		
Accommodation	165	384
Information technology	264	70
Legal costs	34	41
Advertising and publicity	4	11
Office supplies and services	40	23
Costs associated with exiting Bloomsbury Street	33	0
Training, subscriptions & workshops	104	64
External audit fee*	39	21
Consultancy	91	0
Other running costs**	310	145
Rent***	132	239
Dilapidation charges	52	0

	2022/23	2021/22
<b>Non-cash items</b>		
Depreciation and Amortisation	47	21
Bad Debt provision written off in year	0	3
Dilapidation provision charge	0	65
Provision written back	(185)	0
Provision utilised	(52)	0
	<b>1,078</b>	<b>1,087</b>

\*No non-audit services have been received during the year.

\*\*Other running costs increased owing to exit from 21BS in November 2022, and an increase in recruitment, health, and safety, WFH equipment and postage.

\*\*\* We exited 21BS in November 2022. This resulted in reduction on rent costs with no further payments.

## 6. Property, plant and equipment

<b>2022/23</b>	<b>IT</b>	<b>Office Refurbs</b>	<b>Furn &amp; Off Equip</b>	<b>Computer Equip</b>	<b>Total</b>
	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>
<b>Cost at 31 March 2022</b>	<b>0</b>	<b>94</b>	<b>58</b>	<b>279</b>	<b>431</b>
Additions	95	0	0	0	95
Disposals	0	(94)	(58)	(279)	(431)
<b>Cost at 31 March 2023</b>	<b>95</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>95</b>
<b>Depreciation at 31 March 2022</b>	<b>0</b>	<b>(88)</b>	<b>(58)</b>	<b>(276)</b>	<b>(422)</b>
Charged during the year	(9)	(6)	0	(3)	(18)
Disposals	0	94	58	279	431
<b>Depreciations at 31 March 2023</b>	<b>(9)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(9)</b>
<b>Net book value at 31 March 2023</b>	<b>86</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>86</b>
<i>Net book value at 31 March 2022</i>	<i>0</i>	<i>6</i>	<i>0</i>	<i>3</i>	<i>9</i>

<b>2021/22</b>	<b>Office Refurbs</b>	<b>Furn &amp; Off Equip</b>	<b>Computer Equip</b>	<b>Total</b>
	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>
<b>Cost at 1 April 2021</b>	<b>94</b>	<b>58</b>	<b>279</b>	<b>431</b>
Additions	0	0	0	0
<b>Cost at 31 March 2022</b>	<b>94</b>	<b>58</b>	<b>279</b>	<b>431</b>
<b>Depreciation at 1 April 2021</b>	<b>(77)</b>	<b>(57)</b>	<b>(275)</b>	<b>(409)</b>
Charged during the year	(11)	(1)	(1)	(13)
<b>Depreciations at 31 March 2022</b>	<b>(88)</b>	<b>(58)</b>	<b>(276)</b>	<b>(422)</b>
<b>Net book value at 31 March 2022</b>	<b>6</b>	<b>0</b>	<b>3</b>	<b>9</b>
<i>Net book value at 31 March 2021</i>	<b>17</b>	<b>1</b>	<b>4</b>	<b>22</b>

## 7. Intangible assets

<b>2022/23</b>	<b>Intangible Development Expenditure*</b>	<b>Themis Software</b>	<b>Office Software</b>	<b>Total</b>
	£'000	£'000	£'000	£'000
<b>Cost at 31 March 2022</b>	<b>0</b>	<b>293</b>	<b>26</b>	<b>319</b>
Additions	600	0	0	600
Disposals	0	(293)	(26)	(319)
<b>Cost at 31 March 2023</b>	<b>600</b>	<b>0</b>	<b>0</b>	<b>600</b>
<b>Amortisation at 31 March 2022</b>	<b>0</b>	<b>(273)</b>	<b>(17)</b>	<b>(290)</b>
Charged during the year	0	(20)	(9)	(29)
Disposals	0	293	26	319



<b>2022/23</b>	<b>Intangible Development Expenditure*</b>	<b>Themis Software</b>	<b>Office Software</b>	<b>Total</b>
<b>Amortisation at 31 March 2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net book value at 31 March 2023</b>	<b>600</b>	<b>0</b>	<b>0</b>	<b>600</b>
<i>Net book value at 31 March 2022</i>	<i>0</i>	<i>20</i>	<i>9</i>	<i>29</i>

\*Intangible development expenditure relates with the new case management system implemented.

