

## Essential Competency Framework for Regulated Canadian Immigration Consultants (RCIC)

These are in effect until June 30, 2026.

College of Immigration and Citizenship Consultants

Version: 2020-001

### Unit 1: Foundational Knowledge

RCICs apply knowledge of the Canadian legal framework and immigration legislation and regulations to provide competent client services.

Competency	Performance Indicators
<b>1.1</b> Demonstrates knowledge of the Canadian legal system.	<p><b>1.1.1</b> Summarizes the Canadian justice system and the authority and scope of each division.</p> <p><b>1.1.2</b> Explains the historical underpinnings of Canadian immigration and citizenship law.</p> <p><b>1.1.3</b> Differentiates the functions and powers of the various federal departments and agencies which have a role in immigration and citizenship matters.</p> <p><b>1.1.4</b> Articulates how the legislation and regulations are created and amended by parliament and provincial legislations.</p> <p><b>1.1.5</b> Applies the meaning of standard and burden of proof related to Canadian immigration law and citizenship.</p>
<b>1.2</b> Applies knowledge of the principles of administrative law.	<p><b>1.2.1</b> Summarizes the body of law that regulates the activities and operations of governments and governmental agencies in Canada.</p> <p><b>1.2.2</b> Explains the meaning of discretion in administrative law and how it must be exercised in various contexts.</p> <p><b>1.2.3</b> Explains the role of judicial review in ensuring that the executive branch of government follows the principles of administrative law.</p> <p><b>1.2.4</b> Applies the relevant rules of procedural fairness to different immigration law and citizenship contexts.</p>
<b>1.3</b> Interprets Canadian immigration and refugee	<p><b>1.3.1</b> Interprets the relevant sections of the Immigration and Refugee Protection Act (IRPA), Immigration and</p>

Competency	Performance Indicators
legislation, regulations, and policies.	Refugee Protection Regulations (IRPR), Citizenship Act, Citizenship Regulations. <b>1.3.2</b> Demonstrates knowledge of the refugee determination system in Canada and refugee resettlement system abroad. <b>1.3.3</b> Identifies issues and concerns warranting special relief for humanitarian and compassionate applications and considerations. <b>1.3.4</b> Accurately applies immigration, refugee and citizenship legislation, regulation, policies to various cases. <b>1.3.5</b> Summarizes the requirements and processes of the different provinces' and territories' immigration programs.
<b>1.4</b> Differentiates the principal categories and classes of temporary and permanent immigration.	<b>1.4.1</b> Identifies the temporary and permanent residence categories and classes. <b>1.4.2</b> Analyzes the requirements, procedures and limitations for each category and class of immigration. <b>1.4.3</b> Explains how the rights and obligations of Canadian citizens differ from those of non-citizens (permanent residents or foreign nationals).
<b>1.5</b> Synthesizes and applies case law to various immigration and citizenship cases.	<b>1.5.1</b> Identifies the main elements of case law including purpose, facts, issues, law, ratio decidendi, decision and disposition. <b>1.5.2</b> Identifies the leading cases that impact Canadian immigration, refugees and citizenship. <b>1.5.3</b> Applies the leading cases to client situations and legal issues.
<b>1.6</b> Analyzes the various grounds of inadmissibility and how the grounds are applied in a variety of contexts.	<b>1.6.1</b> Interprets the sections of the IRPA, IRPR, the Charter of Rights and Freedoms and other relevant sources of law pertaining to inadmissibility, removal and detention. <b>1.6.2</b> Summarizes the categories of inadmissibility related to: criminality; organized criminality; security; human or international rights violations; health; financial reasons; misrepresentation; non-compliance; and inadmissible family members. <b>1.6.3</b> Recognizes criminal equivalency to Canadian Criminal Code. <b>1.6.4</b> Identifies the exemption criteria for inadmissibility and the actions required to overcome inadmissibility.

Competency	Performance Indicators
	<p><b>1.6.5</b> Recognizes and analyzes the impact of inadmissibility on the client and their situation.</p> <p><b>1.6.6</b> Advises the client on the consequences and the exemptions that apply to each inadmissibility ground.</p> <p><b>1.6.7</b> Considers remedies associated with inadmissibility prior to submitting an application.</p> <p><b>1.6.8</b> Identifies when a client's inadmissibility cannot be overcome.</p> <p><b>1.6.9</b> Summarizes the actions the government may take when a client is deemed inadmissible, including arrest, detention and removal.</p>
<p><b>1.7</b> Applies immigration enforcement legislation and related activities to client situations and issues.</p>	<p><b>1.7.1</b> Interprets the sections of the IRPA, IRPR, the Charter of Rights and Freedoms and other relevant sources of law pertaining to removal and detention.</p> <p><b>1.7.2</b> Distinguishes the different government agencies and tribunals that are involved in enforcement and analyzes the relationships between them.</p> <p><b>1.7.3</b> Explains the requirements for entering and remaining in Canada as related to enforcement.</p> <p><b>1.7.4</b> Considers the social context in which immigration detention takes place.</p> <p><b>1.7.5</b> Develops and executes strategies to obtain the release of clients in detention.</p> <p><b>1.7.6</b> Demonstrates an understanding of the recourses available for clients facing removal.</p> <p><b>1.7.7</b> Prepares effective pre-removal risk assessment and deferral request applications.</p> <p><b>1.7.8</b> Locates, interprets, and applies statutory frameworks, regulations, divisional rules, guidelines or other policy instruments, and case law governing refugee protection claims in Canada.</p>
<p><b>1.8</b> Identifies global issues that have an influence on Canadian immigration policies and directives.</p>	<p><b>1.8.1</b> Explains the historical context that has influenced Canadian immigration policy (e.g. macro world immigration and migration patterns, globalization, etc.).</p> <p><b>1.8.2</b> Uses a variety of resources to research humanitarian issues and cultural bias that may impact the client situation and legal issues.</p>



Competency	Performance Indicators
	<b>1.8.3</b> Considers the impact of international relations, treaties and agreements on the client's situation and legal issues.

