

Document verification checks

Version 1.0

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Document verification on applications

This guidance tells you about document verification checks and what to do when false documents have been submitted in support of an application for entry clearance, leave to enter or leave to remain.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the Administrative Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the guidance rules and forms team.

Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- published for Home Office staff on 12 December 2016

Changes from last version of this guidance

This is the first version of this guidance.

Related content

Document verification

What is document verification?

Document verification is the process decision makers use to check that a document provided by an applicant in support of their application (qualifications, funds, sponsorship) is genuine. For example, that a bank statement showing funds are held by the applicant, or a certificate showing a qualification was awarded a specific institution is correct.

Travel documents

This guidance is about verification of **supporting documents**. It does not cover verification of travel documents, which are documents that establish identity and nationality. The examination of travel documents is undertaken by trained staff in RALON, trained entry clearance officers or managers or by the National Document Fraud Unit (NDFU) and the results of their examination will be recorded in a Document Examination Record (DER). This DER **must never** be disclosed to the applicant or a third party.

Related content

How to record the result of a document verification check

The result of a document verification check can come in a variety of formats which depend on both the route and the result.

In the majority of cases where a document is verified as false, the person who does the verification (the 'verifying officer') will produce a Document Verification Report (DVR). A DVR is a standard format document which sets out the steps the verifying officer (either you or someone in a dedicated verification team) has taken to verify the document and records the result of the verification check.

The verifying officer must:

- accurately complete all applicable fields on the DVR
- record who was contacted at the issuing authority to verify the document and that person's role in the organisation
- · record the questions asked and the full response received
- **only** record in the DVR the information received from the verifying authority
- not engage in speculation which goes beyond the information received
- state on the report the result of the check and the date it was completed

There will be no DVR where it is the Certificate of Sponsorship (COS) or the Confirmation of Acceptance for Study (CAS) that has been verified since these are checked against Home Office systems. If you carry out the check of the Sponsorship database then you must take a copy/printout for the file of the screen shot of the CAS/COS checker to evidence your refusal where you are refusing an application because of a false COS or CAS.

In country DVR

A DVR will be produced either by the verifying officer in the Temporary Migration Enrichment Unit, Permanent Migration Fraud and Verification Team or British Embassy / High Commission in the country from which the document comes.

You must attach a copy of the DVR to the file for future reference and note the contents of the DVR in the case notes on CID.

Out of country DVR

If you are in a post where there is a dedicated Enrichment team, they will carry out the verification check. They will put a note on Proviso either stating that the document is genuine, or that it is false with an accompanying DVR explaining why it is false.

If you are in a post without a verification team and **you** carry out the verification yourself then you must make sure that you produce as full a DVR as possible. You must only record in the DVR the information you have received from the verifying authority.

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For the sort of questions you should ask when you approach a verifying authority see Questions to ask when verifying a document.

Notifications (Intelligence Reports) may be sent to decision makers when certain documents of a specific type have already been seen and verified as false, advising that all similar documents of that type should be treated in the same way. You must take account of any such notifications when you consider the case.

In country, such intelligence reports are distributed to staff through their line management chain. Out of country, they are distributed to visa centre staff by RALON.

Related content

How verification check results affect the decision

How the results of document verification affects the decision depends on the result of the check.

There are 3 possible outcomes from document verification:

- genuine document
- false document
- unable to verify document / verification inconclusive

Genuine document

If the document is genuine then you can take it into account when you consider the application under the relevant Immigration Rules and/or policy.

False document

If the document is false then you must not take account of the information in it. For example, if a false degree certificate is supplied in a student application, you must not award any points for the degree.

Submitting false documents affects the overall credibility of the applicant. You must take account of this in applications where you assess the credibility or genuineness of the applicant and in doing so; you must also consider whether it would be appropriate for the applicant to be interviewed before deciding the application.

You must also consider whether to refuse the application on the ground that the applicant has submitted a false document. This is either a mandatory or discretionary refusal under the Immigration Rules, depending on which rules apply to the application.

