



A short-notice inspection of the Amman Visa Section

March 2015



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Independent Chief Inspector of
Borders and Immigration

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Foreword

Visa operations are the responsibility of UK Visas & Immigration (UKVI), a Home Office directorate. UKVI processes all out-of-country UK visa applications. Its visa operations are split into six geographical regions: Euro-Med; Asia-Pacific; Central Asia, South Asia and Turkey; Americas; Africa; and Middle East and Pakistan.

Amman is one of five decision-making hubs within the Middle East and Pakistan region. In 2014, it processed approximately 36,000 applications across all visa categories.

This inspection of the Amman Visa Section examined the quality of decision-making and the reasonableness of decisions on 'Other Visitor' visa applications. This category includes tourist, business visitor, and short-term student visas. The examination of refusals in this category fulfils the Independent Chief Inspector's statutory remit to review entry clearance decisions in cases with limited rights of appeal.

The inspection found that the Amman Visa Section had improved the quality of its decision-making and of its record-keeping since it was last inspected in 2010. The introduction of UKVI's Operating Mandate in November 2014 was also having a positive effect, providing greater visibility of cases across the UKVI global network. Managers and staff in Amman showed a strong commitment to customer service in their efforts to keep to service standards.

However, a lack of attention to detail in some instances had led to evidence being misinterpreted or overlooked and to inconsistency in both the issuing and refusal of visas. Too many refusal notices were still unbalanced, giving little or no indication that positive evidence submitted in support of an application had been considered, and therefore leaving the applicant uncertain what evidence would be required to support any subsequent application.

This report makes five recommendations for improvements.

It was submitted to the Home Secretary on 17 June 2015.

David Bolt

Independent Chief Inspector of Borders and Immigration

Scope and Purpose

Scope and Purpose

- 1.1 This short-notice inspection examined the efficiency and effectiveness of the Amman Visa Section in dealing with Other Visitor visa applications. The inspection focused on the quality of decision-making (whether all available evidence had been considered, correctly interpreted, checked as required and assessed consistently), and the reasonableness of decisions (in light of the Immigration Rules and the guidance available to applicants, including information provided in refusal notices).
- 1.2 The inspection also examined the use of risk profiles and the involvement of the Risk and Liaison Overseas Network (RALON) in the decision-making process, in order to assess whether the Visa Section was making decisions about applications effectively and fairly in light of risk profiling.
- 1.3 Finally, the inspection examined the service provided to applicants, assessing the performance of UK Visas and Immigration (UKVI) against its own customer service standards.

The Inspection

- 1.4 The Home Office was notified that this inspection would take place two weeks prior to the start of the inspection, which took place over five days commencing on 15 March 2015.
- 1.5 The inspection involved:
 - a review of relevant guidance for decision-makers;
 - analysis of data provided by UKVI;
 - the sampling of 80 Other Visitor cases, split equally between refusals and issues; and
 - interviews with managers and staff.
- 1.6 The Home Office was presented with the high-level findings from the inspection on 19 March 2015.

1. Key Findings

What was working well

- 1.1 The inspection found an overall improvement in the quality of decision-making since the previous inspection in 2010. The UKVI Operating Mandate, introduced in November 2014, was having a positive effect in providing greater visibility of cases across the UKVI global network and improving the accuracy and consistency of decision-making.
- 1.2 Record-keeping had also improved. In 67 (83%) of the cases sampled, supporting documents had been retained, in line with previous recommendations. The post was also making efforts to ensure that the caseworking system was fully updated with notes when visas were issued. This was good practice, and managers need to ensure that it is applied consistently.
- 1.3 Staff numbers in Amman had been increased to deal with a rising workload. The inspection found staff and managers to be committed and enthusiastic. The post showed a strong commitment to customer service, strove to keep to service standards, and had largely maintained them. For example, it had found a workaround to problems with the transportation of applications from Visa Application Centres (VACs) to Amman.
- 1.4 Targets for the number of applications processed per day had been set in consultation with staff. In recognition of the complexity of decision-making in Amman, these had recently been reduced, to allow additional time for assessment. Given the close scrutiny that many applications required, this was a positive step. Targets for Entry Clearance Assistants had also been lowered, after consultation, to reflect additional duties taken on by these staff.
- 1.5 Relations between UKVI and RALON staff were excellent, with information passing effectively in both directions to ensure that intelligence about emerging risks was shared. Refusal rates for high-risk applicants had increased at the post over the twelve months prior to the inspection, in line with a growing risk of asylum claims from visa holders. Despite this increasing risk, the inspection found examples of decision-makers issuing visas to applicants from conflict zones in the region after careful scrutiny.

Areas for improvement

- 1.6 Although the quality of decision-making had improved overall since 2010, the inspection found the decision to have been unreasonable in nine (11%) out of the 80 cases sampled (six (15%) refusals and three (8%) issues). This was because Entry Clearance Officers (ECOs) had misinterpreted or overlooked evidence. ECOs were completing their allocated cases with time to spare, despite the complexity of many of the applications. It is important that they take sufficient time to scrutinise all of the evidence carefully and avoid making such errors.
- 1.7 The inspection found that the Entry Clearance Manager (ECM) review process had not picked up errors in cases that had been reviewed. UKVI has recently addressed ECM capacity, but there is also a need to ensure that all ECMs are properly trained and monitored so that ECM reviews are effective.

- 1.8 Verification checks made to establish the genuineness of an application were not being monitored and recorded consistently on the caseworking system, so any resulting information used by an ECO to inform a decision could not be audited. The inspection also found some cases where further checks should have been carried out in order to ensure that high-risk applications were considered in the round.
- 1.9 Based on the refusal cases sampled, the clarity of refusal notices had improved since 2010, but too many (43%) of the notices were still unbalanced, giving little or no indication that positive evidence submitted in support of an application had been considered, and therefore leaving the applicant uncertain what evidence would be required to support any subsequent application.
- 1.10 The inspection found examples where applicants who had been issued a visa in the recent past, and whose individual circumstances had not altered, had been refused because of changing local conditions. In the interest of both procedural fairness and good customer service, applicants with a history of previous travel who are held to a different standard of proof as a result of changing risk profiles should be offered the opportunity to provide additional evidence before any decision to refuse is made.
- 1.11 The information provided to applicants by VACs fell short of UKVI's commitment to customer service excellence. For example, applicants were not always informed where VACs were aware that applications might be delayed in reaching the decision-making hub because transportation was unreliable due to local conditions. Meanwhile, at the Amman VAC the information displayed was in English only.

Overall finding

- 1.12 Since it was last inspected in 2010, the Amman Visa Section had improved its handling of visa applications. Despite the practical difficulties caused by the worsening regional situation and the additional considerations this had introduced, managers and staff remained committed to providing good customer service. However, the inspection identified instances where insufficient attention to detail had led to errors that had not been picked up by the assurance regime and had resulted in poor decisions. It also found that the feedback provided to refused applicants and the information available to those submitting an application could be improved.

2. Summary of Recommendations

The Home Office should:

1. Ensure that Entry Clearance Officers allocate sufficient time to each visa application decision to allow for careful scrutiny of all the evidence presented.
2. Ensure that visa refusal notices show that clear and balanced consideration has been given to both positive and negative evidence in reaching the decision to refuse.
3. Improve monitoring of verification checking for entry clearance staff, and ensure that all checks and results are recorded.
4. Require companies managing Visa Application Centres on its behalf to advise applicants of any known or potential circumstances that might delay the processing of their application.
5. Provide signage and information in local languages for customers at Visa Application Centres.

3. The Inspection

Background

Visa operations regional structure

- 3.1 Visa operations are the responsibility of UK Visas & Immigration (UKVI), a Home Office directorate. UKVI's overseas visa posts are split into six geographical regions: Euro-Med; Asia-Pacific; Central Asia, South Asia and Turkey; Americas; Africa; and Middle East and Pakistan. The Amman Visa Section was formerly a decision-making hub within the Euro-Med region, but has operated as part of the Middle East and Pakistan region since Autumn 2013.

