



An inspection of the UK Visas & Immigration Visa Section in Dhaka

April – July 2013



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Independent Chief Inspector of Borders and Immigration



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Foreword from John Vine CBE QPM

Independent Chief Inspector of Borders and Immigration



Dhaka in Bangladesh was my 19th inspection of a visa section overseas, but the first since UK Visas & Immigration (UKVI) was created following the abolition of the former UK Border Agency on 26 March 2013. The visa section is considered by UKVI to be a 'high risk' location, primarily because of the high levels of corruption and prevalence of forged documentation which it sees in support of visa applications.

I was therefore pleased that the risk operation in Dhaka was effective in supporting the visa operation, with good communication and integration between both the risk team and entry clearance staff within the visa section. I also found that correspondence and complaints were dealt with in an efficient manner.

However, the quality of decision-making in Dhaka was poor in all of the visa categories I inspected, despite recommendations for improvement having been accepted previously. Entry Clearance Officers (ECOs) were misinterpreting evidence or failing to take account of positive evidence provided by applicants. I also found that applicants continued to be refused for failing to provide information which they could not have been aware of at the time of submitting their applications, a matter which I first raised in 2010. More seriously, decision-making reviews undertaken by Entry Clearance Managers were failing to identify and address many of the issues that my inspection identified.

In 36% of the cases I examined where a visit visa had been issued, I found that ECOs were not retaining relevant supporting documentation, nor were they recording grounds for their decisions. This was contrary to guidance and meant that it was impossible for me to determine whether applicants had in fact met the requirements of the Immigration Rules. As a result, I was concerned that applicants may have been granted visas even when they should have been refused.

Staff also had difficulty in applying the settlement guidance on the minimum income requirement, introduced into the Immigration Rules in July 2012. This meant that the refusal grounds sometimes used weak and/or unsustainable reasoning when refusing entry clearance in family settlement cases. There was a risk that this could lead to an allowed appeal even where the applicant did not satisfy the requirements of the Immigration Rules.

It is vitally important, if the process is to be fair and transparent, that UKVI corrects these serious failings in its decision-making. As the Independent Monitor for Entry Clearance, I need to be able to determine, from an examination of the file and the Proviso system, why an application was judged to meet the requirements of the Immigration Rules or otherwise. In far too many of the cases which I examined in Dhaka, this was not clear.

Unfortunately, the evidence indicates that there is still much room for delivering more effective decisions in accordance with the stated vision of UKVI. Unless this can be addressed by a more robust assurance and compliance regime and training, the Home Office may have to assess whether it simply has enough staff to cope with the volume of work in a post which has been categorised as 'High Risk'.

I have made five recommendations, which frustratingly include four that I have made previously.



John Vine CBE QPM
Independent Chief Inspector of Borders and Immigration

1. Executive Summary

1.1 This inspection examined UK Visas and Immigration's (UKVI) handling of four separate visa categories: Family Visitor, Other Visitor,¹ Settlement and Tier 4. In all four categories, we assessed the quality of decision-making for cases granted and refused entry clearance, in order to determine whether decision-making was efficient, effective and fair and in line with relevant Immigration Rules and UKVI policy and guidance. The inspection also examined the service provided to applicants, assessing performance against UKVI's customer service targets.

1.2 The Dhaka visa section was meeting UKVI customer service targets in the majority of the Family Visitor, Other Visitor and Tier 4 cases. However, it was failing to meet any of these targets in relation to settlement visa applications, primarily due to the significant increase in settlement applications which occurred just prior to a change in the Immigration Rules in July 2012.

The Dhaka visa section was meeting UKVI customer service targets in the majority of the Family Visitor, Other Visitor and Tier 4 cases

1.3 Managers had recognised the importance of providing a good standard of customer service and a number of initiatives had been implemented to improve the service offered to customers, including:

- VACs remaining open significantly beyond published business hours when needed;
- shortening the registration process by allowing individuals to provide supporting documentation at a later date; and
- providing online information about customer service issues through its website.

1.4 The receipt of correspondence and complaints was managed well within the visa section. Staff were committed to addressing issues promptly and had introduced a more challenging target, to provide a full response to applicants within five working days, rather than the published UKVI commitment of 20 working days. This was a good performance and demonstrated the importance that the visa section attached to this area of its work.

The receipt of correspondence and complaints was managed well within the visa section

1.5 There was an effective working relationship between the Risk and Liaison Overseas Network (RALON) and entry clearance staff. RALON produced an entry clearance risk matrix which was used by entry clearance staff to identify applications that required closer scrutiny. Regular meetings were also held to ensure that there was a common purpose amongst both teams to tackle visa application fraud. The introduction of a Field Liaison Officer role within RALON was an effective use of resources in tackling visa abuse. RALON staff had also built effective working relationships with the Police Service and immigration authorities in Bangladesh.

1.6 However, our file sampling identified serious ongoing issues with decision quality in Dhaka, where we identified problems with half of the cases we examined (166 out of 325 cases). The problems we identified with decision-making did not appear to have materially changed since the former Independent Monitor for Entry Clearance Refusals without the Right of Appeal reported on Dhaka

¹ Other Visitor visas include all visitor categories except for Family Visit visas, for example, people travelling to the UK on holiday.

in 2008.² Disappointingly, all were issues which we have reported on in previous visa inspection reports. The former UK Border Agency ('the Agency') accepted many of our earlier recommendations to tackle these issues, which included Entry Clearance Officers:

- misinterpreting evidence or failing to take account of positive evidence provided by applicants;
- not retaining relevant supporting documentation to support effective decision-making, most notably for visas that were issued;
- not recording clear grounds for their decision, which made it difficult, if not impossible in some cases, to ascertain what evidence had been submitted or why decisions had been reached; and
- refusing applicants for failing to provide information, the need for which they would not have been aware of at the time of making their application.

1.7 It is unacceptable that we continue to encounter the same issues, especially as the former Agency had issued updated guidance on a number of occasions in an attempt to rectify these failings. However, at the end of September 2013 UKVI advised us that it had launched a training programme for all ECOs to improve the quality of decision-making. The training was based, in part, on previous recommendations we have made and was due to be delivered globally to all visa sections by the end of December 2013. This was a positive initiative which the Inspectorate welcomes.

It is unacceptable that we continue to encounter the same issues

1.8 However, the delivery of this training will not, in itself, deliver the improvements in decision quality that UKVI is seeking. Entry Clearance Manager (ECM) reviews, which historically have failed to identify the problems with decision-making that we consistently find, are still ineffective. We note UKVI's intention to implement more targeted reviews, which it believes will result in fewer cases being examined, enabling a more detailed consideration by ECMs.

1.9 Undertaking fewer ECM reviews, but increasing their quality, should, if implemented properly, drive up not just the quality of management reviews, but also the quality of decision-making more generally. This is especially important if UKVI wants to realise its ambition of 'getting it right first time, every time' at every stage of the decision-making process.³ We will revisit this issue in 2014.

This was a positive initiative which the Inspectorate welcomes

1.10 A number of improvements are also necessary in relation to the use of 'credibility interviews' for Tier 4 applicants under the Points-based System. UKVI needs to communicate clearly what the purpose of the Sheffield credibility interview is, ensuring that it adds value to the overall process and is understood and trusted by entry clearance staff overseas. UKVI also needs to ensure that, where further credibility interviews are required to be undertaken overseas, as in Dhaka, they are conducted fairly and that ECOs receive adequate training to determine whether an applicant's English language ability is in line with that specified in the Certificate of Acceptance for Studies (CAS).

1.11 Staff had difficulty in applying UKVI's guidance on the minimum income requirement for Settlement applications introduced into the Immigration Rules in July 2012. This led to failure to identify clear refusal grounds and the use of weak and/or unsustainable reasoning when refusing entry clearance in these cases. There was a risk that this could lead to an allowed appeal even where the applicant did not satisfy the requirements of the Immigration Rules. It is important that entry clearance staff are properly trained in the application of new provisions of the Immigration Rules before such changes come into effect and that decisions are reviewed to provide assurance that the new provisions are being applied fairly and consistently.

² <http://webarchive.nationalarchives.gov.uk/20090713041233/http://www.ukvisas.gov.uk/resources/en/docs/2258700/2258742/IMvisitDhakaNov08>

³ <http://icsinspector.independent.gov.uk/wp-content/uploads/2011/02/UK-Border-Agency-response-to-the-Entry-Clearance-Decision-Making-report.pdf>

1.12 The visa section was analysing appeal outcomes and circulating common themes from the appeal determinations to staff via an 'appeals digest'. This was a positive development which aimed to improve the quality of decision-making in Dhaka. It is also in line with many of the recommendations we have made about the need to review appeal and AR outcomes with a view to improving decision quality. This process could be improved further by extending the analysis to include cases reviewed and overturned by Entry Clearance Managers.

It is important that entry clearance staff are properly trained in the application of new provisions of the Immigration Rules before such changes come into effect

2. Summary of Recommendations

We recommend that the Home Office:⁴

1. Ensures that staff record clear grounds for entry clearance decisions on Proviso.
2. Adopts a consistent approach to the retention of relevant supporting documents to support effective decision-making.
3. Implements robust assurance mechanisms to provide better governance and assurance to senior managers about the quality of visa decisions.
4. Ensures that Entry Clearance Officers:
 - do not refuse entry clearance on credibility grounds which an applicant has not had the opportunity to respond to during interview; and
 - receive adequate training to determine whether an applicant's English language ability is in line with that specified in the Certificate of Acceptance for Studies (CAS).
5. Extends its analysis of appeal determinations to include cases reviewed and overturned by Entry Clearance Managers, ensuring a focus on the quality of decisions to identify trends of common errors and training needs.

⁴ Recommendations 1, 2, 3 & 5 were all made in previous inspection reports

3. The Inspection

Purpose and aim

- 3.1 This inspection measured the performance of the visa section in Dhaka against the strategic goals and performance targets set by UKVI. It also examined whether decision-making was:
- efficient, effective and fair; and
 - in line with relevant Immigration Rules, policy and guidance.
- 3.2 The inspection also examined the service provided to applicants, assessing the performance of UKVI in respect of the information on '*our service and values*',⁵ which sets out the level of customer service people can expect.

Background

- 3.3 According to a BBC report,⁶ Bangladesh is one of the world's most densely populated countries. Poverty is deep and widespread and almost half of the population live on less than one dollar a day. The major employer is agriculture, but it is unable to meet the demand for jobs. So, many Bangladeshis – in common with citizens from other countries in the region – seek work abroad, sometimes illegally.
- 3.4 Dhaka was categorised by UK Visas and Immigration (UKVI) as a high-risk post due to the high levels of corruption and forgery endemic in Bangladesh.
- 3.5 For the month of May 2013, a Home Office document produced for the Risk and Liaison Overseas Network (RALON) showed that 225 individuals who had previously applied at the Dhaka visa post were either refused entry, claimed asylum or were encountered in the UK and served illegal entry papers.
- 3.6 There was also significant prevalence of fraudulent documents in Bangladesh, including passports, birth certificates, bank statements, taxation documents, business documents, school documents and marriage certificates. Also significant was the ease with which they can be obtained.⁷ These factors highlight the challenges faced by the Dhaka Visa Section, which faced a higher level of risk in relation to document fraud and applicants complying with the conditions of their visas.

UK Visas & Immigration

- 3.7 On 26 March 2013, the Home Secretary announced that the UK Border Agency was to be broken up and brought back into the Home Office, reporting directly to Ministers, as part of a new package of reforms. Under the new arrangements, visa operations were placed within UK Visas and Immigration (UKVI) under the leadership of a Director General.

5 <http://www.ukba.homeoffice.gov.uk/aboutus/organisation/service/>

6 <http://www.bbc.co.uk/news/world-south-asia-12650940>

7 <http://www.unhcr.org/refworld/docid/4dd113f92.html>

- 3.8 Overseas visa posts are split into six geographical regions: EuroMed; Asia Pacific; South Asia; Americas; Africa and Gulf; Iran and Pakistan. The Dhaka visa section sits within the South Asia region.
- 3.9 The creation of UKVI resulted in new customer principles being developed. Under the overall vision ‘To become a globally trusted operator delivering excellent customer service and secure decisions’, UKVI developed five key principles for its staff to deliver its vision. They are to:
- put themselves in their customers’ shoes;
 - make it simpler for customers;
 - differentiate the service for different customer groups;
 - be transparent; and
 - provide certainty to customers.
- 3.10 The work of entry clearance staff is crucial in helping UKVI fulfil its vision of becoming a globally trusted operator delivering excellent customer service and secure decisions.

Dhaka Visa Section

- 3.11 The Dhaka Visa Section is situated at the British High Commission (BHC). It processes applications made at two Visa Application Centres (VACs) operated by UKVI’s commercial partner, VFS Global. There is one VAC in Dhaka and the other is located in Sylhet, based in the north of the country. Figure 1 sets out the visa application process in Dhaka and Figure 2 shows the number of applications it assessed for the various categories of visas in the 2012 calendar year.

Figure 1: Dhaka Visa Section – application process

1	Applicant completes online application form.
2	Applicant attends the VAC to pay the relevant fee and submit biometric information. ⁸ No appointment is required for the majority of applicants.
3	For Tier 4 students, an appointment is required at the VAC. At the time, biometric information is provided; students are also required to conduct a short video interview with UKVI staff based in Sheffield.
4	The application form and supporting documents are sent from the VAC to the Visa Section via a courier.
5	The application is assessed by the pre-assessment team at the Visa Section to ensure that all supporting documents are present and to conduct forgery checks if required.
6	The decision to grant or refuse the application is made by an Entry Clearance Officer.
7	The visa or refusal notice, supporting documents and the applicant’s passport are returned via courier to the VAC for collection by the applicant.

⁸ Biometrics includes photograph and fingerprints.

