



An Inspection of Border Force Operations at Stansted Airport

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Independent Chief Inspector of
Borders and Immigration

An Inspection of Border Force Operations at Stansted Airport

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Foreword

Stansted is the UK's fourth largest airport (after Heathrow, Gatwick and Manchester) and Europe's busiest single terminal airport. In the year to September 2016, it handled 24 million passengers (arrivals and departures).

Stansted airport was inspected by my predecessor in 2013. Since then, I have inspected Heathrow, Gatwick and Manchester airports. The findings and recommendations from those previous inspections informed the scope of this inspection, the focus of which was Border Force's immigration and customs functions at Stansted. This included the use of e-Passport gates. In June 2016, Stansted went from 15 to 30 gates, which at that time was more than any other UK airport.

Stansted's owners, Manchester Airport Group (MAG), are planning to make extensive improvements to the airport, including building a second terminal building. The intention is to have one terminal for arrivals and another for departures, which will be unlike any existing UK airport. While these plans are noted within my report, they are not explored in detail as, at the time of the inspection, they did not materially affect Border Force's current operations. As those plans develop, Border Force's preparations and readiness to respond to the major changes they will entail are a likely topic for a further inspection.

During this inspection, as is customary, inspectors spent time at Stansted observing Border Force in action, and interviewing and holding focus groups with staff. The report reflects their views as expressed. It also reflects the views of Border Force management, informed by the results of the most recent (2017) People Survey. It is fair to say that these views differ substantially on some key points.

Whether the People Survey results are a more reliable indicator of staff engagement than the views expressed to inspectors, which is Border Force's contention given that two-thirds of Stansted staff responded to the Survey, the comments made to inspectors point to the fact that Border Force management has more to do to connect with some members of its Stansted team.

The report contains 9 recommendations for improvement. Those in relation to communication and the provision of training are most relevant in terms of further improving staff engagement at Stansted.

This report was sent to the Home Secretary on 1 February 2018.

David Bolt

Independent Chief Inspector of Borders and Immigration

1. Purpose and Scope

- 1.1 This inspection examined the efficiency and effectiveness of Border Force operations at Stansted Airport, covering both its immigration and customs functions.
- 1.2 The inspection focused on:
- workforce planning and management, including:
 - ensuring the number and type of officers deployed are sufficient to meet Border Force's objectives
 - internal communication and engagement with operational staff
 - strategic planning in relation to increasing passenger traffic and plans to develop a new arrivals only terminal
 - the quality and consistency of immigration and customs decision making and casework, including:
 - decisions to refuse or grant leave to enter
 - decisions to grant Temporary Admission
 - detention for further examination
 - the selection of passengers for customs examination
 - searches of person
 - enforcement of the law in relation to controlled goods
 - the e-Passport gates, specifically:
 - their impact on Border Force's effectiveness and efficiency in dealing with passenger volumes
 - risk management in relation to the safeguarding of vulnerable adults and minors aged 12-17
 - assurance and record keeping, including progress towards delivering improvements identified in previous inspections and assurance visits

2. Methodology

2.1 Inspectors:

- on 13 September 2017, made a familiarisation visit to Stansted Airport
- reviewed the findings and recommendations from:
 - the 2013 ICIBI inspection of Stansted Airport¹
 - the ICIBI's 2016 inspections of Manchester Airport and Gatwick Airport, and re-inspection of Heathrow Airport
 - Border Force Operational Assurance Directorate's 2015 and 2017 'Spot Checks' of Stansted
- reviewed open source material and documentary evidence provided by Border Force, including:
 - policies, instructions and guidance available to Border Force officers at Stansted Airport²
 - internal Border Force documents, including:
 - Border Force Business Plan 2015-2018
 - Border Force Control Strategy 2017
 - Strategic Risk Summary
 - Border Force Operating Mandate
 - Border Force Immigration Guidance
 - Customs Guidance
 - Assurance Checks (Scheme of Control)
 - material published on GOV.UK
 - performance data and management information from 2015 to date
- examined 100 randomly-selected case files and records from the period 1 January 2016 to 31 July 2017
 - 40 refusals of leave to enter after the passenger was required to submit to further examination (issue of form IS81) at the immigration controls (including cases involving Temporary Admission and detention)
 - 30 grants of leave to enter (as above)
 - 30 detections of customs controlled goods/substances resulting from targeted and non-targeted activity

¹ See Annex A

² A mixture of publicly available documents (at GOV.UK) and internal Home Office documents

- examined 6 immigration cases from the same period where an initial check on Case Information Database (CID) suggested record-keeping concerns
- sought the views of relevant stakeholders, including:
 - airline operators (via a survey, asking for comments on Border Force's performance at Stansted)
 - Manchester Airport Group (MAG), owners of Stansted Airport
 - Essex Police and Essex Counter-Terrorism Command
- were onsite at Stansted between 5 and 10 November 2017 to:
 - observe the immigration and customs controls
 - interview and hold focus groups for Border Force officers from Assistant Officer to Deputy Director
- interviewed the relevant Border Force Regional Director
- presented the high-level emerging findings to the Home Office on 22 November 2017

3. Summary of conclusions

- 3.1 Low morale and poor staff engagement have been consistent themes in previous airport inspections, including the previous inspection of Stansted in 2013. From interviews and focus groups with staff at Stansted, inspectors found that this was true of some frontline staff. However, Border Force management pointed to the 2017 People Survey, which indicated that staff engagement at Stansted was higher than the Border Force average and had improved since the previous year's Survey.
- 3.2 The main complaint from frontline staff was that they were not able to access skills training, especially the nationally-managed "Core Skills" training required for different Border Force roles. As well as impacting morale, particularly where staff believe that Border Force has failed to deliver on promises made to them about developing them as "multi-functional officers" and providing job variety, the failure to provide skills training has created inflexibilities in terms of how staff can be deployed. This is inefficient and damaging to Border Force's operational effectiveness. It therefore needs to be dealt with as a priority.
- 3.3 Figures provided for January to September 2017 showed staff turnover ("churn") at Stansted to be high. The inspection did not look at staff turnover at other airports, so is unable to say how Stansted compares. In June 2017, Stansted had introduced exit interviews to try to understand why staff were leaving. At the time of the inspection, there had been too few of these interviews to draw any firm conclusions, but it is important that Border Force learns quickly from them and takes appropriate action. Meanwhile, as of January 2017, a plan was put in place to recruit ahead of known departures. This was sensible, but was too slow to take off and needed to be accelerated (accepting that absorbing, training and mentoring new staff creates its own challenges) or it may still not be enough.
- 3.4 A number of staff told inspectors that they felt "undervalued". The Stansted senior management team (SMT) had put in place "a range of engagement measures" which it believed had contributed to the increased staff engagement score. The SMT pointed to a number of improvements made as a result of staff feedback.³ However, the message from focus groups and interviews with Stansted staff was that internal communications needed to improve, including providing staff with an effective means of upward communication and demonstrating that managers not only welcome this but are prepared to act on the feedback they receive.
- 3.5 As at other airports,⁴ Stansted has a cadre of contract staff, the "Seasonal Workforce (SWF)", that it can call on when required. The SWF are trained to work only on the immigration control desks, including the monitoring of the e-Passport gates. At Stansted, a number are retired police officers who bring transferable skills and experience, particularly in terms of talking to and dealing with the public, that enhance Border Force's effectiveness.

³ The examples given were "increasing break times from 10 to 15 minutes; ordering chairs and equipment for staff areas and kitchen; progressing kitchen refurbishment; delivering forgery re-fresh training to Seasonal Workforce; putting fans on desks; obtaining more controlled landing stamps for the Primary Control Point; raising issues with Manchester Airport Group.

⁴ See 'Inspection-report-on-border-force-operations-at-gatwick-july-2017'; <https://www.gov.uk/government/publications/inspection-report-on-border-force-operations-at-gatwick-july-2017>

- 3.6 Data provided by Border Force, and observations by inspectors, pointed to a heavy reliance on the SWF to populate each shift. While the original intention was that the SWF would be deployed at peak periods, the description “seasonal” is now misleading. Inspectors were told of managers’ intentions to recruit sufficient permanent staff at Stansted to reduce the reliance on the SWF. In the short-term, however, there is an argument for making even greater use of the SWF to release existing permanent staff for skills training, which Stansted had already done to some extent.
- 3.7 It is in the interests of both Border Force and the airport operator to maximise the use of e-Passport gates by eligible passengers. For the former, the gates are a means of processing (for immigration purposes) large numbers of “low-risk” passengers with fewer staff, and for the latter it is a way of minimising queuing times, especially in light of plans to expand the airport.
- 3.8 Home Office data showed that e-Passport gate usage at Stansted had increased steadily between January 2015 and July 2017. In June 2016, Stansted went from 15 to 30 gates, which at that time was more than any other UK airport. Staff at Stansted told inspectors that without the e-Passport gates Stansted would “fall over”.
- 3.9 Between 20 January and mid-October 2016, Border Force trialled the use of e-Passport gates by 12 to 17 year olds. Stansted was 1 of 2 airports to run the trial (the other was Glasgow). The trial was evaluated as a success. It was rolled out nationally from 11 October 2016. Between April and August 2017, at Stansted 127,018 eligible 12 to 17 year olds used the e-Passport gates.
- 3.10 At Stansted, Border Force manages the e-Passport gates with a “Roving Officer”⁵ stationed airside, whose role is the safeguarding of passengers,⁶ and “Monitoring Officers” sat (or standing) at desks positioned beyond the gates, who each monitor 2 screens, each screen displaying 3 images concurrently for each of 5 gates.
- 3.11 During observations (5 to 10 November 2017) inspectors confirmed that there was a Roving Officer on duty at all times, and were told that it was a priority for the operational shift manager (normally a Border Force Higher Officer) to ensure that this was the case.
- 3.12 Inspectors were also told that during the 12 to 17 year old trial staff performing the Roving Officer role at Stansted had voiced their concerns that 1 Roving Officer was not enough when all of the e-Passport gates were in operation. Based on the safeguarding function the Roving Officer is expected to perform, the distractions in the form of general passenger enquiries, and the configuration of the arrivals hall and number of e-Passport gates, these concerns appear entirely justified.⁷
- 3.13 According to guidance current at the time of the inspection, the Monitoring Officer is required to take positive action to open the gate for a 12 to 17 year old (by responding to a pop-up “age warning” message).⁸ Border Force guidance for Monitoring Officers stresses that they too have a safeguarding role and should not open the gate if they have “concerns”. However, as they are

⁵ A ministerial condition of the use of e-Passport gates for 12 to 17 year olds was that that a “Roving Officer” is deployed at all times when the gates are in use.

