# Immigration Adviser

Thank you for your interest in the post of Immigration Adviser. This application pack contains the following:

* Information about HMSC
* Job description
* Person specification
* Equal opportunities monitoring form

Please apply by sending a CV and a statement about why you want to work for HMSC (no more than 2 pages of A4). We would be grateful if you could also complete the Equal Opportunities Monitoring Form, which will be separated from the application and not considered as part of the selection process. See the job description and person specification for essential requirements for this post and address them in your statement. We will shortlist candidates according to these criteria.

Please return your application by email to joinus@haringeymsc.org (please write “Immigration adviser recruitment” in the header). We will acknowledge receipt of all applications sent by email.

CLOSING DATE: Thursday 23rd March 2020, 5pm

INTERVIEWS: To be confirmed

START DATE: asap

** **

POST: **Immigration Adviser**

Accountable to: Centre Manager

Hours: 14-21 hours/week (Mondays and preferably Tuesdays and Wednesdays)

Salary/Fee: SO1, NJC point 29-31, £26,999-£28,785 plus £2,643 Greater London Weighting, pro rata or freelance fee of £22-25/hour (negotiable according to experience)

Contract: part-time, employment or freelance, 12 months, extension subject to funding

The post will require a current DBS check.

**INFORMATION ABOUT HMSC**

Haringey Migrant Support Centre (HMSC) provides a weekly Monday triage drop-in service offering initial advice and signposting services on immigration, housing, welfare and health issues, followed by advice appointments (usually on Tuesday) with immigration advisers (from Islington Law Centre, and Coram Children’s Legal Centre) and housing advisers. HMSC also works closely with organisations which support it with specialist outreach advice: for example, Lawstop Solicitors (housing and community care), Doctors of the World and Project 17. Links and referral routes have also been established with (amongst others) solicitors’ firms, accommodation providers, local food banks and soup kitchens, local children’s centres, CABx, Refugee Council and Refugee Action. HMSC employs a Centre Manager, a Destitution Coordinator (3 days a week), a Caseworker for Families and Young People (2 days a week) and an Interim Office Manager, and has about 50 volunteers working with it in various roles. In 2020 the team will grow by two new members of staff. HMSC is authorised to provide immigration advice and services at OISC level 3.

We are now looking for a new in-house immigration adviser.

The role would suit an immigration lawyer/OISC adviser who would like a challenge working in a committed and friendly team, with the opportunity to gain considerable frontline experience advising migrants of various backgrounds across a range of legal issues including citizenship, family migration, asylum, family reunion, trafficking and the rights of EU nationals and family members. We are happy to consider flexible arrangements over two or three days a week and can either employ the right candidate or engage them on a freelance basis.

**PURPOSE OF THE ROLE**

HMSC has had an in-house, freelance immigration adviser intermittently since 2014, initially funded by the London Legal Support Trust. We have now obtained funding to be able to engage an adviser for a period of 12 months, with the aim of extending the post if we manage to secure more funding. We are hoping to receive another grant in April 2020 and further applications are being submitted.

The Immigration Adviser is part of the core staff at HMSC and will work alongside the Destitution Coordinator, the Centre Manager, the Caseworker and a small team of Legal Support Volunteers. The post holder will oversee and coordinate the delivery of high quality immigration advice and assistance to HMSC visitors, where it falls outside of remit of other projects running in parallel.

The primary function of the Adviser will be to lead on the triage of immigration cases during the Monday drop-in, where s/he will take basic details/immigration history of visitors (clients) attending, and assess and allocate the cases to the Tuesday appointments with outreach advisers. The adviser will provide one-off diagnostic advice in those cases where it is possible to do so in triage, in the short space of time. The post holder will provide occasional urgent legal assistance to visitors (e.g. urgent applications and requests to the Home Office and /or the Tribunal, urgent ECF applications, etc.). Finally, the adviser will support volunteers with their work, including supporting OISC trainees to register under the scheme.

**THE RATIONALE FOR THE CURRENT MODEL OF DELIVERING IMMIGRATION ADVICE AND CASEWORK AT HMSC**

Most of HMSC visitors coming to the triage sessions lack the financial means and capacity to access the immigration advice that they are in desperate need of. Every week we see between 35-45 visitors and typically two-thirds of them need immigration services i.e. advice and/or casework. These are individuals who, due to their lack of status, are excluded from taking any employment, and are thus left in a state of semi- or complete destitution.