Evidence to support a finding that a document is false includes:

- a DVR (either produced by you or somebody else)
- information from a college
- a RALON report identifying a trend in false documents (e.g. an invitation to a conference which is already known to be false)
- print outs from your search of the CAS/COS Checker

You must have sufficient evidence to show that a document is false, before you refuse the application on the ground that the applicant has submitted a false document.

For more detailed guidance on refusing an application on the ground that a false document has been submitted see The decision.

If you refuse the application on the ground that a false document has been submitted, you must then go on to consider whether the applicant knew that the document was false and therefore used deception. This is a separate consideration, for more detailed guidance see <u>Deception</u>.

You must make an intelligence referral if a false document (including certificate of sponsorship) has been submitted. For more information, see Referrals to intelligence.

Unable to verify document

If the document cannot be verified or verification is inconclusive, then the approach you take will depend on the type of application. See Deciding applications where documents cannot be verified / verification results are inconclusive.

Related content

Deception

When considering an application where a false document has been submitted, you must also consider whether the applicant has used deception. You must not assume that an applicant who has submitted a false document has also used deception.

The applicant has used deception if they knowingly submitted a false document. You must consider whether, on the balance of probabilities, the applicant knew they were submitting a false document. Examples of evidence that might support this finding include:

- evidence that the person paid someone to provide the document and that person was not authorised to accept such payments and/or produce documents of that type
- the evidence relates directly to the person's circumstances and they should therefore have known it is false, for example it is reasonable to expect a person to know what qualifications they have or where they studied or worked
- the evidence contradicts claims or evidence that the applicant has previously made or submitted
- there are obvious deficiencies in the quality of the evidence that would be apparent to the applicant

The above is not an exhaustive list and you must consider any other relevant evidence that an applicant use deception.

Even if one or some of the above applies, you must also consider whether the applicant may have a plausible explanation for why they did not know the document was false.

If a third party submitted the false document you should consider whether that person would benefit, as this may be evidence that the applicant did not know it was false. For example there may be information about a criminal investigation into a bogus college which supplied a false CAS or a legal representative who submitted standard packages for applicants and there is no evidence the applicant was aware of the evidence submitted on their behalf.

If you are unable to make an assessment based on the available evidence, you may decide that the applicant should be interviewed before making a decision. At interview the applicant must be asked about the circumstances in which they obtained the documents as well as any other relevant questions about their application. The answers given must be assessed in the context of the other available evidence.

If it is more likely than not that the applicant didn't know they had submitted a false document then you must still refuse the application under <u>paragraphs 320 (7A) / 322 (1A) of the Immigration Rules</u> (<u>paragraph V3.6</u> for visitors) on the ground that a false document was submitted but you must **not** include wording in the decision letter which states that the person used deception. For applications under <u>Appendix FM</u>,

refusal on this ground is not mandatory but you must normally refuse the application if a false document has been submitted with the application. For more information, see The Decision.

If you do find that the applicant used <u>deception</u> you must explain why in the decision letter.

After assessing whether deception was used, you must normally go on to assess whether the applicant meets the other requirements of the rules, such as any genuineness requirements. This applies whether or not you find that false documents were submitted or the applicant used deception.

Standard refusal wording on false documents and deception can be found under Refusal wording.

Related content

The decision

Deciding applications where a false document has been submitted, and where deception has also been used

Applications to which Part 9 of the Immigration Rules applies:

- for out of country applications, where a false document has been submitted, you must refuse the application under Paragraph 320 (7A) of the Immigration Rules
- for in-country applications where a false document has been submitted, you
 must refuse the application under Paragraph 322 (1A) of the Immigration Rules

For both in and out of country applications, if you are satisfied that the applicant has also used deception you must fully explain this in the decision letter. This is because subsequent applications for entry clearance where Part 9 applies may also fall for refusal under Paragraph 320 (7B) which results in an up to a 10 year re-entry ban. You must also include a warning that subsequent applications may be refused where deception has been used in a previous application.