⁶ Border Force issued a “Roving Officer” role description in March 2016. The Roving Officer’s core responsibility is to provide safeguarding functions, including discharging obligations in line with section 55 of the [Borders, Citizenship and Immigration Act 2009](#) (welfare of children). The Roving Officer should also monitor behavioural indicators and body language of arriving passengers, in line with the [Border Force Operating Mandate](#), to identify passengers of any age approaching the e-Passport gates who may merit further examination.

⁷ Commenting on the draft report, Border Force stated “When all 30 e-Gates are open there are always two Roving Officers present. One officer is stationed towards the rear of the single queue and the other roams the vicinity near the gates themselves.” During the time that inspectors were on site, there was no occasion when all 30 gates were open.

⁸ Commenting on the draft report, Border Force stated that “The Monitoring Officer at Stansted will not see a pop-up warning message unless the child is under 12 years of age.” It reported that Children are assessed by Roving Officers, dependent on intelligence and risk factors, and only allowed to proceed to the e-Gates if they are accompanied by an adult and not considered at risk.. “Should a child under 12 attempt to use the gates they will be automatically rejected and referred for manual processing”.

unable to interact directly with passengers using the e-Passport gates, it is unclear how they are expected to perform this safeguarding role effectively.

- 3.14 Inspectors noted a marked contrast with the manned immigration control desks, where staff routinely interacted with children and young persons, drawing on a safeguarding aide memoire prompting them what to ask and how. From observations, however, staff found it more difficult to identify when an adult required safeguarding.
- 3.15 Stansted had built a team of 37 trained Safeguarding and Trafficking (SAT) officers, at least 1 of whom should be on duty on each shift, although they were not “ring-fenced” to “floor-walk” and look out for vulnerable adults and children, or for colleagues who needed assistance. Inspectors witnessed team members providing advice to colleagues operating the immigration control desks, which was clearly valued by those without the specialist training.
- 3.16 The resourcing of customs work was identified as a concern in the previous inspection of Stansted, and is routinely raised by staff during Border Force inspections. At Stansted, the freeing up of resources made possible by the increase in e-Passport gates had contributed to the reintroduction of specialist customs teams. Data for 2015 to July 2017 showed that customs detections fluctuated, with no discernible pattern or obvious relationship to the resources deployed.
- 3.17 The customs teams working with freight and fast parcels told inspectors that they were hampered by a lack of suitable detection equipment, for example to test and identify controlled substances. Having created these teams, Border Force needs to ensure that they have the tools to operate efficiently and effectively.
- 3.18 Border Force aims to be intelligence-led. Stansted receives intelligence alerts from the National Border Targeting Centre (NBTC) in relation to arriving passengers and flights. Staff were generally critical of the quality of alerts, and also of their timeliness. For staff on the immigration controls last-minute alerts were sometimes issued on slips of paper, which were awkward to manage, especially for the “Monitoring Officers”.
- 3.19 In the case of fast parcels, until 2015 Stansted maintained its own rules-based profiles, from which they generated their own targets. This function was centralised to the fast-parcel hub at East Midlands Airport, which now generates alerts and targets for itself and for Stansted. Staff at Stansted told inspectors that, initially, this change had resulted in a “collapse” in seizures. They believed that their previous system had been much more effective. Senior managers acknowledged that there had been difficulties, but said that more recently performance was on “an upward curve”.
- 3.20 Inspectors examined a randomly-selected sample of immigration case files and customs records to assess the quality of immigration and customs decisions made at Stansted. In too many instances, they found that the audit trail for decisions and actions was incomplete, with forms not meeting the required standards.
- 3.21 The absence of an effective assurance regime was highlighted in the previous inspection of Stansted. Since then, Border Force Operational Assurance Directorate (OAD) had issued the ‘Border Force Assurance Standards (Scheme of Control)’, specifying the assurance checks managers are required to complete. Home Office data indicated that Stansted had completed 6,761 assurance checks between October 2016 and June 2017, and had missed only 25 of the required checks during this period. From the completed checks, 233 issues had been identified.⁹

⁹ Commenting on the draft report, Border Force stated that “The port had records of the issues and any follow up remedial action”. Inspectors did not examine these records.”

- 3.22 On the face of it, Stansted had therefore got on top of assurance. However, the findings from OAD “Spot Checks” (the most recent in July 2017), and from inspectors’ examination of case files and records, and focus groups and interviews, painted a quite different picture. As well as poor record keeping, this identified missed assurance checks that were not recorded, and signed assurance forms relating to documents that were not on file.
- 3.23 Staff told inspectors that the assurance process at Stansted was “a tick-box exercise” and of little value, and managers agreed that the robustness of the assurance work was “questionable”. There was general agreement that Border Force Higher Officers, who should be responsible for assurance checking, were often too busy ensuring that the controls were working properly.

4. Recommendations

The Home Office should:

In relation to resourcing and training:

1. Review the Stansted “staffing formula” and ensure overall numbers, including the “Seasonal Workforce”, are sufficient to enable permanent staff to be released for skills training, and allow for newly-trained staff to be mentored to become fully competent in those skills.
2. Support and encourage permanent staff to become “multi-functional officers”, ensuring that those who wish to do so are able to access places on all 3 “Core Skills” training courses within a reasonable timescale of joining Border Force Stansted.
3. Provide appropriate training and support for newly-promoted Border Force Higher Officers to enable them to become fully-effective managers in the minimum time.

In relation to staff engagement:

4. Produce an improvement plan for internal communications at Stansted that reduces the reliance on email, ensures ‘top down’ messages reach and are understood by all affected staff, and that staff have a means of communicating upwards that is seen to be effective.

In relation to e-Passport gates:

5. Ensure that sufficient “Roving Officers” are deployed at Stansted to discharge fully Border Force’s responsibilities for safeguarding passengers, both adults and children, in particular when 15 or more of the e-Passport gates are in use.
6. Review the guidance to “Monitoring Officers” regarding their safeguarding responsibilities and produce workable advice on how they are to satisfy themselves that a child or young person, or vulnerable adult, does not require them to take safeguarding action. This recommendation is not restricted to Stansted.

In relation to decision making and record keeping:

7. Ensure that all Border Force staff at Stansted, including the “Seasonal Workforce”, understand the need for, and are allocated sufficient time to produce, an accurate and detailed record of their decisions and actions when exercising immigration and customs functions, including their reason(s) and justification(s) for their decisions and actions.
8. Review operational guidance in relation to entry clearance and Temporary Admission and provide a steer (with examples) to Border Force officers at the immigration controls on how to interpret “compelling compassionate circumstances”, also putting in place assurance checks to ensure that there is an appropriate degree of consistency in how this judgement is being applied across all ports and airports.

In relation to assurance:

9. Review the assurance regime at Stansted and relaunch it so that it is no longer regarded as a “tick-box exercise” with little value, ensuring that those responsible for completing assurance checks are allocated sufficient time to carry them out effectively, and that the lessons learned are fed back to staff, including on an individual basis where appropriate.

5. Background

Border Force

5.1 Border Force is a law enforcement command within the Home Office with responsibility for securing the UK border by carrying out immigration and customs control functions for people and on goods entering, and in some cases, leaving the UK.

5.2 Border Force's 'Business Plan 2017-2021'¹⁰ sets out its "Vision, core purpose and missions". It states:

"The Border Force vision is to **be the best Border Force in the world** with a core purpose to **secure the border, protect individuals, and promote national prosperity**. To achieve this vision and deliver against its core purpose Border Force will pursue three missions...

Mission 1: Improve capability to respond effectively to changing threats; detect, deter and disrupt harm; and protect the vulnerable.

Mission 2: Support prosperity through the facilitation of trade and travel by an efficiently run operation.

Mission 3: Invest in staff to raise engagement in Border Force's mission, further strengthen core law enforcement skills and assist partnership working."

5.3 Border Force aims to be 'intelligence-led'. The Border Force Control Strategy¹¹ supports this intelligence-led approach. It assesses the threats and risks¹² at the border. Senior managers use the Control Strategy, together with current intelligence from Border Force Intelligence Directorate, to target resources towards the greatest identified risks.

Stansted Airport

5.4 Stansted is the UK's fourth largest airport (after Heathrow, Gatwick and Manchester) and Europe's busiest single terminal airport. In the year to September 2016, it handled 24 million passengers (arrivals and departures). In 2017, the ratio of UK to non-UK passengers¹³ was roughly 50:50. 90% of all passengers were either UK or EEA nationals.

5.5 The airport is permitted to schedule arrivals and departures on a 24 hours a day, 365 days a year basis, but operates a night flight quota system with restricted aircraft movements between 11:30pm and 6:00am. It has developed into a hub for leading low cost airlines, serving more European destinations than any other UK airport.

