



Home Office

The Home Office response to the Independent Chief Inspector of Border and Immigration.

An inspection of the Review and Removal of Immigration, Refugee and Citizenship 'Status'.

The Home Office thanks the Independent Chief Inspector for his report.

The inspection, undertaken between April and August 2017, covered areas within the Home Office that consider removal of immigration status, deprivation of citizenship and removal of refugee status.

Specifically, the inspection covered Special Cases Unit (part of the Office for Security and Counter-Terrorism), Criminal Casework Directorate (part of Immigration Enforcement) and the Status Review Unit (part of UK Visas and Immigration).

The Home Office is pleased to note that the inspection report has commented on areas of good practice within the three operational units. For example, that caseworkers in the Status Review Unit (SRU) were described as being, “highly knowledgeable about the complex legislation, rules and policies relevant to the decisions they were required to make,” that caseworkers in Criminal Casework (CC), “had a strong technical knowledge of the legislation, the Immigration Rules and the policies relevant to their work,” and that cases managed by the Office for Security and Counter-Terrorism (OSCT) Special Cases Unit (SCU), “are subject to a thorough assurance process.”

The Home Office is grateful to the Independent Chief Inspector of Borders & Immigration (ICIBI) for highlighting areas for improvement and making the five recommendations. Of the five recommendations four are fully accepted and one partially accepted.

Recommendations

- 1. Appoint a Senior Responsible Owner (SRO) to oversee the use across the Home Office of measures to remove Indefinite Leave to Remain (ILR), refugee status, and citizenship, with responsibility for ensuring that these measures are used efficiently, effectively and consistently, and that the units using them are in regular communication with one another and are sharing 'best practice'.**

1.1 Accepted.

1.2 We agree with the recommendation and have already appointed a director within UKVI who will act as Senior Responsible Owner across the three areas. In addition to the appointment of an SRO, The Home Office has already taken, or will shortly put in place, the following arrangements:

- Home Office Directors in the relevant areas of UK Visas and Immigration (UKVI), Immigration Enforcement (IE) and Office of Security and Counter-Terrorism (OSCT) will meet quarterly to provide senior level oversight of the operational effectiveness in managing the review and removal of immigration, refugee and citizenship status across the three different Home Office areas. Terms of Reference for the precise remit of the quarterly meetings will be agreed at the first meeting.
- A forum was established early in 2017 for representatives from SCU, SRU and CC to meet and discuss matters relating to the review and removal of immigration, refugee and citizenship status. These meetings are also attended by Home Office Legal Advisors and representatives from Borders, Immigration and Citizenship Policy and Strategy Group (BICS PSG). The meetings are chaired by BICS PSG and cover best practice as well as lessons learned. At footnote 10 on page 4 of the inspection report, (annex A), reference is made to this forum, although it is noted that the inspection team did not have the opportunity to monitor its effectiveness.
- With specific regard to deprivation casework, the BICS PSG Legal Strategy Team also hold 'virtual litigation team' meetings on a regular basis. These involve representatives from various Home Office departments, including SCU and SRU, and cover a variety of issues relating to litigation on citizenship and deprivation decisions. These meetings have been in place for several years and continue to provide a forum through which approaches to deprivation of citizenship in SRU and SCU can be discussed and legal risks assessed.

- 2. Develop performance measures for the removal of Indefinite Leave to Remain (ILR), refugee status, and 'citizenship status', ensuring that the relevant outcome data (e.g. the individual's departure from the UK or refusal of entry) is captured to enable the meaningful evaluation of their effectiveness.**

2.1 Partially Accepted.

2.2 In specific relation to CC and SRU this recommendation is fully accepted. However, SCU would not fall under the scope of this recommendation due to the sensitivities of the cases they consider.

2.3 UKVI's SRU has ambitious transformation plans, expected to be delivered in 2018. These include the development of a consequences model that will set out, along with the introduction of a range of measures to ensure there is 'end to end' management of deprivation and revocation casework, that necessary further actions and interventions are

taken as appropriate *after* citizenship has been successfully deprived or immigration or refugee status revoked. The Control Migration Mission Board¹ will monitor the delivery of SRU's transformation to ensure it has the capacity and capability to tackle abuse in the system.