<b>2021/22</b>	<b>Themis Software</b>	<b>Office Software</b>	<b>Total</b>
	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>
<b>Cost at 1 April 2021</b>	<b>293</b>	<b>26</b>	<b>319</b>
Additions	0	0	0
<b>Cost at 31 March 2022</b>	<b>293</b>	<b>26</b>	<b>319</b>
<b>Amortisation at 1 April 2021</b>	<b>(268)</b>	<b>(14)</b>	<b>(282)</b>
Provided during the year	(5)	(3)	(8)
<b>Amortisation at 31 March 2022</b>	<b>(273)</b>	<b>(17)</b>	<b>(290)</b>
<b>Net book value at 31 March 2022</b>	<b>20</b>	<b>9</b>	<b>29</b>
<i>Net book value at 31 March 2021</i>	<b>25</b>	<b>12</b>	<b>37</b>

## 8. Trade and other receivables

	2022/23	2021/22
	£'000	£'000
<b>Amounts falling due within one year:</b>		
Trade receivables	5	6
Other receivables:		
Sundry debtors	27	0
Prepayments	177	162
<b>Total</b>	<b>209</b>	<b>168</b>

## 9. Trade and other payables

	2022/23	2021/22
	£'000	£'000
<b>Amounts falling due within one year:</b>		
Trade payables	2	0
Contract liabilities	308	102
Accruals	1571	552
Accommodation rent free period	0	33
<b>Total</b>	<b>1,881</b>	<b>687</b>

## 10. Provision for liabilities and charges

	<b>Dilapidations</b>
	<i>£'000</i>
<b>Balance at 1 April 2022</b>	<b>212</b>
Provided in year	25
Provisions not required written back	(185)
Provisions utilised in year	(52)
<b>Balance at 31 March 2023</b>	<b>0</b>

## 11. Cash and cash equivalents

	<i>£'000</i>	<i>£'000</i>
<b>Balance at 1 April 2021</b>	<b>943</b>	<b>419</b>
Net Change in cash and cash equivalents balances	(33)	524
<b>Balance at 31 March 2022</b>	<b>910</b>	<b>943</b>
<b>Balance at 1 April 2022</b>	<b>910</b>	<b>943</b>
Net Change in cash and cash equivalents balances	1173	(33)
<b>Balance at 31 March 2023</b>	<b>2,083</b>	<b>910</b>

The OISC has no borrowings and relies on departmental grants for its cash requirements and is therefore not exposed to liquidity risks. It also has no material deposits, and all material assets and liabilities are denominated in sterling, so it is not exposed to interest rate risk or currency risk. The OISC holds all its cash balances with the Government Banking Service. The OISC does not have any liabilities arising from financing activities.

## **12. Financial instruments**

As the cash requirements of the OISC are met through grant-in-aid provided by the Home Office, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body. The majority of financial instruments relate to contracts to buy non-financial items in line with the OISC's expected purchase and usage requirements and the OISC is therefore exposed to little credit, liquidity or market risk.

### **13. Related party transactions**

The Home Office is the parent and sponsor body of the OISC and has had various material transactions with the OISC during the year. In addition, the OISC has had a small number of transactions with other government departments and other central government bodies. No board member, key manager or other related parties has undertaken any material transactions with the OISC during the year.

### **14. Events after the reporting period**

There were no post reporting period events.

These Financial Statements were authorised for issue by the Commissioner on the date they were certified by the Comptroller and Auditor General.





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