Hub and spoke

- 3.2 In 2007, the Home Office restructured its global network of visa sections as part of a wider programme of change, supported by the introduction of biometrics¹ and commercial partners. Under this restructure, the Home Office reduced the number of locations at which visa applications were considered, through the introduction of a 'hub and spoke' model. The hub and spoke model aimed to deliver three main benefits:
- improved quality and consistency of decision-making;
 - improved efficiency and productivity; and
 - greater resilience and flexibility.
- 3.3 The introduction of this business model has seen decision-making move from small visa sections to larger regional 'hubs' or processing centres. At the time of the inspection, there were 366 locations involved in processing visa applications and 24 decision-making hubs, including two based in the UK. This network is a mixture of commercially outsourced facilities and directly managed UKVI operations.

Amman Visa Section

- 3.4 The Middle East and Pakistan region comprises five decision-making hubs located in Abu Dhabi, Amman, Islamabad, Kuwait, and Riyadh. At the time of our inspection, the Amman Visa Section considered applications for entry clearance made by visa nationals in:
- Gaza and the Palestinian Occupied Territories;
 - Iraq;
 - Jordan;
 - Lebanon; and
 - Syria.

¹ All visa applicants are routinely required to provide biometric data (ten-digit finger scans and a digital photograph). There are some minor exceptions to this rule, e.g. heads of state and children aged under five.

- 3.5 In July 2014, the visa section in Beirut was closed, and processing of applications received at the Lebanon Visa Application Centre (VAC) moved to Amman. At the time of our inspection, applications made in seven other VACs, in Baghdad, Basra, Erbil, Gaza, Ramallah, Jerusalem and Amman, were also processed in the Amman Visa Section. Amman processed approximately 36,000 applications across all visa categories in 2014.
- 3.6 Data provided by the Home Office in Figure 1 provides a breakdown of the number of 'Other Visitor'² applications from the main nationalities whose applications are decided at the post.

Figure 1: 'Other visitor' application volumes by nationality (February 2014-January 2015)

Nationality	Number of applications ^s	% of total ³
Iraq	7,414	31.9%
Jordan	8,063	34.7%
Lebanon	5,263	22.6%
Palestine	343	1.5%
Syria	326	1.4%
Other	1,846	7.9%
TOTAL	23,255	100.0%

- 3.7 Figure 2 shows the issue and refusal rates for the main nationalities at this post over the same period. As discussed later in this report, the refusal rate for Iraqi nationals increased significantly over the course of this period.

Figure 2: Other visitor application grant and refusal rates (February 2014 – January 2015⁴)

Nationality	Issued	Refused	Other outcome ⁵
Iraq	3,834 (51.7%)	3,182 (42.9%)	398 (5.4%)
Jordan	6,868 (85.2%)	901 (11.2%)	294 (3.6%)
Lebanon	4,624 (87.9%)	554(10.5%)	85 (1.6%)
Palestine	223 (65%)	118 (34.4%)	2 (0.6%)
Syria	46 (14.1%)	230 (70.6%)	50 (15.3%)
Other	1,171 (63.4%)	512 (27.7%)	163 (8.8%)

² The 'Other Visitor' category includes tourist, short-term student, and business visits. It does not include Family Visitor applications.

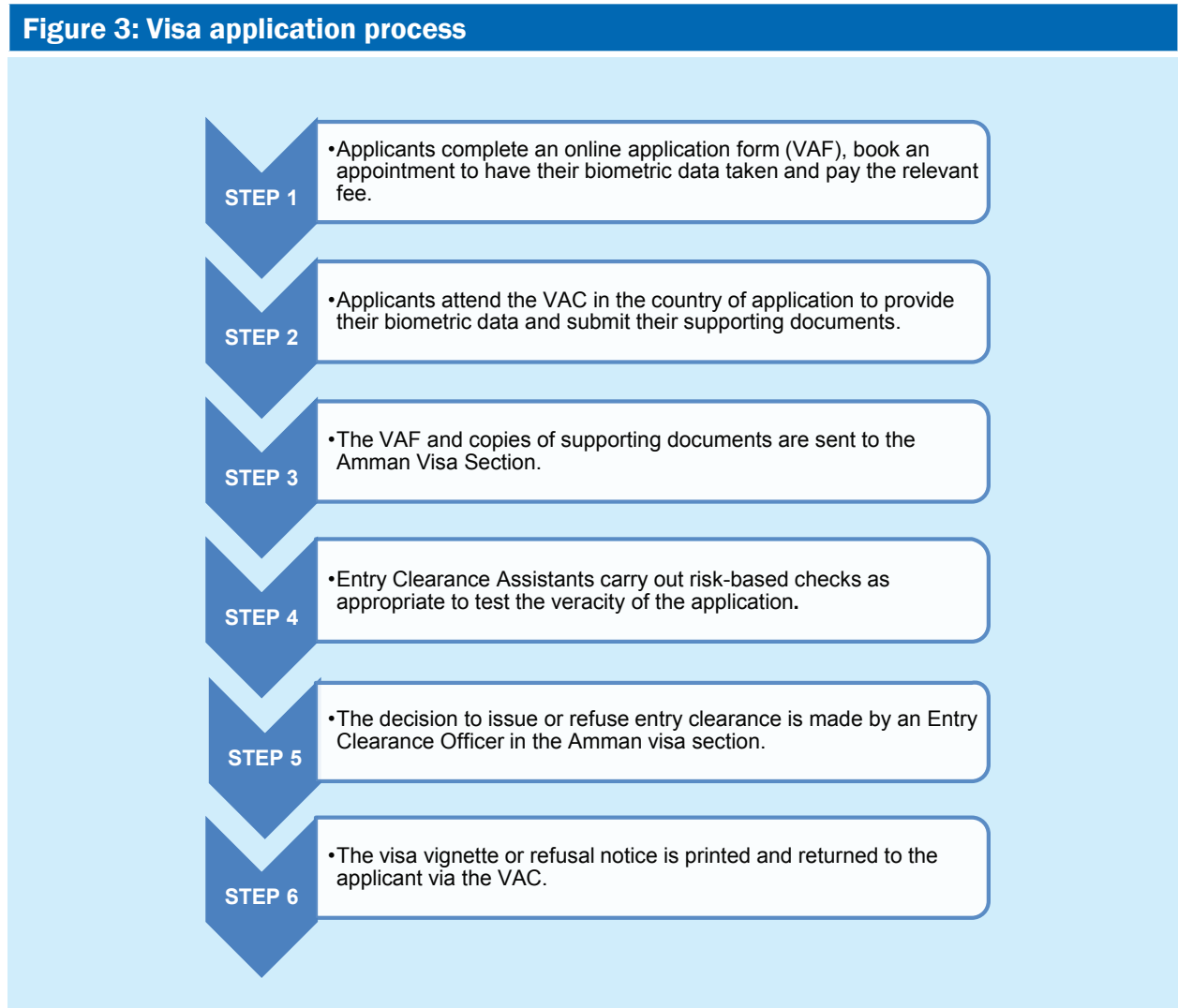
³ Rounded to one decimal point.

⁴ Rounded to one decimal point.

⁵ Application either: withdrawn, lapsed, unresolved or voided.

The application process

3.8 Figure 3 sets out the stages of applying for a visa.



Staffing

3.9 Figure 4 provides a breakdown of the grades and roles of staff we interviewed at the Amman Visa Section and in the UK. We also interviewed representatives from the Foreign & Commonwealth Office, UK Trade & Industry, and the British Council.

Figure 4: Staff interviewed	
Visa Section staff	Number
Head of Visa Operations (Grade 5)	1
Regional Operations Manager (Senior Executive Officer)	1
Entry Clearance Manager (Higher Executive Officer)	2
Entry Clearance Officers (Executive Officer)	5
Entry Clearance Assistants (Administrative Officer)	7
RALON Staff	
Immigration Liaison Manager (Higher Executive Officer)	1
Immigration Liaison Officer (Executive Officer)	1
Immigration Liaison Assistant (Administrative Officer)	1
Total	19

Methodology

3.10 The inspection took place over five days, commencing on 15 March 2015. All the decisions we sampled were made between 6 January and 6 February 2015 inclusive. We:

- viewed relevant guidance for decision-makers;
- analysed data provided by UKVI;
- sampled 80 Other Visitor cases, split equally between refusals and issues; and
- visited the Visa Application Centre (VAC) in Amman.

3.11 We conducted observations and interviewed 19 staff and managers to identify good practice and areas for improvement against each of the criteria in scope. We also interviewed relevant stakeholders. On 19 March 2015 we provided feedback on the high-level emerging findings to the Home Office.