Applications made under Appendix V: Visits:

 for out of country and in-country applications, where a false document has been submitted, you must refuse the application under Paragraph V3.6 of Appendix V to the Immigration Rules

For both in and out of country applications, if you are satisfied that the applicant has also used deception you must fully explain this in the decision letter. This is because subsequent applications for entry clearance as a visitor may fall for refusal under Paragraph V3.7 of Appendix V, which results in an up to a 10 year re-entry ban. You must also include a warning that subsequent applications may be refused. where deception has been used in a previous application.

Applications made under Appendix Armed Forces:

• for **entry clearance** and **in-country** applications, where a false document has been submitted, you must normally refuse the application under Paragraph 9(a)(i) of Appendix Armed Forces to the Immigration Rules

For both in and out of country applications under Appendix Armed Forces, if you are satisfied that the applicant has also used deception, you must fully explain this in the decision letter as subsequent Appendix Armed Forces applications for leave to remain may also fall for refusal under Paragraph 322 (2). Entry clearance applications on this route may also fall for refusal under Paragraph 320 (7B) which results in an up to a 10 year re-entry ban. You must also include a warning that subsequent applications may be refused where deception has been used in a previous application.

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Applications made under Appendix FM:

- in entry clearance applications, where a false document has been submitted, you must normally refuse the application under Paragraph S-EC.2.2.of Appendix FM to the Immigration Rules
- in in-country limited leave to remain applications where a false document has been submitted, you must normally refuse the application under Paragraph S-LTR.2.2 of Appendix FM to the Immigration Rules
- in **in-country** indefinite leave to remain applications where a false document has been submitted, you must normally refuse the application under Paragraph S-ILR.2.2 of Appendix FM to the Immigration Rules

For both in and out of country applications under Appendix FM, if you are satisfied that the applicant has also used deception, you must fully explain this in the decision letter as subsequent applications for leave to remain under Appendix FM may also fall for refusal under Paragraph S-LTR.4.2 or Paragraph S-ILR.4.2. If the applicant leaves the UK and applies for entry clearance under a route to which paragraph 320 (7B) or V3.7 applies, the applicant may be subject to up to a 10 year re-entry ban. You must also include a warning that subsequent applications may be refused where deception has been used in a previous application.

Applications under private life rules (part 7 paragraph 276ADE(1)):

- it is not possible to make an entry clearance application under the private life rules
- in in-country limited leave to remain applications where a false document has been submitted, you must normally refuse the application under paragraph 276ADE (1)(i) with reference to paragraph S-LTR.2.2 of Appendix FM to the Immigration Rules
- in in-country indefinite leave to remain applications where a false document has been submitted, you must normally refuse the application under paragraph 276DE (c) with reference to paragraph S-ILR.2.2 of Appendix FM to the Immigration Rules

For applications under the private life rules, if you are satisfied that the applicant has also used deception, you must fully explain this in the decision letter as subsequent applications for leave to remain on the basis of private life may also fall for refusal under Paragraph S-LTR.4.2 or Paragraph S-ILR.4.2. If the applicant leaves the UK and applies for entry clearance under a route to which paragraph 320(7B) or V3.7 applies, the applicant may be subject to up to a 10 year re-entry ban. You must also include a warning that subsequent applications may be refused where deception has been used in a previous application.

Deciding applications where documents cannot be verified / verification results are inconclusive

For **visit visa** applications, you must take account of the fact that you were unable to verify the document as genuine when you assess the application and consider whether they should be interviewed before deciding their application. For more information, see Visit: genuineness and credibility.