## Unit 2: Case Management

RCICs apply relevant legislation at each stage of the immigration process in a timely manner to protect the clients' immigration status and eligibility.

Competency	Performance Indicators
<b>2.1</b> Conducts a preliminary assessment of the client's profile and needs to determine the appropriate approach to the case.	<p><b>2.1.1</b> Verifies the person's identity and reason for the inquiry.</p> <p><b>2.1.2</b> Gathers enough information from the person to determine whether to initiate or decline services or to refer to another professional or service.</p> <p><b>2.1.3</b> Assesses own competence to provide the services required by the client.</p>
<b>2.2</b> Engages in a process to ensure the client is fully informed and able to make a decision whether to proceed with the RCIC's professional services and enter into a service agreement.	<p><b>2.2.1</b> Determines the client's capacity to reasonably understand the information presented or seeks a substitute decision-maker if client is deemed incapable.</p> <p><b>2.2.2</b> Discusses with the client the different options, potential and actual barriers and risks, and alternative course(s) of action.</p> <p><b>2.2.3</b> Discusses with the client the anticipated timelines and milestones to ensure the client has realistic expectations of the process.</p> <p><b>2.2.4</b> Advises the client of the RCIC's scope of practice, personal competence and practice limitations.</p> <p><b>2.2.5</b> Communicates fees and payment structure, ensuring the client has an accurate understanding of the anticipated cost for services, and any anticipated cost adjustments.</p> <p><b>2.2.6</b> Explains the client's responsibilities, particularly truth-telling, and the consequences of breach of client obligations.</p> <p><b>2.2.7</b> Ensures the client fully understands the contents of the service agreement and their obligations in the professional relationship.</p> <p><b>2.2.8</b> Provides the service agreement in English/French following regulatory standards.</p> <p><b>2.2.9</b> Recommends and allows the client sufficient time to obtain independent legal advice or to translate the service agreement into another language.</p>
<b>2.3</b> Acquires accurate and authentic documentation to	<p><b>2.3.1</b> Conducts a comprehensive interview with the client and relevant others to collect information pertaining to the immigration, refugees or citizenship process and that could</p>

Competency	Performance Indicators
support the application process.	<p>impact the client's application or their current immigration status.</p> <p><b>2.3.2</b> Obtains and reviews documentation to verify the accuracy of the client's oral account of their situation.</p> <p><b>2.3.3</b> Collects documents required for the application process according to legislative requirements and government policies.</p> <p><b>2.3.4</b> Identifies ambiguities, gaps or discrepancies in client information or documentation and advises how to address them.</p> <p><b>2.3.5</b> Assesses client information and documents for completeness, accuracy, validity, and authenticity before submitting to officials.</p>
<b>2.4</b> Conducts legal research to construct a legal argument and discuss options with the client.	<p><b>2.4.1</b> Poses research questions to inform the legal research need.</p> <p><b>2.4.2</b> Analyzes and synthesizes research information to determine the legal framework of the case.</p> <p><b>2.4.3</b> Weighs the different options and analyzes the client's situation and eligibility, to determine the most appropriate strategy.</p> <p><b>2.4.4</b> Discusses the option(s) with the client ensuring the client's understanding of the benefits, and any risks or alternative approaches.</p> <p><b>2.4.5</b> Recommends a legal strategy based on the analysis of legal research and the client's circumstances.</p>
<b>2.5</b> Completes and submits all required documents and materials in a timely manner.	<p><b>2.5.1</b> Follows government policies and operational instructions and guidelines to accurately complete the application and to submit the required documents.</p> <p><b>2.5.2</b> Integrates evidence, legal findings and policy information into writing submissions.</p> <p><b>2.5.3</b> Emphasizes critical aspects of the case and salient issues in an objective manner.</p> <p><b>2.5.4</b> Prepares a submission letter that outlines key case information, supports case strategy, and advocates in the best client's interest.</p> <p><b>2.5.5</b> Ensures timely submission of documents and materials to the government agency.</p>