¹⁰ An internal Home Office document

¹¹ The Control Strategy is a component of the National Intelligence Model (NIM). Its primary purpose is to provide a framework for assessing and prioritising areas of responsibility to assist in decision-making and resource allocation. The Border Force Control Strategy is a protectively marked document.

¹² 'Threat' is the capability of those involved in planning and or carrying out an event. 'Risk' is the likelihood and impact of an event.

¹³ <http://www.stanstedairport.com/about-us/london-stansted-airport-and-mag/facts-and-figures/>

- 5.6 The airport is owned by Manchester Airport Group (MAG), a publicly-listed company comprising 3 major shareholders; IFM Investors and Manchester City Council each own 35.5%, while 9 other Greater Manchester Councils own the remaining 29%.¹⁴
- 5.7 MAG plans to make extensive improvements to Stansted, including a £130 million investment in a new terminal building. Once built, the intention is to have one terminal for arrivals and another for departures, which will be unlike any existing UK airport. This will herald further significant expansion, with plans to acquire new routes, including to the USA and Middle East.¹⁵
- 5.8 Figure 1 shows the carriers operating at Stansted at the time of the inspection:

Figure 1: Carriers operating at Stansted Airport (November 2017)	
Commercial Passenger	Cargo
Air Moldova	Asiana Cargo
Arkia	ASL Airlines Belgium
Atlasglobal	Astral Aviation
Aurigny	CargoLogicAir
Balkan Holidays	Cargolux
BMI Regional	Cargolux Italia
British Airways	China Southern Cargo
Cobalt	Etihad Cargo
easyJet	FedEx Express
Eurowings	Martinair
Flybe	Panalpina
Freebird Airlines	Qatar Airways Cargo
Jet2.com	Royal Mail
Loganair	Turkish Airlines Cargo
Pegasus Airlines	UPS Airlines
Primera Air	
Ryanair	
Thomas Cook Airlines	
Thomson	
Titan Airways	
WOW air	

¹⁴ <http://www.magworld.co.uk/magweb.nsf/Content/AboutUsAndOurAirports>

¹⁵ <http://www.airportwatch.org.uk/2017/04/stansted-airport-announces-new-130m-arrivals-terminal-to-be-completed-by-end-of-2021/>

Border Force at Stansted Airport

- 5.9 Border Force has 5 regional commands. Stansted Airport is part of Border Force Central Region, which has approximately 1,200 staff, and includes Luton and East Midlands airports, Coventry and Langley Postal Hubs and numerous general aviation sites, plus east coast seaports from Tilbury to Felixstowe.
- 5.10 For 2016-17 and 2017-18, Stansted had an agreed staffing allocation of 199 FTE.
- 5.11 In practice, Stansted has not had 199 permanent staff at any point during this period. However, it has had a cadre of contract staff (referred to as the Seasonal Workforce (SWF)) that it can call upon, when required, to work exclusively on the immigration controls.

6. Inspection Findings – The workforce

Staff turnover

- 6.1 At the end of July 2017, Stansted had 178.53 FTE permanent Border Force staff in post, against the agreed staffing allocation of 199 FTEs. Between January and September 2017, according to data provided by the Home Office, 44 permanent staff left and 37 joined – see Figure 2. There were also 9 internal promotions.

Figure 2: Stansted Border Force permanent staff leavers and joiners January – September 2017

Month	Leavers	Joiners
January	5	4
February	3	1
March	6	5
April	9	8
May	6	3
June	2	3
July	6	3
August	6	5
September	1	5
Total	44	37

- 6.2 Border Force told inspectors of plans to recruit permanent staff for Stansted during the second half of 2017-18 – see Figure 3.

Figure 3: Stansted Border Force planned leavers and joiners October 2017 – February 2018

Month	Leavers	Joiners
October	6	11
November	-	-
December	-	-
January	-	11
February	-	6
Total	6	28

Understanding why staff leave

- 6.3 In June 2017, Border Force introduced exit interviews for staff leaving Stansted. At the time of the inspection, there had been too few of these to draw any meaningful conclusions about the reasons.¹⁶

The 'churn' effect

- 6.4 The 'churn' created by staff leaving and joining has a number of consequences, the most obvious of which is the loss of experience. This can have a knock-on effect on capability, flexibility and performance, putting a strain on experienced staff and on managers. It also increases the demand for training, and makes shorter and longer-term planning more difficult.

Workforce planning

- 6.5 In its Risk Register, Border Force Stansted had recognised insufficient staff numbers and 'churn' as high risks in terms of public protection, operational delivery of objectives, finances and reputation. Its contingency plans emphasised increasing Primary Control Point (PCP)^{17,18} resources by taking staff from other areas of the business.
- 6.6 The April 2016 version of the Risk Register mentions the "over-programming" of recruitment as a possible mitigation action. Inspectors were told this reflected a change of approach by Border Force Central Region, which intends to have new recruits ready to deploy as staff leave. In this way, it expects there to be far fewer occasions when staff numbers at Stansted fall below target levels, and less reliance on contract staff (the "Seasonal Workforce (SWF)").

Seasonal Workforce

- 6.7 The SWF at Stansted, which at the time of the inspection totalled 79, comprised mostly retired police officers, with some former immigration and customs officers.
- 6.8 The original intention behind the 'recruitment' of a SWF cadre (at Stansted and at other ports and airports) was to provide additional resources for the immigration controls at peak periods. The training given to the SWF reflects this. It equips them to work only on an immigration control desk or as a monitor for the e-Passport gates.
- 6.9 Some permanent staff, along with some SWF, described it as "an expensive fix" for more general staffing shortfalls.

Rostering

- 6.10 Managers made use of the "Dynamic Resourcing Tool" (DRT)¹⁹ to roster staff to match the expected passenger flow, based on data from carriers for passenger numbers on the equivalent

¹⁶ In January 2018, Border Force reported that "data showed that from Jan 2016, 20 of the 80 leavers were transferred to other ports within the region, 7 left on promotion, 12 retired, 2 took career breaks, 5 were dismissed, 3 left because of ill health and 1 member of staff had died. Of the 13 who resigned 7 were involved in the Apprenticeship Scheme but failed to complete the course.

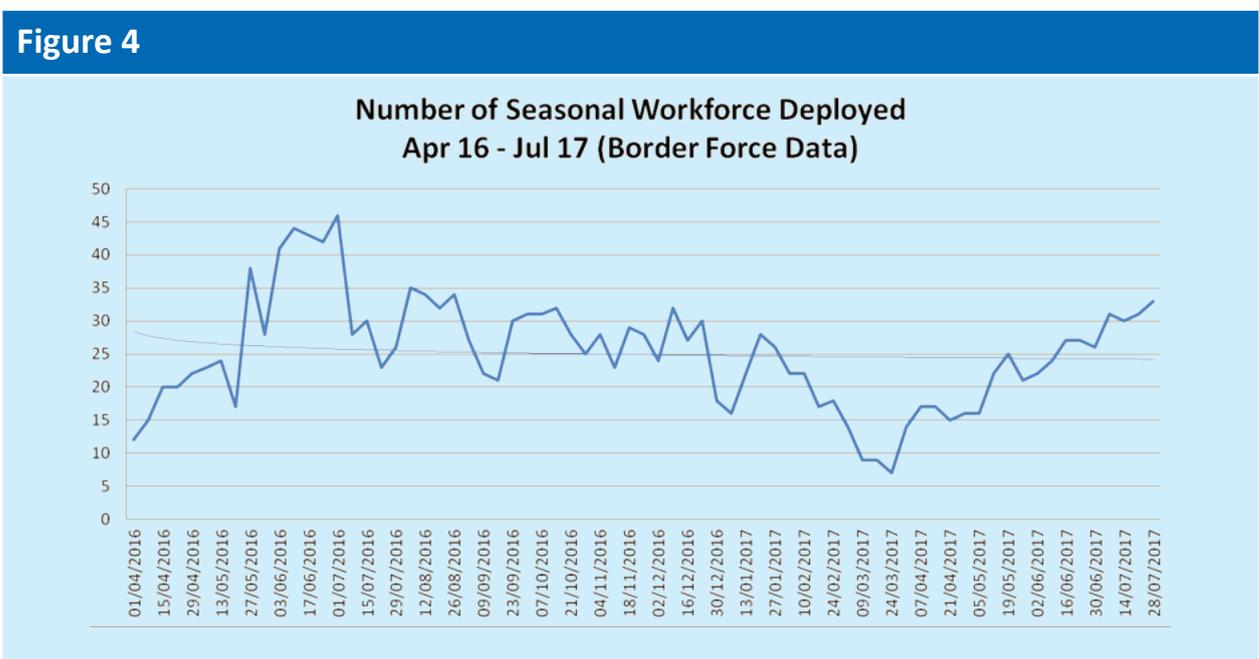
¹⁷ The Primary Control Point is the immigration control and comprises the manned immigration control desks and the e-Passport gates. In this particular instance PCP is used to denote the manned desks.

¹⁸ At Stansted, the Primary Control Point (PCP) comprises the manned immigration control desks and the e-Passport gates.

¹⁹ The "Dynamic Resourcing Tool" is a computerised system that analyses projected passenger traffic, traffic type, airport geography and historical data to provide an estimate of the number of officers required to adequately operate the 'Primary Control Point' within queue length Service Level Agreements.

