



**THE UK BORDER AGENCY RESPONSE TO
THE CHIEF INSPECTOR'S REPORT
ON THE AGENCY'S HANDLING OF COMPLAINTS AND
MPS' CORRESPONDENCE**

The UK Border Agency thanks the Independent Chief Inspector for the report, the first thematic inspection of complaints and MPs correspondence handling. We welcome the Inspector's comments about the progress that has been made with the overall strategy for handling complaints and correspondence. We also welcome his endorsement of the improvements that we have made to our handling of the highest risk complaints, those of serious misconduct, which have rightly been a main focus of our attention.

We listened carefully to feedback from the previous Complaints Audit Committee and others and as part of the Complaints Change Programme introduced a completely new system for complaints handling in 2008. The Chief Inspector's comments and recommendations reflect the progress which has been made, but also that there is more work to do to fully embed these as part of our customer service culture. In particular we acknowledge that we need to do more to ensure that we use complaints and MPs' correspondence as drivers for improvement.

Significant improvements have been made in performance against complaints targets over the past 12 months with performance on resolving serious misconduct complaints averaging 96% in target (compared to 60% the previous year), resolving minor misconduct 66% (compared to 46% the previous year) and resolving service complaints averaging 70% (compared to 50% the previous year). Action to support performance improvement is already underway through the introduction of the Complaint Management System, awareness raising activity including the recent 'Complaintbuster' campaign and an e-learning package for staff, as well as revision to the complaints guidance with supporting communication activity.

MPs' correspondence performance has also improved as, despite the overall percentage completed in time remaining at 78%, the volume of cases has increased by 20%. We wrote to all MPs in early June, providing information on how to contact us and where sources of information are available to MPs. We aim to reduce the intake of MPs' letters through this and our work with MP Account Managers. We are focusing on quality improvements through our pilot initiative (see recommendation 9) which we hope to expand in due course.

1. Systematically analyse complaints and MPs' correspondence to identify potential improvements in service.

1.1 Accepted. There is already a process in place for cascading the lessons learned and best practice identified from serious misconduct complaints which has led to improvements in working practice, particularly in enforcement and detention activity. We accept that although there are good local arrangements for service and minor misconduct complaints in some areas there is more work to do in identifying and acting on national issues.

1.2 Work is underway to build on the good practice identified in the serious misconduct complaints lessons learned process to identify an appropriate process in respect of service and minor misconduct complaints. This will ensure that individual business areas take responsibility for local issues and that cross-Agency problems are also identified and addressed.

1.3 Roll out of the Complaint Management System will support this process by providing effective recording of the causes of complaint and actions taken to address them, and by allowing analysis of trends.

- 2. Set clear service standards for each Customer Service Unit (CSU)**
 - 2.1 Accepted in principle.** New complaints handling guidance was published in February 2008 and revised in 2009. Work is currently in hand to revise this further, now that there has been sufficient opportunity to review how the procedures are working in practice. This new guidance is expected to be published in the summer this year and will include greater clarification of service standards for each CSU. We accept that central guidance is required, but as part of our aim to work closer to the communities we serve, these teams are based in each region and operational business area, and are managed locally. The relationship with, and understanding of, the local community served in each region is the responsibility of each Regional Director. It is therefore important to allow some autonomy around the day to day management of these teams as well as complaints and MPs' correspondence handling, in line with local business requirements and customer needs. This could result in some variations in practice, which we feel is appropriate and acceptable.
- 3. Ensure that any cases that are not resolved within the target period are actively managed and resolved promptly.**
 - 3.1 Accepted in principle.** We already track and monitor all MP cases that are outstanding past target date, and provide a daily report to all drafting units across the business on the number of letters outstanding past target, and how old these letters are. The number of outstanding cases in each area is also flagged at Senior Director level in a monthly report. The responsibility for concluding overdue cases lies with each individual business area and region. Our performance in reducing backlogs has been positive as the number of outstanding MPs cases is reducing. This time last year the Agency had 1753 cases outstanding but as of the beginning of July 2010 this has been reduced to 429 cases.
 - 3.2** In addition a complaints backlog report is sent every month to Directors and regional complaints units. This identifies how many complaints are still outstanding, broken down by month since the new complaints system was introduced in 2008. The full introduction of the Complaint Management System reporting tool will provide more detailed management information to further support overall performance including the completion of overdue cases. Again our performance in this area has been positive as the number of outstanding complaints is also reducing. This time last year there remained 2,276 service complaints outstanding, 74 minor misconduct complaints outstanding and 8 serious misconduct complaints outstanding. This has been reduced to 1,745, 51 and 0 respectively as of May 2010.
- 4. Publish information on the number of complaints received, the time taken to resolve them and whether the complaints have been upheld.**
 - 4.1 Accepted in principle.** This information will be available centrally as part of the reporting function of the Complaint Management System and consideration will be given to making it publicly available in the most appropriate format.
- 5. Ensure that there is clear accountability for meeting performance targets.**
 - 5.1 Accepted.** Performance against target for both complaints and MPs' correspondence is reported to Directors and the UK Border Agency Board each month. Directors are held

accountable by the Board for the performance of their business areas in relation to these targets and regular discussion on performance takes place.

5.2 We have also been working to provide greater transparency in the Management Information that is available to managers to underline accountability for delivery.

6. Ensure that the definition of a complaint is understood and applied consistently across the organisation.

6.1 Accepted. The UK Border Agency is committed to ensuring that customers' concerns are listened to and appropriate action taken. To support this we are currently reviewing the definition of what constitutes a complaint to ensure that it enables an appropriate balance to be struck between capturing levels of customer dissatisfaction whilst considering the most appropriate route for customer queries and concerns to be resolved to the satisfaction of the customer. The complaints guidance setting out the definition is currently being revised and will be published in the summer. It is our intention to ensure that revisions to this guidance are communicated to our complaint handlers through amendments to our new e-learning package as well as various internal communication activities.