Figure 2: Dhaka applications by visa category 2012

Visa category	Applications	%
General Visitor	11,878	41.8
Family Visitor	7,336	25.8
Tier 4 Students	3,393	11.9
Settlement	2,162	7.6
Other	3,676	12.9
Totals	28,445	100

Note: Information provided by the Home Office.

Staffing

- 3.12 The visa section is managed by an Operations Manager who reports to the Regional Director for the South Asia region. Figure 3 provides a breakdown of staffing numbers at the Dhaka Visa Section at the time of our inspection.

Figure 3: Staffing Numbers at Dhaka Visa Section

Visa section staff	
Operations Manager	1
Entry Clearance Manager	2
Entry Clearance Officers	7
Office Manager	1
Assistant Office Manager	1
Pre-Assessment Team	15
Casework Unit	9
Admin/Registry/Visa Writing	7
RALON Staff	
Immigration Liaison Manager	1
Immigration Liaison Officer	3
Immigration Liaison Assistant	2
Field Liaison Officer	1
TOTAL	50

Note: Information provided by UKVI.

Scope

- 3.13 General Visitor visas were selected for examination because they formed the majority (41.8%) of visa applications in Dhaka in 2012. They also took into account the role of the Independent Chief Inspector ('the Chief Inspector') as the Independent Monitor for Entry Clearance Refusals without the Right of Appeal.

- 3.14 Family Visitor visas were also selected because they represented the second largest visa application category in Dhaka (25.8%). Effective decision-making is especially important in this category, due to the adverse impact which poor decisions can have on the maintenance of family relationships.
- 3.15 Settlement visas were selected for examination following the significant changes to the Immigration Rules in July 2012. This included the introduction of a minimum income requirement⁹ in many of these cases.
- 3.16 Tier 4 of the Points-based System (in effect student visas) were also examined to provide an early assessment of the effectiveness of the introduction of credibility interviews as part of the decision-making process in these cases.

Methodology

- 3.17 The Chief Inspector's inspection criteria¹⁰ (set out in Annex B) were used to assess the efficiency and effectiveness of the Dhaka Visa Section under the themes of:
- Operational Delivery;
 - Safeguarding Individuals; and
 - Continuous Improvement.
- 3.18 In advance of the on-site phase of the inspection, we undertook:
- an examination of documentary evidence including management information, guidance and instructions;
 - file sampling of 286 visa application files, broken down as follows:
 - 206 visitor cases (General and Family Visitors (103 issues; 103 refusals);
 - 80 Settlement cases (40 issues; 40 refusals).
- 3.19 The onsite phase of the inspection took place between 7 and 11 July 2013. On-site inspection activity used to measure performance against the criteria included:
- sampling 39 Tier 4 cases for decision quality and timeliness (13 issues; 26 refusals);
 - observation of the various roles carried out by visa section staff, including:
 - pre-assessment/verification teams;
 - Tier 4 student interviews (at post and via Sheffield);
 - decision-making by Entry Clearance Officers;
 - the appeals team;
 - correspondence and complaints; and
 - staff within the Risk and Liaison Officers Network (RALON).
 - interviews and focus groups with staff, managers and the Regional Manager;
 - a visit to the Visa Application Centre (VAC) in Dhaka.

⁹ Minimum income thresholds apply to partners and children applying under Appendix FM of the Immigration Rules and to some adoption cases under Part 8 of the Rules.

¹⁰ Revised criteria were published in February 2013 and can be found at:

<http://icinspector.independent.gov.uk/wp-content/uploads/2010/03/Inspection-Criteria.pdf>

- 3.20 During the on-site phase of the inspection, we also interviewed the British High Commissioner for Bangladesh and the local Director of the British Council.
- 3.21 On the final day of the inspection, the inspection team provided feedback on high-level emerging findings to the Regional Manager, the High Commissioner and the Deputy High Commissioner. The inspection identified five recommendations to improve the efficiency and effectiveness of the Dhaka Visa Section. A full summary of recommendations is provided on page 9 of this report.

4. Inspection Findings – Operational Delivery

Decisions on the entry, stay and removal of people should be taken in accordance with the law and the principles of good administration.

Decision-making

- 4.1 This section provides detailed results and analysis of the files we sampled, both prior to and during the on-site phase of our inspection. In total 345 files were selected, chosen randomly from the total population of decisions made in Dhaka between 1 January and 31 March 2013, with the exception of Tier 4 cases, which were decided between 27 May and 23 June 2013. In all cases we considered both the timeliness and quality of the decisions made.
- 4.2 The visa section in Dhaka was able to provide us with all the files we requested. However, upon receipt we identified that some of the Family and Other Visitor cases had been wrongly classified. For example, we requested 106 Other Visitor files but on receipt six of these belonged to the Family Visitor category. Figure 4 shows the categories of visas examined and the number of cases in each category.

Figure 4: Numbers of files sampled in each visa category

Category	Requested	Sampled	Out of scope
Family Visitor - issue	50	51	0
Family Visitor - refusal	50	55	0
Other Visitor - issue	53	52	0
Other Visitor - refusal	53	48	0
Tier 4 Student - issue	13	13	0
Tier 4 Student - refusal	26	26	0
Settlement - issue	50	40	10*
Settlement - refusal	50	40	10*
Total	345	325	20

* Note: These cases were out of scope as they fell within a different application category - 'Right of Abode'

Timeliness

4.3 UKVI had customer service standards in place at the time of our inspection, which stated that UKVI would process:

- 90% of non-settlement applications within 3 weeks, 98% within 6 weeks and 100% within 12 weeks of the application date; and
- 95% of settlement applications within 12 weeks of the application date and 100% percent within 24 weeks of the application date.¹¹

4.4 Our sampling of Other Visitor and Family Visitor issue cases showed that UKVI was meeting its customer service standards in relation to both categories. However, refusals in both categories just missed the 15-day target, although it had met both the 30- and 60-day targets. Tier 4 Student cases met the 15-day target for issues but narrowly failed to meet this target for refusals. All cases met the 30-day and 60-day targets. Performance in relation to Settlement visa applications was poorer, with Dhaka failing to meet any of its customer service standards. Figure 5 refers.

Our sampling of Other Visitor and Family Visitor issue cases showed that UKVI was meeting its customer service standards in relation to both categories

Figure 5: Application processing times of Settlement cases issued and refused in Dhaka

	Settlement issues		Settlement refusals	
Total cases sampled	40		40	
Timescale	60 working days or under	120 working days or under	60 working days or under	120 working days or under
Percentage of cases processed in timescale	75%	98%	93%	95%
Customer Service standard met?	No	No	No	No

Decision quality

4.5 The visa section had set benchmark targets that Entry Clearance Officers (ECO's) were expected to achieve in order for it to meet UKVI's customer service targets. These benchmark targets were developed after consultation with ECOs, using a weighting system that took into account variable levels of complexity and time required to process different types of visa applications. Staff and managers confirmed that staff input had been sought before the current targets were set in November 2012.

4.6 Staff generally understood their targets and how these had been determined. Managers considered that these targets were realistic, although they acknowledged that the complexity of cases could adversely impact their achievement. This was particularly relevant for Settlement applications. Views amongst ECOs varied as to how achievable the targets were in practice, and some staff considered they could impact negatively on the quality of decision-making.

11. A week is defined as 5 working days - <http://www.ukba.homeoffice.gov.uk/visas-immigration/general-info/processing-times/>

4.7 Our inspection identified significant concerns with decision quality in Dhaka, with over half of the cases we examined (166 out of 325 cases) failing one or more of our decision quality indicators.

4.8 With the exception of new ECOs (where benchmark targets were adjusted), targets were applied consistently for all staff and their performance against them was reflected in their annual performance review. Work had commenced within the South Asia region to apply a more sophisticated weighting criteria to decisions, which would additionally take into account the experience levels of ECOs when setting individual targets. Figure 6 sets out the daily targets for ECOs at the time of our inspection.

Our inspection identified significant concerns with decision quality in Dhaka

Figure 6: ECO targets in Dhaka

Category	Applications
Non-settlement	25
Settlement	10-12
Tier 4	40-45

4.9 Our Abu Dhabi and Islamabad inspection report,¹² published in November 2010, recommended that the Agency should strategically assess whether the existing focus on the achievement of numerical targets was impacting negatively against decision-making quality. The former Agency accepted the recommendation and subsequently issued instructions requiring the regular review of ECO targets, with a list of factors to be taken into account when setting them, which included ECO overturn rates. Whilst we make no direct correlation between the problems we identified with decision quality and the benchmark targets set for ECOs in Dhaka, we believe that UKVI should revisit these targets to ensure that, when setting them, appropriate account is taken of current performance in terms of decision quality.

4.10 Staff and managers acknowledged that processing times had slipped in the early part of 2013 because of insufficient resources. For example, some ECOs had taken on additional responsibilities in order to cover for an Entry Clearance Manager (ECM) vacancy. These responsibilities included ECOs conducting decision reviews on appeal cases.

Our sampling found that the quality of decision-making was generally poor

4.11 A significant increase in Settlement applications prior to the change to the Immigration Rules in July 2012¹³ meant that the Visa Section was not able to achieve UKVI's customer service standards. However, during the on-site phase of our inspection we were told that customer service standards were now being met in all categories of application.

4.12 Our sampling found that the quality of decision-making was generally poor, with refusal notices often containing unclear reasoning or demonstrating that the ECO had either failed to take account of or had misinterpreted positive evidence submitted by applicants. Our findings echoed those of the previous Independent Monitor, when she conducted a visit to Dhaka in November 2008.

Where visas had been issued, it was often not possible for us to understand the grounds for the decision due to the poor quality of record keeping

¹² <http://icinspector.independent.gov.uk/wp-content/uploads/2010/03/An-inspection-of-entry-clearance-in-Abu-Dhabi-and-Islamabad.pdf>
¹³ <http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/app-family-members/>

- 4.13 Where visas had been issued, it was often not possible for us to understand the grounds for the decision due to the poor quality of record keeping on the Proviso¹⁴ caseworking system.
- 4.14 The reasons for refusal in many of the Settlement cases we sampled identified a poor understanding of the financial requirements placed on spouses and partners since changes to the Immigration Rules introduced on 09 July 2012. These issues are dealt with in detail under the various visa categories which we sampled.
- 4.15 We also identified problems with decision-making in Tier 4 student cases. This was predominantly because ECOs had failed to take a balanced view of an applicant's performance during interview, focussing on questions which an applicant had not understood, but attaching no weight to other more complex sections of the interview where the applicant had performed well. We also found some examples where credibility issues raised in refusal notices had not been put to applicants, despite the fact that in many cases UKVI had interviewed the applicant twice. This was unacceptable.

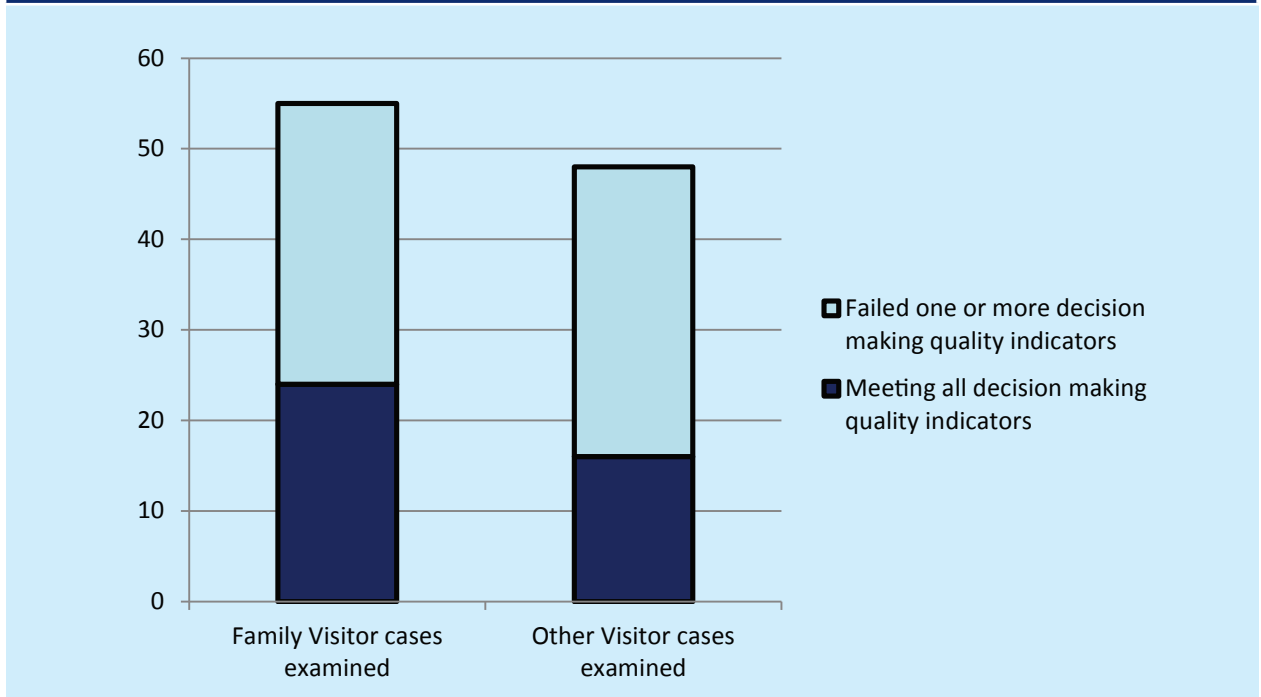
Results of the sample of Family and Other Visitor refusals of entry clearance

- 4.16 We examined refused Family and Other Visitor cases using various quality indicators developed by the Inspectorate, including:
- Was the decision to refuse entry clearance assessed against the correct Immigration Rules?
 - Did the ECO make their decision based upon all the available evidence?
 - Was the correct information on appeal rights provided to the applicant?
 - Was the administration of the case sound?
- 4.17 Of the 103 Family and Other Visitor refusal cases we examined, we found that 63 cases failed one or more decision-making quality indicators (61% of sample).¹⁵ Our findings are illustrated in Figure 7 below.