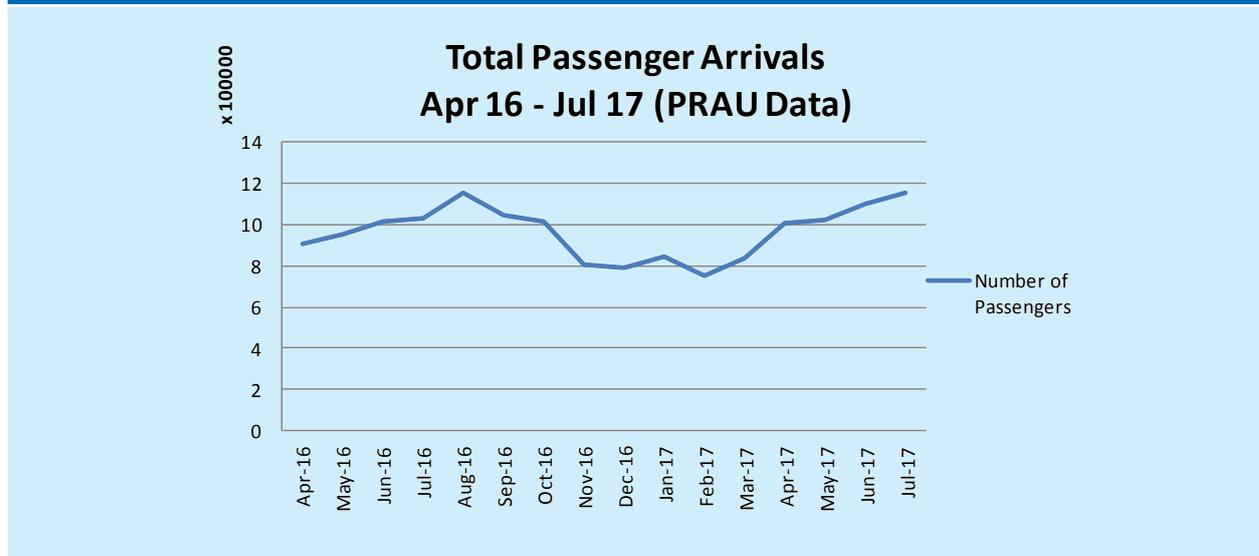
flights 12 months earlier. DRT was able to advise on the staffing levels required for each 15 minute “window” throughout the day. The managers knew (from a ‘skills spreadsheet’) which staff were trained and experienced in which skills, and populated the roster first with those staff that ensured the required skills were available at the required times, before “topping up” the roster with other staff.

- 6.11 Inspectors were told that levels of experience at Stansted were “dwindling” with fewer and fewer staff with the skills required to carry out a range of duties. As a result, managers were finding rostering increasingly difficult and time-consuming. Inspectors were also told that rosters were dependent on the availability of SWF, because there were not enough permanent staff. SWF were offered shifts where there were shortfalls once all permanent staff had been allocated their shifts. SWF were able to elect when they worked, and did so by indicating online which of the offered shifts they wished to work for the month ahead.
- 6.12 The rosters for 5 to 10 November 2017 showed that the SWF typically made up around 35% of the staff deployed.²⁰ While onsite, inspectors observed that the SWF made up around three-quarters of the staff deployed on the immigration control desks/e-Passport gates, despite it being November, the second quietest month of the year for passenger traffic.
- 6.13 Figure 4 shows the SWF numbers deployed at Stansted over the period April 2016 to July 2017, while Figure 5 shows passenger traffic over the same period. While there is a broad correlation between the 2, the SWF deployments show a greater volatility (even allowing for the ‘smoothing effect’ of the longer intervals recorded in the second chart), suggesting that availability plays a part alongside business need.



²⁰ Border Force advised that during this period permanent staff received 341 hours of training, including in forgery detection, Warnings Index, and core skills.

Figure 5



- 6.14 At the time of the inspection, a new version of DRT was being trialed. Inspectors were told that, despite some flaws that were being fixed, this new version was a marked improvement as it interfaced with the Advanced Passenger Information (API) received by the Home Office and this was more reliable than historic carrier data.
- 6.15 However, some managers at Stansted told inspectors that the “staffing formula” used for the airport “answers the wrong question”. It asks “How many staff are needed to operate the controls?”, whereas the broader question it should ask is “How many staff are needed to operate Border Force Stansted?”.
- 6.16 In focus groups, some staff said that there were not enough permanent Border Force staff at Stansted, while others told inspectors they thought staffing levels were “broadly right” and “improving”.

Staff morale

- 6.17 Both in focus groups and interviews, permanent Border Force staff referred to their morale as “low”.²¹ They attributed this to a lack of engagement from senior management and to the lack of opportunities for skills training. Those who had received skills training complained that they had not been able to put their classroom training into practice and consolidate and improve their skills, either because of pressure of work or because no suitable mentors were available.
- 6.18 Inspectors were told that staff recruited as apprentices were supposed to be prioritised for Core Skills 1, 2 and 3 training. However, a number of the apprentices at Stansted told inspectors that their training had been delayed, and that they would “have to wait years” to complete their training programme.²²

²¹ Commenting on the draft report, Border Force stated that the 2017 People Survey for Stansted had received 132 responses (63%) and showed that “Stansted has one of the highest engagement scores in Border Force operations (+12 against the BF average, up +9 against 2016). A key question asked was: I want to leave Border Force as soon as possible. Only 6% of the 132 replied yes, but 21% said they would stay for at least a year and a further 61% said they wanted to stay for three years. The Survey results also demonstrated year on year improvements across all of the ten drivers of engagement tested, including understanding organisational objectives and purpose (86%), inclusion and fair treatment (72%), my team (57%) and my work (65%). There was also a +11 rise in leadership and managing change. 87% of those surveyed said that they were treated with respect by the people they work with and 94% (+7 on previous year) were interested in their work.”

²² Commenting on the draft report, Border Force stated that “The Border Force Apprenticeship Pilot at BF officer grade at Stansted recruited officers to work primarily at the PCP” ... “Staff recruited as apprentices at Stansted were only required to complete Core Skills 1 & 3 and all of the apprentices that completed their 18 months contract completed both required levels. The CS pathway is dictated by regional need ... In addition, many received functional skills training in English and Maths and Operational Delivery qualifications – building into a structured career pathway.”

- 6.19 Both apprentices and newer permanent staff expressed concerns that they were not receiving the training, development or the range of work they had been promised. Some staff reported that colleagues had left Border Force for precisely these reasons.
- 6.20 Dwindling levels of knowledge and experience also had an adverse effect on staff morale, as staff lacked the confidence to make decisions or made poor ones, as evidenced in the files sampled for this inspection.
- 6.21 Border Force Officers (BFO) told inspectors that it was commonplace when referring a decision to a Higher Officer (BFHO) that one or both of them was unsure how to proceed. One BFO reported that when they had sought advice from a BFHO the response had been “I’m not sure. Do what you think is right.” One BFHO told inspectors they felt they had been “set up to fail”, due to the lack of any training for the duties of the higher grade and the general decline in experience and knowledge.
- 6.22 Permanent Border Force staff told inspectors that the reliance on the SWF had a de-motivating effect on them. They said that it was often the case, especially during unsocial hours, that there were too few fully-trained staff rostered to be able to carry out some of the work that was required. On some occasions, immigration casework had to be “queued” to wait for the 1 or 2 trained staff on duty to become free, which led to lengthy periods of detention in some cases.

Training

- 6.23 Inspectors were told that local and regional managers did not control access to the national programme of Core Skills training.²³ Staff described the availability of other “higher priority” training, for example safeguarding and ‘crime team training’, as “good”. They were placed on courses promptly and were released to attend. Inspectors were told that in some cases managers used the SWF to enable them to release permanent staff for training.
- 6.24 In contrast, staff said that other training, such as personal safety training, was not as available and it was more difficult to get released to complete it. As a result, there were staff who were prevented from undertaking certain duties because their training accreditation had “expired” or they were “out of ticket”.
- 6.25 Some staff expressed concern that the skills they had were not being properly utilised, for example staff experienced in customs detection work were being deployed to the PCP, while staff with a breadth of immigration experience were required to work on the customs controls. Managers said that this was done to broaden experience and promote multi-functional working, but experienced staff believed it would be more effective to use their knowledge to coach and mentor others.
- 6.26 Staff promoted to BFHO (primarily an operational management role at Stansted) reported that they received no training to equip them for their new responsibilities. This included staff promoted from outside Border Force with no background in the work.
- 6.27 Inspectors were told that Central Region had already identified this particular training gap, and had action plans in place to provide BFHOs with suitable training. In 2018, as part of a “Continuous Development Package”, it intended mandating some training while allowing BFHOs to select other training according to their particular needs.

²³ Commenting on the draft report, Border Force stated that “access to Core Skills Training was managed by the local training liaison officers and the Central Region Business Management Unit ensuring the needs of the port were met.”

Staff communication

- 6.28 Border Force provided inspectors with evidence of the range of ‘top down’ communication methods used at Stansted, including various newsletters, bulletins and Stansted Border Force Command updates. Most of these were distributed to staff via email or intranet bulletins.²⁴
- 6.29 Staff told inspectors that in their view the Stansted leadership team did not have the mechanisms in place to ensure that front-line staff were aware of and understood Border Force’s high-level messages. They described email communications as “unreliable and ineffective”, largely because they were not given time to read them due to pressure of work.
- 6.30 The ‘Border Force Assurance Standards (Scheme of Control)’²⁵ refers to “daily”, “team” and “shift” briefings. The document sets out the local assurance checks that should be made for evidence that briefings are delivered and that:
- “• [Staff] were correctly briefed by the BFHO on emerging risks/new instructions/changes;
 - Time critical information was briefed in good time;
 - And by speaking to an attendee, confirm they understood the information briefed to them.
 - Issues relating to national security were briefed to existing and contingency staff as required.”
- 6.31 Front-line staff told inspectors that they sometimes received a “Shift Brief”, but these were irregular because of the demands on the PCP. Inspectors observed a shift briefing. It was short, focused on Stansted-specific issues and local operational requirements, and used to signpost messages that had been distributed via email. Staff said that, as a consequence, they did not feel engaged with wider themes at Stansted.²⁶
- 6.32 Managers reported that staff engagement had been a particular concern, but they had worked hard to improve it and now there was full, meaningful and genuine engagement. The 2017 Home Office Staff Survey, completed in October, confirmed that staff engagement at Stansted had improved from the previous year, and Stansted scored higher than the Border Force average.
- 6.33 In focus groups and interviews, staff painted a different picture. They said there was no formal mechanism for upward communication. They could use “The Wall”, a whiteboard where staff were encouraged to write messages, anonymously, and where managers wrote responses. However, staff told inspectors they felt these responses were often generic or showed a lack of knowledge or understanding of operational realities. Some responses “entirely missed the point”.
- 6.34 There was a general belief that the local senior leadership team was not interested in upward communication. Feedback was not well received, and it was rare that anything was changed as a result. Staff said they did not feel comfortable saying what they really thought in group sessions with managers, particularly if it was contrary to the corporate line. Some staff said they were afraid to do so as they did not want to become someone “whose face does not fit”.²⁷

²⁴ Writing in January 2018, Border Force commented “In the past 12 months, 175 staff had attended face to face forums”.