Competency	Performance Indicators
<p><b>2.6</b> Demonstrates ethical behaviours when withdrawing from representation and terminating the service agreement.</p>	<p><b>2.6.1</b> Continues to provide services to a client only when it continues to be indicated, effective, and beneficial.  <b>2.6.2</b> Recognizes situations when services or agreements require adjustment or termination.  <b>2.6.3</b> Recognizes when a serious loss of confidence occurs between the RCIC and the client and takes action to either resolve the issue or initiate steps to end the relationship.  <b>2.6.4</b> Recognizes when service can be terminated without further responsibilities or obligations.  <b>2.6.5</b> Recognizes when termination of the relationship would jeopardize the client's application.  <b>2.6.6</b> Makes a referral to another professional and creates a transition plan to ensure that termination does not prejudice the client's case.  <b>2.6.7</b> Communicates to the client the decision to terminate, the reason for termination, and a timeline with a plan for transition.  <b>2.6.8</b> Delivers to the client all documents, files and property that belong to the client.  <b>2.6.9</b> Promptly renders account for any outstanding fees and disbursements and refunds any unused or due funds not earned during the retainer.  <b>2.6.10</b> Notifies the client in writing of the withdrawal of representation to any government agency where the RCIC's name appears as representative for the client.  <b>2.6.11</b> Co-operates with the successor so as to minimize expense, delay and prejudice to the client.</p>
<p><b>2.7</b> Proficiently uses a customer relationship management system and practice management databases.</p>	<p><b>2.7.1</b> Demonstrates proficient use of electronic case/file management operating systems and databases used in the RCIC practice.  <b>2.7.2</b> Seeks guidance from technology advisors or experts when requirements are beyond personal competence.  <b>2.7.3</b> Ensures Customer Relationship Management and Practice Management databases meet regulatory requirements for documentation, file management, record retention and security.</p>
<p><b>2.8</b> Maintains a logical file management system to ensure access to and timely retrieval</p>	<p><b>2.8.1</b> Creates a file management system that supports easy and timely retrieval and use of client information and documents.</p>

Competency	Performance Indicators
<p>of information and to support case management.</p>	<p><b>2.8.2</b> Collects only personal health information that is necessary and pertinent to the purpose of the collection.</p> <p><b>2.8.3</b> Maintains a current list of the required documents and documents received from clients and third parties to maintain an up-to-date case file.</p> <p><b>2.8.4</b> Regularly reviews and updates file management systems to ensure they meet current privacy legislation, regulatory standards and industry practices.</p> <p><b>2.8.5</b> Ensures active files are stored separately from closed files.</p> <p><b>2.8.6</b> Develops and implements a plan for management of client records for planned or unexpected discontinuation of practice to ensure client access to their records.</p>
<p><b>2.9</b> Maintains accurate and current client records and documentation according to regulatory requirements.</p>	<p><b>2.9.1</b> Accurately and concisely completes applications and government documents according to current operational instructions and guidelines from authorities.</p> <p><b>2.9.2</b> Maintains accurate and current client case documents including but not limited to:</p> <ul style="list-style-type: none"> <li>• the service agreement and a copy of all other relevant agreements (e.g. Initial Consultation Agreement and any Joint Retainer Agreement);</li> <li>• copies of all supporting documents related to the immigration application (e.g. police clearance, marriage certificate, academic transcripts, certified translation of documents, etc.);</li> <li>• notations of or a copy of all client correspondences and the associated outcomes of the correspondences;</li> <li>• copies of client property;</li> <li>• copies of billing documents (e.g. invoices, receipts);</li> <li>• a copy of the client's written authorization of designate/substitute decision-maker, where applicable;</li> <li>• copies of draft documents; and</li> <li>• copies of immigration or citizenship applications or submissions on behalf of a client.</li> </ul> <p><b>2.9.3</b> Maintains copies of any Agent Agreements.</p> <p><b>2.9.4</b> Maintains a record of all client property and documents received, including the date of receipt and the date the property was returned to the client.</p>





Competency	Performance Indicators
	<p><b>2.9.5</b> Maintains a record that proves reception of the client's property along with the date of reception and an acknowledgement of receipt of all the property. Where acknowledgement is not received a notation in the client record must indicate that all efforts were made to obtain acknowledgement of receipt of the client's property.</p> <p><b>2.9.6</b> Ensures invoices accurately reflect and outline the services rendered.</p>

### Unit 3: Legal Research and Informatics

RCICs conduct research using information technology sources to support the formation of the legal strategy.

Competency	Performance Indicators
<b>3.1</b> Identifies and prioritizes the legal issues to inform the required legal research.	<p><b>3.1.1</b> Examines the facts of the situation to identify the current and potential issues that may arise.</p> <p><b>3.1.2</b> Determines which provisions of statutes, regulations or policy instruments apply.</p> <p><b>3.1.3</b> Considers whether there are potential issues that are not immediately obvious on hearing the facts of the situation.</p> <p><b>3.1.4</b> Prioritizes preliminary issues based on the facts of the situation, the client's request, and applicable legislation.</p> <p><b>3.1.5</b> Determines the need for further information based on the objective of the research.</p>
<b>3.2</b> Determines and locates current and reliable information and applicable law or policies that address the objective of the research.	<p><b>3.2.1</b> Identifies reliable research tools to obtain primary and secondary sources of law and other information that is relevant to the issue and the client case.</p> <p><b>3.2.2</b> Locates reliable and current sources of information from a variety of resources.</p> <p><b>3.2.3</b> Locates and follows government operational instructions and guidelines that are applicable to the client case.</p> <p><b>3.2.4</b> Correctly reads legal citations in order to locate the text of the statute or regulation.</p> <p><b>3.2.5</b> Locates the relevant leading cases that are binding and present similar issues and facts to the client's situation.</p>
<b>3.3</b> Proficiently uses government's immigration and citizenship portals, government databases and other credible information technology sources.	<p><b>3.3.1</b> Conducts online searches using key search words to find reliable and current sources of information.</p> <p><b>3.3.2</b> Navigates credible legal online databases and immigration websites to access relevant and current legislation, regulation, case law, policies, and operational instructions and guidelines.</p> <p><b>3.3.3</b> Navigates the government immigration and citizenship portals to access immigration and citizenship applications, instructions and other documents.</p>