¹⁴ Proviso is the database used by overseas visa sections as the audit trail of entry clearance applications. It records all details of an entry clearance application from the date of application through to the decision and any post decision correspondence.

¹⁵ Where we provide percentages in each visa category section, this is measured against the total number of cases that we sampled in each visa category, in this case 103.

Figure 7: Family Visitor and Other Visitor refusal cases assessed against indicators of decision-making quality



Immigration Rules: Family Visitor Cases

4.18 The decision to refuse entry clearance was assessed against the correct Immigration Rules in all but one Family Visitor case.

Decisions in line with evidence, Family Visitor cases

4.19 We found that 63 cases across both samples failed one or more decision-making quality indicator because the decisions had not been made in line with all the available evidence. In five of these cases, we questioned whether the overall decision was reasonable. In three cases, supporting evidence submitted by the applicant was missing so we were unable to assess whether the decision was reasonable.

4.20 In 39 cases (38%), we found that ECOs had failed to consider all the positive evidence submitted by applicants in support of their applications. Examples included stating that an applicant had failed to provide evidence of:

- their financial circumstances, despite the presence of a bank statement showing adequate funds;
- the existence of their business, despite the fact that supporting documents were submitted and were not called into question by the ECO;
- their personal or economic circumstances, despite evidence of employment and/or regular income being submitted; and
- their sponsor being able to adequately maintain them, despite evidence of sufficient funds and accommodation on the file.

In 39 cases (38%), we found that ECOs had failed to consider all the positive evidence submitted by applicants in support of their applications

4.21 In 15 Other Visitor and four Family Visitor cases (18%), ECOs had applied additional evidential requirements that applicants would not have been aware of at the time when they made their applications. This was unfair; such requirements included that applicants should have provided:

- evidence of regular contact with family members in the UK and/or
- detailed information regarding their UK sponsor's outgoings and financial commitments, in addition to providing details of current account and savings account bank statements providing proof of sufficient funds.

4.22 We also found 11 Other Visitor and 10 Family Visitor cases (20%) where ECOs had misinterpreted evidence to the applicant's detriment. Examples included misreading the balance on bank statements or misinterpreting entries on bank statements, leading to flawed conclusions that deposits were inconsistent with the applicant's claimed income.

4.23 While on-site, we discussed with UKVI 10 cases¹⁶ that we considered to be the most significant and representative of the wider cohort of 63 cases with which we had concerns. In all 10 cases, we questioned whether the decision was reasonable.

4.24 UKVI agreed with our findings in four cases where positive evidence had been disregarded or misinterpreted or additional evidential requirements had been imposed. As a result, they agreed to reconsider two refusal decisions and to revise one refusal notice to ensure that it accurately recorded the reasons for refusal. In the fourth case, the refusal decision had already been overturned on appeal. The case study in Figure 8 refers to one of the two refusal decisions that UKVI agreed to reconsider.

Figure 8: Case study – Family Visitor application refusal

The applicant:

- submitted an application for entry clearance on 31 January 2013 to visit the UK for four weeks to attend a cousin's wedding, enclosing evidence of their employment, income and financial circumstances in Bangladesh, in addition to a letter of invitation and other evidence from the sponsor confirming sufficient funds and a willingness to maintain and accommodate them; and
- was refused entry clearance on 14 February 2013 because the ECO was not satisfied the applicant had given a sufficiently consistent or coherent account of their financial or personal circumstances to satisfy the Immigration Rules.

Chief Inspector's comments:

- The applicant made their personal circumstances clear in the application form, stating that they were single, in employment and intended to travel with their mother to attend a wedding.
- The applicant provided evidence of employment, including a letter from their manager and from the proprietor of the business where they were employed.
- The bank statements provided showed credits to the account which reflected their income, and a letter on file with a sale deed explained the origin of some large deposits.
- The business documents submitted were in relation to the applicant's father's interests and not the applicant's.

UK Visas and Immigration:

- agreed to reconsider the refusal decision, acknowledging that the ECO had misinterpreted the evidence in relation to the applicant's employment; and
- accepted that positive evidence had been disregarded (related to finances) and that the business documents provided belonged to the applicant's father.

¹⁶ Any of the cases discussed with UKVI that resulted in us revising our initial view on decision quality indicators being met were rescored as appropriate. The summary of our findings takes account of any rescored.

4.25 While we were satisfied with the explanation provided relating to a case concerning issues of child safety, we were not satisfied with the responses received from UKVI in relation to four cases. Three related to additional evidence requirements where applicants were required to provide evidence of regular contact being maintained with their UK sponsor or family members in the UK. In all four cases, positive evidence concerning finances had been disregarded. These were also cases where we questioned whether the overall decision was reasonable. Our concerns are best illustrated by way of two case studies shown in Figures 9 and 10.

Figure 9: Case study – Other Visitor application refusal

The applicant:

- submitted an application on 20 December 2012 to visit the UK for three weeks and was refused entry clearance on 7 January 2013 (following the completion of an ECM review) on the grounds that:
 - they had failed to explain the origin of deposits to their bank account which were not consistent with the claimed income, casting doubt on their personal and economic circumstances; and
 - the evidence provided relating to the sponsor's financial circumstances was insufficient to confirm that they had the ability to maintain and accommodate the applicant without the applicant taking employment or having recourse to public funds.

Chief Inspector's comments:

- Credits on the applicant's bank statement were consistent with their claimed income, with the exception of December; however this was explained by a transfer from the applicant's business bank account for which a statement was provided.
- The ECO correctly doubted the origin of the sponsor's funds; however, consideration should have been given to whether the applicant could have funded the visit themselves.
- We were concerned at the additional evidence requirements made in relation to proof of contact between the applicant and sponsor and whether they were related as claimed.

UK Visas and Immigration:

- was satisfied that the original decision to refuse entry clearance was correct;
- disagreed that it was wrong for the ECO to suggest that deposits in the applicant's bank account in December were inconsistent with the claimed income, although it accepted that the increase in December could be explained by the documented transfer from the business bank account;
- did not accept that the ECO should have considered whether the applicant was in a position to fund the trip from their own assets: whilst this may be appropriate in some cases, the evidence must be considered in the round,¹⁷ and in this case it was appropriate to consider the intention to fund the trip given the applicant's claim that it would be funded by the sponsor; and
- stated that whilst proof of contact with the UK sponsor is not a requirement of the Immigration Rules, it was one of the factors that the ECO was entitled to take account of when considering the evidence in the round.

4.26 The response of UKVI in this case was difficult to reconcile with an official response we received in relation to a previous visa inspection in Accra, where we made a similar point about an ECO's failure

¹⁷ Refers to the requirement to consider all of the evidence provided before reaching a decision, including that which is in the applicant's favour and that which militates against the grant of entry clearance, without giving undue weight to any individual piece of evidence.

to consider whether the applicant was able to finance the cost of the visit from their own resources.¹⁸ In that case, the former UKBA accepted our finding and agreed to reconsider the application, taking into account the applicant's own financial resources. The question for the ECO was whether, on a balance of probabilities, the applicant was able to maintain and accommodate themselves and meet the cost of the return journey without recourse to public funds. It is difficult to see why the applicant's own financial position would not be relevant to the consideration of this question.

Figure 10: Case study – Family Visitor application refusal

The applicant:

- applied to visit the UK to attend a cousin's wedding, submitting business documents, bank statements and tax certificates as evidence of their self-employment; and
- was refused entry clearance because the ECO was not satisfied that the applicant had provided sufficient evidence of their personal, economic and financial circumstances, or explained the true reason behind their trip as they had not sought to visit the relative previously, had not shown evidence of regular contact and failed to show why they, rather than any other family member, wished to attend the wedding.

Chief Inspector's comments:

- The applicant provided evidence of their business, a bank statement showing deposits which were consistent with the claimed income and which could also be sourced from their business account.
- The applicant had shown a steadily rising balance since 01 May 2012, with a closing balance almost twice the amount that the applicant claimed they would spend.
- Questioned the relevance of the applicant not previously attempting to visit their relatives in the UK and of the failure to provide evidence of a regular relationship with their sponsor/relative in the UK.

UK Visas and Immigration:

- was satisfied that the original decision to refuse was correct, adding that it was not unreasonable for the ECO to analyse the business-related documents in detail, given that applications containing forged business related documents were often submitted;
- believed that the ECO was justified in questioning the origin of funds in the personal account and doubting whether the applicant genuinely had the funds to meet the maintenance and accommodation requirement and was satisfied that the ECO gave the correct consideration to the applicant's business and own bank statements; and
- accepted that the relevance of the applicant not previously attempting to visit relatives in the UK was not a requirement under the Immigration Rules: however, it fell into part of the wider consideration of assessing whether an applicant was genuinely seeking entry clearance to the UK for a limited period and intended to leave at the end.

4.27 In this case, we believe that if the ECO doubted the credibility of the funds or the reliability of the business documents provided, verification checks should have been carried out to confirm such doubts. In addition, the reason why certain evidence had been disregarded should have been explained in the refusal notice. An applicant is entitled to know why the application, for which they have paid a considerable sum of money, was refused. We comment further on our concerns regarding the need for evidence of the relationship between applicants and their sponsors later in this report.

An applicant is entitled to know why the application, for which they have paid a considerable sum of money, was refused

- 4.28 The former UK Border Agency frequently responded to our inspection reports by stating that ECOs must look at evidence ‘in the round’ – a response that was again provided by the Dhaka Visa Section. We agree that ECOs should look at evidence in the round, but the problem we frequently encounter is that ECOs fail to do exactly this.
- 4.29 While UKVI provided us with detailed responses for nine of the ten cases we discussed on-site, they did not provide us with a full response on one case. This concerned an applicant who had submitted sufficient evidence to support their visa application, but not all the evidence submitted had been considered. In this case an appeal against the ECO’s decision had been submitted and UKVI undertook to consider our comments when conducting the review which they routinely undertake when an appeal is lodged. We were subsequently informed that the decision to refuse entry clearance was overturned in light of fresh evidence that was submitted with the appeal.
- 4.30 As mentioned previously, we found a number of cases where additional reasons for refusal included the applicant’s failure:
- to provide evidence of regular contact with the UK sponsor;
 - to visit the relative before; and
 - to provide reasons why they, rather than any other family member, were making the visit.
- 4.31 The requirement to provide evidence of regular contact or reasons why other family members were not making the visit amounted to additional evidential requirements, which an applicant could not have been expected to foresee. If it were necessary to have visited previously, then no first-time visitor could possible qualify for a visa.
- 4.32 None of the requirements implied by these refusal reasons are requirements of the Immigration Rules. None are mentioned in UKVI’s guidance to applicants concerning evidence they should consider providing in support of their applications. In response, UKVI accepted that the Immigration Rules did not require applicants to provide evidence:
- of regular contact between an applicant and UK sponsor;
 - that they had visited the UK before; and
 - to justify why other relatives were not making the visit.
- 4.33 However, it maintained its view that these issues were relevant to the wider assessment of whether an applicant was genuinely seeking entry to the UK for a limited period and intended to leave at the end. Managers constantly referred to the fact that Dhaka was a high-risk post and that ECOs needed to assess all of the evidence ‘in the round’, which they sought to use to justify such reasoning by ECOs.
- 4.34 This approach should not be used to place additional hurdles in the way of some applicants, even though they may share certain characteristics with members of a group considered to present a heightened risk. Whilst it is perfectly legitimate to direct resources to the thorough checking of applications fitting a profile of heightened risk, it is not legitimate to apply a different standard to applicants falling into such a profile than the one set out in the Immigration Rules.
- 4.35 While we agree that these factors might be relevant in assessing an application, applicants should be afforded the opportunity to deal with such matters, either in advance of making an application or through a request for further information.

If it were necessary to have visited previously, then no first-time visitor could possible qualify for a visa.

- 4.36 We have reported about the imposition of additional evidential requirements in seven previous visa inspections,¹⁹ most recently during our inspection of Abu Dhabi and Islamabad. It is therefore disappointing to find that this practice was continuing in Dhaka despite the delivery of refusal drafting training to ECOs on 25 April 2013. The Operations Manager acknowledged that some improvement still needed to be made to ensure that refusals did not rely on factors that applicants could not be expected to be aware of.
- 4.37 The problems that we encountered with decision-making generally in relation to Family Visit and Other Visit refusal cases would normally result in us restating earlier recommendations. However, the interim Director General of UKVI launched a training programme for ECOs in September 2013 to improve the quality of visa refusal notices. The training package was based, in part, on previous recommendations we have made in our reports and demonstrated a willingness to improve the quality of decision-making by:
- directing ECOs to focus on the statements made on the visa application form and documents submitted by the applicant;
 - personalising refusal notices to set out how a decision is reached, encouraging ECOs to carefully consider how they structure their refusal notices; and
 - ceasing the use of standard paragraphs and instead requiring ECOs to draft refusal notices using free text.
- 4.38 The training programme, which was due to be delivered globally by the end of December 2013, was a positive step forward. It should help ECOs to understand the need to determine all cases in accordance with the requirements of the Immigration Rules and to do so in a consistent, fair and transparent manner.
- 4.39 However, a prerequisite for the translation of this training programme will require ECM reviews to become much more effective in ensuring that ECOs apply the policy and guidance in place when making decisions. In view of these actions, we make no further recommendation at this time about the need for:
- ECOs to take account of both positive as well as negative evidence when deciding an application for entry clearance; and
 - applicants being given an opportunity to provide further information when they have followed published guidance, but ECOs require further information to make a decision.
- 4.40 We will revisit this issue when we next inspect Family Visitor and Other Visitor visa categories in 2014.