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Under the **points-based system (PBS)** you cannot allocate the points if you have been unable to verify the document as genuine, as set out in the policy guidance on document verification for the relevant PBS route, available on <u>GOV.UK</u>. You must refuse the application because you were unable to award the relevant points for attribute to which the specified document relates. PBS attributes and specified documents are set out in <u>part 6A</u> of the Immigration Rules and the relevant appendices to the PBS rules such as <u>Appendix A - attributes</u>. You must clearly explain in the decision letter that:

- you have followed standard procedures to establish the genuineness of the document
- you were unable to establish that the document was genuine and so you have not taken into account the document
- the points cannot, therefore, be awarded for the attribute which the document relates to

You must accept the document at face value if:

- you checked the document under the 'other checks' rather than the 'verification checks' procedure set out in the points-based system migrant guidance for the route in question
- the result of the check is inconclusive

In **Asylum cases**, you must explain in your decision letter that you have been unable to verify the document and explain what weight you have given to that evidence t when making your decision. For more information on considering asylum applications, see the 'Assessing credibility and refugee status' section of the Asylum guidance.

Related content

Handling DVRs

It is not Home Office policy to automatically send a copy of the DVR with a refusal notice when an application has been refused on the grounds that a false document has been submitted.

If the applicant requests a copy of the DVR, you can give them a **redacted** copy of the report. This means removing the names of any individuals and their contact details from the DVR to ensure no information about third party contacts can be identified. Other sensitive personal data i.e. bank account details must also be redacted. For information on how to redact a document, see Redacting and sending electronic documents.

You must also ensure that the redacted version of the DVR is used for any litigation. It should not normally be necessary for the court to see redacted information such as the names of the personnel involved in producing it, order to assess this evidence. If the applicant has appealed the decision and a redacted document would serve no value in defending the appeal, a non-redacted DVR must be sent under closed cover using section 108 of the Nationality, Immigration and Asylum Act 2002.

Section 108 does not apply in judicial review (JR) proceedings. If you are dealing with a JR you can only disclose the redacted version unless you have permission from the information owner (the team which produced the DVR) to disclose redacted information. It will rarely be appropriate to disclose such information.

It is the caseowner's (the person currently managing the application or litigation resulting from the decision) responsibility to redact the DVR if required. You must also keep an unredacted version on file.

Related content Contents

Dealing with requests to review the decision on false documents/deception

You must not accept any requests to review a decision unless they are submitted in the correct way.

Where an applicant has a right of appeal, they must use the appeals process if they wish to challenge the decision. For further information, see the appeals guidance.

Where an applicant has a right of administrative review and wants the decision reviewed, they must make a review request by applying for administrative review. For further information, see the administrative review guidance.

Some applicants with neither a right of appeal nor administrative review may request a reconsideration of the decision. For more information on when you can accept a reconsideration request, see the reconsiderations guidance.

Related content

Deception – effect on future applications

If an application was refused because the applicant used deception, the effect that this will have on future applications depends on whether they next apply in or outside the UK and on the route under which they apply.

If the caseworker who considered a previous application found the applicant had used deception in that application by submitting a false document, you must consider how that impacts the current application:

- you must take account of the deception finding if the applicant did not challenge
 it or challenged it by exercising a right of appeal, administrative review or
 judicial review but was unsuccessful and the deception finding was upheld
- if the previous finding of deception was later withdrawn, or overturned by a court, you must not take it into account unless there is conclusive new evidence that deception was used
- if the previous decision maker was satisfied that the applicant had not used deception despite submitting a false document, then you must not consider previous deception as part of the current application unless there is new evidence that the applicant had used deception, such as:
 - the person who confirmed that the document was genuine have now been found not to be a credible witness, for example because they received payments from applicants for falsely confirming documents were genuine
 - the person who issued the document and claimed it was genuine has now been convicted of fraud relating to providing false documents for immigration purposes
 - o records of communications between the applicant and the person issuing the document which confirm the applicant knew it was false
 - o new evidence from the issuing authority that the document is false
 - new evidence that the person paid for the false document or was otherwise aware that it was false

Out of country applications

Out of country applications may be refused for up to 10 years on the basis of previous deception. Table 1 sets out the potential effect of a previous deception refusal on the next application.