The immigration advice model involves an immigration surgery on a Monday where people are triaged and given initial advice, where it is possible. Subsequently, where necessary, appropriate cases are booked in for appointments with a specialist outreach immigration adviser. HMSC has solicitors attend for in-depth advice appointments from Coram Children’s Legal Centre (who only see families under a specific project) and Islington Law Centre. The HMSC immigration adviser is responsible for immigration follow-up work and casework done in-house, whether by themselves or by a volunteer under their supervision, and coordinates work on other cases with relevant staff.

HMSC’s approach is one that has been carefully developed, reviewed and amended since the charity’s opening to best reflect the needs of visitors and the legal environment. Initially HMSC was a more social and community place, but following the legal aid cuts, access to advice became paramount in order for visitors to be able to secure a long-term improvement in their circumstances. Unfortunately, HMSC could only offer them very limited casework, usually only to secure their position in the short term, and we would never be able to formally represent clients in the same way as a solicitor would. However, for some cases that fall out of the normal scope of legal aid, it is possible to apply for legal aid through ‘Exceptional Case Funding’.

**The value of initial specialist immigration advice**

HMSC has had to find a creative way of facilitating a way forward for as many of these individuals as possible. The model devised is as follows:

a) Islington Law Centre (and Coram Children’s Legal Centre) are funded to provide solicitors, or caseworkers qualified to OISC level 3, to deliver outreach advice at HMSC on a weekly basis, by appointment, for visitors whose cases were pre-screened at triage the day before (similar to a Gateway Assessment and Appointment system run by CABx);

b) By the end of these appointments, visitors are provided with a written record reflecting the aspects of immigration law that are engaged by their case, together with guidance as to a possible pathway forward. Each visitor attending an appointment will be given an advice letter, a copy of which is also held on file at HMSC.

c) With this advice letter, Legal Support Volunteers, working under the guidance of the part time in-house lawyer, are able to make referrals to solicitors or other specialist immigration charities offering grant-funded services. However, there will be many cases that HMSC will not be able to refer either because (1) they fall out of scope of legal aid and thus are not suitable for legal aid firms or (2) other specialist charities do not have capacity to take them on.

d) In those cases, the only route for HMSC to assist a visitor to secure legal representation is to make an application for Exceptional Case Funding (ECF), which will lead to that individual gaining access to a lawyer to take their case forward. ECF is effectively legal aid, however it needs to be applied for through a system separate from the mainstream legal aid if cases are not in the scope of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). This system was designed as a safety net for cases where it is evident that due to certain factors an individual is being barred from access to justice without such aid.

Initially, access to the ECF scheme was difficult due to a high test for when funding was required. However, since the legal challenge in the test case of Gudanaviciene & Ors v Director of Legal Aid Casework (where ILC acted for one of the claimants), the system was relaxed and access to ECF was improved. HMSC aims to make the most use of this relaxed system for the benefit of our visitors and concentrates on training and engaging volunteers to make ECF applications for most of those visitors who have meritorious cases. This system allows us, based on ILC’s expert analysis, to escalate a number of cases to a point where the case is taken on by a competent and trusted firm of immigration lawyers who are able to move visitors forward on a path to status and away from destitution.

e) Once funding has been approved, the volunteers are then in a position to place such individuals with an immigration lawyer within a legal aid firm who will take the case on.

**JOB DESCRIPTION - IMMIGRATION ADVISER**

**1. Purpose of the Appointment**

To oversee and coordinate the delivery of high quality immigration advice and assistance to HMSC visitors, where it falls outside of remit of other projects running in parallel.

**2. Work required**

- To provide face-to-face diagnostic immigration advice (in relation to immigration, asylum and nationality law) during the triage session;

- To provide face-to-face in-depth immigration advice during appointments;

- To provide legal assistance to visitors identified as in urgent need and to work towards securing them legal representation outside of HMSC in the long-term, if needed;

- To have overall responsibility for immigration cases falling outside of remit of projects with Coram Children’s Legal Centre or Islington Law Centre;

- To have overall responsibility for the quality of work of legal support volunteers, e.g. making appropriate referrals, collating bundles, obtaining documents from the Home Office;

- To supervise trainees working towards OISC accreditation (usually one trainee at a time);

- To keep comprehensive records relevant to the post and required for funding;

- To support the work of the Destitution Coordinator, as required;

- To assist in developing and improving resources and practices for HMSC signposting service, including maintaining referral lists;

- To ensure that existing policies, procedures and precedents are adhered to and to identify where any additions/amendments need to be made;

- To comply with accreditation and professional standards imposed by the Law Society or OISC;

- To provide ongoing legal updates and training to HMSC staff and volunteers, as time permits. This includes providing regular support to legal support (and other) volunteers, as required;

- To collaborate with HMSC staff in initiating and attending peer supervision (while receiving additional supervision from an appropriate legal organisation).