Results of the sample of Family and Other Visitor grants of entry clearance

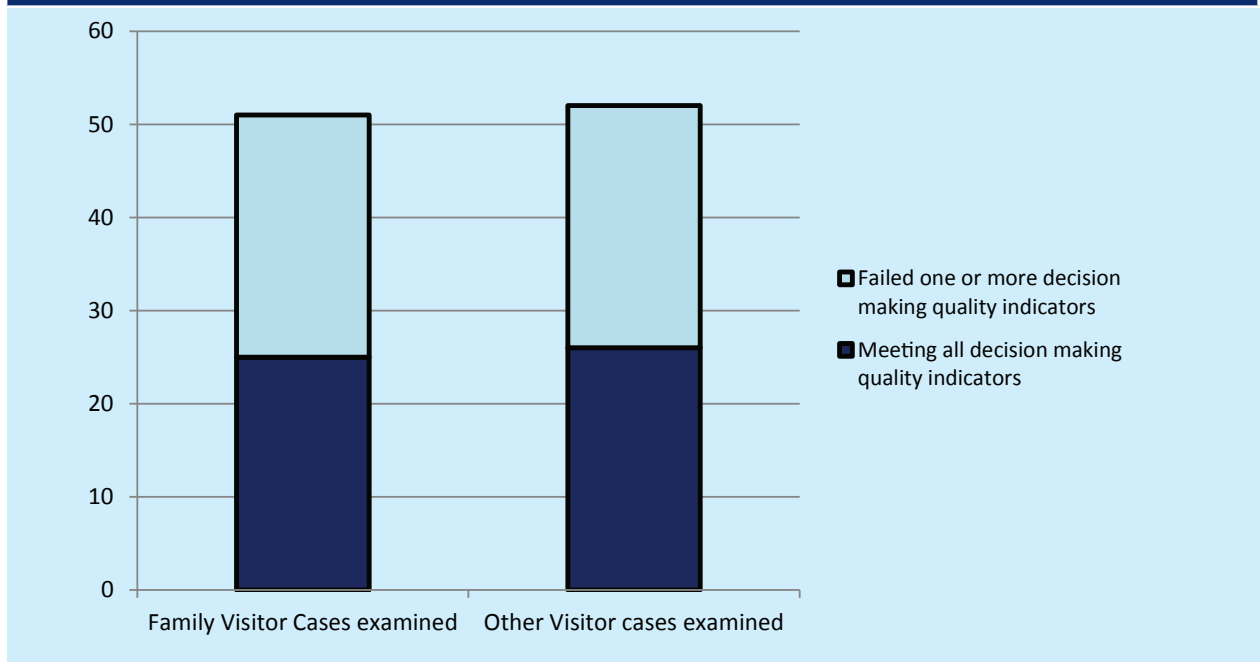
- 4.41 We examined granted Family and Other Visitor cases using various quality indicators, including:
- Was the decision to grant entry clearance assessed against the correct Immigration Rules?
 - Did the ECO make their decision based upon all the available evidence?
 - Was the visa issued with the correct endorsement and for the correct period of validity?

¹⁹ Abu Dhabi and Islamabad: July 2012, Africa: June 2012, New York: December 2011, Global Review: December 2011, Amman: March 2011, Pakistan: July 2010, Chennai: March 2012. See: <http://icinspector.independent.gov.uk/inspections/>

4.42 Of the 103 Other Visitor and Family Visitor cases we examined, we found that half (52 cases) failed one or more decision-making quality indicators. In 13 cases (13%), we questioned whether the decision was reasonable. In a further 10 cases (10%), we were unable to assess whether the decision was reasonable because the supporting evidence provided by the applicant had not been retained on file nor referred to on the Proviso caseworking system. Figure 11 illustrates our findings.

We found that half (52 cases) failed one or more decision-making quality indicators

Figure 11: Family Visitor and Other Visitor grants assessed against indicators of decision-making quality



Immigration Rules: Other Visitor cases

4.43 The decision to grant entry clearance was assessed against the correct Immigration Rules in all but two of the Other Visitor grant cases. UKVI accepted our findings and agreed to remind all staff about the requirements of the Immigration Rules for the different categories of visitor applications.

Decisions in line with evidence, Other Visitor cases

4.44 Fifty-two cases (50%) failed one or more decision-making quality indicators because the decision had not been made in line with all of the available evidence. As in previous inspections, we found that decisions in 37 cases (36%) had not been made in line with the evidence. This was because ECOs appeared to attach no weight to the absence of evidence which, in our view, was required in order to demonstrate that the applicant met the requirements of the Immigration Rules.

4.45 The types of evidence which were often absent, and which we would have expected to see before the issue of a visa was justified, included evidence pertaining to:

- applicants' personal and financial circumstances in Bangladesh; and
- the willingness and ability of sponsors to maintain and accommodate applicants.

4.46 Such evidence was often absent in cases where visas had been granted and it was usually impossible to ascertain from the ECO notes on Proviso whether this evidence had been seen or not and, if not,

what account ECOs took of the failure to provide this evidence. In contrast, in refusal cases it was the absence of such evidence that was often cited as a reason for refusal. At the very minimum, we would expect that issue notes record the absence of particular evidence and provide a justification as to why, in that case, the ECO concluded that the visa should be issued.

In the absence of such reasoning, decision-making appeared arbitrary and/or inconsistent

- 4.47 In the absence of such reasoning, decision-making appeared arbitrary and/or inconsistent. This was because it was not possible to understand why a visa was issued in one case but refused in another, even though the deficiencies in the evidence submitted by the applicants were similar in both cases. Managers stated that they had already identified the problem of poor issue notes on Proviso and had taken action to remedy the problem.
- 4.48 While the actions they were taking were positive, we remain concerned that Dhaka had failed to implement this recommendation more quickly, especially as our New York inspection report was published some 12 months prior to the period when our file sample commenced.
- 4.49 We discussed 14 of the cases that we considered to be the most significant and representative of the wider cohort of 52 cases with UKVI. It agreed with our findings in five cases, three of which related to issuing a visa with limited evidence on file to satisfy all of the criteria of the Immigration Rules. A further problem with these three cases related to the poor quality notes on Proviso explaining the rationale for these decisions. In a further two cases, it accepted that further checks should have been carried out on the sponsor's financial circumstances and immigration status.
- 4.50 We were satisfied with the explanation provided by UKVI in four cases where we had previously queried whether the decision was reasonable, based on the apparent lack of weight attached to the failure to provide relevant evidence.
- 4.51 In the remaining five cases, UKVI maintained that the ECOs had made the correct decision to grant visas although we considered that the evidence submitted fell short of what was required to meet the Immigration Rules. Our file sampling exercise identified inconsistencies with the way applications were considered, which are best illustrated in the case studies in Figure 12 and Figure 13 respectively.

Figure 12: Case study – Other Visitor grant application

The applicant:

- applied for entry clearance on 18 March 2013 to visit the UK for one month with their spouse and daughter, providing evidence of their spouse's circumstances (they were a dependant) and was issued entry clearance on 19 March 2013.

Chief Inspector's comments:

- There were no issue notes on Proviso, other than a reference to the applicant's spouse's application reference number.
- The only supporting documents on file were the spouse's business bank statements and the application form. No evidence was provided of the applicant's or their spouse's personal funds, it was therefore not possible to determine whether the applicant could be maintained and accommodated in the UK for one month without recourse to public funds.
- It was not clear from case notes how the ECO satisfied themselves that sufficient funds were available for the visit.

UK Visas and Immigration:

- maintained that the decision to issue was correct, although it agreed that the rationale behind the decision should have been reflected in the issue notes and added that previous travel weighed strongly in the applicant's favour; acknowledging that 'although in many cases, evidence in business bank statements is not acceptable to establish the applicant's circumstances in Bangladesh, when taken in the round in this case, the ECO was justified in concluding that the applicant met the requirements of the Immigration Rules';
- stated further that 'ECOs will consider applications on the balance of probabilities and based on local knowledge and risk led investigations'.

Figure 13: Case study – Family Visitor grant application

The applicant:

- applied for entry clearance on 20 February 2013 to visit their sister for two-three weeks with their spouse and daughter, providing a letter from their employer and evidence that flights would be arranged by them, in addition to a personal bank statement showing sufficient funds and was issued entry clearance on 25 February 2013.

Chief Inspector's comments:

- Although the applicant's bank statement showed adequate funds, it did not reflect the claimed income.
- There was no evidence concerning the sponsor's willingness or ability to maintain and accommodate the applicant and their family, nor was there any evidence of the sponsor's immigration status in the UK.
- Overall, given the lack of evidence concerning the sponsor, there was insufficient evidence to justify the issue of a visa.

UK Visas and Immigration:

- was satisfied that the decision to issue was correct, adding that evidence of previous travel and compliance went in the applicant's favour, as did the fact that all previous travel had been to the same sponsor, the applicant's sister;
- stated that the applicant's own funds were sufficient to satisfy the ECO that they could maintain and accommodate themselves, notwithstanding the lack of evidence in respect of the sponsor's financial situation;
- stated further that 'whilst we accept that this point commonly features in refusal notices, each case must be considered on its own merits and the evidence considered in the round. The lack of evidence from a sponsor may be relevant in one case and not in another.'

4.52 A number of the cases within our sample were issued despite only limited evidence being provided by the applicant, although they had travelled to the UK previously and complied with the conditions of their visas. In its response, UKVI told us that for visit visa applications there were no specified or required documents. We were told that, although previous compliant travel does not negate the need to provide other evidence, it would be considered as part of the overall assessment and every application was considered on its own merits.

4.53 We agree that UKVI should take into consideration the presence or absence of previous compliant travel when considering the risk posed by a particular applicant. However, previous compliant travel has little or no bearing on the question of whether an applicant can be maintained and accommodated in the UK without recourse to public funds at the time of the application. On this point the Immigration Rules state that applicants must demonstrate how they:

(vi) will maintain and accommodate himself and any dependants adequately out of resources available to him without recourse to public funds or taking employment; or will, with any dependants, be maintained and/or accommodated adequately by relatives or friends who can demonstrate they are able and intend to do so, and are legally present in the United Kingdom, or will be at the time of their visit.

- 4.54 We believe that, in order to be satisfied on this point, ECOs need to see documentary evidence of either an applicant's financial circumstances, or the circumstances of the sponsor, if the sponsor is said to be providing the funds. We do not consider that the section on the application form that deals with finances and employment is sufficient to meet this requirement.
- 4.55 It is also important that ECOs provide the basis for their overall assessment on Proviso, so that the decision-making process is transparent and can be audited effectively. This is particularly important in an environment where a high level of fraud is present, to ensure that opportunities that might encourage staff to act dishonestly are minimised.
- 4.56 We have raised concerns about ECOs either failing to justify their decisions appropriately on Proviso, or retain relevant documentation, in seven previous inspection reports.²⁰ It is therefore disappointing that these problems continue, despite the former Agency accepting our recommendations.
- 4.57 UKVI accepted our findings in relation to document retention and poor quality record-keeping. They added that these areas had been identified prior to the on-site phase of our inspection and action had been taken to address these issues by:
- reissuing guidance to all staff on the retention of documents;
 - reissuing guidance to existing staff on issue notes on Proviso; and
 - including the above guidance in induction packs for new starters.
- 4.58 Whilst these were positive steps, it will be important for managers to conduct assurance checks to ensure that ECOs comply with this guidance.

We recommend that the Home Office:

- ensures that staff record clear grounds for entry clearance decisions on Proviso;
- adopts a consistent approach to the retention of relevant supporting documents to support effective decision-making; and
- implements robust assurance mechanisms to provide better governance and assurance to senior managers about the quality of visa decisions.

Results of the sample of Settlement visa refusals and grants of entry clearance

- 4.59 Granted and refused Settlement visa cases were examined using the same quality indicators as for the Family and Other Visitor visa categories. Out of the 40 Settlement visa grant cases we sampled, six (15%) failed one or more decision-making quality indicators. In a further seven cases (18%), we were not able to conduct this assessment as there was insufficient evidence either on file or on Proviso. Of the 40 Settlement visa refusal cases we sampled, we found that 24 cases (60%) failed one or more decision-making quality indicators. Figure 14 illustrates our findings.

²⁰ A re-inspection of the Visa Section in Abu Dhabi and Islamabad; a comparative inspection of the Visa Sections that process applications submitted by Africa: (Nairobi, Abuja, Pretoria and the UK Visa Section); a global review; visa inspections of New York, Amman and Guangzhou and a short notice inspection of the UK Visa Section in Istanbul. See Link: <http://icinspector.independent.gov.uk/inspections/>

Figure 14: Settlement visa grants and refusals assessed against indicators of decision-making quality



Immigration Rules: Entry clearance

4.60 Entry clearance decisions were assessed against the correct Immigration Rules in all cases we examined.

Other quality indicators

4.61 Figure 15 records the reasons why settlement refusal cases in our sample were not decided in line with the available evidence.

Figure 15: Refusal cases not decided in line with all available evidence

Reason	Number* of occasions (of the 24 refusal cases sampled) where this reason applied
Misinterpretation of evidence	9
Failure to notice inconsistencies	2
Negative evidence disregarded	13
Positive evidence disregarded	6
Additional evidential requirements imposed (which were not in the Immigration Rules)	4
Inappropriate use of paragraph 320	0
Paragraph 320 should have been applied	1

*Note: Because some cases failed against more than one decision-making quality indicator, the total number does not add up to 24 cases

Consideration of new Family Migration Rules

- 4.62 On 9 July 2012 significant changes to the Immigration Rules concerning family settlement cases came into effect. These provided a new set of requirements to be met by individuals applying for entry clearance as a relative of a British citizen or a person who has indefinite leave to remain in the UK (the sponsor). They apply to, amongst other persons, partners²¹, children and adult dependent relatives (grandparents, siblings).
- 4.63 The most significant change was the introduction of a minimum income requirement for partners and children applying under Appendix FM of the Immigration Rules²² in order to demonstrate that they could support the applicant(s) without recourse to public funds. The actual level of income which must be shown varies depending on whether there are additional dependants, Figure 16 refers.