Table 1- Out of country

Type of application	Refusal paragraph	Effect of deception in previous application in UK	Effect of deception in previous EC application
Visitor	Appendix V	Mandatory refusal	Mandatory refusal for 10 years from
	paragraph V3.7 with	for up to 10 years. Time period	date of application

Type of application	Refusal paragraph	Effect of deception in previous application in UK	Effect of deception in previous EC application
	reference to V3.9 and V3.10	depends on when/how applicant left UK	
Points-based system	Part 9 paragraph 320(7B)	Mandatory refusal for up to 10 years. Time period depends on when/how applicant left UK	Mandatory refusal for 10 years from date of application
Appendix FM	Not applicable	No provision in rules to take account of previous deception	No provision in rules to take account of previous deception
Private life	Not applicable	No provision in rules to apply for entry clearance on basis of private life	No provision in rules to apply for entry clearance on basis of private life
Appendix Armed Forces	Part 9 paragraph 320(7B)	Mandatory refusal for up to 10 years. Time period depends on when/how applicant left UK	Mandatory refusal for 10 years from date of application

In country applications

There is no time limit specified in the Immigration Rules for refusing in country applications on the basis of previous deception. Table 2 sets out the potential effect of a previous deception refusal on the next application. You must consider the proportionality of refusal on the ground of deception, taking account of whether there is a presumption of refusal (where the rule states that applications will normally be refused) or not (where the rule states that applications may be refused on this basis). For visit appellations, refusal on this ground is mandatory if you are satisfied that the applicant made a false representation in a previous application.

You can refuse the application in accordance with the relevant Immigration Rule set out in <u>Table 2</u> if refusal is discretionary but you are satisfied that:

- the applicant did make a false representation in a previous application
- it is appropriate to refuse the current application

For refusal wording, see Reasons for refusal wording.

For more information on general refusal grounds, see General grounds for refusal.

Table 2- In-country

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Type of application	Refusal paragraph	Effect of previous deception in UK	Effect of previous deception in EC application
Visitor	Appendix V paragraph V3.7 with reference to V3.9	Mandatory refusal	Mandatory refusal
Points-based system	Part 9 paragraph 322(2)	Discretionary refusal – application will normally be refused	Discretionary refusal – application will normally be refused
Appendix FM	LTR application: S- LTR4.3 ILR application: S- ILR4.3	Discretionary refusal – application may be refused	Discretionary refusal – application may be refused
Private life	LTR application: 276ADE (1)(i) with reference to S-LTR4.3 ILR application: 276DE (c) with reference to S-ILR4.3	Discretionary refusal – application may be refused	Discretionary refusal – application may be refused
Appendix Armed Forces	Part 9 paragraph 322(2)	Discretionary refusal – application will normally be refused	Discretionary refusal – application will normally be refused

Related content

Questions to ask when verifying a document

These are examples of the questions you might ask issuing authorities when seeking to verify a document:

• Banks:

- o does the account/branch exist?
- o is the applicant known to the bank?
- o is the balance correct?
- o is the statement genuine?
- o does the signatory work at that branch?
- o do the statement details match your records?

Educational Institutions (qualifications):

- o is [subject / qualification] offered by your institution?
- o did [Named Individual] attend your institution?
- o were they awarded [qualification]?
- o when were they awarded this qualification?

• Employers (previous employment / earnings):

- o did [Named Individual] work for you?
- o what was their job?
- o what were their dates of employment?
- o how many hours per week did they work?
- o what was their salary?
- o are the wage slips genuine?

Other government departments

If you need to verify claimed earnings on a document against tax records held by HM Revenue and Customs, see Her Majesty's Revenue & Customs.

Related content

Reasons for refusal wording

You may use the following refusal wording when refusing applications on the basis of false documents.

The wording has been separated out to align with the 3 part template for refusal decisions currently used in country. Out of country colleagues should use the wording in their templates.

Refusal wording for false document submitted with a current application

For the first page of 3 part template

Your application is [also] refused on the grounds that you have submitted false documents in relation to your application.