Competency	Performance Indicators
<p><b>3.4</b> Constructs a legal argument based on legal research on case facts and relevant immigration, refugee and citizenship laws.</p>	<p><b>3.4.1</b> Applies relevant sections of the Immigration and Refugee Protection Act, Immigration and Refugee Protection Regulations, Citizenship Act or citizenship regulations to the client case.</p> <p><b>3.4.2</b> Applies the facts of the situation in an ethical and defensible way.</p> <p><b>3.4.3</b> Applies the appropriate law that addresses the client's needs, research objective and identified issues.</p> <p><b>3.4.4</b> Determines the answers to the identified issues and the likely outcome of the client's case.</p> <p><b>3.4.5</b> Accurately cites published literature, computerized sources, statutes, regulations and case law in written and oral communications.</p>

## Unit 4: Business Management and Leadership

RCICs demonstrate principles of leadership and management to establish and maintain a competent and ethical immigration and citizenship consulting practice.

Competency	Performance Indicators
<b>4.1</b> Demonstrates leadership skills in the immigration and citizenship consulting profession.	<p><b>4.1.1</b> Demonstrates understanding of social situations and team dynamics.</p> <p><b>4.1.2</b> Applies mentoring skills to support others in practice.</p> <p><b>4.1.3</b> Acts as an expert in the Canadian immigration and citizenship field by providing advice and consultation to clients and other professionals.</p> <p><b>4.1.4</b> Recognizes limitations of others and provides support when needed.</p>
<b>4.2</b> Investigates, accesses and determines the consulting/business structure options to support a viable business plan.	<p><b>4.2.1</b> Outlines the major steps needed to establish a sole practice or corporation.</p> <p><b>4.2.2</b> Conducts a competitive analysis to determine level of need for services in the region.</p> <p><b>4.2.3</b> Reflects on strengths, skills, potential opportunities, and threats to business, and devises means to mitigate business risks.</p> <p><b>4.2.4</b> Develops a business plan which serves as a guide to the business's operations and communicates the company's purpose and vision.</p> <p><b>4.2.5</b> Establishes an operational budget needed to run the business and to provide services.</p> <p><b>4.2.6</b> Establishes ethical billing practices in keeping with industry standards and regulatory requirements.</p> <p><b>4.2.7</b> Adheres to regulatory requirements for registering a sole proprietorship, partnership, corporation or firm.</p> <p><b>4.2.8</b> Adheres to regulatory requirements for registering a business name.</p>
<b>4.3</b> Applies principles of ethical marketing and advertising practices in accordance with regulatory standards.	<p><b>4.3.1</b> Ensures that marketing information is truthful, accurate, verifiable and upholds the ethical and professional reputation/image of the profession.</p> <p><b>4.3.2</b> Acts with professional courtesy toward competitors and adheres to the Code of Professional Conduct.</p> <p><b>4.3.3</b> Ensures that all claims used in testimonials or endorsements are true and verifiable and have been</p>

Competency	Performance Indicators
	<p>reviewed and approved in writing for public use by the client or the former client.</p> <p><b>4.3.4</b> Ensures that the RCIC's name as registered with the College is prominently displayed at or near the beginning of the advertising or promotion.</p>
<p><b>4.4</b> Prioritizes and manages projects and workflow to ensure timely, efficient, and effective delivery of services.</p>	<p><b>4.4.1</b> Establishes realistic and attainable goals and timelines to complete projects and tasks.</p> <p><b>4.4.2</b> Applies project management skills to manage projects and deliverables.</p> <p><b>4.4.3</b> Identifies competing issues and prioritizes according to level of urgency and needs.</p> <p><b>4.4.4</b> Accurately and honestly communicates priority issues and timelines to client and relevant others (e.g. staff, agents, colleagues).</p> <p><b>4.4.5</b> Allocates resources for optimal client service and business operation.</p> <p><b>4.4.6</b> Prioritizes current workload based on client factors, known deadlines and the application process.</p> <p><b>4.4.7</b> Tracks timelines and deadlines to monitor progress of the application or services.</p> <p><b>4.4.8</b> Ensures agreed upon deliverables are met within established timelines.</p> <p><b>4.4.9</b> Takes action to ensure continued progress of the application and timely delivery of services.</p> <p><b>4.4.10</b> Maintains contact with the client at stated milestones of the case or process.</p>
<p><b>4.5</b> Manages human resource activities that adhere to applicable legislation and regulations.</p>	<p><b>4.5.1</b> Assigns responsibilities to staff and team members according to professional scope of practice and individual levels of competence.</p> <p><b>4.5.2</b> Takes steps to manage and report incompetent, unethical, and unsafe practice, according to regulatory requirements and standards.</p> <p><b>4.5.3</b> Provides necessary training and professional growth opportunities to support the continuing competence of staff.</p> <p><b>4.5.4</b> Supports staff compliance with applicable laws, policies, procedures, and established systems.</p> <p><b>4.5.5</b> Complies with human resource legislation and regulations.</p>