Figure 16: Family migration – gross income requirement

Applicants being sponsored	Level of gross annual income to be demonstrated
Partner	£18,600.
Partner and one child	£22,400 (an additional £3,800 of income must be shown for the first child).
Partner and two children	£24,800 (an additional £2,400 of income must be shown for each additional child).

- 4.64 Staff and managers told us that the complexity of the new minimum income requirement had made it difficult to apply in practice. We found that the guidance provided was very lengthy, was densely worded and had changed twice since the changes were introduced in July 2012, reflecting further changes to the Immigration Rules. This was one of the reasons why we decided that many of the cases in our sample were not decided in line with all the available evidence. However, this only translated to one case in which we considered that the decision to refuse was not reasonable. UKVI informed us that it intended to withdraw this decision during the mandatory review, which takes place prior to the appeal hearing. We can confirm that UKVI did take this action.

Staff and managers told us that the complexity of the new minimum income requirement had made it difficult to apply in practice

- 4.65 In the remaining cases, applicants had failed to provide evidence that their sponsors met the financial requirements imposed by the Immigration Rules. Refusals should therefore have been straightforward. However, in arriving at their decision, ECOs demonstrated a lack of familiarity with the financial requirements because they:
- incorrectly assessed the treatment of cash paid income; and/or
 - placed inappropriate reliance on HMRC Verification Plus checks.
- 4.66 The assessment of whether a sponsor meets the minimum income requirement is complex and time-consuming. UKVI must therefore ensure that ECOs have the requisite skills and time to conduct this work.
- 4.67 A decision to refuse entry clearance in a Settlement application is often likely to lead to a further application, because it results in the applicant's continued separation from a close relative. It is therefore important that the refusal notice deals with all the reasons why the applicant has not satisfied the requirements of the Immigration Rules. In this way an unsuccessful applicant will know

21 Partner includes spouse, fiancé, unmarried partner, same-sex partner and proposed civil partner.

22 Paragraph E-ECP 3.1 of Appendix FM-SE <http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/app-family-members/family-life-as-a-partner/>

<http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/app-family-members/family-life-as-a-partner/>

what they need to remedy before attempting a further application.

4.68 Immigration Judges, when dealing with appeals, need to be made aware by UKVI of all of the reasons for refusing an application. Otherwise UKVI may be directed to issue a visa following a successful appeal, even though there were additional grounds for refusing a visa.

4.69 In many of the cases that we sampled, refusal notices contained credibility points which were not based on evidence. Moreover, they did not always highlight the fact that the sponsor did not meet the minimum income requirements, or that the applicant had failed to submit the required forms of evidence. Figure 17 provides an example of such a case.

In many of the cases that we sampled, refusal notices contained credibility points which were not based on evidence

Figure 17 – Case study: application of new Settlement rules

The applicant:

- applied for Settlement, providing evidence of the sponsor's cash earnings from one employer, in order to demonstrate that their gross income was at least £18,600 per annum;
- was refused on the basis that it was not credible that the sponsor would a) be paid 'such large sums' (between £1200 - £1400 per month) in cash; and b) would deposit all their wages directly into their bank account.

Chief Inspector's comments:

- Although there were grounds for refusal, the ECO had no evidence upon which to base either of the above assertions, because depositing the entire cash wages into their bank account was one way in which a cash-paid employee could count the gross income towards the minimum income calculation.
- The refusal notice incorrectly stated that the applicant had submitted all specified evidence. In fact, the evidence of income did not adhere to the requirements of the Immigration Rules, because the letter from the employer did not state whether the employment was permanent; whether the earnings were gross or net, nor for how long the sponsor had been paid at that rate.

UK Visas and Immigration:

- stated that, although there was some scope to query whether employment/income had been contrived for the purposes of the application, the evidential requirements mean that this is a difficult position to argue or defend even in cases where the evidence strongly suggests that this may be the case;
- further asserted that the stated ground for refusal could not be maintained. The legislation was new and staff were still getting accustomed to the revised requirements, which goes some way to explaining the ECO's conclusion.

4.70 While UKVI stated that the ground for refusal in the above case could not be maintained, we found no evidence that the decision had been overturned or that an amended refusal notice had been sent out to the applicant (as at 23 September 2013).

4.71 Although these issues were less prevalent in the Settlement grant cases, we still identified cases which demonstrated a lack of familiarity with the new settlement rules. Figure 18 provides the detail of a case where, in our view, the visa should not have been issued, as the applicant had not provided the requisite evidence of their sponsor's income.

Figure 18 – Case study – Issue - application of new Settlement rules

The applicant:

- applied for Settlement as the spouse of British citizen, but failed to provide bank statements and pay slips for corresponding periods, in addition to letters from the sponsor's employer not containing information specified in the Immigration Rules.²³

Chief Inspector's comments:

- The supporting evidence provided by the applicant did not satisfy the evidential requirements contained in the Immigration Rules. The ECO has no discretion to waive these requirements and the applicant should not have been granted entry clearance.

UK Visas and Immigration:

- considered it was highly likely that the specified documents were seen but not retained;
- will issue a further reminder to all ECOs regarding the importance of retaining relevant documents.

- 4.72 The view provided by UKVI that the supporting evidence was seen but not retained by the ECO is not supported by any evidence. This reinforces our view that ECOs must make sufficient notes on Proviso setting out why they are issuing a visa. In any event, the problem with the case highlighted is not solely one of document retention, because the employer's letter, which was retained on the file, failed to adhere to the mandatory evidential requirements set out in the Immigration Rules.
- 4.73 Managers informed us that staff had experienced difficulty in applying the new Immigration Rules. As a result they had scheduled further localised training for ECOs, in addition to that which had already been provided by regional training staff. Moving forward, UKVI should:
- satisfy itself that ECOs are given sufficient time and support to enable them to suitably familiarise themselves with complex new arrangements; and
 - ensure that a percentage of decisions are reviewed to provide assurance that changes to the Immigration Rules are being applied fairly and consistently by all staff.

HMRC Verification Plus checks

- 4.74 The Pre-Assessment Team (PAT) could request that staff in the UK make a Verification Plus check with HMRC relating to sponsors, to confirm:
- the name and address of their employer(s);
 - the amount of their earnings, tax payments and National Insurance contributions which HMRC had recorded in each financial year dating back to 2009/10; and
 - in the case of self-employment, the amount of turnover and profit that HMRC had recorded as being declared in these financial years.
- 4.75 Staff told us that the number of checks they could request had been reduced to 20-25 per week. This was estimated as representing around one-fifth of the Settlement applications which the Visa Section received. As a result, it had been decided to use this allocation for applications where the sponsor was paid in cash or had two jobs.

²³ <http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/appendix-fmse/>

- 4.76 HMRC checks had been carried out in 25 of the Settlement refusal cases we sampled (63%). In five of these cases, we had concerns regarding whether they had been used appropriately to substantiate an assertion that the sponsor's income was less than had been claimed. This was because ECOs were reaching conclusions without a proper understanding of the limitation of these checks. For example, the fact that HMRC has no record of an applicant's employment does not necessarily mean that the employment does not exist or that the applicant is not paying tax (i.e. individuals who provide evidence of earnings at the end of a financial year, rather than during the year when the PAT team requested the information from HMRC).
- 4.77 We identified another case where the refusal notice highlighted that HMRC did not have a record of the sponsor's employment. However, the check conducted with HMRC showed that the sponsor did have two employers, but that the name of the second did not match the payslips which had been provided. We note that many businesses trade under the name of their parent company and this was a possible explanation for the discrepancy. Despite this, there was no evidence that additional checks with the employer had been conducted.
- 4.78 It is important that visa staff have a clear understanding of the limitations of the HMRC Verification Plus check and of the possible explanations why HMRC may not hold up-to-date information regarding a sponsor's employment. This will ensure that the results of checks are only cited in refusal notices in appropriate cases.

Results of the sample of Tier 4 visa refusals and grants of entry clearance

- 4.79 We sampled Tier 4 cases on-site to examine the introduction of interviewing for students, which took place both remotely in the UK via video link and in Dhaka. We also assessed these cases against a number of quality indicators to establish whether:
- decisions were made against the correct Immigration Rules and information on administrative review rights was given to applicants;
 - points were awarded in line with guidance;
 - visas were issued with the correct endorsement and the correct period of validity.
- 4.80 We also examined whether ECOs properly assessed all of the evidence submitted when arriving at their decisions. Of the 13 Tier 4 granted cases examined, we found that two (15%) failed one or more decision-making quality indicators. Of the 26 Tier 4 refusal cases we sampled, we discussed with UKVI whether the decision was reasonable in 12 cases (46%). UKVI subsequently agreed to overturn refusals and issue entry clearance in four cases, including the cases illustrated in the case studies in Figure 19 and 20 respectively.
- 4.81 In a further two cases, UKVI provided acceptable reasons to maintain their decision, but agreed to reissue the refusal notices to make clearer the reasons for refusal. In a further case, UKVI provided a satisfactory response and we revised our assessment accordingly. In five cases, UKVI maintained that the overall decision was correct, but accepted our findings concerning the poor quality of interviewing, aligned with poorly worded refusal notices.

Immigration Rules and correct information given on administrative review rights

- 4.82 The decision to refuse and grant entry clearance was assessed against the correct Immigration Rules in all of the Tier 4 cases we examined. The correct information was also given on Administrative Review Rights in all but two (8%) cases.

Points awarded correctly

4.83 Points had been awarded correctly in all but two of the Tier 4 cases we sampled (5%). In both cases a visa was granted. However, in one case we were unable to assess whether the points had been awarded correctly, as evidence concerning the applicant's funds had not been retained on file. In the other case, the ECO had wrongly accepted the relationship between the applicant and their parent in the absence of evidence confirming this as required by UKVI guidance.

The use of Sheffield credibility interviews in Tier 4 Student cases

4.84 In July 2012, following a Tier 4 student credibility pilot, the then Immigration Minister announced the introduction of a targeted interview system for Tier 4 applicants, with greater powers to refuse applicants if there were concerns over credibility. At the same time the so called 'Genuine Student Rule'²⁴ was inserted into the Immigration Rules. This required ECOs to be satisfied that applicants were genuine students and could demonstrate English language proficiency to a standard specified in the Confirmation of Acceptance of Studies²⁵ (CAS).

4.85 UKVI staff guidance stated that, in assessing whether an applicant was a genuine student, ECOs should take into account their:

- reasons for wishing to complete a particular course at a UK college;
- immigration history;
- education history and post-study plans; and
- personal and financial circumstances.

4.86 At the time of our inspection, all Tier 4 applicants in Bangladesh were interviewed remotely via video link by UKVI staff based at the Sheffield interview hub which was launched in April 2013. We observed a number of these interviews, both in Sheffield and at the VAC in Dhaka. As part of our file sampling, we also examined interview records prepared by Sheffield staff, which had been forwarded to the Visa Section by email.

At the time of our inspection, all Tier 4 applicants in Bangladesh were interviewed remotely via video link by UKVI staff based at the Sheffield interview hub

4.87 Prior to the interview, the Sheffield interviewing officer was furnished with only basic biographical details of the applicant – they had no access to the visa application form or any of the supporting evidence which had been submitted.

4.88 In the VAC interviews we observed and in the interview records prepared by Sheffield that we examined as part of our file sample, applicants were asked four identical questions concerning:

- reasons for choosing the course;
- reasons for choosing the institution;
- how the course would assist with their future plans; and
- why they chose to study in the UK.

4.89 We saw no evidence of Sheffield-based interviewers exploring an applicant's immigration history or financial circumstances or whether the applicant had a credible source of funds. This was not surprising, as current IT systems and business processes did not allow the interviewer based

²⁴ <http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/ecg/sty/sty2/>

²⁵ A document provided by a licensed Tier 4 sponsor confirming an unconditional offer of a place on a course of study. The document contains information about the course of study and the student's personal details.

in Sheffield to have access to the VAF or supporting evidence before conducting the interview. However, they could choose from a list of 'supplementary probing' questions to clarify apparent gaps, discrepancies or contradictions in an applicant's answers or where the answers were poor in terms of English language. At the conclusion of the interview, the Sheffield interviewing officer was required to answer the following questions:

- Was the applicant able to answer the questions in basic English?
- Did the applicant answer in a fluent manner, suggestive of the fact that they had not been coached in providing specific answers by rote?
- Were there any points in the interviews where the applicant appeared to lack credibility?

4.90 Entry clearance staff in Dhaka stated that they had little confidence in the use of the remote interview conducted by UKVI staff in Sheffield, because:

- applicants could be coached to provide fluent answers to the limited number of questions asked;
- there were additional credibility issues which were not explored in the Sheffield interviews, such as the credibility of the source of funding for an applicant's studies; and
- Sheffield-based staff lacked sufficient knowledge of the high-risk nature of visa operations in Bangladesh.

4.91 It was not, therefore, uncommon for an applicant to be called into the Dhaka Visa Section for a further interview, even where the Sheffield-based interviewer had no concerns regarding credibility or English language proficiency. For example, in 26 refusal cases in our sample, 14 applicants were interviewed twice (54%).²⁶ In 13 of these 14 cases (93%) the Sheffield interview disclosed no concerns regarding credibility or English language proficiency. However, our sampling suggested that the conclusion drawn by the Sheffield interviewer had little bearing on the decision to carry out a further interview at the Visa Section.

