
Overview

This standard is about providing clients seeking asylum with permitted advice and support at the point of initial contact with the service. You will establish their needs and expectations of services, research information which is relevant to their situation and provide them with appropriate and accurate legal advice. You will know when to refer clients on to more specialist sources of advice.

Performance

criteria

You must be able to:

- P1 explain to clients the legal advice services you can offer in line with organisational requirements
- P2 check clients' understanding of legal advice services is consistent with information you have provided
- P3 agree with clients their legal advice requirements in line with relevant legislation, policies and procedures
- P4 agree with clients where situations require immediate action in line with organisational requirements, and:
 - P4.1 take steps to implement this
- P5 agree next steps with clients in line with organisational requirements
- P6 explain accurately the organisation's systems and procedures for working with clients
- P7 agree further actions with clients in line with organisational requirements including;
 - P7.1 procedures
 - P7.2 responsibilities
 - P7.3 time limits
- P8 analyse available client information to assign relevance to their case in line with own professional judgement
- P9 record client details and agreed actions in line with organisational requirements
- P10 review sources of information to assess applicability to clients situations
- P11 check that information obtained is in line with organisational requirements to enable you to advise clients
- P12 analyse information received from clients and the research process to formulate options in line with clients' needs
- P13 present clients with information and possible options for action in line with organisational requirements
- P14 advise clients on the implications of possible options in line with organisational requirements
- P15 check clients' understanding of the advice offered in line with organisational requirements

P16 agree actions required by you and clients in line with organisational requirements

Knowledge and understanding

You need to know and understand:

- K1 the rules governing immigration and asylum advice and the specific advice and action permissible to your role
- K2 the definition of refugee status under relevant legislation and the individual's entitlement to seek asylum
- K3 the key asylum legislation and procedures in the United Kingdom
- K4 sources of referral for asylum seekers with specific advice requirements
- K5 how to provide permitted 'one-off' assistance to asylum seekers
- K6 how to identify an unaccompanied minor and the statutory rights and entitlements that go with that status
- K7 the options available to failed asylum seekers
- K8 the grounds for appeals about asylum, and the relevant procedures
- K9 the European Economic Area and European Union accession countries
- K10 how human rights legislation impacts on immigration and nationality
- K11 the rights and entitlements of asylum seekers to support
- K12 how rights and entitlements are affected by clients' circumstances
- K13 rules and guidance on entitlement to public funding
- K14 entitlement to public services in relation to client status
- K15 how to access rights and entitlements for different categories of client, including:
 - K15.1 health care
 - K15.2 education and training
 - K15.3 housing
- K16 the procedure for referral to social services for assessment where health needs impact on daily living
- K17 good practice relating to the use of interpreters, and how to source them

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Provide first line asylum legal advice

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