4. Inspection findings – Operational Delivery and Continuous Improvement

File sampling

- 4.1 We examined 40 refused ‘Other Visitor’ visa cases, and 40 cases where visas were issued, in order to evaluate the quality of decision-making at the Amman Visa Section and to assess whether the decision reached was reasonable in light of the Immigration Rules and the guidance available to applicants. To do this, we reviewed
- the application;
 - the evidence retained on the case file;
 - the notes on the Proviso caseworking system; and
 - the refusal notice, where applicable.
- 4.2 We then assessed whether the decision was reasonable, having regard to the requirements of the Immigration Rules and UKVI guidance available to applicants. To underpin our approach, we examined 40 refused Other Visitor cases and 40 cases where visas were issued, using various quality indicators, including:
- did the Entry Clearance Officer (ECO) make their decision based upon all the available evidence?
 - was the quality of the refusal notice adequate?
 - was the correct information on appeal rights provided to the applicant?
 - had mandatory checks required under the UKVI Operating Mandate been carried out?

Document retention and case notes

- 4.3 We found that in 37 (93%) refusal cases sufficient supporting documents had been retained to enable us to assess the quality of the decision-making and reasonableness of the decision, when considered together with the case notes on Proviso and the contents of the refusal notices. This was a much better performance than we had found on a previous inspection of the Amman Visa Section in 2010.⁶ However, in three cases insufficient documents had been retained to enable a proper assessment.
- 4.4 Our previous inspection had also identified a problem with issue notes. In one of our samples, issue notes had been found to be inadequate in 44% of cases. The current inspection found that performance had improved. Twenty-nine (74%) cases had sufficient evidence retained or adequate notes to enable a full audit; five had some evidence retained, or sufficient notes to enable a partial audit. However, in six (15%) cases no evidence had been retained on the file and notes were inadequate.
- 4.5 We saw evidence that managers had recently made efforts to ensure that ECOs provided detailed issue notes, and that examples of best practice had been circulated as a guide to what was required. This initiative was presented in terms of the need to provide a full audit trail when issuing visas to

⁶ <http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/An-inspection-of-UKBA-visa-section-in-Amman-Jordan.pdf>

high-risk applicants. This was a positive step, but we consider that this standard should apply to all applications, particularly as in some lower-risk cases issues were made on the basis of little supporting evidence.

Immigration and appeal rights

- 4.6 The decision to refuse entry clearance was assessed against the correct Immigration Rules in all the cases in our sample. This was in line with our findings in recent short-notice inspections of visa sections in Paris and Warsaw.⁷ We also found that the correct information on appeal rights was provided to all refused applicants in our sample.

Operating mandate

- 4.7 In November 2014, UKVI introduced an Operating Mandate that formalised routine procedures to be completed on every visa application, including, for example, identity checks on the applicant, and the linking of any related applications on Proviso. This was aimed at ensuring that decision-makers were fully aware of any previous applications and of individual or family members' immigration history. Operating Mandate checks were performed by Entry Clearance Assistants (ECAs) in the Amman Visa Section, and assurance was provided by ECOs.
- 4.8 We found that the identity checks required under the Operating Mandate had been completed for all the cases in our sample, and that most cases had been linked on Proviso to previous or concurrent cases, as required. However, we saw examples of cases where applicants travelling together were not linked as they should have been.
- 4.9 We also found that the requirement to link all applications from a group travelling together sometimes resulted in a very large number of links being attached to an application. Staff told us that researching applications linked by such associations could be very time-consuming, but that the case-working system did not allow for a more refined selection of linked cases.
- 4.10 The Operating Mandate was having a positive effect, providing greater visibility of cases across the UKVI global network and improving the accuracy and consistency of decision-making. However, the full benefit of the Mandate will be realised only when the required checks and linking are carried out in every case.

Quality of decision-making

- 4.11 In our 2010 inspection, we questioned the quality of decision-making in 55% of our file sample of refusal cases. Specific problems included ECOs frequently requiring additional evidence which applicants could not have expected to have to provide, and failure to retain supporting documents. These were much less evident in the current sample.
- 4.12 Overall, we found that the quality of decision-making had improved. However, we also identified the need for further improvements, particularly in ensuring consistent application of policy and guidance between higher and lower-risk cases, in interpretation of evidence, and in consideration being given to positive evidence in refusal cases.

Quality of refusal notices

- 4.13 In interviews, ECOs emphasised the need to provide applicants with a full account of the reasons for a refusal decision, and to refer to evidence submitted. This was consistent with the improvement in the overall quality of refusal notices that we observed on this inspection compared with our findings in 2010. Refusal notices were generally clear and 32 (80%) cases were factually accurate. We found

⁷ <http://icinspector.independent.gov.uk/wp-content/uploads/2014/10/Paris-Report-Final-Web.pdf>; <http://icinspector.independent.gov.uk/wp-content/uploads/2013/12/An-Inspection-of-Decision-Making-Quality-in-the-Warsaw-Visa-Section.pdf>

only three notices that did not communicate reasons for refusal adequately.

- 4.14 In our first inspection, we assessed that 64% of the refusal notices sampled were not balanced, in that they did not refer to positive evidence submitted, with the result that applicants would not always be clear on why their application had been refused and what evidence would be required to support any subsequent application.⁸ Of the current sample, we assessed that 17 (43%) cases were not balanced. We consider that this is an area where further improvement is needed in order to ensure a good customer service. We therefore repeat our earlier recommendation.⁹

Recommendation: The Home Office should:

Ensure that visa refusal notices show that clear and balanced consideration has been given to both positive and negative evidence in reaching the decision to refuse.

Cases where the decision was considered unreasonable

- 4.15 We considered six (15%) refusal decisions to be unreasonable. There were a further two (5%) cases where insufficient evidence had been retained to enable us to assess the decision. We also considered three (8%) issue cases to be unreasonable, and in a further five (13%) cases insufficient evidence had been retained or notes made to enable us to make an assessment.
- 4.16 The applicant in one of the six refusal cases in our sample had been issued with a visa after being twice refused. We assessed the second refusal to be unreasonable, as the applicant had remedied the omissions in evidence identified to them in their first application. UKVI agreed that this second refusal was unreasonable. We assessed another of the six refusal cases to be unreasonable because supporting evidence provided by the applicant had been misinterpreted. UKVI agreed with our assessment and revoked the refusal. This case is discussed in Figure 5.

⁸ The 2010 inspection of the Amman Visa Section sampled settlement and family visit cases in addition to general visit ones. The percentage found to be unbalanced was approximately the same for each category.

⁹ Made in the Family Visits report, <http://icinspector.independent.gov.uk/wp-content/uploads/2015/07/Family-Visits-Inspection-16.07.2015.pdf>.

Figure 5 Case study – Misinterpretation of evidence

The applicant:

- wished to attend a conference at an institution in London where he had had a fellowship in 2013;
- provided an employer's letter and two bank statements, one of which showed regular salary payments, the other a balance of USD31,000;
- had been offered full funding by the UK sponsor;
- was refused because the ECO was not satisfied that:
 - sufficient evidence of personal and financial circumstances in Palestine had been provided;
 - the bank statements evidenced either his salary or his ability to fund the trip, assessing that they showed a joint closing balance of GBP35.

Chief Inspector's findings:

- the ECO misinterpreted the bank statements, disregarding the regular salary payments and failing to notice that the savings account was in US dollars rather than Lebanese Pounds, and also overlooked that full funding had been offered by the UK sponsor;
- a telephone call to the UK institution which had offered sponsorship could readily have clarified that this was a genuine visit.

UKVI response:

- accepted that the financial evidence had been misinterpreted;
- undertook to remind ECOs of the need to check supporting documentation carefully;
- revoked the decision and issued a visa (but by then the conference was over).

4.17 Other cases in our refusal sample also suggested that careful scrutiny was not always being given to supporting documents, with the result that significant elements of an application had been missed or misinterpreted. Lack of attention to detail in decision-making is discussed further below.

4.18 In the remaining four cases where we assessed the decision to refuse to have been unreasonable, UKVI did not agree with our assessment and maintained that insufficient evidence of funds had been provided by the applicant or a sponsor concerning the former's financial circumstances in their country of residence or funding for the visit, and therefore the requirements of the Immigration Rules had not been met. One of these cases, involving a school trip, is discussed in Figure 6.