²⁵ A framework adopted by Border Force, intended to formalise assurance checks to ensure consistency and drive improvement.

²⁶ Commenting on the draft report, Border Force stated “This is not factually correct. Daily briefings with staff are undertaken 5 times a day at the beginning of every shift.” However, while onsite, inspectors observed 1 occasion where staff assembled in the watch-house to “stamp on” and then deployed directly to the immigration controls.

²⁷ Commenting on the draft report, Border Force advised that staff also had the opportunity to engage during their monthly 1-2-1s with their managers and [were] able to articulate any concerns and provide feedback about their own performance and the port more generally.”

6.35 In an effort to improve staff engagement, Stansted's 2 Assistant Directors had begun to hold monthly forums for staff. Staff told inspectors that they would like to attend one of these forums, but their infrequency, the restriction on numbers, and their shift patterns meant that it remained unlikely they would have the opportunity.

Manchester Airport Group and Airport expansion

- 6.36 Manchester Airports Group (MAG) senior representatives told inspectors that the relationship with Border Force was improving and that "this year is shaping up to be the best year for MAG and Border Force."
- 6.37 MAG has declared that "In the next ten years, we forecast that the airport will be approaching its current planning cap of 35mppa."²⁸ This represents an increase in passenger traffic of 11mppa (46%) over 2017 levels, and assumes a single runway (as now) and redevelopment of the airport facilities to include building a new 'arrivals only' terminal.
- 6.38 Inspectors saw Home Office documents describing progress towards planning for the expansion. These referred to the restructuring of accommodation within the existing passenger terminal, which would involve Border Force giving some of its current accommodation back to MAG.
- 6.39 Inspectors were told that Border Force was in regular dialogue with MAG regarding the planning for the new terminal building, including its requirements for accommodation and the configuration of control points. Meanwhile, MAG staff observed that Border Force staff working on the controls were "never up to date with any issues pertaining to the airport" and often ask them for updates.

²⁸ Million passengers per annum (mppa)

7. Inspection findings - Performance

Introduction

- 7.1 Inspectors sought to assess the efficiency and effectiveness of Border Force's management of the immigration and customs controls at Stansted Airport by reviewing available documents and performance data, examining a sample of case files and records, by interviewing and holding focus groups with managers and staff, and through onsite observations.

Stansted's strategic objectives

- 7.2 Stansted Airport Command Business Plan 2017-18 states that "By 2018 Border Force will be the best Border Force in the World." This reflects the vision for Border Force as a whole expressed by its former Director General.²⁹ The Stansted Plan goes on to describe the Command's strategic objectives:

- To ensure effective operation at the Primary Control Point (PCP) by utilising the operating mandate to prevent individuals from entering the UK that would harm the national interest
- To increase Customs activity that protects and collects revenues from trade crossing the border
- To increase Customs activity to prevent goods from entering the UK that would harm the national interest
- To work with partners to facilitate the legitimate movement of individuals and trade to / from the UK
- To work with Airport Partners to provide excellent Customer Service
- To enable our workforce to be correctly trained for the tasks set to them
- To provide demonstrable effectiveness, efficacy and value for money."

Immigration

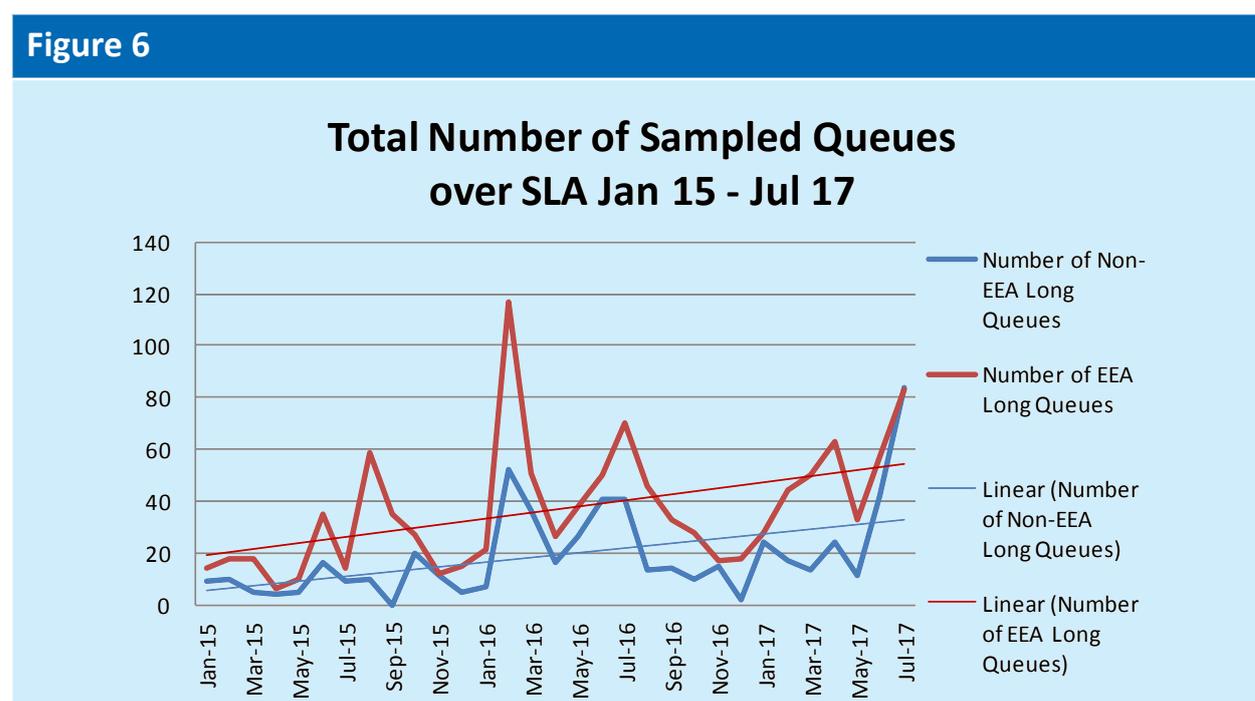
Managing passenger queues

- 7.3 Nationally, Border Force works to a Service Level Agreement (SLA) in relation to the management of passenger queues at the immigration control points (the manned desks and the e-Passport gates). This SLA sets the maximum queuing time for EEA passengers of 25 minutes, with a target of 95%, and for other nationalities 45 minutes, also with a target of 95%.
- 7.4 The 2014 inspection of Stansted inspection found that the focus on achieving these SLA times drew attention and resources away from other border security activities. Senior managers, including the Regional Director, told inspectors that Border Force was now less focused on

²⁹ Sir Charles Montgomery was Border Force Director General from March 2013 to October 2017, when he was replaced by Paul Lincoln.

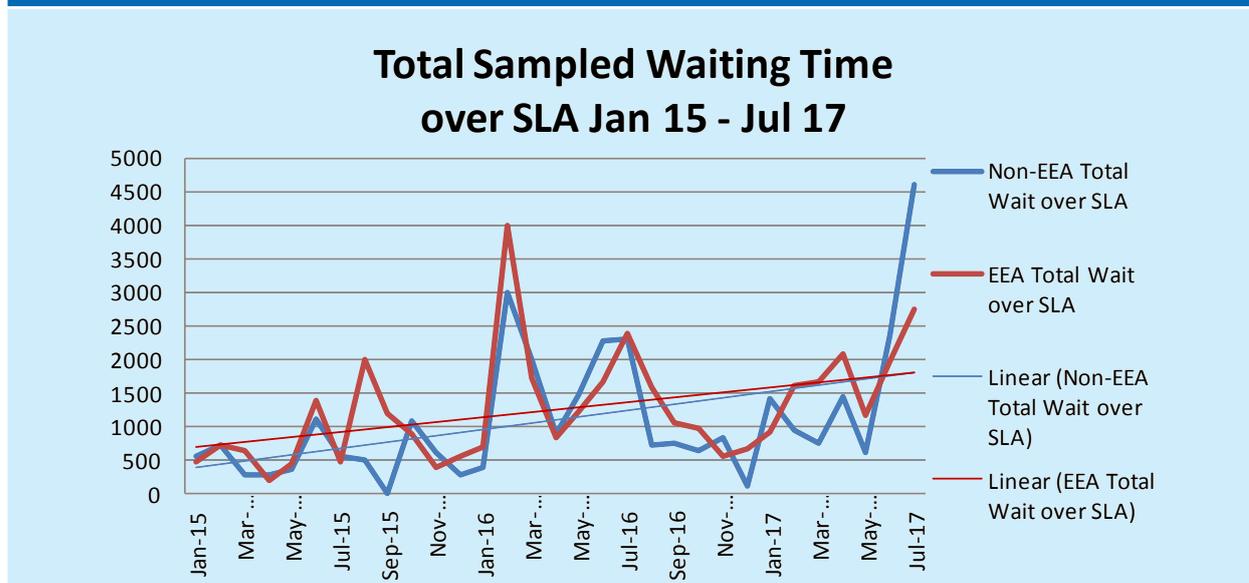
queues nationally, including at Stansted. They explained that they would prefer their operational managers to take greater risks with the queue lengths to achieve better overall results, with the proviso that no queues resulted in a “ministerial breach” (55 minutes queuing time for UK/EU passengers or 75 minutes for others nationalities).

