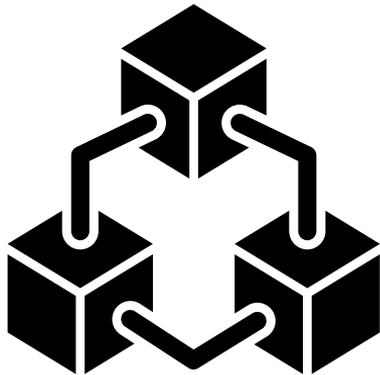


# Thematic review



- Purpose of a thematic review
- What we did
- Why we looked at immigration services

[www.sra.org.uk/immigration-thematic](http://www.sra.org.uk/immigration-thematic)

# Focus of our review and findings



1. The quality of services provided



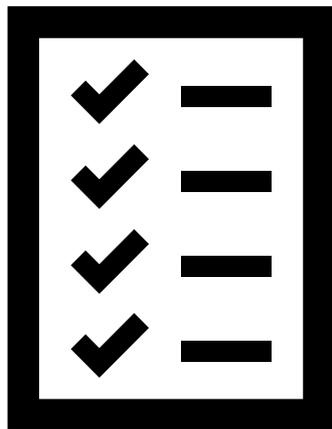
2. Supervision and training



3. Complaints

[www.sra.org.uk/immigration-thematic](http://www.sra.org.uk/immigration-thematic)

# Further information and resources

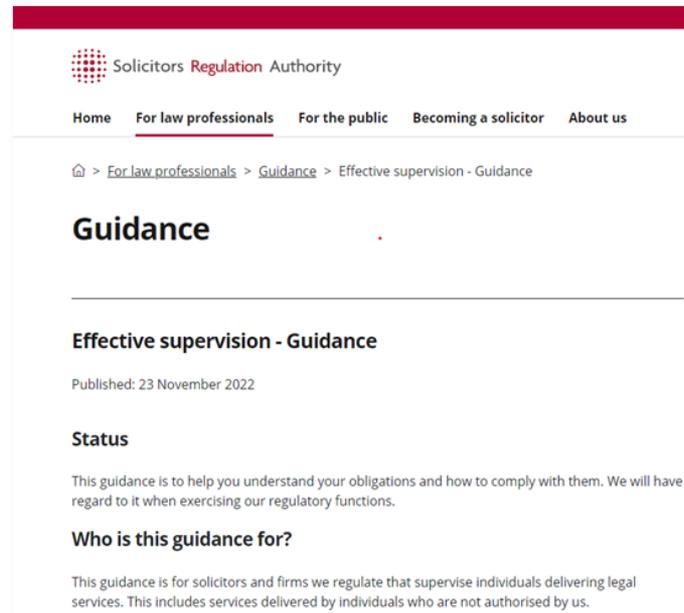


- Thematic report including checklists and case study
- Guidance
  - Immigration work
  - Effective supervision

[www.sra.org.uk/immigration-thematic](http://www.sra.org.uk/immigration-thematic)

# Guidance on effective supervision

- Risk-based approach
- Direct contact – for clear oversight, support and assurance
- Ensuring arrangements are effective



The screenshot shows the Solicitors Regulation Authority website. At the top, there is a navigation menu with links for Home, For law professionals (which is underlined), For the public, Becoming a solicitor, and About us. Below the navigation, there is a breadcrumb trail: Home > For law professionals > Guidance > Effective supervision - Guidance. The main heading is 'Guidance'. Below this, there is a sub-heading 'Effective supervision - Guidance' and a publication date 'Published: 23 November 2022'. Under the heading 'Status', there is a paragraph: 'This guidance is to help you understand your obligations and how to comply with them. We will have regard to it when exercising our regulatory functions.' Below that, under the heading 'Who is this guidance for?', there is a paragraph: 'This guidance is for solicitors and firms we regulate that supervise individuals delivering legal services. This includes services delivered by individuals who are not authorised by us.'

[www.sra.org.uk/supervision-guidance](http://www.sra.org.uk/supervision-guidance)



# OISC Regulation

## Supervision & Regulatory Compliance

January 2023

[www.oisc.gov.uk](http://www.oisc.gov.uk)

## OISC supervision

### Supervision of trainee advisers and regulated advisers:

- Allows work to be conducted one level above current authorisation
- Must be authorised by the OISC
  - application form including trainee and supervisor details
  - supervision plan to be submitted for approval
- Individual supervisor - at least two years' recent and continuous relevant experience of immigration and asylum casework



## OISC supervision

- Individual Supervisor must be readily accessible to their supervisees
- Requirement to review some of the supervisee's client files each month
- Requirement to maintain a log book related to supervision, records of feedback given and any action required by the supervisee
- Expectation for supervisee to apply for registration after 12 months



## Regulatory Compliance

# Audit & Complaint Findings

Areas most commonly identified of concern:

- Diligence in client care
- Poor record keeping
- Competence (failure to keep up to date) linked to underinvestment in CPD



## Client care

Requirement to issue prospective clients with a client care letter (Code 23) take reasonable steps to ensure the client understands the letter and agrees to it (Code 24) and prescription about contents of this letter (Code 26) - client details, immigration history, current immigration status, immigration instructions, immigration advice, agreed action and confirmation of fees estimated or agreed.