Figure 6 Case study – Decision assessed to be unreasonable

The applicant:

- in January 2015, was one of a party of five schoolchildren living in Jordan, some holding Jordanian nationality and others Iraqi, who:
 - applied with their teacher, a Turkish national, to attend a 15-day language course at a school in the UK;
 - submitted supporting documents, including a letter of invitation from the UK school which stated that fees had been paid and accommodation would be provided;
- on 20 January 2015, was refused along with the other pupils and the teacher, on the grounds that:
 - the certificate of enrolment from the school made no reference to fees having been paid; and
 - no evidence had been provided that accommodation was available.

UKVI actions:

- on 20 January 2015, the original refusal decision was checked by an Entry Clearance Manager (ECM) and the decision was upheld;
- on 10 March 2015, following notification that this was one of the files we intended to examine as part of our file sample, the decision was reviewed by an ECM and the applicant was emailed:
 - acknowledging that the UK sponsor's letter provided full details of fees having been paid and accommodation offered;
 - stating that the refusal had been an error; and
 - offering a gratis application for any subsequent trip, given that the course date had now passed;
- on 29 March 2015, reversed the review decision and issued a revised refusal, acknowledging letters from both schools, but maintaining the original refusal on the grounds that the teacher's application had been refused.

Chief Inspector's findings:

- in all, five of the six applications from this group were reviewed by an ECM at the time of the original refusals, but none of the reviews identified that the sponsorship letter included details of fees having been paid and accommodation provided, raising serious questions about the effectiveness of ECM reviews;
- having identified the initial refusal as an error, UKVI did not contact the other members of the party to offer them gratis applications;
- the original reasons for refusal of this application were no longer valid, given that the sponsorship had been accepted;
- the revised refusal notice, issued on 29 March 2015, cited grounds which were not included in the original refusal notice;
- considerable positive evidence had been disregarded in relation to the teacher's application - he had a wife and two young children living in Jordan, a US business visa valid to 2020, an attestation from the Jordanian government of his working status, and an employer's letter;
- these linked refusals should not have been maintained and re-issued, and the original refusal decisions were unreasonable.

UKVI response:

- accepted that the sponsorship letter had been missed initially, but maintained that refusal was appropriate, given the gaps in supporting evidence provided and the fact that neither school had taken up opportunities offered by email to provide further evidence.

4.19 We accept that UKVI's practice of sending out revised refusal notices where an error has been identified is intended to give the applicant information that will enable them to provide the evidence needed for a subsequent application. However, in this case the contradictory correspondence and later identification of grounds for refusal that were not mentioned in the first refusal notice were unhelpful. The Jordanian school was well-known to the Visa Section and considered reputable, and opportunities to manage this case more effectively, for example by contacting the school or the UK institution by telephone, were missed, with the result that the group experienced poor customer service and the reputation of the Visa Section was likely to have been adversely affected.

Attention to detail

- 4.20 In several cases in our file sample, we found that applications or supporting documentation had not been assessed with sufficient care to ensure that correct inferences were drawn and reasonable decisions made. In the sample of refused cases, we identified seven (18%) cases where evidence had been misinterpreted. In the sample of issued visa cases, we found six (15%) where evidence had been misinterpreted, and/or inconsistencies had been missed, and/or negative evidence had been disregarded or overlooked.
- 4.21 The case study in Figure 6 is an example where significant positive evidence was missed to the detriment of the applicants concerned. Conversely, we found other cases where evidence on an application form or supporting documents had not been noticed, leading to the issuance of entry clearance that was not justified. One such case, which was unreasonable, is referred to in Figure 7.

Figure 7: Case study: Visa issued: Poor attention to detail

The applicant:

- applied to visit an address in Des Moines, Iowa for 4-7 days for a ‘mediation tournament’, stating that he was single and had been with his current employer for eight months;
- had some history of previous travel, but provided no evidence of his personal financial circumstances;
- was issued a business visit visa.

Chief Inspector’s findings:

- the ECO misread the application and failed to notice that the proposed visit was to the United States, rather than the UK;
- a UK visa should not have been issued.

UKVI response:

- accepted that a visa should not have been issued and that the applicant should have been asked to withdraw;
- stated that the ECO had assessed the applicant’s circumstances in the round in reaching a decision to issue a visa;
- undertook to remind ECOs of the need to look closely at evidence and take a consistent approach to decision-making;
- confirmed that the applicant had travelled as planned.

4.22 The above was a simple failure to read the application form. In other examples, inconsistencies between the application form and the supporting evidence were not spotted or followed up, as in the example in Figure 8.

Figure 8: Case study – Inconsistencies missed

The applicant:

- applied for a business visitor visa to attend five days of meetings in the UK;
- stated that she was self-employed as a consultant for a company in Lebanon, that the trip was to develop software for another company in Saudi Arabia, and provided an invitation letter from this company;
- provided a bank letter as proof of financial circumstances that showed a balance of between USD8-9,000;
- was issued a visa;
- also funded an application made by her sister, which was granted based on the same limited documentation.

Chief Inspector's findings:

- the bank letter provided did not contain any evidence of the salary claimed, or of any income, as the balance reduced by small amounts over six months;
- no evidence was provided to explain the discrepancy between the employment claimed and the stated purpose of the business trip;
- given the inconsistencies and the lack of supporting evidence, the decision to issue visas to these two applicants was unreasonable.

UKVI response:

- agreed that insufficient evidence of links between the various companies had been provided and that, had the case been subject to ECM review, this would have been raised with the ECO;
- carried out checks and confirmed that the applicant and her sister had complied with immigration regulations.

4.23 Both of the above case studies concern applications and supporting documents that were subject to inadequate examination, such that omissions and inconsistencies were missed. We consider that our file samples showed a pattern of lack of attention to detail in how supporting documents and application forms were being assessed.

4.24 Managers and staff told us that ECOs in Amman regularly completed their allocation of cases before the end of the day. Given our findings about inadequate scrutiny of applications, and given the complexity of many of the cases decided in the visa section, UKVI needs to ensure that the balance between speed and accuracy of decision-making that is expected of ECOs takes account of the need to scrutinise applications appropriately. We therefore make the following recommendation.

Recommendation: The Home Office should:

Ensure that Entry Clearance Officers allocate sufficient time to each visa application decision to allow for careful scrutiny of all the evidence presented.

Consistency in decision-making

- 4.25 In our previous inspection of the Amman Visa Section, we found a contrast between how different applicants were treated, depending on their risk profile. Some lower-risk applicants were being issued visas without having submitted documents in accordance with UKVI's guidance, while some higher-risk applicants were refused after being subjected to evidential requirements beyond those set out in the guidance and of which they could not have been aware.
- 4.26 On this inspection, we found only three cases where additional evidential requirements were imposed. However, the standards to which applicants were being held in relation to the requirements of the Immigration Rules to show an ability to fund their visit, ties to their country of residence, or financial resources, varied widely. Our samples contained examples of cases where visas had been issued despite lack of supporting evidence, while the absence of such evidence was used to justify refusals for other cases. A comparison of two such cases is given in Figure 9.

Figure 9: Case study: Inconsistent approaches to supporting evidence

Applicant A:

- was an Iraqi, resident in Jordan, seeking with her husband to visit their son in UK; she:
 - provided evidence of the sponsor's status in UK and of his financial circumstances; showing balance of GBP69,000;
 - provided no evidence of her own or her husband's financial circumstances;
 - had an adult son remaining in Jordan; and
 - had previously travelled to Saudi Arabia.

UKVI action:

- issued a visa, noting the lack of evidence of applicant's and husband's circumstances and limited travel history, but stated that she met Immigration Rules on balance of probabilities due to sponsor's evidence.

Applicant B:

- was an Iraqi, resident in Iraq, seeking to visit UK for a one-week holiday; she:
 - stated that her husband would be funding the trip;
 - provided an employer's letter and copies of her husband's bank statements showing a balance of over USD90,000;
 - stated that her husband and adult son were remaining in Iraq; and
 - had previously travelled to Lebanon.

UKVI action:

- accepted that the applicant was employed as stated, but refused her on the grounds that:
 - she had not provided evidence of her own financial circumstances;
 - evidence of the origin of the husband's funds had not been provided;
 - the costs of the trip were beyond her means as stated.

Chief Inspector's findings:

- this is an example of inconsistent standards being applied, given that in neither case was availability of funds to the applicant demonstrated.

UKVI response:

- maintained that lack of tangible evidence that declared funds were available for the applicant's use was a valid reason for refusal of Applicant B;
- stated that checks showed that Applicant A had travelled and complied with visa requirements.