- 7.5 However, front-line staff told inspectors that they saw little evidence of this risk-based approach. Some operational managers (Border Force Higher Officers (BFHO)) said that they were applying it, and were being supported by their managers, but others said they were not comfortable about doing so as it was likely they would be criticised for any problems that arose with the queues.
- 7.6 When this concern was put to senior officers by inspectors, they said they were committed to supporting BFHOs in adopting a risk-based approach, including protecting them from any criticisms.
- 7.7 Inspectors did not witness this approach to managing the queues. However, inspectors were not onsite at a peak period for passenger arrivals. Data provided by the Home Office does suggest that the number of longer queues and overall waiting times have been on the rise since the beginning of 2017 (see Figures 6 and 7), although how far this is because of a change of approach is unclear.³⁰



³⁰ Border Force explained that not all queues are measured. The data provided is based on sampling.

Figure 7



- 7.8 The Border Force Assurance Scheme of Control includes a weekly check on queue measurement. It states: “Observe the taking of one passenger flow measurement to ensure that: The method of measurement used is one that is recognised as accepted within the passenger flow measurement instructions; The measurement taken is accurately and properly recorded; Any remedial action necessary is taken; All passenger flow breaches are correctly identified and reported.”
- 7.9 During summer 2017, Border Force was publicly criticised by Stansted’s Chief Executive for the “unacceptable” queues at passport control.³¹ Manchester Airports Group told inspectors that the paper based process by which queues were measured was to be replaced by an electronic system called ‘CrowdVision’ designed to provide live queue waiting data.

Performance data

- 7.10 Between 1 January 2015 and 31 July 2017 an estimated 28m passengers arrived at Stansted. Border Force data for this period indicates that 5,484 passengers were subjected to further examination for immigration purposes, and that Border Force refused entry to 3,129 passengers.

Carriers’ Liability charges

- 7.11 Home Office showed that between January 2016 and July 2017 Stansted raised 1,418 Carriers’ Liability charges.³² Of these, in 644 cases the carrier was not required to pay a charge. In 257 of the 644 cases, no charge was levied. Border Force told inspectors that “the overwhelming majority [of the 257] appear to be undocumented arrivals having no confirmed link to a carrier”, the most likely explanation being that the passenger had disposed of their travel document and any other documentation to conceal their point of departure.
- 7.12 Figure 8 shows the recorded reason why a charge was levied but waived in the other cases.

³¹ Reported in The Sunday Times newspaper, 17 September 2017

³² Section 40 of the Immigration and Asylum Act 1999 empowers the Home Secretary to charge carriers £2,000 if a passenger arrives in the UK and fails to produce an immigration document which is in force, which satisfactorily establishes the passenger’s identity and nationality or citizenship, and, where the passenger requires a visa, a visa of the required kind.

**Figure 8: Reasons for waiving Carriers' Liability charges
January 2016 – July 2017**

Reason	Number of cases
No charge in law (for example, EEA family members or dual nationality)	184
Falsity not reasonably apparent	77
Insufficient evidence of carriage	39
Failure to serve notice on carrier within proper time limit	12
"Other"	12
Waived on grounds "Approved Gate Check" status (this allows a concessionary number of waivers per month)	10
Poor file preparation	8
Fraudulently obtained document	2
Failure to copy travel document or evidence of carriage	1
Interrupted Surveillance/post arrival linkage	1
Total	346

- 7.13 At the time of the inspection, the 774 Carriers' Liability charges that were pursued were at different stages in the process.

File sample evidence – record keeping and decision quality

- 7.14 Inspectors examined 70 immigration case files selected at random from the period January 2016 to July 2017, plus 6 more where the Case Information Database (CID) record had raised record-keeping concerns. Inspectors found that the reasons for granting or refusing leave to enter were not recorded in sufficient detail in 11 out of 30 grant cases and 2 out of 42 refusals.³³
- 7.15 Home Office guidance 'Detention in Port Cases' sets out that detention begins when an IS81 is served to a passenger. An IS81 gives officers 'the authority to detain for examination and further examination' and 'sets out the reasons for initial detention'. When a passenger is considered to require secondary examination, detention continues in a secure holding room, where an IS91R is served to a passenger explaining in greater detail the reasons for detention and advising of bail rights.
- 7.16 Inspectors found problems with the quality of the initial detention forms (IS81) where only 46 of the 76 IS81 forms sampled met the required standards.
- 7.17 Of the 76 passengers initially detained using an IS81, 68 were later placed in the secure holding room and served IS91R. Inspectors found that only 43 of those forms contained a record of the person being detained being properly advised of their bail rights.

³³ The 'missing' 4 cases were admitted under EU Regulations, and therefore did not involve leave to enter or refusal decisions.

- 7.18 Where entry is refused, the passenger must be presented with a refusal decision form (IS82), which must contain all of the relevant information and reasons for the refusal. Of the 42 IS82s examined, only 33 met this standard.
- 7.19 In 9 of the 62 entry refusal cases examined by inspectors the passenger was granted Temporary Admission (TA).³⁴ These cases all involved passengers who had travelled to the UK without the necessary entry clearance.³⁵
- 7.20 Border Force Immigration A-Z guidance³⁶ instructs staff that:
- “Where a passenger who requires an entry clearance (EC) arrives without a valid EC you should refuse leave to enter unless discretion is warranted. A Border Force Higher Officer’s authority is required for this discretion.”
- 7.21 In all but 1 of the 9 TA cases, the passenger was granted TA for the same period for which they were seeking entry. In the remaining case, the passenger was seeking entry for 2 weeks, but was granted TA for 1 week.
- 7.22 Inspectors asked Border Force about the 9 TA cases and were told that in 7 of them the passengers were “low risk”, while in 3 there were “compelling compassionate circumstances” that justified the granting of TA. All of these passengers had pre-booked return tickets and all left the UK using these tickets.
- 7.23 The Home Office said there were also “compelling compassionate circumstances” in the case of the person granted TA for 1 week rather than 2, but the judgement was that these merited only 1 week’s TA. This person left the UK at the time directed by their TA.
- 7.24 The entry under “whether or to not to grant temporary admission” in the Border Force Operations Manual, in force at the time these TAs were granted, stated “TA should be granted to any person who can be relied upon to comply with its terms. It may also be used when factors such as age, infirmity, disability or compassionate circumstances indicate that detention is inadvisable.” It did not describe what would constitute “compassionate circumstances” or what would make these sufficiently “compelling” to grant TA rather than refusing entry and removing the individual immediately, or where the compassionate circumstances might be such as to warrant granting entry outside the Immigration Rules.

Interviews and focus groups – safeguarding

- 7.25 Inspectors were told that a team of 37 permanent Border Force officers has been created and received training in safeguarding and in the identification of Potential Victims of Modern Slavery (PVOMS). Some of these staff had had placements with other departments, including Social Services, and at the National Operations Command Centre (NOCC),³⁷ to enhance their knowledge.

³⁴ Temporary Admission (TA) is an alternative to detention, rather than a form of leave to enter. Where an individual is granted TA this follows entry refusal, which constitutes an adverse immigration decision and is recorded on Home Office systems. As such, it results in mandatory further checks if the person applies for a visa for the UK, or in them being stopped if they seek entry at a later date. Entry refusal also results in a refusal of leave endorsement being placed in the person’s passport. It is possible, therefore, that they will also experience difficulties with immigration authorities in other countries.

³⁵ Entry Clearance (EC) includes *visas for designated nationalities*. ECs, along with *Biometric Residence Permits*, are documents that permit entry after pre-arrival checks.

³⁶ Accessible on the Home Office intranet.

³⁷ The NOCC provides a 24/7 command and control function for Border Force operations with incident and resource planning capability.

- 7.26 Having this number of trained staff enabled managers to ensure that at least 1 of them was rostered for each shift. The team manager told inspectors that the intention was to try to “ring-fence” a safeguarding officer on each shift so that they were not redeployed to other duties and were available to advise and assist the other staff.
- 7.27 Each month, the safeguarding team provided a “digest” of local safeguarding activities. These were aimed at improving the general awareness of safeguarding issues amongst the other staff on the controls, and highlighting any local trends. It was circulated electronically.

Onsite observations - safeguarding

- 7.28 Inspectors observed the safeguarding-trained staff at work, and witnessed several examples of them providing advice and assistance to colleagues on the manned immigration desks.
- 7.29 In one case, a Border Force officer at an immigration control desk checked that a woman travelling with a child was in fact the child’s mother (they had different surnames). The officer telephoned the child’s father. Everything was done professionally and politely, and the mother told the staff concerned that she was grateful for the additional checks they had made. A passenger at the adjacent PCP commented to inspectors that they “were glad children were being protected in this way”.
- 7.30 However, inspectors observed another case that raised concerns that safeguarding was seen as less of a priority for adults than for children.