4.92 When we raised these issues with UKVI, it acknowledged that communicating the introduction and changes associated with the Sheffield credibility interview process had been challenging at times, due to the pace at which the project was being managed. For this reason, it believed that some of the ECOs based in Dhaka were not fully aware of the purpose of the Tier 4 credibility interviews undertaken in Sheffield. However, it continued to work closely with regional visa teams to ensure that the process supported effective decision-making and customer service standards. It also made clear that the Sheffield credibility interview:

- was not designed or able to provide a definitive steer in respect of the outcome of an application;
- was designed to be an additional piece of evidence for ECOs to use when assessing whether or not an application met the requirements of the UK Immigration Rules;
- did not prevent ECOs conducting a full interview in order to test other areas of the Genuine Student Rule or where the Sheffield credibility interview raised other concerns but did not provide conclusive evidence to potentially refuse an application; and
- had identified a number of fraudulent elements of applications that might otherwise have remained undetected.

4.93 Managers in Dhaka confirmed that they were committed to helping Sheffield improve. They referred to a 15 question template that the South Asia region had developed for use in Sheffield and ongoing video conferencing meetings with Sheffield staff, in addition to one Dhaka staff member attending Sheffield to help drive further improvement enhancements.

²⁶ Applicants in three out of 13 granted cases were interviewed twice (23%).

4.94 While we recognise that the Sheffield credibility interview was relatively new, UKVI needs to ensure that it is working efficiently by targeting second interviews on those credibility concerns which cannot be addressed in the Sheffield interview — for example, the credibility of funding. Due to the work that is ongoing to improve the Sheffield credibility interview, we make no further recommendation at this time. However, we will revisit this issue later in this financial year when we conduct our thematic inspection of interviewing.

ECO credibility interviews in Tier 4 student cases

4.95 Whilst on-site in Dhaka, we observed credibility interviews conducted by ECOs. We also examined Dhaka interview records contained within our sample. In contrast to the Sheffield interview model, ECOs had the freedom to select which themes to explore and to formulate their own interview questions, including questions designed to test English language ability, even though the Sheffield interview was meant to determine this question.

4.96 However, we considered that questions designed to test English language ability were not always formulated in a way which would fairly test the claimed level of English. For example, we observed an applicant whose claimed English language proficiency was B1 according to the Common European Reference Framework for Languages (CEFR). This is described as ‘Threshold or Intermediate Level’ and users at this level should be able to:

However, we considered that questions designed to test English language ability were not always formulated in a way which would fairly test the claimed level of English

- understand the main points of ‘clear standard input’ on familiar matters regularly encountered in work, school and leisure;
- deal with most situations likely to arise while travelling in an area where the language is spoken; and
- describe experiences and events, dreams, hopes and ambitions and briefly give reasons for opinions and plans.

4.97 The ECO conducting the interview said to the applicant ‘tell me about the exchange rate to determine your English.’ We did not consider that this was an appropriately formulated question, or a topic which was appropriate for an individual whose English language level was B1 on the CEFR.

4.98 Figure 19 provides an example where UKVI accepted that the ECO’s assessment of English language proficiency was flawed.

Figure 19: Case study – Tier 4 refusal

The applicant:

- applied for entry clearance on 03 June 2013 as a Tier 4 student with a CAS from Milburn College of Professional Studies and an IELTS certificate with a score of 5.0 issued by the British Council;
- was interviewed remotely from Sheffield and found to have an appropriate level of English for the proposed programme of study; and
- was interviewed again at BHC Dhaka and subsequently refused entry clearance on 12 June 2013 because the ECO considered that they were unable to demonstrate the English Language proficiency specified in the CAS.

Chief Inspector's comments:

- The decision of the ECO was inconsistent with the assessment of the Sheffield-based interviewer and with the detailed language test conducted by the British Council.
- The ECO also failed to take into account other more complex questions which the applicant answered satisfactorily in English.

UK Visas and Immigration:

- accepted that the applicant was able to demonstrate a proficiency in English to the level specified in the CAS and therefore the decision to refuse entry clearance was not justified. Entry clearance was subsequently issued on 04 September 2013.

- 4.99 We discussed our concerns over the use of credibility interviews to test English language proficiency with representatives from the British Council in Dhaka. In principle, they had no objection to ECOs testing applicants' English language ability, as it was in everyone's interest that only genuine students were granted entry clearance under the Tier 4 route. We share that view, as long as the interviews are conducted fairly, in addition to ECOs having the appropriate skills to formulate interview questions which are appropriate to the level of English identified on the CAS.
- 4.100 Our sampling of Tier 4 refusals also disclosed six cases (23%) where ECOs had raised credibility concerns in the refusal notice, which had not been put to the applicant during credibility interviews. Figure 20 illustrates an example of such a refusal.

Figure 20: Case study – Tier 4 refusal

The applicant:

- submitted a Tier 4 student application on 29 May 2013 with supporting documentation, including a CAS from Swarthmore College and evidence of funds for maintenance;
- was interviewed remotely from Sheffield and found to be credible; and
- was then interviewed again at Dhaka and was subsequently refused entry clearance on 18 June 2013 as they were not considered to be a genuine student.

Chief Inspector's comments:

- The refusal notice questioned the applicant's two-year wait between studies, although they were never asked why they waited two years before applying, in line with UKVI guidance.
- There was insufficient evidence in the interview record for the ECO to conclude, with their spouse already in the UK, the applicant was using this route to facilitate their entry into the UK.

UK Visas and Immigration:

- acknowledged that the refusal notice fell below the standard which would normally be expected of ECOs, but maintained that the ECO was correct to challenge why the applicant had waited two years to resume studies, and that this was a reasonable consideration given that the applicant's spouse was in the UK;
- however, accepted that there was insufficient evidence in the interview record to support the ECO's conclusion concerning the applicant's intention to travel to the UK and accepted that as a consequence of considering all the evidence in the round, there were insufficient grounds to maintain the refusal; and
- agreed to issue entry clearance (subsequently issued on 25 July 2013).

4.101 In light of our file sampling findings, we believe that a number of actions are necessary to improve the efficiency and effectiveness of credibility interviewing undertaken in Dhaka.

We recommend that the Home Office:

- ensures that ECOs do not refuse entry clearance on credibility grounds which an applicant has not had the opportunity to respond to during interview; and
- ensures that ECOs receive adequate training to determine whether an applicant's English language ability is in line with that specified in the CAS.

General findings for the overall file sample

- 4.102 The quality of visa vignettes we sampled was good, with only one out of 156 containing the wrong endorsement. The vast majority of cases were also administered soundly with just one Settlement, two Other Visitor and two Tier 4 applications failing this test²⁷ (98% of the file sample).
- 4.103 The overall quality of refusal notices was poor, with 26% of our overall sample (44 cases) failing one or more of our quality indicators. The most frequently occurring errors in relation to the quality of the refusal notices are detailed below:²⁸

²⁷ For example, where delays in processing an application meant that the reason for the visit had passed although the application was made in good time.

²⁸ Some refusal notices contained several errors, so the case numbers referred to do not add up to 44.

- Thirty-one visa cases did not communicate refusal grounds clearly.
- Sixteen visa cases were presented poorly as they contained for example, spelling, grammar or punctuation errors.
- Seven cases did not state the correct period and purpose of the visit.

4.104 The region had recognised the need to improve refusal wording prior to our inspection. It had implemented training for ECOs, for example to help them stop using statements that made value judgements.

4.105 As with previous inspections, we again found a significant number of refusals where ECOs had misinterpreted evidence, or disregarded relevant positive evidence to an applicant's detriment. As a result, some applications were refused incorrectly, while in other cases refusal notices did not always accurately reflect the correct grounds for refusal. We note that UKVI have acknowledged these concerns and issued a training package to entry clearance staff in September 2013.

As with previous inspections, we again found a significant number of refusals where ECOs had misinterpreted evidence, or disregarded relevant positive evidence to an applicant's detriment

4.106 While we make no direct correlation between the problems we identified with decision quality and the benchmark targets set for ECOs, we believe that UKVI should revisit these targets to ensure they are not having a detrimental impact on decision quality.

Customs and immigration offences should be prevented, detected, investigated and, where appropriate, prosecuted

General Grounds for Refusal - Paragraph 320 & S.EC.2.2²⁹

4.107 The results of our file sampling showed that staff in the Dhaka visa section applied paragraphs 320³⁰ (7A, 7B & 11) and S-EC 2.2 where appropriate and in accordance with guidance. ECMs also confirmed that they checked all such cases in accordance with guidelines. This was a good performance.

RALON

4.108 RALON is a multi-functional operation delivering objectives across the fields of Air, Risk, Criminality and Intelligence.

We considered that this latter aspect was good practice

Relationship with Visa Section

4.109 We received positive feedback from staff about the relationship between entry clearance staff and RALON. A representative from RALON attended the weekly ECO briefing meetings to keep abreast of issues being encountered by ECOs and to pass on information concerning trends identified by RALON. The RALON Immigration Liaison Manager (ILM) also attended the Visa Section weekly management meeting. RALON staff also worked in the Visa Section for a few weeks each year to ensure that skills and knowledge about visas were maintained. We considered that this latter aspect was good practice.

²⁹ Section S-EC: Suitability – Entry Clearance <http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/app-family-members/family-life-as-a-partner/>

³⁰ Paragraph 320 covers a number of general grounds for refusal of entry clearance which apply in addition to the grounds set out elsewhere in the Immigration Rules – the attached link refers. <http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/part9/>

4.110 The Pre-Assessment Team worked closely with RALON and used RALON risk profiles to guide their verification work. RALON also delivered report-writing skills including the drafting of document verification reports to the PAT team.

Port attendance

4.111 RALON had scaled back airport attendance since British Airways ceased operations in Dhaka. Its priority was therefore to support the Visa Section to combat the risk posed by fraudulent visa applications. Although RALON did not routinely attend the airport, its staff had built good working relationships with Bangladeshi law enforcement agencies and provided training to new Bangladeshi immigration officers. RALON staff expressed a high degree of confidence in airport staff and Bangladeshi Police in their ability to deal with forged documents. Where necessary, RALON staff would also attend police stations to examine travel documents and possibly interview passengers, providing evidential statements if required.

Risk profiles

4.112 RALON produced an Entry Clearance Risk Matrix which was used to guide the PAT team to identify applications that required document verification checks. This risk matrix was relatively new at the time of our inspection, having replaced a previous risk assessment process that ECOs considered added little value.

4.113 Where risk profiling led to concerns about child trafficking, the application was referred to RALON and the applicant would be called in for interview. The RALON officer conducting the interview with the adult applicant also observed the interaction between the adult and child. We were told that, where concerns remained, RALON would refer the issue to the local Police. This had resulted in 10 child facilitators being referred to the Police since 2009, resulting in intelligence being gathered about the methods used by facilitators both in Bangladesh and when dropping children off in the UK.

Field Liaison Officer (FLO)

4.114 In addition to the staff based in the visa section, RALON also had a Field Liaison Officer, based in Sylhet – the region of Bangladesh which was judged to pose the highest risk of visa abuse. The FLO visited applicants and conducted verification checks. Most of the referrals came from RALON, but the FLO also conducted checks on behalf of UK-based UKVI teams. Where an application gave rise to concerns about child trafficking, the FLO conducted visits to schools and spoke with neighbours or local traders to ascertain if the adults accompanying the child were the real parents.

4.115 The FLO role appeared to us to be a very worthwhile use of resources. The success of this role meant that it was being considered for implementation across other parts of the region, where the risk and geography of a country are similar to Bangladesh.

The Field Liaison Officer role appeared to us to be a very worthwhile use of resources

Feedback loops

4.116 RALON received details of Bangladeshi visa applicants who had been encountered, served illegal entry papers or refused entry on arrival or had claimed asylum in the UK. These details were analysed by RALON staff and a report produced to assist ECMs to address decision quality.

4.117 An example of how the feedback system operated followed the reports of unaccompanied asylum-seeking children being abandoned in the UK. Senior managers told us that RALON received requests from the UK to investigate family circumstances in Bangladesh, and through their investigations were able to show that a number of children had been accompanied by agents when the applications had

been made and issued. The results of these investigations, coupled with reports from the UK, fed into the risk profiles used by ECOs when assessing applications for entry clearance.

4.118 A further example of how feedback worked was the Police Referral Programme. This saw visa applicants being referred to the Bangladesh Special Branch Police for investigation, mainly for forged supporting documents and identity abuse. RALON told us that 128 cases were referred between 1 April 2012 and 31 March 2013, with feedback being received in 29 cases, which included identifying:

- that 19 identities were false;
- that three documents were forgeries;
- a bogus wife and child;
- one facilitator, who was prosecuted; and
- one offender who was circulated as wanted.

Overall we were impressed by the work of RALON in Dhaka

4.119 RALON also conducted compliance testing to determine if those issued with visas returned to Bangladesh before their visas expired. E-Borders passenger movement searches and bulk passenger checks with airlines are used for this purpose. The outcomes of compliance testing were then used to update risk profiles.

4.120 Overall we were impressed by the work of RALON in Dhaka, a view which was supported by the evidence provided by managers in the Visa Section and within the Region.

Complaints procedures should operate in accordance with the recognised principles of complaints handling.

4.121 Dhaka's Casework Team had responsibility for monitoring electronic and written correspondence in order to identify complaints. We observed them undertaking this process and found that they had a clear understanding of what constituted a written complaint, as set out by UKVI in its guidance.³¹

4.122 Staff told us that they aimed to provide a full response to correspondence within five days, rather than meeting the published commitment of 20 working days. We were pleased that the team had been able to meet its own substantially shorter deadline in the majority of cases between January and May 2013 and as a result we identified no issues with the way in which the Visa Section handled correspondence and complaints.

We identified no issues with the way in which the Visa Section handled correspondence and complaints

4.123 We found some deficiencies in complaints processes at the Dhaka VAC, which meant that applicants would not be aware of how to make complaints about the service. For example, complaint leaflets were not available and a complaints box was only emptied once a month. These issues were offset to some extent by the commercial partner's website, which clearly signposted applicants to a complaints page, detailing how to complain using various access methods. To improve further, the VAC should ensure that it mirrors the approach of its website by displaying leaflets and posters in prominent places within the VAC. It must also ensure that complaints made within the VAC are dealt with expediently.

