



Home Office

**The Home Office response to the
Independent Chief Inspectors of Borders
and Immigration's report:
An Inspection of the Right to Rent scheme**

August – December 2017

The Home Office thanks the Independent Chief Inspector of Borders and Immigration for his report.

The Home Office covers three systems: Homeland Security, Public Safety and Borders, Immigration and Citizenship (BICS). These systems work collaboratively to deliver our cross-cutting priorities, whilst providing increasingly efficient and secure services for the public.

The Compliant Environment, which deters and prevents immigration offending and protects public and private services from abuse through a rounded package of incentives, interventions and sanctions, is an integral part of the BICS Business Plan.

Immigration Enforcement has primary responsibility within the Home Office for driving the Compliant Environment. Interventions and Sanctions Directorate, within Immigration Enforcement, is responsible for the roll-out of the 'Right to Rent' scheme – a key Compliant Environment measure.

But the Home Office cannot deliver the step change needed in the Compliant Environment alone. As well as building on the substantial progress we have made with other government departments, we must embed the Compliant Environment in public and private sector organisations so that it becomes part of their business as usual model to ensure people have the necessary permissions to access services and employment in the UK.

A substantial programme of work is being developed to strengthen the Compliant Environment. Our aim is to scale up current capabilities, powers and infrastructure, underpinned by a roll out of digital documents and status checking, and supported by a targeted and ambitious engagement strategy. Our response to the findings of this ICIBI report should be seen against this wider strategic backdrop.

The Home Office accepts two of the recommendations made by the Chief Inspector, partially accepts one and rejects one. We will incorporate the Chief Inspector's findings into our ongoing work to maximise the impact of the Compliant Environment, exploiting the use of sanctions to disrupt immigration offender's ability to lead a settled life unlawfully in the UK.

The Home Office response to the recommendations:

- 1. Produce a SMART Action Plan to ensure that all areas of the Home Office that need to understand fully and engage with Right to Rent measures in order for them to work as effectively and efficiently as possible are briefed, trained, supported, and have appropriate**

performance measures/targets in place, backed up by quality assurance checks.

- 1.1. **Accepted.**
- 1.2. Our programme of work to strengthen the Compliant Environment includes a comprehensive action plan and engagement strategy. This will set out systematically the work required to embed the Compliant Environment and its constituent measures, including the Right to Rent scheme.
- 1.3. As identified in the Chief Inspector's report, we have already successfully delivered training on Right to Rent measures to over 800 operational staff and have extended the reach of the training to staff across Immigration Enforcement and UK Visas and Immigration. We will continue to deliver a regular cycle of training and refresher training across the Home Office and will monitor the impact to ensure the measures become part of business as usual.
- 1.4. Work is underway to build on our current performance framework, ensuring there are bespoke performance measures in relation to the Right to Rent scheme.
- 1.5. We will review the quality assurance measures in place to ensure they continue to be meaningful and new measures will be introduced where required. We welcome the Chief Inspector's acknowledgement of the work already undertaken on assurance. We will continue our work in this area to ensure integrity of the Right to Rent scheme.
- 1.6. The action plan will be owned, developed and co-ordinated by the Compliant Environment Programme Board, which will provide support and challenge to all project leads.

2. Engage with other central government departments and agencies, and with Local Authorities, the police and other local agencies, to produce a multi-level England-wide strategy for the deployment of Right to Rent measures, including specific multi-agency actions such as Operation LARI.

- 2.1 **Accepted.**
- 2.2 As set out in para 1.2 above, a scaled-up engagement strategy is being developed as part of our overall programme of work to strengthen the Compliant Environment. Our aim is to deliver a step change in the approach of partners so that all see tackling immigration offending, including access to private rental accommodation without entitlement, as part of their responsibility, as opposed to an isolated function of the Home Office.

- 2.3 Engagement involving Ministers, officials and Interventions and Sanctions Directorate's local partnership managers will be delivered through targeted bi-laterals, multi-laterals, partner summits, and sustained communications campaigns.
- 2.4 Preventing access to Private Rental accommodation without entitlement will form a key theme of the engagement strategy. It will seek to coordinate cross-government opportunities to tackle rogue landlords and prevent illegal migrant access to the private rental sector, supporting Controlling Migration Fund initiatives.
- 2.5 The Chief Inspector has acknowledged the pre-existing joint working arrangements between Immigration Compliance and Enforcement teams and partner agencies, and the ability of these teams to tackle other areas of abuse or safeguarding issues identified in the course of their work.
- 2.6 In collaboration with Local Authorities, Immigration Enforcement is undertaking targeted local activity to combat the effects of illegal immigration, which increase pressures on communities. We will continue to look for additional ways to build on this cooperation through the Controlling Migration Fund.
- 2.7 Building on the success of Op LARI in May 2017, further multi-agency operations involving cross government data-sharing are planned for 2018. This work with partners focuses specifically on Right to Rent measures and supporting partners to utilise their powers to tackle rogue landlords and wider abuse within this sector.
- 2.8 We are undertaking a national review of Immigration Enforcement's engagement with law enforcement partners and other stakeholders. We will work with our key partners to identify areas where collaborative working will enhance our ability to reduce the size of the illegal population and the harm it causes, and target the engagement where we can achieve the most mutually beneficial outcomes. For Immigration Enforcement, this will increase our reach through our collaboration with law enforcement partners, enabling us to successfully deliver our missions, achieve more Immigration Enforcement outcomes from our engagement, and better manage vulnerable people through our systems. For our partners, the specialist powers and knowledge that Immigration Enforcement can bring will enhance their capability, reduce the overall demand on partners and help them manage vulnerable cases.

3. Recognise that the success of Right to Rent measures relies on private citizens more than public authorities by creating a new 'Right to Rent Consultative Panel', inviting Landlords Consultative Panel (LCP) members and stakeholders concerned with the rights and interests of migrants who were not previously LCP members to join. The remit of the new Panel should include raising and agreeing how to tackle issues and concerns about the working of the Right to Rent measures. Minutes of meetings and outcomes should be published on GOV.uk.

3.1 Not Accepted.

- 3.2 While we reject the call to create a new Right to Rent consultative panel at this time, the Home Office will instead reconvene the existing Landlords Consultative Panel for the rest of 2018. The objectives of the existing panel will address the Chief Inspector's recommendation in full, including how to secure wider engagement with private citizens/landlords.
- 3.3 The Panel will work together to focus on improving the communications efforts with landlords regarding the scheme. The Panel will examine how to drive up landlords' compliance with the scheme and work on improving the existing guidance for landlords on avoiding unlawful discrimination. The Panel will also be invited to comment and assist us in shaping the action plan.
- 3.4 We will continue also to explore different channels of communication and feedback through engagement at the local level, such as at local authority led landlords' events.
- 3.5 We wish also to point to the fact that we engage with stakeholders in Scotland, Wales and Northern Ireland through separate fora.

4. With the new Consultative Panel, develop and make public plans for the monitoring and evaluation of the Right to Rent measures, including (but not limited to) the impact of the measures (where appropriate alongside other "CE measures") on "illegal migrants", on landlords, and on racial and other discrimination, exploitation and associated criminal activity, and homelessness.

4.1 Partially Accepted.

- 4.2 While we do not consider that a new Consultative panel should be formed, we accept the benefits of further monitoring and evaluation of the Right to Rent measures. As a result, the Home Office will:

Continue to monitor key related indicators including homelessness figures and levels of landlord non-compliance (i.e. numbers of civil penalties and prosecutions). It will also explore how best to further assess awareness and take up of the scheme to fill gaps in understanding.