Case Study 1: Adult arrival where safeguarding action was inappropriate based on the facts as presented

The passenger

A 26-year old Brazilian transgender female:

- travelled to the UK and sought admission as visitor for 5 days
- initially claimed to have no contacts here, but it transpired she intended to meet a ‘Facebook’ contact, whom she had not met before
- had entered Germany 2 months previously claiming to be in transit
- held ticketing arranged by third parties in a different name

Border Force

- stopped the passenger at the immigration control desk and served her with form IS81 requiring her to submit to further examination
- searched the passenger’s luggage and recorded there were far too many clothes for a short visit
- conducted a further interview, during which the passenger:
 - stated she intended to join a tour in the UK but did not know which or when
 - could not adequately explain why tickets had been booked for her travel by third parties in a different name

- offered no explanation about the ‘Facebook’ contact she intended to meet while in the UK
- did not explain adequately why she had remained in Germany with a “boyfriend” for 2 months when she had claimed on arrival to be in transit
- recorded in the file that the passenger was “vague and short” with her answers and “evasive when questions have been asked”
- initially, listed her as an ‘adult at risk in detention’ then without recording reasons, concluded “It was found the passenger was not an Adult at risk”
- neither enquired or suggested to the passenger there were potential trafficking issues, nor recorded in the case records any consideration of potential trafficking matters

Chief Inspector’s Comment:

There were indicators in this case that the passenger was a potential victim of modern slavery (PVoMS), but there was no record of this having been considered.

- 7.31 File sampling also produced a case of an adult who, on the facts as presented, should have received more attention as a potential victim of modern slavery.

Case Study 2: Adult arrival where safeguarding action was inappropriate based on the facts as presented

The passenger

A 52-year old Ukrainian female

- had sought admission to the UK as an EU national using a Lithuanian ID card of which she was not the rightful holder
- told Border Force staff that:
 - she had spent approximately 10 years working as a mushroom picker in Poland
 - while on holiday in Kaunas (Lithuania), had “met a man in a pub” who had suggested that work in the UK would be more lucrative, and had provided her with the Lithuanian ID card at no cost
 - the man had taken away her genuine Ukrainian passport

Border Force

- identified this as a case of impersonation at the immigration control desk and served the passenger with a form IS81 requiring her to submit to further examination
- searched the passenger’s luggage and recorded that the only item of interest was a boarding pass from Riga to Dortmund in the passenger’s Ukrainian identity
- conducted a further interview, during which the passenger:

- stated that she intended to look for work in the UK
- said she knew no-one here
- denied that she had actively sought the Lithuanian ID card
- said the man had used “black magic” on her

Independent Chief Inspector’s Comment:

The woman’s story contained indicators that she was a potential victim of modern slavery (PVoMS), including the man taking her passport and providing her with a Lithuanian ID card at no cost, and the reference to coercion (“black magic”).

However, there was no record that these points were followed up or that consideration was given to her being a PVoMS.

The Border Force officer:

- did not refer the case to a fully-trained safeguarding officer
- did not raise safeguarding concerns with the Border Force Higher officer (BFHO) when discussing the immigration decision
- made no follow up enquiries regarding the circumstances surrounding the passenger’s journey from Kaunas to Riga or the different names on the consecutive boarding passes used during air journey to the UK

Border Force Response:

“The BFO (Border Force Officer) who dealt with the case was an experienced officer, who had received the basic SAT (Safeguarding and Trafficking) awareness training. At interview the officer challenged inaccuracies & the credibility of the passengers account. The BFO has confirmed that during the face to face interview he did not feel that there were any PVOMS indicators, otherwise he would have made a referral to a SAT Officer & BFHO.

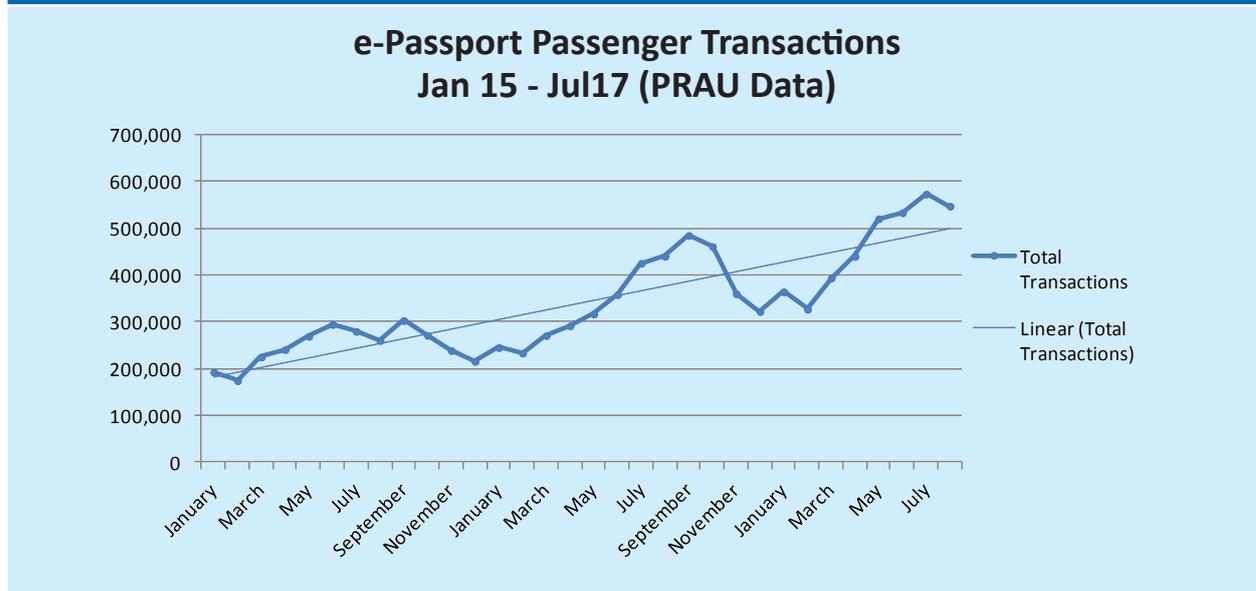
The training Border Force officers receive assists them in identifying victims of modern slavery. Border Force officers maintain a high degree of vigilance and work to safeguard and protect vulnerable people and those who may potentially be trafficked.”

The e-Passport Gates³⁸

- 7.32 At the time of the inspection, there were 30 e-Passport gates installed at Stansted, a six-fold increase since 2014. e-Passport gates enable Border Force to process passengers considered low-risk for immigration purposes quickly and with fewer staff than would be required if these passengers had to pass through the manned immigration desks. Staff at Stansted told inspectors that without the e-Passport gates Stansted would “fall over”.
- 7.33 It is in Border Force’s interests, and those of the airport operator, to increase e-Passport gate take-up by eligible passengers. Figures for Stansted provided by the Home Office for the period from January 2015 to July 2017 indicate that take-up has been steadily increasing.

³⁸ An e-passport is a national passport that contains a machine-readable chip.

Figure 9



Roving Officers and Monitoring Officers

7.34 Passenger flow through the e-Passport gates is overseen by a Roving Officer stationed airside of the gates, and by Monitoring Officers stationed at desks positioned beyond the gates, where they watch the passengers via monitoring screens.

The Roving Officer

7.35 The Roving Officer role was introduced in 2016. In March 2016, Border Force issued a Roving Officer role description. However, some Stansted staff felt that the role was not precisely enough defined. In practice, they performed a number of functions, including safeguarding, counter-terrorism referrals, and marshalling the passenger queue. They were also often drawn aside by passengers to answer general enquiries and for directions.

7.36 Staff at Stansted told inspectors that they enjoyed acting as a Roving Officer as they were able to “focus on what we are interested in”. However, most commented that 1 Roving Officer was not enough when all 30 e-Passport Gates were working, because of the volume of passengers using the gates, and because the configuration of the arrivals area meant passengers formed 2 distinct queues, requiring the Roving Officer to look in 2 directions at once.³⁹

7.37 Inspectors were told that at Stansted it was a priority for the BFHO managing the shift to ensure that the Roving Officer role was always covered. This was the case at all times while inspectors were onsite.

Monitoring Officers

7.38 At Stansted, the Monitoring Officers sit or stand behind desks situated beyond the e-Passport gates. From this position, they do not have clear line of sight to all of the gates. Instead, they watch the gates via computer screens.

³⁹ Border Force reported that it was Stansted policy that when all 30 gates were in operation 2 Roving Officers were deployed.

- 7.39 The system is configured so that each monitoring screen is linked to 5 e-Passport gates. The screen displays 3 images concurrently for each gate: the page of the passport inserted in the gate by the passenger, which shows the passport photograph; the photograph of the passport holder contained within the passport's machine-readable chip; and, the view of the camera directed at the person using the gate.
- 7.40 Since August 2017, each Monitoring Officer at Stansted has been responsible for monitoring 10 gates at a time (rather than 5 as previously), meaning that at the time of the inspection they were having to look at 2 screens set side-by-side. Senior managers told inspectors that this change in monitoring would release the equivalent of 56 shifts per week for other duties.
- 7.41 Inspectors were told by staff that the increase to monitoring 10 gates, which had been trialed before becoming 'business as usual', was manageable. This was because the e-Passport gate software had been updated. The gates were now programmed centrally to make the decision whether to grant the passenger entry (based on their details and appearance matching what is recorded in the machine-readable chip). In the vast majority of cases, no action was required from the Monitoring Officer.
- 7.42 Staff described the Monitoring Officer's primary function as ensuring that passengers did not "tailgate" (where 2 or more persons entered the gate together) or try to "spoof" the system (for example, by holding a photograph up to the verification camera). On occasion, they were also required to look out for a particular passenger who was of interest to Border Force or another law enforcement agency.
- 7.43 Passengers rejected by the e-Passport gates, for whatever reason, would be redirected by an airport 'host' to a manned immigration control desk.
- 7.44 During observations, inspectors witnessed an apparently unintentional "spoofing". A passenger managed to gain entry via an e-Passport gate using her cousin's passport. However, when the cousin tried to use the first passenger's passport she was rejected, twice, at different gates. At this point, the first passenger returned to the gates to hand the correct passport to her cousin. The Monitoring Officer spotted this, and went to the gates (leaving the monitors) to intercept the passengers. Both passengers were redirected to a staffed immigration control desk.