Competency	Performance Indicators
	<p><b>4.5.6</b> Provides staff with regular formative feedback to support reflective practice.</p> <p><b>4.5.7</b> Conducts performance reviews of staff that include the provision of constructive feedback and identify required remediation.</p> <p><b>4.5.8</b> Respects the cultural needs of staff and team members.</p> <p><b>4.5.9</b> Obtains informed consent from the client or the substitute decision-maker for the involvement of staff and/or others in the provision of services.</p>
<p><b>4.6</b> Provides oversight of immigration Agents in accordance to regulatory requirements to ensure ethical, competent, and appropriate services.</p>	<p><b>4.6.1</b> Enters into an Agent Agreement with the Agent that describes the scope of services and working relationship between the Agent and the RCIC.</p> <p><b>4.6.2</b> Registers the Agent with the College.</p> <p><b>4.6.3</b> Assigns tasks that are compatible with the personal competence and scope of practice of the agent to ensure client needs are met.</p> <p><b>4.6.4</b> Takes responsibility for all work completed by the agent(s).</p> <p><b>4.6.5</b> Implements a process to ensure the Agent complies with legislation, regulations, regulatory requirements and the Code of Professional Conduct for the profession.</p> <p><b>4.6.6</b> Obtains client consent for the involvement of the Agent.</p>
<p><b>4.7</b> Reviews business practices and performance to ensure efficient and quality service.</p>	<p><b>4.7.1</b> Establishes processes and tools to evaluate the effectiveness of business practices and client service.</p> <p><b>4.7.2</b> Analyzes business practices and financial data to support fiscally responsible decision making.</p> <p><b>4.7.3</b> Analyzes client interactions and client satisfaction to enhance services.</p>
<p><b>4.8</b> Employs conflict resolution skills to effectively manage conflict or disagreement with others.</p>	<p><b>4.8.1</b> Considers own emotions, as well as the emotions of others, to prevent escalation of a situation.</p> <p><b>4.8.2</b> Uses persuasive communication skills to influence and produce a desired outcome during negotiations and conflict resolution discussions.</p>

Competency	Performance Indicators
<p><b>4.9</b> Utilizes financial management practices that ensure the appropriate provision of client services.</p>	<p><b>4.9.1</b> Maintains accurate, current, and legible financial records that adhere to provincial and federal legislation and regulatory requirements.</p> <p><b>4.9.2</b> Ensures that accounting and/or bookkeeping systems are in place and adhere to legislation and regulations.</p> <p><b>4.9.3</b> Provides clients with and maintains a copy of all invoices and payment receipts.</p> <p><b>4.9.4</b> Clearly outlines fee and payment schedule to clients.</p> <p><b>4.9.5</b> Ensures that fees are fair and reasonable and are clearly communicated to the client.</p>
<p><b>4.10</b> Develops and communicates a succession plan for emergencies or unplanned absences, and temporary and permanent cessation of practice, to ensure continuity and continuation of client services.</p>	<p><b>4.10.1</b> Establishes appropriate arrangements for planned and unplanned practice absences, including assigning suitable powers of attorney respecting the practice.</p> <p><b>4.10.2</b> Makes the appropriate arrangements to transfer client records when closing and/or selling practice, according to the standards of the profession.</p> <p><b>4.10.3</b> Documents a succession plan and communicates the arrangement to the appropriate person(s).</p>

## Unit 5: IRB and Administrative Tribunals

RCICs demonstrate the competence required to engage in activities related to the tribunal processes of the Immigration and Refugee Board (IRB).

Competency	Performance Indicators
<b>5.1</b> Applies the foundational knowledge required to competently advise and represent the client in an IRB procedure.	<p><b>5.1.1</b> Identifies and analyzes client's eligibility in relation to each of the 4 Divisions of the IRB (RPD, RAD, IAD, and ID).</p> <p><b>5.1.2</b> Distinguishes the jurisdiction, legal principles and case law, rules, guidelines and relevant policy instruments for the 4 Divisions of the IRB.</p> <p><b>5.1.3</b> Explains the significance of timelines in submissions to each of the 4 Divisions of IRB.</p> <p><b>5.1.4</b> Defines the role and duties of the RCIC in relation to each of the 4 Divisions of IRB.</p> <p><b>5.1.5</b> Distinguishes the standards and burden of proof used for different issues in each of the 4 Divisions of IRB.</p> <p><b>5.1.6</b> Explains the different procedures used by each of the IRB's 4 Divisions.</p> <p><b>5.1.7</b> Explains the differences between an oral hearing and written submissions, and how these are applied in each of the 4 Divisions of IRB.</p> <p><b>5.1.8</b> Identifies options for seeking special procedural accommodations for vulnerable clients.</p> <p><b>5.1.9</b> Prepares and submits documents in accordance with Division rules.</p>
<b>5.2</b> Develops legal arguments and strategies for the IRB hearing.	<p><b>5.2.1</b> Identifies all the legal and factual elements of the client's case.</p> <p><b>5.2.2</b> Identifies facts and evidence needed to support client's case.</p> <p><b>5.2.3</b> Identifies issues likely to arise in the hearing.</p> <p><b>5.2.4</b> Constructs a legal argument that supports the client's legal position and a legal conclusion that benefits the client.</p> <p><b>5.2.5</b> Takes into consideration the standards and burden of proof used for the specific case issue and Division.</p> <p><b>5.2.6</b> Develops strategies to proceed with the case.</p> <p><b>5.2.7</b> Follows the current processes for submitting documentary evidence according to the rules of the Division.</p>



