



Home Office

The Home Office response to the Independent Chief Inspector's report:

## **Inspection of Border Force Operations at Heathrow Airport.**

October 2014

The Home Office thanks the Independent Chief Inspector (ICI) for this report.

Border Force welcomes the ICI's findings within this report of significant improvements compared with previous Heathrow inspections including evidence of efficient and effective decision making at the Primary Control Point (PCP), positive resource planning initiatives, and on our approach to the safeguarding of children. Border Force also accepts that there is more to do to improve frontline record keeping and to embed assurance checks across all areas of the operation. This work is being driven by the Border Force Operational Assurance Directorate (OAD).

Border Force accepts all six of the Chief Inspector's recommendations.

### **The Home Office response to the recommendations.**

1. **Recommendation 1** - Maintain adequate audit trails, and undertake necessary assurance activity to ensure that:

- detailed and accurate records are maintained of every passenger detention that demonstrate the detention is lawful and the duration of the detention is no longer than is necessary; and
- records are created and retained in all cases in line with guidance, and fully justify and evidence the rationale for decisions.

#### **1.1 Accepted.**

1.2 Border Force accepts that operational record keeping and assurance activity need to be improved across all frontline areas. This includes enforcing compliance with guidance and also reducing record keeping (and updating the associated guidance) where current process creates duplication or unnecessary burden on the frontline. Work to tackle this is being led by the Operational Assurance Directorate. New operational standards began to be enforced in August 2014 and an updated version was launched on **1 April 2015** to ensure frontline managers have the right tools to check and assure operational activity and record keeping. This process is being reinforced by regular port inspections.

1.3 The length of detention and further examination for any individual case will depend on operational priorities at the time and the need for comprehensive security checks. To improve

the quality and accessibility of frontline detention records, Border Force will develop and pilot a new single reporting log for all detentions at the PCP over the course of 2015. This will ensure that all records of detention at the PCP are accurate, assured daily and accessible. In the longer term, the strategic vision of Border Systems is to provide a digital solution to record, manage and assure detention at the PCP. Options for delivering enhanced capability are being considered as part of the Comprehensive Spending Review.

2. **Recommendation 2** - Ensure all searches of person are lawful and proportionate, and have been conducted in accordance with guidance, with proper documentary records maintained

2.1 **Accepted.**

2.2 Border Force has clear guidance setting out how searches of person must be conducted. Any officer carrying out this activity must complete specific training before being able to exercise search of person powers.

2.3 Following the initial findings of the inspection, Border Force Heathrow instigated a 100% assurance regime where every single search of person was further scrutinised by an appropriate manager over a 3 month period. This heightened assurance process has been successful in improving the consistency and quality of management activity and in driving up standards from the officers undertaking the searches. A full evaluation is underway and any changes in practice identified will be applied nationally as appropriate over the course of 2015/16.

3. **Recommendation 3** - Ensure that passengers are informed about their right to appeal prior to a search of their person being conducted under Customs and Excise Management Act 1979 powers, and that the Border Force paperwork accurately reflects this, together with the justification for the search and any supporting information.

3.1 **Accepted.**

3.2 Border Force takes the exercise of its search of person powers very seriously and recognises the intrusive nature of this activity and the need for clear and accurate records. The evaluation of the enhanced assurance activity described under recommendation 2 above will also apply to this recommendation. In addition Border Force is developing a more structured approach to the ongoing professional training and operational management of frontline officers through an internal accreditation scheme which will be piloted over the course of 2015.

4. **Recommendation 4** - Produce (keep updated) and disseminate to all affected Border Force staff a single, written set of notebook guidance, and put measures in place to ensure this guidance is consistently followed in order to improve the reliability of its records and to enable managers to undertake more effective assurance activity.

4.1 **Accepted.**

4.2 Guidance and training is provided to Border Force officers on the use of notebooks for both customs and immigration purposes to ensure accurate and timely records of events are kept. The use of notebooks is an effective operational tool for the retention of essential information in certain operational circumstances. **Border Force has now published updated notebook guidance.** This improved single guidance will help frontline managers assure the quality of notebook entries and will be further enforced by OAD port inspections.

5. **Recommendation 5** - Ensure all notebooks are stored on official premises and are easily retrievable.

5.1 **Accepted.**

5.2 Border Force Heathrow has already adjusted its approach to address this. National processes will be reinforced through the updated guidance developed in response to recommendation 4.

6. **Recommendation 6** - Ensure all detection staff are reminded of the requirement, without exception, to enforce the law in relation to passengers attempting to enter the UK with any goods in excess of non-EU allowances, and that managers assure that this is happening.

6.1 **Accepted.**

6.2 Guidance issued to officers is clear on this matter. All people arriving in the United Kingdom must be treated equally and expect the same level of treatment wherever or whenever they arrive in the UK. Border Force has recently re-issued guidance at Heathrow and nationally to emphasise this point. Compliance will be tested regularly.