## Client care

Most organisations are found to issue a client care letter but areas of weakness include:

- Lack of detail about the clients circumstances
- Taking insufficient instructions
- Lack of clarity on what initial advice is given
- Use of templates that do not sufficiently pertain to the individual circumstances
- Insufficient discussion of merits
- Failure to ensure the client understands the letter



## Client care & poor record keeping

Requirement to keep clients informed as their matter progresses (Codes 29- 33) and issue the client with a closing statement (Code 46)

Requirement to have and maintain an adequate record of all interactions with clients and prospective clients (Code 53)

Requirement to issue written receipts for money taken and keep accurate accounts and records of transactions (Code 68)



## Client care & poor record keeping

- Poor quality attendance notes and/or an ineffective case management system resulting in inability to evidence compliance with Codes 29-33
- Closure letters issued without sufficient detail regarding the clients documents or the final financial statement
- Financial records are unclear - lack of invoice and receipts



## Competence and CPD

Requirement to act competently and maintain competence (Codes 5 & 6). To act only with the level of authorisations (Code 4), not permit themselves to be used in any deception, or abuse UK immigration procedure (Code 14)



## Competence and CPD

- Failure to consider the most appropriate route and explain carefully the requirements of this route to the client
- Failure to sufficiently address deficiencies in the client's application or documentation
- Use of template cover letters that have been poorly applied
- Failure to properly navigate the rules in complex areas
- Under-investment in appropriate CPD



The background of the slide is a photograph of a butterfly with orange, black, and white markings on its wings, perched on a purple flower. The butterfly is facing left. The background is a soft-focus green and purple. A dark blue diagonal shape covers the top-left portion of the slide, containing the logo and title.

SK | STONE KING

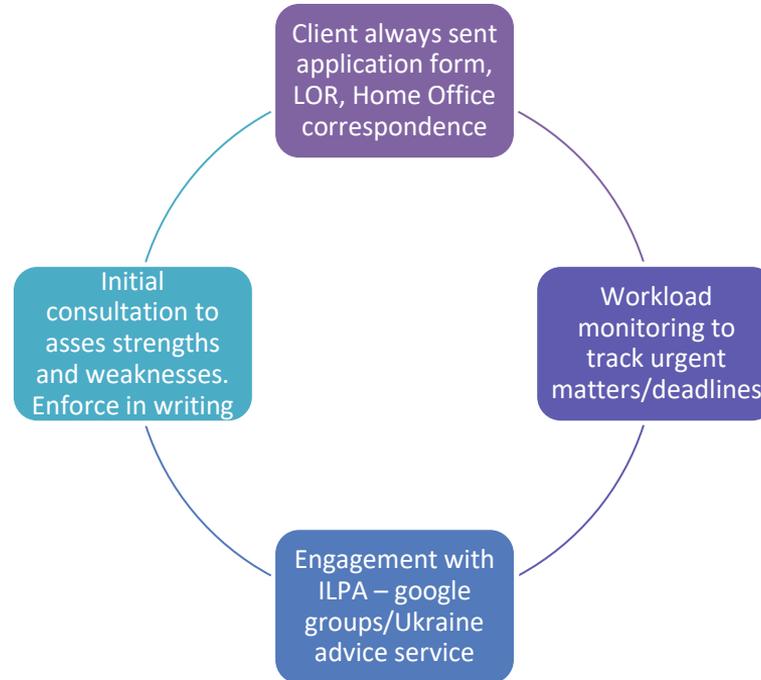
## SRA Immigration guidance

22 February 2023

Julie Moktadir  
Partner, Stone King LLP

# Quality of services provided

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# Supervision

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Sharing responsibility for large complex cases

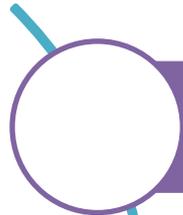
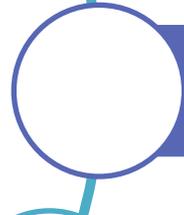
Regular catch ups/  
1-2-1s most effective

Office working

Balancing supervision with personal development - sounding board method

# Complaints

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-  Providing a choice of pricing options including, fixed fees
  -  Fee trackers
  -  Feedback forms
-

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[stoneking.co.uk](http://stoneking.co.uk)



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