Competency	Performance Indicators
	<b>5.2.8</b> Identifies available remedies and advises client accordingly.
<b>5.3</b> Prepares for the appearance before the tribunal.	<p><b>5.3.1</b> Identifies need for expert or other witness testimony, affidavits or reports to support the case before IRB.</p> <p><b>5.3.2</b> Obtains written reports or affidavits from experts and witnesses as required.</p> <p><b>5.3.3</b> Identifies and interviews relevant witnesses and experts.</p> <p><b>5.3.4</b> Prepares client and witnesses for the testimony by explaining what happens in the hearing room and the anticipated questions.</p>
<b>5.4</b> Prepares and presents opening statement, examination, re-examination and/or cross-examination, and closing submissions.	<p><b>5.4.1</b> Identifies main issues raised by the client's case, including possible concerns of Division members or possible arguments of opposing party, if any.</p> <p><b>5.4.2</b> Demonstrates procedural knowledge and civility in a hearing.</p> <p><b>5.4.3</b> Prepares examinations and/or cross-examinations in support of the client's case and in compliance with applicable rules of evidence and procedure.</p> <p><b>5.4.4</b> Presents submissions coherently and persuasively in both written and oral form, and in accordance with law and good practice.</p>

## Unit 6: Professionalism

RCICs adhere to the Code of Professional Conduct for the profession to provide competent and ethical services.

Competency	Performance Indicators
<b>6.1</b> Demonstrates and maintains competence in practice.	<p><b>6.1.1</b> Continuously develops and enhances expertise by seeking feedback from clients and peers.</p> <p><b>6.1.2</b> Stays current and complies with legislation, regulation, professional standards, policies and guidelines.</p> <p><b>6.1.3</b> Anticipates and manages the potential outcomes of own actions or the actions of others.</p> <p><b>6.1.4</b> Recognizes and exercises professional judgment within the limits of individual qualifications.</p> <p><b>6.1.5</b> Recognizes own limitations and seeks support and assistance when needed.</p> <p><b>6.1.6</b> Builds collaborative relationships to encourage professional growth and development.</p> <p><b>6.1.7</b> Collaborates with others, seeks counsel or makes referrals as appropriate.</p> <p><b>6.1.8</b> Keeps current with evolving technology and emerging trends in immigration services.</p> <p><b>6.1.9</b> Identifies need and takes the appropriate steps to maintain and enhance competence.</p> <p><b>6.1.10</b> Engages in Quality Management and continuing professional development activities and experiences as required by the regulatory organization.</p>
<b>6.2</b> Demonstrates accountability and integrity in professional behaviours and in practice.	<p><b>6.2.1</b> Takes responsibility for own actions.</p> <p><b>6.2.2</b> Recognizes one's limitation and seeks consultation from counsel of the law society or from another RCIC, when needed.</p> <p><b>6.2.3</b> Conducts client affairs in an efficient and cost-effective manner.</p> <p><b>6.2.4</b> Refuses to engage in conduct that is dishonest, fraudulent or illegal.</p> <p><b>6.2.5</b> Applies the facts of the matter in an ethical and defensible way.</p> <p><b>6.2.6</b> Demonstrates transparent communications with clients and other professionals.</p> <p><b>6.2.7</b> Responds to the client's and the immigration authority's needs in a timely manner.</p>

Competency	Performance Indicators
	<p><b>6.2.8</b> Maintains licence to practise and appropriately uses professional designation.</p> <p><b>6.2.9</b> Accurately communicates their professional title and designation.</p> <p><b>6.2.10</b> Respects intellectual property rights, including citation and recognition of the ideas and work of others, regardless of the medium (e.g. written, oral, electronic).</p> <p><b>6.2.11</b> Provides accurate and truthful information in all communications.</p> <p><b>6.2.12</b> Reports inappropriate or incompetent behaviours or treatment of clients by other regulated professionals.</p> <p><b>6.2.13</b> Ensures billing most accurately reflects the character and extent of delivered services.</p>
<p><b>6.3</b> Ethically manages conflicts of interest to ensure the integrity of the professional relationship.</p>	<p><b>6.3.1</b> Recognizes a perceived, potential, or real conflict of interest.</p> <p><b>6.3.2</b> Adequately discloses the conflict of interest to all relevant parties.</p> <p><b>6.3.3</b> Determines the appropriateness to proceed with the provision of services in collaboration with the client and other relevant parties.</p> <p><b>6.3.4</b> Withdraws as the client's representative when a perceived or real conflict of interest exists, and the conflict cannot be adequately mitigated.</p>
<p><b>6.4</b> Maintains security and confidentiality when collecting, sharing, transmitting and storing confidential information in accordance with legislation, regulations, and the standards of the profession.</p>	<p><b>6.4.1</b> Establishes and monitors compliance with privacy and confidentiality policies according to legislation requirements.</p> <p><b>6.4.2</b> Obtains the client's consent for the collection, disclosure, storage, and use of personal information.</p> <p><b>6.4.3</b> Takes action to minimize foreseeable risks to privacy and confidentiality of the client's information.</p> <p><b>6.4.4</b> Takes reasonable measures to ensure personal health information stored locally or remotely is secure from unauthorized access, loss or theft.</p> <p><b>6.4.5</b> Takes required action in response to unauthorized access, use, and disclosure of information.</p> <p><b>6.4.6</b> Ensures safe and secure destruction of personal information.</p> <p><b>6.4.7</b> Ensures the physical security of on-site records by the use of controls such as locked filing cabinets,</p>