- Special Circumstances: on occasion, the Advisor may be asked to attend at a different time during the week, or possibly the evening;

- Many of the above tasks will be carried out in collaboration with or by delegation to HMSC Staff and Volunteers;

- The above tasks may be subject to change in accordance with the needs of the Centre and the post holder will be expected to be flexible. New or adapted responsibilities will be subject to agreement between the HMSC Board and the Adviser.

**PERSON SPECIFICATION**

Position: **Immigration Adviser**

Item marked **E** are essential and **D** are desirable

|  |  |
| --- | --- |
| **Education/ Training** | **E -** Educated to at least A level, preferably degree level or equivalent qualification, or appropriate experience**E** - Accredited to Level 2 IAAS/OISC Level 3 or equivalent.  |
| **Experience** | **E -** Experience of providing advice and assistance on immigration matters to migrants irrespective of their status**E -** Experience of providing advice on an emergency basis, where solutions to complex matters have to be found quickly**D -** Experience of providing support, supervision and training to volunteers **D -** Experience of working with databases**D -** Experience of recording and reporting outcomes  |
| **Knowledge/ Technical Skills** | **E -** Knowledge of London-based refugee, migrant and appropriate relevant organisations (including solicitors’ firms and barristers’ chambers) providing assistance in immigration matters**E -** Thorough, up-to-date understanding of immigration, asylum and nationality law relating to asylum-seekers, refugees, undocumented migrants and EEA nationals **E -** Ability to keep accurate records of activities**E -** IT literate. Experience of using email, word processing and spread sheet packages, databases**D** - Understanding of the issues affecting destitute migrants**D -** Working knowledge of housing and benefit entitlements, asylum support provision and community care support for migrants |
| **Personal skills** | **E -** Highly effective communication and interpersonal skills, including communicating with those whose first language is not English**E -** Understanding of and ability to deal with refugees’ and migrants’ issues with cultural sensitivity and awareness**E -** Proven ability to work in a team in a stressful and pressurised environment**E** - Ability to work independently and on own initiative, taking responsibility for delivering and reporting on set targets**E -** Ability to think creatively, and adopt proactive and holistic responses to address the complex issues of migrants**E -** The ability and commitment to maintain confidentiality of client information and to remain responsive to their needs**E -** Ability to work in a diplomatic, efficient and professional manner both verbally and in writing, ensuring accuracy of information given and received**E -** A high standard of written and spoken English**E -** Demonstrable commitment to the principles of equal opportunities**E** - Excellent administrative and organisational skills to operate administrative and record-keeping systems |
| **Special Circumstances** | **E -** Commitment to ongoing training and involvement in the advice work of HMSC**E -** Commitment to keeping abreast of developments within the immigration welfare, asylum support and sphere that will impact on migrants |

**Equal opportunities monitoring form**

In the interests of monitoring our recruitment procedures we would be grateful if you could complete this form. We will separate this document from the application form and it will not take part in any selection process.

**Please tick as appropriate**

Male [ ]  Female [ ]  Other [ ]

**What is your ethnic group?**

**A White**

[ ] English / Welsh / Scottish / Northern Irish / British

[ ] Irish

[ ] Gypsy or Irish Traveller

[ ] Any other White background, please write in …………………………………..

**B Mixed/multiple ethnic groups**

[ ] White and Black Caribbean

 [ ] White and Black African

 [ ] White and Asian

 [ ] Any other Mixed background/multiple ethnic background, please write in………………………

**C Asian or Asian British**

 [ ] Indian

 [ ] Pakistani

 [ ] Bangladeshi

 [ ] Chinese

 [ ] Any other Asian background, please write in ……………………………………………..

**D Black or Black British**

[ ] Caribbean

 [ ] African

 [ ] Any other Black background, please write in …………………………………

**E Other ethnic group**

[ ] Arab

 [ ] Any other ethnic group, please write in …………………………………………

**Do you have a disability as defined under the Disability Discrimination Act (**defined asa physical or mental impairment which has a substantial and long-term adverse effect on [your] ability to carry out normal day-to-day activities)**?**

Yes [ ]

No [ ]

Please provide details of any special arrangements you would require if offered an interview

**……………………………………………………….**

**What age group do you belong to?**

Under 25 [ ]

26 – 35 [ ]

36 – 50 [ ]

51 and over [ ]

**Thank you for providing this information to assist us with our recruitment monitoring**