4.27 We also noted examples where scanned documents or untranslated bank statements were accepted as evidence of meeting the requirements of the Immigration Rules, while in other cases this kind of evidence was cited as a reason for refusing the application. UKVI's guidance to applicants advises that original, translated documents should be used when providing supporting evidence for an application. However, ECOs told us that, in practice, as part of the process of considering each application on its own merits, they would exercise flexibility in deciding how an applicant could meet the requirements. We were told that they did not consider that it would be reasonable to refuse an

application because of a scanned document alone, and also that they would ask local staff to check an untranslated bank statement if an application otherwise seemed sound.

- 4.28 We accept that ECOs should consider each application in the round, weighing up a range of factors, of which the supporting evidence is only one. It is also clear that risk of abuse of immigration regulations should be weighed according to the specifics of each case, and that applications may be held to a higher standard of proof on the basis of risk profiles. However, we were concerned that decisions were being made based on an inconsistent interpretation of the evidence submitted.
- 4.29 Variable standards based on considerations including risk can be justified, but must be fully auditable. Where requirements in relation to evidence are relaxed (for example, where there is a lack of supporting evidence), we consider that it is particularly important that detailed issue notes should set out the ECO's rationale for the decision. It is equally important for customer service that high-risk applications should be looked at in the round, despite the higher burden of proof being applied.

Risk profiles

- 4.30 Risk profiles in use at the Amman Visa Section had changed considerably over the year preceding our inspection, reflecting increasing conflict in a number of areas in the region. This had led to a larger percentage of applicants being defined as high-risk. As a result, while an applicant's individual circumstances may not have changed, they may be less likely to be issued a visa because of deteriorating local conditions.
- 4.31 We saw evidence that this was confusing for applicants. An example is discussed in Figure 10.

Figure 10: Case study – Effect on applicant of changes to risk profile

The applicant:

- was a wealthy Palestinian businessman living in East Jerusalem, who had previously been issued a one-year visit visa in August 2013;
- in December 2014, was refused a visit visa because the ECO was not satisfied that:
 - sufficient evidence of the provenance of funds had been provided;
 - the applicant's business was as claimed;
- in January 2015, re-applied providing additional supporting evidence, including additional bank statements and business registration documents;
- commented on his third application that he had provided the same evidence on the two previous applications, leading to different results in each case;
- was issued a visa on the basis of the supporting documentation provided.

Chief Inspector's findings:

- the applicant could not have known that he would be held to a different standard than previously;
- his second application should have been paused to allow him to provide further evidence to satisfy the ECO.

- 4.32 Figure 11 details an example of a refusal that appeared to be on the basis of a risk profile rather than an assessment of the case on its individual merits.

Figure 11: Case study – Refusal to risk

The applicant:

- was an Iraqi student who had lived in Jordan for 14 years;
- in January 2015, applied to visit the UK for one week, having been previously issued a visa for a similar visit in July 2014 with which he complied;
- was refused because the ECO was not satisfied that:
 - there was sufficient evidence of provenance of the funds shown in the bank statement provided;
 - he had given sufficient details of this plans in the UK, or of a hotel reservation, to provide assurance of an intention to return.

Chief Inspector's findings:

- the previous successful application had given no additional details as to the applicant's plans;
- the previous issue appeared to have been made on the basis of similar bank statements to those found unsatisfactory for the present application;
- the different approach to the two applications was attributable to escalating conflict in Iraq, rather than any change in the applicant's personal circumstances;
- the applicant could not have been expected to know that he would be held to a higher standard of proof because of changed conditions in Iraq.

- 4.33 We consider that it is procedurally unfair¹⁰ to refuse an applicant, who has been issued a visa in the recent past, because of changing local conditions rather than any change in their personal circumstances or in the evidence provided by them to establish that they meet the requirements of the Immigration Rules. We would expect that, in the interest of both procedural fairness and good customer service, applicants with a history of previous travel who are held to a different standard of proof as a result of risk profiles should be offered the opportunity to provide additional evidence.

Intention to return

- 4.34 In light of the high level of conflict in the region, in February 2015 UKVI published revised guidance on factors that ECOs should take into account when considering whether an applicant had provided sufficient evidence of ties to their country of residence and their intention to return there at the end of a proposed visit. This stated that, in assessing the genuineness of a visit, decision-makers could take account of:

*'the political, economic and security situation in the applicant's country of residence, including whether it is politically unstable, a conflict zone or at risk of becoming one, which may lead to doubts about their intention to leave the UK at the end of their visit.'*¹¹

- 4.35 The updated guidance is to be welcomed in that it makes explicit the factors that should be considered, but it fails to address how difficult it could be for a genuine applicant from a politically

¹⁰ Procedural fairness is a legal principle that sets out how the government should deal with the public: 'it is a feature of a fair procedure of a decision making process that the person affected by it will know in advance how it will operate, and so how to prepare for it and participate in it...' The Judge Over Your Shoulder, edition 4: January 2006, page 18, Paragraph 2.41.

¹¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/404647/General_visitor_V15_OEXT.pdf

unstable region to provide definitive evidence of an intention to return. An example of the issues raised by this guidance is explored in Figure 12.

Figure 12: Case study – Use of local conflict as reason to doubt intention to return

The applicant:

- applied to visit the UK as a medical visitor in order to undergo urgent treatment for cancer, stating that this operation was necessary as a result of complications from local treatment in Syria;
- stated that a cousin in the UK would fund the treatment and enclosed a letter from the consultant who would perform the surgery, and who had previously treated the applicant in the UK in 2007;
- was refused, as the ECO was not satisfied:
 - that the applicant had considered local treatment options;
 - that the applicant had provided sufficient evidence to establish his ability to maintain himself, or of his sponsor's ability to pay for the treatment;
 - of the applicant's intention to return, given the current conditions in Syria.

Chief Inspector's findings:

- the financial documentation referred to in the refusal notice had not been retained, so we were unable to assess whether it was sufficient to establish the applicant's personal circumstances in Syria;
- the ECO was incorrect in claiming that no effort had been made to find local treatment, as the application form specifically referred to local interventions having resulted in the complications that now required specialist attention;
- further enquiries with the sponsor could have established the availability of the monies necessary to fund this treatment;
- the applicant came from an area of significant conflict in Syria; in these circumstances, it is not clear how he would be able to establish an intention to return.

4.36 Managers told us that the new guidance codified existing practice rather than representing a change in policy, so would not be expected to have any effect on whether or not applicants were successful in obtaining entry clearance. As the new guidance was issued shortly before our inspection visit, any effect on the overall refusal rate for nationals from affected regions would not yet have been apparent.

4.37 In the year to February 2015, the issue rate for visitor applications for Syrian nationals, for example, was 15%, suggesting that the balance of probabilities weighs heavily against applicants from conflict zones. We recognise the difficulties that UKVI faces in making decisions in relation to such applications, and that intention to return is only one factor, but we consider that the guidance needs to give some steer as to what forms of evidence, if any, could satisfactorily establish an intention to return for an applicant from these areas, so that a refusal does not become the default decision.

Entry Clearance Manager (ECM) Reviews

4.38 The refusal of entry clearance as a visitor does not carry a full right of appeal. The only internal check and balance against poor or arbitrary decision-making is the ECM Review. Under previous performance management regimes, ECMs were required to review a certain percentage of all decisions. A new 'review to risk' model, which targets reviews toward applications considered to carry a higher risk, and which mandates that certain categories of decision be automatically reviewed,

was phased in at visa sections across the global network during 2014.

- 4.39 The new model was introduced in Amman in March 2014. Data provided by UKVI showed that ECMs at the Amman Visa Section had carried out 4,234 reviews of applications in Other Visitor categories between February 2014 and February 2015. This represents 18% of the 23,255 applications received in these categories.
- 4.40 Managers told us that, as it was designed to focus reviews on higher-risk cases, the review to risk model meant that the volume of cases requiring review was still high in Amman because of the risk profile of applications processed at the post. UKVI recognised this issue and had recently appointed another ECM to Amman. Managers believed that this would provide sufficient capacity to ensure that the required reviews were completed, which had not always been possible in the past during periods of peak demand.
- 4.41 Twelve of the cases in our sample of 40 refusals had been subject to an ECM review, as had ten of the 40 issues that we sampled. In two cases where ECOs had decided to issue a visa, the ECM review correctly identified problems. One such case is set out below.