Competency	Performance Indicators
	<p>restricted office access, logging off computers when out of the office, etc.</p> <p><b>6.4.8</b> Ensures computer systems meet security, privacy, and confidentiality legislative requirements and professional standards.</p> <p><b>6.4.9</b> Applies security features when sharing or transmitting client's personal information by electronic communication (e.g. encrypted, password protected, secure network, authenticated sources and destinations).</p> <p><b>6.4.10</b> Follows legislative procedures when directed by law to disclose client's personal information.</p> <p><b>6.4.11</b> Makes reasonable efforts to notify the individual(s) involved if their information has been lost or stolen or accessed without their authorization.</p>
<p><b>6.5</b> Recognizes and maintains professional boundaries in practice.</p>	<p><b>6.5.1</b> Recognizes warning signs of a potential and/or actual boundary crossing or violation.</p> <p><b>6.5.2</b> Remains alert to the changing nature of interactions with the client.</p> <p><b>6.5.3</b> Avoids inappropriate disclosure of personal information that is non-relevant to the client's situation or case.</p> <p><b>6.5.4</b> Avoids billing irregularities that may signal special favours.</p> <p><b>6.5.5</b> Recognizes behaviours associated with transference and counter-transference.</p> <p><b>6.5.6</b> Takes action to manage transferences and counter-transferences to support an ethical, effective and appropriate relationship with the client.</p>
<p><b>6.6</b> Collaborates with other professionals to meet the needs of the client.</p>	<p><b>6.6.1</b> Consults with or refers to others when issue(s) or client needs are beyond personal competence or professional scope of practice.</p> <p><b>6.6.2</b> Demonstrates knowledge of other professions' scopes of practice.</p> <p><b>6.6.3</b> Respects other professionals' opinions and professional knowledge.</p> <p><b>6.6.4</b> Builds rapport and trust within professional relationships.</p>

## Unit 7: Cultural Competence

RCICs apply principles of cultural awareness to effectively interact with different individuals and to positively impact relationships with the clients.

Competency	Performance Indicators
<b>7.1</b> Acknowledges differences in cultural values and priorities among clients.	<p><b>7.1.1</b> Builds self-awareness of personal beliefs, values, and cultural biases.</p> <p><b>7.1.2</b> Identifies and explains variations in Canadian culture to client.</p> <p><b>7.1.3</b> Reflects upon client's culturally informed motivations.</p> <p><b>7.1.4</b> Identifies and takes action to address potential for cultural bias issues in the client's applications.</p> <p><b>7.1.5</b> Collects information, without prejudice, about the client's current and past gender orientation required for application process.</p>
<b>7.2</b> Adapts services to different cultural contexts.	<p><b>7.2.1</b> Researches cultural characteristics of specific client communities.</p> <p><b>7.2.2</b> Cultivates a network of cultural informants.</p> <p><b>7.2.3</b> Structures interactions to respect cultural norms.</p> <p><b>7.2.4</b> Incorporates client's priorities into immigration strategy.</p> <p><b>7.2.5</b> Structures submissions and other communications to mitigate potential cultural biases.</p> <p><b>7.2.6</b> Identifies and explains cultural variations.</p> <p><b>7.2.7</b> Advocates for clients with respect to cultural norms and exceptions.</p>
<b>7.3</b> Demonstrates awareness of clients' cultural needs and takes action to facilitate client engagement.	<p><b>7.3.1</b> Examines culturally based expectations of service and communications.</p> <p><b>7.3.2</b> Addresses culturally determined negotiation strategies.</p> <p><b>7.3.3</b> Identifies needs for language and cultural resources (translator, interpreter, educational materials).</p> <p><b>7.3.4</b> Ensures culturally appropriate support (language, gender, religion) is provided.</p>

## Unit 8: Communication, Counselling and Advocacy

RCICs use effective communication, counselling and advocacy skills to achieve common goals and enhance relationships in the provision of services.

Competency	Performance Indicators
<b>8.1</b> Demonstrates proficiency in oral and written communications	<p><b>8.1.1</b> Uses concise, clear, and well-organized language.</p> <p><b>8.1.2</b> Accurately references statutes, regulations and policies.</p> <p><b>8.1.3</b> Accurately uses legal terminology and appropriate abbreviations.</p> <p><b>8.1.4</b> Employs correct grammar, spelling and sentence construction.</p> <p><b>8.1.5</b> Effectively formulates and presents well-reasoned legal arguments, analysis, advice or submissions.</p> <p><b>8.1.6</b> Limits obscure legal terminology to support the client's understanding and comprehension of the information.</p> <p><b>8.1.7</b> Adapts communication style to accommodate the diverse needs of the individual or group.</p>
<b>8.2</b> Uses effective counselling skills when interacting with the client.	<p><b>8.2.1</b> Prepares the meeting environment to create a private and comfortable atmosphere for discussion and negotiations.</p> <p><b>8.2.2</b> Uses active listening techniques to encourage the client to talk freely.</p> <p><b>8.2.3</b> Assists the clients in articulating their problems, defining their interests, ordering their objectives, and generating, assessing, and implementing alternative solutions.</p> <p><b>8.2.4</b> Dynamically assesses and sorts through the information for importance and relevancy to the issues.</p> <p><b>8.2.5</b> Seeks clarification and elaboration of the essential information, when needed.</p> <p><b>8.2.6</b> Focuses efficiently on relevant matters in a manner respectful of the client's time and fees paid.</p> <p><b>8.2.7</b> Asks both open-ended and closed questions as needed to solicit all necessary information.</p> <p><b>8.2.8</b> Demonstrates empathy without sharing personal information and experiences, nor transferring personal feelings onto the client.</p> <p><b>8.2.9</b> Summarizes the results of the meeting and clarifies the next steps.</p>