³¹ <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/complaints-management-guide/complaints-manage-guide.pdf?view=Binary>

5. Inspection Findings – Safeguarding Individuals

All individuals should be treated with dignity and respect and without discrimination in accordance with the law

Decision-making

- 5.1 Our file sampling found no evidence that staff were discriminating against applicants when making decisions. This was reinforced by our findings from the focus groups and from our observations of the decision-making process.
- 5.2 Managers informed us that all staff were aware of the guidance relating to Ministerial Authorisation.³² However, they did not consider that this would have an impact on their work, as the Visa Section dealt almost exclusively with Bangladeshis.
- 5.3 Staff had a strong customer service ethos and believed that all applicants received a good level of service. Locally engaged staff were observed carrying out verification checks, which involved telephone interviews with UK sponsors and local Bangladeshi banks, and we found that they maintained a polite and professional level of customer service.

Staff had a strong customer service ethos

Diversity within the Dhaka Visa Section

- 5.4 All staff had received equality and diversity training, as well as the ‘Zero Tolerance’ training in respect of bullying and harassment, in 2011. Refresher training was also held for all staff in 2012. Staff confirmed that they had completed the mandatory e-learning training in equality and diversity, although we found that the training log did not accurately reflect that this was the case.
- 5.5 In general, the relationship between locally engaged staff and UK-based staff was good, although there was a perception amongst some locally engaged staff of disparity of treatment compared with UK-based staff. They commented on the office arrangements, which involved UK staff working in a separate part of the office. Managers explained that this was due to the different levels of security clearance required and IT systems used, which made this issue difficult to address. However, prior to our inspection, managers had started to implement steps to further embed a one-team ethos and address diversity issues within the post. These included:
- the introduction of the Equality and Diversity Action Group to promote equality and diversity issues;
 - the appointment of First Response Officers for bullying and harassment cases;
 - a Diversity Action Plan to be discussed monthly, outlining specific actions to promote diversity;
 - annual away-day and team-building events, including diversity awards recognising staff

³² An authorisation under the Equality Act 2010 allowing for differentiation between nationalities in the entry clearance/visa process and allowing greater scrutiny of applications for nationals of countries covered by the authorisation.

contributions to the diversity agenda; and

- the translation of desk instructions into Bangla³³ for staff with limited English language proficiency.

5.6 These steps will almost certainly help Dhaka to address any equality and diversity issues and build further upon a one-team ethos.

All Home Office Functions should be carried out with regard to the need to safeguard and promote the welfare of children

5.7 Staff took seriously their obligations to consider the need to safeguard and promote the welfare of children in line with Section 55 of the Borders, Citizenship and Immigration Act 2009. They had undertaken the mandatory e-learning course on 'Keeping Children Safe'. In addition, RALON staff had delivered an awareness session on 'Keeping Children Safe' to Entry Clearance Assistants (ECAs) within the PAT.

Staff took seriously their obligations to consider the need to safeguard and promote the welfare of children

5.8 Staff were aware of risk profiles involving children, and were clear about the extra checks they needed to carry out in relation to applications involving children. Our file sampling supported what we were told in this regard. We were also informed of surprise checks that had been initiated to provide management assurance that staff understood their responsibilities in relation to child protection matters.

5.9 We noted the existence of children's experts, both within the Visa section and RALON, who were the central point of contact and responsible for raising awareness of any issues relating to children. Staff were confident in referring cases to these experts where they were not satisfied with the extra checks carried out.

5.10 Managers expressed some concern about Bangladeshi children who were claiming asylum once they had arrived in the UK, and about those facilitated to the UK to join parents who were there illegally. RALON was working proactively in this area and continued to be involved in work relating to unaccompanied asylum-seeking children in the UK. RALON also provided products such as guidance and risk profiles to staff, to assist them in identifying child facilitators as the section rarely saw visa applications for unaccompanied children.

Personal Data of individuals should be treated and stored securely in accordance with relevant legislation and regulations

5.11 All staff had a good awareness of their responsibilities regarding the treatment of personal data. A data protection policy was in place, which was monitored through regular clear desk sweeps by the office manager, and monthly surprise checks undertaken by the regional security manager.

All staff had a good awareness of their responsibilities regarding the treatment of personal data

³³ The official language in Bangladesh.

- 5.12 Staff and managers confirmed that they had undertaken the mandatory e-learning course in respect of Information Assurance, and this was supported by the training records provided. A clear desk policy was in place, with files and other documentation containing personal data being locked away at the end of each day. Documents that were no longer required were shredded and printers were checked each night to ensure that printed material was not left out.
- 5.13 The Visa Section had restricted access with a pass allowing entry only for UKVI staff. Access to the vignette room was also limited to the visa writer and custodian.³⁴ Staff recorded the movements of applications from receipt at the Visa Section through to being returned to the relevant VACs. They confirmed that this helped to identify the location of any file when needed, and the office manager told us that there had been no issues regarding lost or missing documents for the last two years.
- 5.14 Although our file sampling identified no issues regarding file storage and retrieval, we did identify issues concerning document retention. Managers told us these issues arose as a result of misunderstanding by the ECAs, who had sent documents back to the applicants in error when they should have been retained. Managers told us these issues had been resolved just prior to the on-site phase of our inspection, with a clear process being put in place for staff regarding document retention of case files. This process was augmented by surprise checks, to provide assurance that relevant evidence was being retained on file.

³⁴ Has responsibility for and sole access to the bulk stock of visa vignettes.

6. Inspection Findings – Continuous Improvement

The implementation of policy and processes should support the delivery of Home Office objectives

Risks to operational delivery should be identified, monitored and mitigated.

Customer Service

- 6.1 The former Agency's Business Plan for 2011 – 2015³⁵ set the ambition of achieving Customer Service Excellence accreditation in all operational areas by 2014. We were therefore pleased to find that a number of initiatives had been implemented to improve the service offered to visa applicants.
- 6.2 Firstly, Tier 4 visa applicants who attended interviews at the VACs or the British High Commission were invited to complete a customer satisfaction survey. Secondly, temporary alterations were made to processes at the VACs in Dhaka and Sylhet when upcoming changes to the Family Migration Rules resulted in unprecedented levels of demand. These changes involved the VACs:
- remaining open significantly beyond published business hours; and
 - shortening the registration process by allowing individuals to provide supporting documentation at a later date.
- 6.3 Thirdly, the post used the UKVI website to inform customers of issues which potentially affected their applications. For example, a message was uploaded stating that certificates for English language qualifications from one awarding body would no longer be accepted in support of applications for entry clearance. This was because City & Guilds had notified UKVI that a large proportion of its test centres in Bangladesh were being closed as it could not guarantee the integrity of the testing process. A subsequent message then highlighted that these certificates were now being accepted again.
- 6.4 The Customer Service Excellence accreditation standard has a firm emphasis upon providing 'customer focused service delivery.'³⁶ All of these measures were therefore in keeping with the CSE ethos and represented positive examples of introducing policies and processes which support Home Office objectives.
- 6.5 Internal assurance processes had also been designed to scrutinise the level of service provided by VFS, which operated the VACs in Dhaka and Sylhet. These included:
- 'mystery shopper' visits – where a member of staff posed as a visa applicant to enable them to experience the process as a customer: these were scheduled every two months;

35 <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/uk-border-agency-business-plan/>

36 <http://www.customerserviceexcellence.uk.com/aboutTheStandardCSE.html>

- surprise visits – where a member of staff visited the VAC, observed operations and spoke to customers;
- announced visits – guidance recommended that these were carried out by ECMs at least once a quarter; and
- formal internal inspections – guidance recommended that these were carried out once a year ('high risk' VACs) or every 18 months ('low risk' VACs).

6.6 We visited the VAC in Dhaka and found that the facilities were sufficient to ensure a basic level of comfort for customers. They included a clean waiting area which was air-conditioned and where drinking water was freely available. We also found that the VAC offered a range of premium services for those willing to pay supplementary fees. This is in keeping with an objective outlined in the Home Office Business Plan for 2013 – 2015.³⁷

6.7 One area for improvement was the quality of the branding at the VAC. In our view, the signs outside were extremely poor; meanwhile, those inside could not easily identify the centre as being related to UKVI or VFS. This was important, because the building was shared with the Australian VAC. Ensuring that facilities are readily identifiable assists customers in many ways, including enabling them to correctly address complaints if they should they wish to do so. Although we accept that at the time of our visit UKVI was a newly formed Home Office Directorate, we would at the very least have expected to find clear branding in relation to the former Agency. We believe it is important that these issues are addressed as soon as possible.

6.8 In conclusion, we found that Dhaka provided a good level of customer service. However, we also note that the most important issue for fee-paying visa applicants is likely to be that they receive the correct decision.

Decision Review Processes

6.9 We examined two types of decision review which were carried out following an ECO's consideration of a visa application:

- ECM Reviews – these take place on a random sample of cases prior to the ECO's decision being implemented, with the aim of improving the quality of initial decisions; and
- Appeal Reviews – these mandatory reviews are carried out after an applicant has lodged an appeal against a refusal decision. They involve reviewing the grounds of appeal and other documents and can result in a refusal decision being overturned.

6.10 We found issues with the manner in which both of these review processes had been implemented. These compounded the problems with initial decision-making outlined in Chapter 4 and limited UKVI's ability to ensure that only defensible cases proceeded to an appeal hearing.

6.11 This was disappointing because the former Agency acknowledged in its response to our 2011 report, 'Entry Clearance Decision-making - A Global Review',³⁸ that it 'recognises the importance of 'getting it right first time, every time' at every stage of the decision-making process.'

ECM Review

6.12 ECMs informed us that UKVI guidance on the numbers and types of decisions requiring an ECM review were challenging to implement. Figure 21 shows the proportion of ECO decisions which must be reviewed by an ECM for different categories of case.

³⁷ ACTION 4.6 - Home Office Business Plan 2013 – 2015. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/120032/business-plan-doc.pdf

³⁸ http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/Entry-Clearance-Decision-Making_A-Global-Review.pdf

Figure 21: % of cases where an ECM review should be conducted

Type of case	% of decisions where ECM review should be conducted
Refusal of any visa under Paragraph 320 of the Immigration Rules	100%
Limited Right of Appeal refusals (excluding Points Based System – PBS - cases)	20%
Decision to refuse Settlement	20%
Decision to grant Settlement visa	10%
Refusal decisions where a full right of appeal is awarded (excluding Settlement)	0%
Decision to grant visa (excluding Settlement)	10%
PBS	2%

6.13 Notwithstanding the comments of ECMs regarding the challenging nature of the above targets, we were told that they were routinely exceeded in Dhaka. This was because all decisions made by newly appointed ECOs were reviewed, to assist with their development. Whilst this was commendable, our file sampling showed that a significant number of ECM reviews failed to identify poor decision-making; Figure 22 refers.

Our file sampling showed that a significant number of ECM reviews failed to identify poor decision-making

Figure 22: Effectiveness of ECM review

Number of sampled cases where an ECM review was conducted	97 ⁴¹
Number of these where we identified issues with the decision-making process, which the ECM did not identify.	40 (41%)

6.14 An effective ECM Review process should identify errors that have been made prior to decisions being implemented, especially when those errors result in the wrong decision being made whether to grant or refuse entry to the UK. We have reported failures with the ECM review process in many of our previous inspection reports on visa sections, including Entry Clearance Decision-making – A Global Review and the report on the Amman Visa Section.⁴⁰ It was therefore disappointing to find that this problem persisted, with no noticeable improvement being made. This despite the former Agency accepting previous recommendations we have made and updating its guidance to staff.

6.15 However, during this inspection we were provided with a copy of a regional ‘Review to Risk’ document. This indicated that all posts in the region will soon be conducting targeted reviews in 80% of cases and random reviews in 20% of cases. The paper indicated that the targeted reviews would be carried out in higher-risk categories and that random reviews would be conducted in categories regarded as posing a lower risk.

6.16 We were told that this will result in fewer cases being reviewed, enabling a more detailed consideration by ECMs. Undertaking fewer ECM reviews, but increasing their quality, should, if

39 This figure represented 30% of our overall file sample of 325 cases.

40 <http://icinspector.independent.gov.uk/inspections/inspection-reports/2011-inspection-reports-2/>

implemented properly, improve decision-making. That said, UKVI will need to carefully monitor this change to assess its effect on decision-making quality overall. We therefore make no further recommendation on this issue, although we will inspect this new process in due course.

Appeal Review

- 6.17 UKVI guidance sets out that an Appeal Review should result in refusal decisions being overturned where *‘the appellant has successfully addressed all the points of refusal.’*⁴¹ Staff also informed us that it would be used to concede cases where the reasons for refusal were flawed.
- 6.18 When cases proceed to an appeal hearing, Immigration Judges are required to determine whether to allow an appeal against a refusal decision and if so, whether to make a fee award ordering UKVI to pay the applicant’s fees in full or in part. Guidance to Immigration Judges requires that fee awards be made where an applicant has been obliged to appeal to establish their claim, which could and should have been accepted by the decision-maker.⁴² Figure 23 shows the percentage of appeals heard between December 2012 and March 2013 against visa decisions made in Dhaka, which were allowed and those that resulted in a fee award being made.

Figure 23: % of appeals in December – March which were allowed and had fee award made

Month (2013)	% of appeals that were allowed	Fee award made	Fee award not made	Partial award
February	44%	62%	33%	5%
March	40%	63%	27%	10%
April	37%	65%	28%	7%
May	44%	57%	38%	5%

- 6.19 The very high allowed appeal rate, combined with the significant proportion of cases where the Immigration Judge made a fee award, provides compelling evidence that the Appeal Review was failing to identify flawed decisions or cases where the applicant had successfully addressed all points in the refusal notice.