Figure 13: Case study – Effective ECM review

The applicant:

- applied to visit the UK for five days on a shopping trip, providing bank statements to evidence her earnings;
- had previously travelled to the UK in 2014, to the US, and to other European destinations over the previous two years.

UKVI actions:

- the ECO proposed issuing on the basis of multiple previous visits to the UK, compliance, and evidence of funds seen;
- the ECM review identified that issue notes recorded travel history inaccurately, and that bank statements were online only, annotated by hand, and lacked an authenticating stamp – despite the applicant claiming to work in a bank;
- the ECM returned the decision for reconsideration;
- the ECO corrected the issue notes, and clarified that an employment letter from the bank had also been seen;
- the visa was subsequently issued.

Chief Inspector's findings:

- the ECM review was very thorough, picking up both where evidence was lacking and ambiguities in the issue notes on the caseworking system;
- the attention given to this applicant's supporting documents by the ECM provides evidence of effective scrutiny of a low-risk applicant to ensure that they had met the requirements of the Immigration Rules.

- 4.42 In another case, however, the ECM review of the proposed issue failed to pick up an omission in supporting documents and deficiencies in the issue note. We also identified four cases out of the 12 refusals reviewed where we considered that errors had been missed by the ECM. One of these was discussed in Figure 6. A further case involving missed and misinterpreted evidence is discussed in Figure 14.

Figure 14: Case study – Ineffective ECM review

The applicant:

- a Syrian national living in Lebanon, applied to attend a theological conference and provided employment letters covering the previous two years which gave details of current and previous remuneration;
- was refused on the grounds that the ECO was not satisfied that:
 - her salary was as claimed, citing an employment letter from September 2013;
 - she had demonstrated sufficient ties to Lebanon to establish an intention to return.

Chief Inspector's findings:

- the refusal was reasonable on the grounds of the limited evidence provided to support the applicant's claimed financial status, which were photocopies or scanned copies;
- the ECO failed to notice other more recent employment letters that provided further details of increased earnings from the same and another employer;
- the supporting letter from the second employer also gave details of family members, including teenage children, remaining in Lebanon;
- these omissions and inaccuracies were not picked up by the ECM review.

UKVI response:

- accepted that the ECO had overlooked the later employment letters and evidence of ties to Lebanon;
- also accepted that the ECM review should have identified these issues;
- issued a revised refusal notice to the applicant, which did not, however, reference the additional earnings mentioned.

4.43 Of 22 ECM reviews conducted on the cases in our sample, we identified five (23%) that did not pick up errors. Previous inspection reports, including the previous inspection of Amman, have identified that ECMs were unable to complete the high volume of reviews required to a sufficient standard.¹² The arrival of an additional ECM in Amman should in future allow more time for ECM reviews at this post.

4.44 We accept that, at posts with fewer high-risk cases, the introduction of the review to risk model should mean that ECMs are able to devote sufficient time to ensuring consistent and thorough monitoring of the quality of decision-making and the reasonableness of decisions. However, the effectiveness of the review to risk model in posts with high numbers of applications that attract a mandatory review, such as Amman, should be carefully monitored to ensure that decisions are adequately assured.

4.45 All the reviews in which we identified errors had been undertaken by an ECM who was new in post at the time of our inspection. So, as well as ensuring that there is sufficient ECM capacity to review all high-risk cases as a minimum, UKVI should also ensure that proper training and monitoring is in place for this role.

Targets and resourcing

4.46 Entry Clearance Officers in Amman, as at other overseas posts, have targets for the number of

¹² See, for example <http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/A-short-notice-inspection-of-Istanbul-visa-section.pdf>

decisions they are expected to make each day. These are used to align resource requirements with predicted future intake, and as a performance management tool. Individual ECOs at the Amman Visa Section had targets for non-settlement cases categorised in terms of relative risk:

- 35-40 lower-risk cases per day;
- 30-35 medium-risk cases per day; and
- 25-30 high-risk cases per day.

4.47 These targets had been set after consultation between staff and managers. Managers informed us that they had been revised downwards recently in response to the increased number of applications considered to be high-risk and the need to subject these applications to additional scrutiny. ECOs commented that: *‘the benchmarks...give us enough time to form a balanced decision’*. ECOs welcomed managers’ flexible attitude towards the targets, their readiness to take the complexity of decision-making in Amman into consideration when setting benchmarks, and a generally consultative approach.

4.48 Entry Clearance Assistants’ (ECA) targets had also been revised downwards, to 50 a day, to allow for the extra work involved in the checks required by the Operating Mandate. The new benchmarks had again been set in consultation with staff. ECAs also assisted ECOs with translation of documents and interviews.

4.49 All grades of staff whom we spoke to felt that there was a positive atmosphere in the Visa Section, with teams working well together, and they commented on the supportive, positive approach adopted by managers. In turn, managers told us that staff were enthusiastic and committed. We were told that the Visa Section had recently been able to recruit additional staff, bringing the headcount up to 25, including temporary summer staff, in recognition of additional work brought into the Section as result of local conditions and the closure of the Beirut decision-making post in 2014.

Timeliness of decision-making

4.50 At the time of our inspection, UKVI had the following ‘service standards’ for non-settlement decisions:

- 90% of applications to be decided in no more than 15 working days;
- 98% to be decided in 30 working days; and
- 100% to be decided in 60 working days.

4.51 Data provided by UKVI showed that the Amman Visa Section was meeting these targets between February and July 2014. Between August and November 2014, the 15 day target was met in 81% of cases, but both the 30 and 60 day targets continued to be met during this period. From December 2014 to January 2015, including the period of our file sample, the Visa Section was meeting or exceeding all service standards.

4.52 Managers told us that the escalation of conflict in the region, particularly in Iraq in the summer of 2014, had caused delays in processing times because it was not possible to transport applications to and from some VACs, such as those in Basra and Baghdad, within the normal timeframes. Efforts had been made to accommodate applicants through other means, for example by allowing Iraqi applicants to hand in applications in person at the Amman VAC.

4.53 At the time of our visit, the instability in the region continued to present challenges in meeting service standards: we found that applications from some VACs could take more than a week to arrive at the post for processing due to transportation difficulties. During our visit, we noted such a delay,

which meant that some applications from a particular VAC were unlikely to be turned around in time to permit the applicant to travel as planned.

- 4.54 We saw evidence that managers made considerable efforts to ensure that workarounds were in place to overcome transportation problems, such as arranging alternative couriers. However, the Visa Section would not be able to alert customers to a transportation delay until the applications had arrived for processing, by which time the delay might already be significant. In the light of this, we make the following recommendation.

Recommendation: The Home Office should:

Require companies managing VACs on its behalf to advise applicants of any known or potential circumstances that might delay the processing of their application.

5. Inspection Findings – Management of Risk

Background

- 5.1 The Home Office has a Risk and Liaison Overseas Network (RALON) whose role includes identifying threats to the UK border and supporting the decision-making process by providing information and intelligence on known risks. Visa decisions involve the assessment and mitigation of the risk of issuing a visa to an individual who then goes on to commit an immigration or criminal offence.
- 5.2 RALON provides the overseas network with a set of risk profiles. These are used to rank visa applications as high-, medium- or low-risk. The risk assessments are drawn from a quantitative analysis of the known threats posed to the UK border by visa nationals. The core data is produced by UK-based analyst teams and is supplemented by RALON overseas. Using local knowledge and intelligence, RALON refines and updates risk profiles for use in visa sections. Profiles are generally grouped by nationality and contain indicators around personal, domestic and employment circumstances, supporting documents and previous travel and immigration history.
- 5.3 Depending on the risk rating given to an application, verification checks may be required to enable the ECOs to make a fully-informed decision. Generally, applications marked as high-risk attract more verification checks. Verification checks are used, for example, to confirm the authenticity of documents provided to support an application or to corroborate statements made by the applicant or a sponsor.

Management of risk at Amman Visa Section

- 5.4 The scope of this inspection included an assessment of how effectively UKVI was managing high-risk applications. The Amman Visa Section was identified as a post which receives a high proportion of cases that are identified through profiling as potentially high-risk. Managers told us that the post was being developed as a specialist hub for the processing of such applications, specifically from countries in the region currently experiencing conflict. During 2014, the war in Syria, Islamic State of Iraq and Levant (ISIL) incursions into Iraq, and Israeli operations in Gaza all increased the displacement of civilians from these regions into refugee camps in Lebanon and Jordan.
- 5.5 The main risk of abuse of immigration regulations in Amman is defined by UKVI as the use of the visa application process as a means to claim asylum in the UK.¹³ UKVI measures success in mitigating this risk by the number of asylum applications recorded in the UK from individuals who had been issued a visa in the preceding twelve months. In terms of this measure, asylum applications from Iraqi nationals showed the most notable recent increase. In 2014, there were 154 such asylum claims from Iraqi nationals whose applications had been decided in the Amman Visa Section, as compared to 52 such claims in 2013.