- 2.4 Existing performance reporting on SRU deprivation and revocation cases, as provided by the Home Office's Performance Reporting and Analysis Unit (PRAU) identifies cases where SRU has successfully deprived citizenship, which are then progressed to removal if appropriate using existing channels within the Refused Case Management Unit, of which SRU is part.
- 2.5 Work is also currently underway to establish more effective communications and feedback loops with those working within enforcement units, to develop processes that will expedite those cases identified as suitable for removal action.
- 2.6 Within CC the revocation of refugee status is a discrete and separate function with robust individual and team performance metrics in place. The team within CC will work closely with SRU to improve performance measures on cessation and revocation of refugee status.
- 2.7 It is important to note that decisions to revoke refugee status or deprive citizenship do not always lead to an individual being removed from the UK. There will be some cases where the Home Office successfully removes citizenship or refugee or immigration status but where Human Rights considerations may mean that removal from the UK will not be pursued.
3. **Complete the review of the Status Review Unit's (SRU) responsibilities, and then publish on GOV.UK and on the Home Office Intranet a revised statement of purpose, clear objectives, and an explanation of when and how cases should be referred to SRU. In parallel, review and sort the cases currently in the work in progress (WIP) so that each has an action plan and owner; test whether a 'stage by stage' process may be more efficient for some or all referred cases; and produce a resource plan for the SRU that will enable it to maintain the required throughput of cases.**

3.1 Accepted.

3.2 As is noted in the inspection report and at paragraph 2.3 above, SRU has ambitious plans for transformation. Recruitment and training are already underway to address immediate capacity and capability needs. WIP reduction plans have been developed and there is clear accountability for delivery. Additionally, as noted in the report, a significant proportion of the cases in the revocation work stream have been correctly allocated to Permanent Migration, (another business area within UKVI). This reduction in the revocation cases that are managed by SRU will enable a greater focus on those cases where status has been obtained by deception.

3.3 The longer-term transformation will be managed by a project that is scheduled for completion by April 2018. The project plan includes engagement with stakeholders to develop a clear statement of purpose for SRU that supports UKVI's Control Migration mission, and a communications plan that signposts that statement of purpose. This will

¹The focus of UKVI's Control Migration Mission is to manage the demand for our services to reduce net migration and maintain the security of our systems. It will drive improvement in our ability to make the right decision first time and tackle abuse, while supporting those who are compliant.

create a clearer sense of purpose for SRU both for the staff within the unit and inform internal and external stakeholders when a referral to SRU is appropriate, and how and when to make a referral.

3.4 With regard to deprivation cases, the ICIBI in his report acknowledges that the cases SRU hold are complex, and so reducing the WIP will take time. However, the plan to increase the number of deprivation caseworkers on SRU, that has already been initiated, will go some way in addressing this, alongside improved workflow handling and measures to improve the efficiency of the end to end process.

3.5 To address the recommendation that SRU test whether a 'stage by stage' process, as used by CC, would be a more efficient way of managing cases, SRU staff have visited CC in Croydon to observe. A pilot is now in place within SRU to test the staged process and it is expected that a full assessment will have been undertaken by mid-summer 2018.

3.6 Before any communications are placed on either the Home Office Intranet site or on GOV.UK, the Home Office will complete the work to increase resources within SRU. This will be to ensure that there is increased capacity on the unit to handle any increase in referrals that may result from increasing awareness of the purpose and objectives of the unit. It is intended that the recommendation to publish information on GOV.UK and the Home Office intranet site will be completed by Autumn 2018.

4. Ensure that status review Unit caseworkers comply with Home office data handling and storage policies, putting an immediate stop to them storing case details on their personal drives.

4.1 Accepted.

4.2 SRU has well established electronic shared folders, labelled in accordance with Home Office Policy, which all staff regularly access and utilise. Notwithstanding this point we acknowledge the ICIBI's findings and have already sent notices, emails and e-learning reminders to all staff reminding them of Home Office data handling policy. A monthly audit will assure staff understanding and e-learning requirements.

4.3 An electronic portal is planned, which will house necessary information and reference material for staff to easily access in one place. This portal will inform and direct the user to the correct areas that they need to place or read documents, assisting them to undertake their role more effectively. This is planned to be in place by April 2018.

5. Update the document templates stored on the Case Information database (CID), so that SRU caseworkers are no longer required to amend each document manually and the risk of introducing errors is removed.

5.1 Accepted.

5.2 A full audit is underway to assess what documents are needed and of those already held on the document generator (Doc Gen), that all are current, and fit for purpose. Caseworkers have been asked for their feedback in respect of the letters that they use and using Operational Excellence methodology all members of SRU will take responsibility for ensuring that the standard letters held on Doc Gen are up to date. The team will flag any issues in the future so that early amendments can be made. This work has already begun and is ongoing.