Competency	Performance Indicators
	<p><b>8.2.10</b> Provides the client with accurate and current resources to support client's access to additional services or information.</p> <p><b>8.2.11</b> Refers the client to another professional or service when client's emotional needs are beyond the RCIC's scope of practice.</p>
<p><b>8.3</b> Uses communication and interpersonal skills to manage emotional situations.</p>	<p><b>8.3.1</b> Anticipates and proactively addresses potentially traumatic or emotionally difficult matters for the clients.</p> <p><b>8.3.2</b> Encourages a period of reflection so that decisions made are thoughtful and in the best interest of the client.</p> <p><b>8.3.3</b> Demonstrates neutrality in one's opinion.</p> <p><b>8.3.4</b> De-escalates conflict through clarity, empathy, respectful communication, body language and active listening.</p> <p><b>8.3.5</b> Allows for adequate time and reflection for client decision-making if emotions are high.</p>
<p><b>8.4</b> Actively advances the client's interests within the bounds of law and professional obligations.</p>	<p><b>8.4.1</b> Provides key case information, flags unusual factors, frames relevant legal and policy arguments to promote and advance the merits of the application for the client's benefit.</p> <p><b>8.4.2</b> Recognizes the impact of communicating with officials in a clear, firm and respectful manner to advance the client's interests.</p> <p><b>8.4.3</b> Presents the client's case without compromising the integrity of application or appeals processes.</p> <p><b>8.4.4</b> Files relevant appeal or requests for reconsideration, depending on the situation, and within the timelines.</p> <p><b>8.4.5</b> Raises and responds to potential objections, discrepancies, and inconsistencies in the decision rendered.</p>
<p><b>8.5</b> Manages client expectations through effective communications.</p>	<p><b>8.5.1</b> Clearly communicates factors influencing likelihood of success.</p> <p><b>8.5.2</b> Confirms the client's goals and anticipated outcome of the services.</p> <p><b>8.5.3</b> Identifies negative factors impacting the outcome and advises on how to best deal with them.</p> <p><b>8.5.4</b> Keeps the client informed of the progress of the case and answers client's queries in a timely way.</p>



Competency	Performance Indicators
	<p><b>8.5.5</b> Delivers services as promised and takes responsibility when cannot.</p> <p><b>8.5.6</b> Acknowledges mistakes, accepts responsibility and suggests resolution.</p> <p><b>8.5.7</b> Reflects on and addresses client dissatisfaction in a timely manner to correct misunderstandings and de-escalate conflicts.</p>



## Unit 9: Critical Thinking, Problem Solving, and Evidence-Based Practice

RCICs integrate critical thinking and problem solving to inform decisions and actions.

Competency	Performance Indicators
<b>9.1</b> Demonstrates professional judgment and critical reasoning in decision making.	<p><b>9.1.1</b> Analyzes and synthesizes information to inform decisions.</p> <p><b>9.1.2</b> Uses critical thinking to consider a fresh perspective and to conceive a new or original perspective or solution.</p> <p><b>9.1.3</b> Consciously engages in a process of rationalizing, analyzing, evaluating, and interpreting information to make informed judgments and/or decisions.</p> <p><b>9.1.4</b> Integrates complexity of client's issues, needs, goals, and limitations within all aspects of services.</p> <p><b>9.1.5</b> Consciously follows immigration application operational instructions and guidelines to reduce risk of denial and delay in process.</p> <p><b>9.1.6</b> Demonstrates insight into personal expertise and limitations.</p> <p><b>9.1.7</b> Integrates relevant information with previous learning, experience, professional knowledge, and current practice models.</p> <p><b>9.1.8</b> Demonstrates effective, appropriate, and timely consultation with other professionals as needed for optimal client service.</p>
<b>9.2</b> Reflects on and evaluates options when faced with problems, issues, and challenges.	<p><b>9.2.1</b> Identifies potential or real problems, issues, or challenges.</p> <p><b>9.2.2</b> Investigates alternative solutions for problems or issues and provides justification for selected solution(s).</p> <p><b>9.2.3</b> Formulates and implements a plan to address the problem, issue, or challenge.</p> <p><b>9.2.4</b> Evaluates the effectiveness of a plan and identifies required future actions.</p>
<b>9.3</b> Adopts evidence-based practices in the provision of services.	<p><b>9.3.1</b> Critically reviews literature to inform best (evidence-based) practices.</p> <p><b>9.3.2</b> Consults with others to identify best (evidence-based) practices.</p> <p><b>9.3.3</b> Reflects on past experiences and positive outcomes to inform future actions.</p> <p><b>9.3.4</b> Formulates a case strategy and a legal argument that are founded on legal grounds and proven concepts.</p>