Verification checks

- 5.6 A major element of the UKVI response to increased asylum claims has been to target applications from high-risk applicants for more extensive verification checks, including:

¹³ The main nationalities claiming asylum between July 2013-July 2014 whose visa applications were subject to decision in Amman were Syrians (432 asylum applications), Iraqis (226), Palestinians (28), Lebanese (58) and Jordanians (27) [source: ILM harm in Levant].

- checks of family members' immigration history on the caseworking system;
- interviews of applicants or sponsors, either in person, via video conferencing, or by telephone; and
- checking supporting documents provided by applicants and sponsors.

- 5.7 The level and nature of verification checks is dependent on risk profiles which are generated in large part from outcomes of visa applications defined as adverse. Because of the recent increase in overall numbers of Iraqi asylum applications, and because visas issued in certain visitor categories had been matched with particularly high numbers of asylum claims, visitor visa applications from Iraqi nationals were a particular focus of verification activity at the time of our inspection. These applications were being routinely checked against the caseworking systems for traces of family members who were currently in the UK or who had previously applied for visas at other locations overseas. We were told that this practice had successfully identified and prevented potential abuse.
- 5.8 In addition, interviews with applicants and sponsors had recently been introduced for certain visit visa categories, and we were informed that an extension of this aspect of verification was planned. While ECOs told us that the interviews carried out before applications reached them reduced the need for further verification activity, at the time of our inspection a relatively small number of interviews had been recorded as having taken place. Data provided by UKVI showed that a total of 237 interviews of Other Visitor applicants or sponsors had been conducted between February 2014 and February 2015. This figure includes interviews in local VACs, the Amman Visa Section, and in Sheffield.
- 5.9 Despite the risk identified by UKVI of visa holders seeking asylum in the UK, numbers targeted for further verification in the Amman Visa Section remained low as a proportion of total volume of applications. For example, in 2014, out of a total of over 7,000, only 459 Other Visitor applications submitted from Iraqi nationals were logged as having been subjected to further checks of documentary evidence, by either UKVI or RALON staff.
- 5.10 Managers and staff told us that, while they were able to use local staff in the region to assist with verification, the ability to verify documents was limited in areas where conflict had led to a breakdown of infrastructure or where communication could not reliably be established. For similar reasons, often such documents that were checked could not be conclusively determined to be genuine or otherwise. They did not therefore consider that document verification activity was productive or useful for most high-risk applications received at the post.
- 5.11 We were also told, when querying why so few applications streamed as high-risk appeared to have been subjected to verification checks, that more checks were being carried out than were being recorded. While document verification reports initiated by RALON staff would be logged, other checks that might be requested by an ECO later in the process, including for example telephone calls to a local business, might not be noted on the caseworking system.
- 5.12 As a result, it was not possible to establish definitively how frequently ECOs asked for further checks before making a decision on an application. The failure to record checks will also affect the accuracy of risk profiles, as verification activities, as well as providing information for decision-makers on an individual application, are also used to assure and update risk profiles.
- 5.13 The majority of applications which were sifted by RALON on the basis of risk profiling would appear to have been passed to ECOs for decision without further checks of documentary evidence. In some cases in our sample, as has already been highlighted in earlier case studies, we considered that further checks should have been carried out to assist the ECO in making an informed decision. Figure 15 is an example where we considered that additional checks were needed.

Figure 15: Case study – Document verification not undertaken

The applicant:

- in March 2015, had been invited to the UK to present a photography project;
- had completed an MA in the UK in 2013, and was currently employed as a lecturer in Sulimaniyah;
- provided sponsorship letters from organisations in Iraq and the UK, an employer's letter and a letter from her bank;
- was refused because the ECO was not satisfied that:
 - sufficient evidence of financial and family ties to Iraq had been provided to establish intent to return;
 - she would be able to maintain and accommodate herself while in the UK.

Chief Inspector's findings:

- the bank's covering letter referred to a balance of USD 8,000, but the bank certificate could not be fully assessed as it was not retained;
- the ECO missed a statement in one of the sponsorship letters that the costs of the trip and maintenance would be covered in full;
- given that the applicant provided substantial supporting evidence, verification checks should have been carried out in Iraq if the ECO had doubts about the application;
- if conditions in Iraq did not allow for such checks, a telephone call could have been made to the UK institution, requesting confirmation that it was providing sponsorship;
- this visa could have been issued, subject to these checks, despite the applicant meeting a high-risk profile.

UKVI response:

- accepted that the offer of sponsorship had been overlooked by the ECO;
- stated that ECOs would be reminded of the need to check supporting documents carefully;
- maintained, however, that there was no evidence of the sponsor's ability to provide funds as stated;
- maintained that the refusal was reasonable, given this and the absence of bank statements showing the applicant's income;
- on 1 April 2015, issued a revised refusal notice.

Quality assurance

- 5.14 We found a lack of consistent monitoring and quality assurance of some verification activities. While document verifications carried out by RALON staff were routinely assured and monitored by managers, we were told that this was not the case for other forms of checks. Managers said that they were aware of this issue, but that no action had been taken to ensure that comprehensive records were kept.
- 5.15 Given the importance of such checks, both in mitigating the risk of abuse of the immigration system, and in ensuring that genuine applications have the benefit of informed decision-making, we make the following recommendation.

Recommendation: The Home Office should:

Improve monitoring of verification checking for entry clearance staff and ensure that all checks and results are recorded.

Use of risk profiles

- 5.16 All entry clearance staff had a comprehensive awareness of the risk profiles in use at the Amman Visa Section. Both UKVI and RALON staff commented on the excellent and productive relationships between the two sections, and emphasised that communication was frequent and effective, ensuring that up-to-date information on emerging risks was circulated regularly. ECOs told us that the RALON staff provided particularly detailed information that was very helpful in enriching risk profiles, and that the ECAs' local knowledge supplemented the risk profiles further, forming another essential aid to their decision-making.
- 5.17 ECOs were clearly aware of the need to use risk profiles to inform a decision, while remaining open to the possibility of issuing a visa to individuals who fell within a high-risk group. While our file sample was too small to allow for meaningful statistical analysis of trends in the treatment of high-risk cases, we noted instances where visas had been issued to such applicants. An example of such an issue is discussed below.

Figure 16: Case study – Issue of entry clearance to high-risk applicant

The applicant:

- was a Palestinian resident in Gaza, who had been invited to the UK to give a talk;
- provided sponsorship letters from the UK sponsor, personal bank statements, and an employer's letter;
- had a history of travel to the UK and compliance with immigration regulations.

Chief Inspector's findings:

- issue notes provided a fully auditable account of the evidence seen and the reasons for the ECO's decision;
- this was a good example of the issue of entry clearance to a high-risk applicant, based on careful scrutiny of documentary evidence.

- 5.18 The conflict in the region makes the Amman Visa Section an extremely challenging environment for risk management. The additional measures were put in place in response to an increasing risk of asylum claims from visa holders of certain nationalities. We therefore asked whether UKVI would ever consider the asylum risk from certain cohorts of applicants to be so great as to warrant not accepting applications from them. Senior managers said that applications should continue to be accepted from all visa applicants, regardless of nationality or origin.
- 5.19 Nonetheless, refusal rates for applicants from conflict zones had increased. For example, between January 2013 and December 2014, the overall issue rate for Iraqi applicants fell from 85% to approximately 55%. Additional verification measures that were put in place late in 2014, including interviews for Iraqi Business Visitor applicants, and mandatory reviews of proposed issues by senior managers, further reduced the issue rate in some visitor categories for Iraqi nationals to 12% over the period November 2014 to March 2015. The refusal rates for other high-risk applicants, such as those from Syria and Palestine, had also risen sharply.¹⁴

¹⁴ All data provided by the Home Office, March 2015.