- 6.20 Where a fee award was not made, it was because the Immigration Judge allowed the appeal on the basis of evidence that was not available to the ECO at the time of the initial decision. Even though the fresh evidence was not available to the ECO when the decision was made, it would in many cases have been available to the ECM when the appeal review was conducted. This is because all refusal notices instruct applicants to submit additional evidence that they wish to rely upon with their Grounds for Appeal. It was in the applicants’ interest to do this because the refusal notice also indicated that the decision would be reviewed in the light of any additional evidence submitted.

The very high allowed appeal rate, provides compelling evidence that the Appeal Review was failing to identify flawed decisions

- 6.21 We acknowledge that the post had been under increased pressure since July 2012, when changes to the Immigration Rules led to higher numbers of settlement applications and in turn a greater number of appeals being lodged. Staff told us that this led to the adoption of a ‘pragmatic approach’ to appeal reviews in late 2012 and early 2013. This involved conceding cases concerning certain types of applicant on the basis of less additional evidence than would usually be required.

41 UKVI guidance – APL07 – ECM Reviews.

42 Joint Presidential Guidance – Fee Awards in Immigration Appeals - <http://www.justice.gov.uk/downloads/tribunals/immigration-and-asylum/upper/joint-guidance-4-fee-awards.pdf>

6.22 We were told that this sort of approach might be taken in the case of an elderly applicant who had not provided evidence of their circumstances in Bangladesh. We did not conduct a detailed comparison of cases where the ‘pragmatic approach’ had been applied and where the standard approach had been taken, but UKVI must ensure that such measures do not lead to inconsistent outcomes and a lack of fairness to some applicants.

6.23 It is important that the Appeal Review Process is fair and transparent and is used to ensure that only defensible cases proceed to an appeal hearing. Failure to do so results in significant misuse of resources, as well as the wasted effort of the Appeals Review Team. UKVI also has to consider providing representation at the hearing and meet the cost of any fee award.

It is important that the Appeal Review Process is fair and transparent and is used to ensure that only defensible cases proceed to an appeal hearing

Appeals Analysis

6.24 The Dhaka Visa Section had introduced an ‘appeals digest’ document, which aimed to improve the quality of decision-making by highlighting common themes from appeal determinations. We were informed that these had been circulated to all posts in the South Asia Region and that UKVI were considering how the format could be replicated elsewhere.

6.25 This was a positive development, which reflected recommendations made by the Chief Inspector in several reports regarding the need to improve awareness of appeal outcomes. We noted that staff involved with creating digests were very enthusiastic about the task and felt it had been beneficial to their decision-making.⁴³

This was a positive development, which reflected recommendations made by the Chief Inspector in several reports regarding the need to improve awareness of appeal outcomes

6.26 However, the digest did not identify common reasons why decisions were conceded at the Appeal Review stage. This was a recommendation from our report regarding the New York Visa Section.⁴⁴

6.27 We noted that the digests contained a section entitled, ‘general advice on wording.’ The digest identified that in several instances ECOs quoted reasons for refusal which were not based on the requirements of the Immigration Rules. For example, ‘there appears to be no event that has prompted your [the applicant] visit [to the UK] at this time.’ We found from our file sampling that this type of reasoning was frequently used by ECOs in Dhaka.

6.28 The digests advised ECOs to either discontinue the use of such reasoning or use a different formulation to make the same point. This was unfortunate, because it could be interpreted as reinforcing bad practice rather than acting as a driver of improvement. We continue to believe that appeals analysis has the potential to improve the quality of decision-making, but we consider that safeguards are needed to ensure that this goal is realised.

We recommend that the Home Office:

- extends its analysis of appeal determinations to include cases reviewed and overturned by Entry Clearance Managers; ensuring a focus on the quality of decisions to identify trends of common errors and training needs.

43 <http://icinspector.independent.gov.uk/wp-content/uploads/2012/12/A-short-notice-inspection-of-decision-making-quality-in-the-Accra-visa-section-FINAL.pdf>

- <http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/An-inspection-of-the-UK-Border-Agency-Visa-Section-in-New-York.pdf>

44 <http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/An-inspection-of-the-UK-Border-Agency-Visa-Section-in-New-York.pdf>

Annex A: Role & Remit of the Chief Inspector

The role of the Independent Chief Inspector ('the Chief Inspector') of the UK Border Agency (the Agency) was established by the UK Borders Act 2007 to examine and report on the efficiency and effectiveness of the Agency. In 2009, the Independent Chief Inspector's remit was extended to include customs functions and contractors.

On 26 April 2009, the Independent Chief Inspector was also appointed to the statutory role of independent Monitor for Entry Clearance Refusals without the Right of Appeal as set out in section 23 of the Immigration and Asylum Act 1999, as amended by section 4(2) of the Immigration, Asylum and Nationality Act 2006.

On 20 February 2012, the Home Secretary announced that Border Force would be taken out of the Agency to become a separate operational command within the Home Office. The Home Secretary confirmed that this change would not affect the Chief Inspector's statutory responsibilities and that he would continue to be responsible for inspecting the operations of both the Agency and the Border Force.

On 22 March 2012, the Chief Inspector of the UK Border Agency's title changed to become the Independent Chief Inspector of Borders and Immigration. His statutory responsibilities remain the same. The Chief Inspector is independent of the UK Border Agency and the Border Force, and reports directly to the Home Secretary.

On 26 March 2013 the Home Secretary announced that the UK Border Agency was to be broken up and brought back into the Home Office, reporting directly to Ministers, under a new package of reforms. The Independent Chief Inspector will continue to inspect the UK's border and immigration functions, as well as contractors employed by the Home Office to deliver any of these functions. Under the new arrangements, the UK Visas and Immigrations department (UKVI) was introduced under the direction of a Director General.

Annex B: Inspection Criteria

The criteria used in this inspection were taken from the Independent Chief Inspector's Inspection Criteria, revised and updated in August 2013. Figure 24 refers.

Figure 24: Inspection Criteria used when inspecting Dhaka Visa Section

Operational Delivery

1. Decisions on the entry, stay and removal of individuals should be taken in accordance with the law and the principles of good administration.
2. Customs and immigration offences should be prevented, detected, investigated and, where appropriate, prosecuted.
3. Resources should be allocated to support operational delivery and achieve value for money.
4. Complaints procedures should operate in accordance with the recognised principles of complaint handling.

Safeguarding Individuals

5. All individuals should be treated with dignity and respect and without discrimination in accordance with the law.
7. All border and immigration functions should be carried out with regard to the need to safeguard and promote the welfare of children.
8. Personal data of individuals should be treated and stored securely in accordance with the relevant legislation and regulations.

Continuous Improvement

9. The implementation of policies and processes should support the efficient and effective delivery of border and immigration functions.
10. Risks to operational delivery should be identified, monitored and mitigated.

Annex C: Glossary

Term	Description
A	
Administrative Review	The process by which applicants can request a review of the Entry Clearance refusal decisions, made in applications overseas, under the Points-based System.
Agency	Refers to the former UK Border Agency which, following the separation of Border Force on 1 March 2012, was responsible for immigration casework, in-country enforcement and removals activity, the immigration detention estate and overseas immigration operations. The Agency was abolished on 1 April 2013 and its functions brought back into the Home Office.
Audit trail	Chronological list of events.
B	
Biometrics	All customers are routinely required to provide ten digit finger scans and a digital photograph when applying for a United Kingdom visa. There are some minor exceptions to this rule, e.g. Heads of State and children aged under five.
C	
Complaint	Defined by the former UK Border Agency as ‘any expression of dissatisfaction about the services provided by or for the UK Border Agency and/or about the professional conduct of UK Border Agency staff including contractors’.
Customer	Defined by the former UK Border Agency as ‘anyone who uses the services of the Agency, including people seeking to enter the United Kingdom, people in detention and MPs’.
Customer Service Excellence	The Government’s customer service standard, replaced the Charter Mark initiative.
D	
Data Protection Act 1998 (DPA)	The Data Protection Act requires anyone who handles personal information to comply with a number of important principles. It also gives individuals rights over their personal information.
Director	Senior UK Visas and Immigration manager, typically responsible for a directorate, region or operational business area.
Director General	Senior civil servant at the head of UK Visas and Immigration.

Documentary Evidence	All documents supporting the applicant's application. These must be provided at the same time as the application is submitted.
E	
e-Learning	Computer based training course
Entry Clearance	<p>A person requires leave to enter the United Kingdom if they are neither a British nor Commonwealth citizen with the right of abode, nor a person who is entitled to enter or remain in the United Kingdom by virtue of the provisions of the 2006 European Economic Area Regulations. Entry Clearance takes the form of a visa (for visa nationals) or an entry certificate (for non-visa nationals).</p> <p>These documents are taken as evidence of the holder's eligibility for entry into the United Kingdom and, accordingly, accepted as 'entry clearances' within the meaning of the Immigration Act 1971. The United Kingdom Government decides which countries' citizens are, or are not, visa nationals. Non-visa nationals also require Entry Clearance if they seek to enter the United Kingdom for purposes other than to visit and/or for longer than six months.</p> <p>More detailed information about Entry Clearance can be found on the UK Border Agency website: http://ukba.homeoffice.gov.uk/</p> <p>The Immigration Rules say that a customer making an application for an Entry Clearance as a visitor must be outside the United Kingdom and Islands at the time of their application and must apply to a visa section designated by the Secretary of State to accept applications for Entry Clearance for that purpose and from that category of applicant.</p>
Entry Clearance Assistant	Supports the overseas visa application process within a visa section.
Entry Clearance Manager	Manages the overseas visa application process within a visa section.
Entry Clearance Officer	Processes overseas visa applications, making the decision whether to grant or refuse entry clearance within a visa section.
H	
Home Office	The Home Office is the lead government department for immigration and passports, drugs policy, crime, counter-terrorism and police.
I	
Immigration Liaison Assistant (ILA)	RALON job title
Immigration Liaison Manager (ILM)	Former UK Border Agency job title which encompasses posts previously known as Airline Liaison Officers (ALOs) and Risk Assessment Managers (RAM).
Immigration Liaison Officer (ILO)	RALON job title

Independent Chief Inspector of Borders and Immigration	The role of the Independent Chief Inspector of Borders and Immigration was established by the UK Borders Act 2007 to examine the efficiency and effectiveness of border and immigration functions in the UK. The Chief Inspector is an independent public servant, appointed by and responsible to the Home Secretary.
L	
Locally engaged staff	Staff recruited directly by the British Embassy or High Commission in the country where they are employed.
M	
Ministerial Authorisation	An authorisation, approved by ministers, which allows for greater scrutiny to be given to certain nationalities. A new Ministerial Authorisation for nationality-based differentiation – covering entry clearance, border control and removals – came into force on 10 February 2011 under the Equality Act 2010. The new authorisation allows UK Visas and Immigration to differentiate on the basis of nationality in the entry clearance/visa process.
O	
Other Visitor	Visitor cases that only attract limited appeal rights.
P	
Paragraph 320 (7a) – deception rules	From 29 February 2008, under Paragraph 320 (7A) of the immigration rules, a customer must be refused Entry Clearance if false representations or documents are used, or material facts not disclosed, whether or not the false representations or documents are material to the application, and whether or not the deception is with the customer’s knowledge.
Points-based System (PBS)	<p>On 29 February 2008, a new immigration system was launched to ensure that only those with the right skills or the right contribution can come to the United Kingdom to work or study. The Points-based System was designed to enable the former UK Border Agency to control migration more effectively, tackle abuse and identify the most talented workers. The system:</p> <ul style="list-style-type: none"> • combines more than 80 previous work and study routes to the United Kingdom into five tiers; and • awards points according to workers’ skills, to reflect their aptitude, experience and age and also the demand for those skills in any given sector. <p>Employers and education providers play a crucial part in making sure that the Points-based System is not abused. They must apply for a licence to sponsor migrants and bring them into the United Kingdom, and meet a number of duties while they are sponsoring migrants.</p>
Post	See visa section.

Proviso	The database used by overseas visa sections as the audit trail of entry clearance applications. It records all details of an entry clearance application from the date of application through to the decision and any post decision correspondence.
R	
Regional Director	Senior manager responsible for one of the six UK Visas and Immigration geographical regions.
Risk and Liaison Overseas Network (RALON)	An amalgamation of the former Airline Liaison Officer Network and Overseas Risk Assessment Unit Network. RALON has responsibility for identifying threats to the UK border, preventing inadequately documented passengers from reaching UK shores, providing risk assessment to the UK Visas and Immigration visa issuing regime and supporting criminal investigations against individuals and organisations which cause harm to the UK.
Risk Profile	An outline that determines the relative potential harm (to the UK of a visa applicant / travelling passenger) based on characteristics of an individual when compared to existing evidence of adverse activity either in the UK or overseas.
S	
Settlement	Application to come to the UK on a permanent basis, most commonly as the spouse or other dependent of a British Citizen or a UK resident.
Supporting documents	Any document sent by the applicant with their application form.
T	
Tier 4	A category of the Points-based System dealing with applications from those coming to the UK to undertake a course of study at a UK establishment.
U	
United Kingdom Border Agency (UKBA)	The Agency of the Home Office formerly responsible for enforcing immigration and customs regulations. Its Agency status was removed on 31 March 2013 and its functions returned to the Home Office to form two new bodies.
UK Visas and Immigration	One of the two operational commands set up under the direct control of the Home Office in place of the UK Border Agency which was broken up on 26 March 2013. From 1 April 2013 this department handles all overseas and UK immigration and visa applications.
V	
Verification Checks	Checks to ensure that supporting documents are genuine and accurately reflect statements made in the application. Verification Checks are conducted where there is reasonable doubt that a specified document is not genuine.
Visa section	UK Visas and Immigration office which manages Visa Operations services. UK Visas and Immigration visa sections are located in a variety of locations around the world.

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