If applicable:

I am also satisfied you have used deception in submitting that false documentation.

The reasons for this decision are set out on the next page.

Contribution to 'What this means for you' if you make deception finding

I am also satisfied that you have used deception in this application. This means that future entry clearance applications may also be refused under the Immigration Rules for a period of up to **10 years**, depending on the type of application that you make. The period of 10 years starts from the date that the deception was used in this application for entry clearance/The period starts from the date you leave the UK following this refusal decision.

For part 2 of the template - reasons

You have submitted ## in support of your application. We have standard procedures for checking if a document is genuine. Having followed these procedures, I have confirmed with the issuing authority / from our own systems that the document you submitted is false.

[Explain as clearly as possible how you know that a document is false. Do you have a DVR? How much detail does it go into? Did you check our own systems? Is there an intelligence report?]

If applicable:

I am also satisfied that you have used deception in this application. I am satisfied that you knew the document[s] submitted were false because [insert reasons].

Discretion consideration and refusal wording – for Appendix FM/ Appendix Armed Forces cases only

I have carefully considered the circumstances of your case, including whether I should exercise discretion in your favour. I am satisfied that refusal is appropriate because [reasons including what evidence has been considered and why discretion is not exercised]. I therefore refuse your application.

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Wording to use when refusing an application due to previous deception

First page of 3 part template

Your application is refused because you used deception in a previous application.

The reasons for this decision are set out on the next page.

Contribution to 'What this means for you' if you make deception finding I am also satisfied that you have used deception in a previous application. This means that future entry clearance applications may also be refused under the Immigration Rules for a period of up to 10 years, depending on the type of application that you make. The period of 10 years starts from the date that the deception was used in your application for entry clearance/The period starts from the date you leave the UK.

For part 2 of the template - reasons

On [date] you made an application for [insert details]. You submitted [specify document] in support of that application.

We have standard procedures for checking if a document is genuine. Having followed these procedures, we confirmed with the issuing authority / from our own systems that the document you submitted was false.

[Explain as clearly as possible the basis for the previous finding that a false document was submitted. Then you must explain why you are satisfied that deception was used, using the relevant paragraphs below.]

If the previous decision included a deception finding, include the following:

The entry clearance officer/case worker who considered your application was satisfied that you used deception in your previous application. They were satisfied that you knew the document[s] submitted in relation to your application were false because [insert reasons].

If applicable – applicant has supplied further evidence or information about the deception finding

I have carefully considered the explanation/evidence which you have provided about your previous application. I am satisfied that the previous decision was correct because [explain why new evidence does not alter previous findings. If applicable and the person had a right of challenge against previous refusal, point out that the applicant could have produced the evidence in that context.]

If applicable – when you are making a new deception finding

I am satisfied that you knew the document[s] submitted were false because [insert reasons].

I am therefore satisfied that you have used deception by making a false representation in your previous application.

Discretion consideration wording

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I have carefully considered the circumstances of your case, including whether I should exercise discretion in your favour. I am satisfied that refusal is appropriate because [reasons including what evidence has been considered and why discretion is not exercised]. I therefore refuse your application.

Related content

Granted applications

For discretionary refusals, if you decide to exercise discretion and grant the application when the applicant has submitted a false document or used deception, you must explain in the case notes why you are exercising discretion.

You must use the '<u>reasons</u>' wording from the refusal template in your decision letter, to explain why you are satisfied that a false document has been submitted and, if applicable, a false representation has been made.

Then include the following wording:

'I have carefully considered the circumstance of your case. On this occasion I have exercised discretion in your favour and decided to grant your application despite the fact that you have submitted a false document/used deception.

This does not imply that the same discretion will be exercised in your favour in future applications.

Future applications will be considered on their merits and the Home Office will take into account all relevant facts including those relating to this application.'

For entry clearance offices who do not issue a decision letter when granting entry clearance, you must provide the above information in a separate letter.

Related content