5.20 UKVI's analysis showed that the additional measures and the detailed risk profiles in use contributed to a reduction in the overall number of asylum claims from visa applicants towards the latter months of 2014. The regional conflicts affecting the Amman catchment area require that decision-makers maintain a difficult balance between the risk of asylum claims and the need to treat applicants fairly and transparently. It is even more important in these circumstances that careful and accurate scrutiny should be given to applications, in order to ensure that applicants are not disadvantaged.

6. Inspection Findings – Safeguarding Individuals

Data handling and storage

- 6.1 The Home Office is subject to the provisions and restrictions of the Data Protection Act 1998 (DPA). People applying for entry clearance as visitors from overseas ordinarily provide personal and sensitive information, which can include passports as well as financial documents such as payslips and bank statements.
- 6.2 The ‘Government’s Security Classification’¹⁵ document outlines how data is categorised and the security controls that should be in place to protect data. Personal information required to be protected under the DPA is classified as ‘OFFICIAL’. The minimum security controls for handling ‘OFFICIAL’ information include:
 - operating a clear desk policy;
 - all information securely locked away when not in use; and
 - a breach management system in operation.
- 6.3 We found that effective physical security precautions for the protection of data were in place at the Visa Section at the time of our visit, and that staff were fully aware of data protection requirements.

Application process

- 6.4 Stakeholders to whom we spoke felt that managers at the Visa Section were accessible, open, and generally responsive. They commented favourably on their willingness to make informal enquires about applicants in order to make accurate decisions, although some noted that decision-making by ECOs would be improved by greater in-depth knowledge of local conditions and practices.
- 6.5 Some stakeholders commented that they thought the help available to applicants in person and online could also be improved; customers seeking advice from the VAC would be directed to the UKVI website, which did not always provide what was needed.
- 6.6 We visited the Amman Visa Application Centre (VAC) as part of our inspection. Management of the VAC was contracted out to a private company by UKVI. The VAC was located in a clean, modern building, and the application process was efficiently managed, with short waiting periods at the time of our visit. However, we were surprised to find that all information, including that on service standards and on how to make a complaint, was presented in English only.
- 6.7 We note UKVI’s continued commitment to improving customer service. In this light we make the following recommendation.

Recommendation: The Home Office should:

Provide signage and information in local languages for customers at Visa Application Centres.

¹⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251480/Government-Security-Classifications-April-2014.pdf

Appendix 1: Role and 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 department of UK Visas and Immigrations (UKVI) was introduced under the direction of a Director General.

Appendix 2: Inspection Framework and Core Criteria

The criteria used in this inspection were taken from the Independent Chief Inspector's Criteria, revised in February 2013. They are shown below.

Inspection Criteria used when inspecting the Amman Visa Section

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.

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

Resources should be allocated to support operational delivery and achieve value for money.

Safeguarding Individuals.

All people should be treated with respect and without discrimination except where the law permits difference of treatment.

Personal data should be treated and stored securely in accordance with the relevant legislation and regulation.

Continuous Improvement

The implementation of policies and processes should support the efficient and effective delivery of border and immigration functions.

Appendix 3: Glossary

Term	Description
B	
Biometrics	All customers are now 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.
Border Force	Following the separation of Border Force and the UK Border Agency on 1 March 2012, Border Force became a Home Office operational command responsible for immigration and customs, including UK passport controls in France and Belgium.
C	
Casework	The Home Office term for the decision-making process used to resolve applications (for example, applications for asylum or British citizenship).
Customer	An individual using the services of UK Visas & Immigration.
D	
Data Protection Act 1998	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.
E	
e-Learning	Computer-based training courses.

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 state 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 visa application process.
Entry Clearance Officer	Processes visa applications and makes the decision whether to grant or refuse Entry Clearance.
Entry Clearance Manager	Manages the visa application process 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.
Hub and spoke	<p>Prior to 2007, virtually all British diplomatic missions had a visa section. Each worked largely independently; handling all aspects of visa processing including taking decisions on site.</p> <p>The 'hub and spoke' system was introduced to move away from the traditional model which was based on the physical presence of a visa section. The consideration of an application does not need to happen in the same place as it is collected.</p> <p>Applications can be moved from the collection point (the spoke) to the processing point (the hub). This separation between the collection network and the decision-making network aims to improve quality and consistency of decision-making, efficiency and flexibility. Work can be moved to staff rather than the other way round.</p>

Human Rights Act	Legislation that took effect on 2 October 2000, which meant that the UK's domestic courts could consider the European Convention of Human Rights.
I	
Immigration Liaison Assistant (ILA)	Performs a range of tasks within RALON e.g. helping with the identification of forged documents or the creation of risk profiles
Immigration Liaison Manager (ILM)	Oversees the work of RALON within a visa section.
Immigration Liaison Officer(ILO)	Supports the Immigration Manager in progressing RALON objectives.
Independent Monitor and legislation	<p>The legislation which established the role of the Independent Monitor for Entry Clearance Refusals without the Right of Appeal was set out in section 23 of the Immigration and Asylum Act 1999 and amended by paragraph 27 of schedule 7 of the Nationality, Immigration & Asylum Act 2002 and Statutory Instrument 2008/310 regarding the points-based system (from April 2008).</p> <p>Section 23 of the Immigration and Asylum Act 1999, as amended by section 4(2) of the Immigration, Asylum and Nationality Act 2006, stipulates:</p> <ul style="list-style-type: none"> • The Secretary of State must appoint a person to monitor, in such a manner as the Secretary of State may determine, refusals of entry clearance in cases where, as a result of section 88A of the Nationality, Immigration & Asylum Act 2002 (c.41) (entry clearance: non-family visitors and students), an appeal under section 82(1) of that Act may be brought only on the grounds referred to in section 84(1)(b) and (c) of that Act (racial discrimination and human rights). • The Secretary of State may not appoint a member of his staff. • The Secretary of State must lay a copy of any report made to him under subsection (3) before each House of Parliament. <p>Although the legislation and the Independent Monitor's formal title refer to 'no right of appeal', all customers have limited rights of appeal on human rights and race relations grounds. Parliament decides which categories of visa customers should not have full rights of appeal; the Home Office's role is to implement the laws set by Parliament and as interpreted by Government policies.</p> <p>The Independent Chief Inspector of Borders and Immigration was appointed to this role by the Home Secretary on 26 April 2009, effectively bringing this work within his remit.</p>
ISIL	Islamic State of Iraq and the Levant. Group currently holding territory in Iraq and Syria.
L	

Locally engaged staff	Staff recruited directly by the British Embassy or High Commission in the country where they are employed.
M	
Maladministration	Includes cases where the visa decision would or might have been different if there had not been an administrative failing. For example, an applicant applies for entry clearance to attend a fixed-date conference in the UK. The applicant would have been otherwise issued with a visa, but is refused because a delay in processing the application means the conference has already finished.
Ministerial Authorisation	An authorisation, approved by ministers, which allows Immigration Officers to give greater scrutiny 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 International Group 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, an applicant 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 applicant’s knowledge.
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	
Refusal Notice	A letter sent by the UK Visas and Immigration to those refused Entry Clearance explaining the reasoning behind the decision.
Regional Director	Senior manager responsible for one of the six Immigration Group 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 Home Office 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.
U	
United Kingdom Border Agency (UKBA)	<p>The agency of the Home Office 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 UK Border Agency was a full executive agency of the Home Office from April 2009.</p> <p>The UK Border Agency was broken up by the Home Secretary on 26 March 2013 and its functions returned under the direct control of the Home Office. Since 1 April 2013 the UK Border Agency ceased to exist.</p>
United Kingdom Visas and Immigration (UKVI)	One of the 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	
Visa nationals	<p>Visa nationals are those who require a visa for every entry to the United Kingdom. A visa national is a national of a country listed on the UK Border Agency website (Appendix 1 of the Immigration Rules). Some visa nationals may pass through the United Kingdom on the way to another country without a visa, but in some circumstances they will require a Direct Airside visa or Visitor in Transit visa. Visa nationals must obtain Entry Clearance before travelling to the United Kingdom, unless they are:</p> <ul style="list-style-type: none"> • returning residents; • those who have been given permission to stay in the United Kingdom and, after temporarily leaving the United Kingdom, return within the duration of that permission to stay; or • schoolchildren resident in a European Union member state who are on an organised school trip from a general education school and accompanied by a teacher.
Visa Section	Visa Operations, a part of UKVI, is responsible for managing UK Visa Sections which are based in a variety of locations around the world.

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