7. Ensure that its Complaints Management System is delivered to all areas of the UK Border Agency, in order to ensure consistent recording of data.

7.1 Accepted in principle. The system has already been rolled out to business areas within the former Border and Immigration Agency and Border Force (formerly HMRC). Consideration is currently being given to how best to include International Group (formerly UKVisas) in the light of the considerable technical challenges and potential cost implications.

8. In each of its responses to a complaint, provide full and accurate information on how individuals can contact the Parliamentary and Health Service Ombudsman or the Prisons and Probation Ombudsman (as appropriate).

8.1 Accepted. Information about the role of both the Parliamentary and Health Service Ombudsman and the Prisons and Probation Ombudsman in the complaint process is published in the UK Border Agency's 'How to Complain' leaflet, which is available at all public offices and on request. In addition the UK Border Agency's complaint web page contains this information. As part of the review of current complaint guidance consideration will be given to making it a requirement that all complaint response letters contain this reference.

9. Introduce efficient and consistent processes for the quality assurance of MPs' correspondence and complaints.

9.1 Accepted. We believe that it is best for correspondence to be responded to in the most relevant business area, so that the response given is accurate and more tailored to the customer's needs. However, we accept that central guidance and oversight is required to ensure consistency in the standard of service provided. We have introduced an internal assurance process which undertakes regular reviews of complaints handling to assess compliance with the agreed processes and the quality of responses. The outcomes of these reviews are fed back to respective managers and Directors to support continuing improvement.

- 9.2** In addition we have been piloting a project focussing on improving the quality of responses to MPs' correspondence and as part of that the related quality assurance process. We aim to improve quality to a level where checking can be reduced, thereby providing both quality and efficiency improvements. We are currently evaluating the findings from the pilot and plan to expand the project across the whole of the UK Border Agency.
- 10. Ensure that all complaints files have a clear audit trail recording the outcome and level of authorisation.**
- 10.1 Accepted.** The requirement to record a clear audit trail recording the outcome and level of authorisation on complaints files will be reflected in our revised complaints guidance, and is provided for in the Complaint Management System.
- 11. Ensure that all staff have a clear understanding of their responsibilities with regard to the referral of complaints where racism or discrimination is alleged.**
- 11.1 Accepted.** The UK Border Agency's guidance sets out that the Professional Standards Unit will provide advice to Customer Support Units about any complaints where there might be an allegation of racism. The new complaints e-learning package underlines the importance of correct handling of this type of complaint, and it is our intention that all complaint handling staff will have completed this training by the end of 2010. Consideration will be given to this issue further as part of the review of the complaints guidance.
- 12. As soon as possible, conclude arrangements for the referral to the Police of complaints that include criminal allegations (by the end of 2010 at the very latest).**
- 12.1 Accepted.** We implemented a new referral process from April 2010 after a successful pilot involving the Metropolitan Police Service. Any criminal allegations received as serious misconduct complaints are reported by the Professional Standards Unit to the relevant Police force's Crime Recording Unit using a Transfer Crime Report form.
- 12.2** In addition we are working to implement a protocol with the Metropolitan Police Service (MPS), that will provide a framework for co-operation and information-sharing during the investigation of serious misconduct complaints (including those containing criminal allegations), arising from UK Border Agency staff operating within the Metropolitan Police District, including when operating jointly with MPS officers. The protocol will also resolve the question of primacy on those occasions when allegations are made about staff from both organisations. Subject to responses to the final round of consultation with key partners, it is intended that the protocol will be implemented in the summer 2010 and, if it proves successful, we will seek agreement from ACPO to roll out the protocol nationally.
- 13. Ensure that the process of local resolution is used; that it involves the customer directly in the process; and that the guidance is applied consistently throughout the UK Border Agency.**
- 13.1 Accepted in principle.** The local resolution process was rolled out across the UK Border Agency in 2008. As this was a new approach to the handling of minor misconduct complaints this has taken some time to embed, and we agree that the way this is being implemented now needs to be reviewed. This will be considered as part of the review of the complaints guidance referred to previously.

- 14. Set out clearly to MPs how they can receive information from the UK Border Agency, as well as the standard of service they can expect to receive.**
- 14.1 Accepted.** We have produced a pack of information for MPs which provides clear details of how to contact us and the service standards the Agency expects to meet on written enquiries, as well as giving a range of information for self-service. Detailed and up to date information on our service standards for other types of enquiry are published on a dedicated webpage for MPs. The packs, which include details of the MPs website, were delivered to most MPs in early June, and form part of our wider MPs' correspondence strategy, which includes a dedicated telephone line, email inbox and MP Account Managers for each region.
- 15. Ensure that customers have a single point of entry to the complaints procedure. It should seek regular feedback from its customers to assess their satisfaction with the complaints procedure, and should develop clear measures to drive improvement year on year.**
- 15.1 Accepted in part.** Work is already in hand to improve the channels of communication for customers. We will keep under review the best approach for making it straightforward for the customer to complain.
- 15.2** As referred to in the Chief Inspector's report we have adopted a complainant satisfaction survey approach to obtaining feedback. We intend to continue to provide the opportunity for customer feedback on the effectiveness of our complaint handling processes and will review the best way to do this.
- 15.3** Performance increased significantly over the past year with improvements in our response rate to all types of complaint and the maintenance of our performance in answering MPs correspondence, despite a 20% increase in intake. We remain committed to build on this upward trend to improve the service we provide to our customers despite challenging resource constraints.