Use of e-Passport gates by 12-17 year olds

- 7.45 In January 2016, Home Office ministers approved the trial use of e-Passport gates by 12 to 17 year olds holding a UK or EU passport, on the condition that Border Force had a Roving Officer in place whenever the gates were in use. The trial was piloted at Stansted and Glasgow airports, and ran from 20 January to 10 October 2016.
- 7.46 In October 2016, the Home Office produced a 'European 12–17 year old e-Passport Gates Trial Evaluation Report'.⁴⁰ This looked at efficiency and at safeguarding. It asked 4 questions, to which the answer for each was "yes":
- “• Can the e-gates process children successfully?
 - Can the port arrangements successfully stream the children through the e-Passport?
 - Do the arrangements operate efficiently and do they provide benefits for Border Force?
 - Can safeguarding and other security measures be maintained or enhanced?”

⁴⁰ This is an internal Home Office document and is protectively marked.

- 7.47 In answering the safeguarding question, the report described child trafficking as “infrequent when viewed in the context of the millions of passengers arriving in the UK”, noting that:
- in 2015, there were 21 referrals⁴¹ to the Modern Slavery Human Trafficking Unit (MSHTU)⁴² of individuals under the age of 18, of these 4 were positively identified as trafficked children
 - from January to July 2016, there were 6 children referred to MSHTU from manned immigration control desks, none of whom was positively identified as having been trafficked. During the same period, no child was referred to MSHTU by a “Roving Officer”
- 7.48 The report concluded that the trial had proved that the risk of child trafficking was low, and that use of e-Passport gates by 12-17 year olds should be rolled out as “business as usual”. This was accepted and roll out nationally began in April 2017.
- 7.49 The report did note, however, that safeguarding at the e-Passport gates “is a challenging risk for Border Force to manage” and that “there is work to do to explore enhancing the skills of those undertaking the RO role.” It also acknowledged that those “with specialism in Safeguarding and Trafficking or Behavioural Detection were more engaged in the roving role and able to identify people worthy of further examination with greater success than their lesser trained colleagues.”
- 7.50 Inspectors were told that Border Force intended to increase the number of officers with full Safeguarding and Trafficking (SAT) and Behavioural Detection training at Stansted.
- 7.51 Figure 10 shows the numbers of 12-17 year olds who used the e-Passport gates at Stansted between March and August 2017.

Figure 10: Number of 12-17 year olds who used the e-Passport gates at Stansted March – August 2017

Month	Number
March	No data
April	18,875
May	7,315
June	14,805
July	28,863
August	57,160
Total	127,018

Safeguarding passengers using the e-Passport gates at Stansted

- 7.52 When agreeing to the initial trial for 12-17 year olds, ministers required Border Force to deploy a Roving Officer at all times that the e-Passport gates were in use to monitor passengers waiting to use the gates and identify anyone, including adults, about whom they had safeguarding concerns. Having engaged the passenger, if the Roving Officer still had concerns they were to refer them to a staffed immigration control desk.

⁴¹ By Border Force officers operating at an immigration control desk

⁴² MSHTU is a multi-agency organisation led by the National Crime Agency, responsible for safeguarding PVoMS and targeting enablers and facilitators of modern slavery in the UK

- 7.53 Roving Officers at Stansted who were debriefed during the trial for 12-17 year olds raised concerns about 1 Roving Officer not being enough when all the gates were in use. The proposed solution was to use Advanced Passenger Information (API) data to inform managers when large numbers of children would be arriving and to deploy additional Roving Officers in such instances.
- 7.54 During this inspection, inspectors observed that it was routine for staff at the manned immigration control desks to check the safety and well-being of children and young persons. There was an aide memoire at each control desk to ensure that staff knew what to ask them and how. At the e-Passport gates an interaction with a 12 to 17 year old, for example to check if they were with an adult or travelling alone, relied entirely on the Roving Officer having spotted them and having the opportunity to engage them before they entered the gate.
- 7.55 According to Border Force guidance, current at the time of the inspection, when a 12 to 17 year old enters their passport into the reader at an e-Passport gate, a pop-up “age warning” message appears on the monitoring screen.
- 7.56 Border Force guidance states:
- “If you are monitoring the gates, you must always be mindful of our duty under section 55 of the Borders, Citizenship and Immigration Act 2009, which is to safeguard and promote the welfare of children in the UK. If you have concerns regarding a child using the gates, you should press the no button on the age warning pop up message. You should then raise these concerns to the duty Higher Officer.”
- 7.57 Since the Monitoring Officer will not have interacted with the child (or any accompanying adult), and since at Stansted they may not have been able to see them enter the gate, it is unclear what sort of “concerns” this guidance has in mind, or how a Monitoring Officer is supposed to decide whether they require action.

Being “intelligence-led”

- 7.58 The National Border Targeting Centre (NBTC) in Manchester is the main source of intelligence alerts issued to Border Force front-line staff.
- 7.59 Inspectors asked front-line staff at Stansted for their assessment of the value of NBTC alerts. They said that the alerts generally lacked detail, and often required them to make their own checks of the various Home Office IT systems or open sources for additional information. Some alerts arrived too late (within a few minutes of the arrival of an aircraft at the gate) to be actionable.
- 7.60 Inspectors were also told that where an alert had not been entered onto the relevant IT system, staff at the immigration control desks and e-Passport gate Monitoring Officers were handed the information on small slips of paper. This was awkward to manage at the desks, particularly when there was more than one alert to deal with. However, it was significantly more difficult for Monitoring Officers, because of the short time (typically less than 10 seconds) between passenger’s details appearing on the monitor, and the gate opening, and the fact that they are monitoring 10 gates at a time.

Customs

Customs work, including freight and fast-parcels⁴³

- 7.61 Inspectors were told that the addition of 15 e-Passport gates at Stansted in June 2016 had released staff from PCP duties and had enabled a refocusing on customs work. Stansted had created dedicated customs detection teams, plus a team responsible for combating airport crime. The latter was also tasked with identifying new and more efficient ways of reintroducing checks that had ceased for resource reasons.
- 7.62 The previous inspection of Stansted⁴⁴ found that in 2013 there were regular delays of 3 days in the examination of high-risk parcels, and when examinations were undertaken they were often rushed and were completed to varying standards. Then, the work of targeting fast-parcels was undertaken only when managers could make staff available. In 2017, the dedicated customs detection teams had been given responsibility for freight and fast-parcels. Inspectors were told that this area of work was now more routinely manned and examinations were no longer delayed.
- 7.63 However, the staff working in freight and fast-parcels said that their ability to identify suspect goods or substances and make informed decisions about whether to take further action, including to detain or seize shipments was restricted because they lacked the right equipment. This also impacted on health and safety as, although there was a fume cupboard that could be used to examine hazardous substances, there was no equipment to identify suspect substances quickly and therefore limit the exposure of staff to anything that was harmful.

Performance data

- 7.64 Data provided by the Home Office Performance Reporting and Analysis Unit (PRAU) for the period January 2015 to July 2017 showed significant fluctuations in customs detections at Stansted for all commodities. Figure 11 sets out the total number of detections in each year. From the more detailed in-year data, it is hard to discern any meaningful patterns or any direct correlation between the resources deployed by Border Force and the number of detections made. The example below illustrates how poor intelligence leads are a cause of inefficiency.

Figure 11: Number of customs detections made at Stansted broken down by commodity 2015 – July 2017

Commodity	2015	2016	2017 to July	Total
Cocaine	21	21	9	51
Heroin	4	1	1	6
Other 'Class A'	9	17	10	36
Cannabis	218	179	101	498
Other 'Class B and C'	146	187	143	476
Cigarettes	983	996	473	2452
Hand-rolling tobacco	252	194	113	559

⁴³ 'Fast Parcel Operators' have agreements with HMRC to ship and import goods to the United Kingdom and conduct revenue and tax collection on behalf of the Government. <https://www.gov.uk/guidance/international-trade-fast-parcel-operators>

⁴⁴ <https://www.gov.uk/government/publications/inspection-report-of-border-force-operations-at-stansted-airport-january-2014>

Firearms	13	13	8	34
Offensive weapons	32	39	17	88
Strategic exports	10	16	2	28
Cash	10	7	28	45
Intellectual Property Rights	134	392	145	671
Obscene material	2	27	21	50

- 7.65 Inspectors were present when Border Force received an alert from NBTC about the expected arrival of a person suspected of smuggling. A BFO and BFHO were allocated to deal with it.
- 7.66 The BFO and BFHO noticed that the information contained in the alert was not sufficient to justify a lawful examination of the passenger and his luggage and contacted NBTC for further information. On being contacted, NBTC realised that the information was out of date and the alert should not have been issued. The Stansted officers told inspectors that this was not uncommon. In this instance, the BFO had wasted 55 minutes dealing with the alert, and the BFHO 40 minutes.
- 7.67 Until 2015, Stansted had maintained rules-based profiles⁴⁵ from which they had generated their own fast-parcel targets for examination. As a result of wider Border Force functional amalgamations, this work was centralised at Central Region's other fast-parcel hub at East Midlands Airport. East Midlands now generates alerts and targets for itself and for Stansted.
- 7.68 Staff at Stansted told inspectors that, initially, this change had resulted in a "collapse" in seizures. They believed that their previous system had been much more effective. They had raised their concerns at an early stage, but nothing was done and their morale suffered as a result. Senior managers acknowledged that there had been difficulties, but said that more recently performance was on "an upward curve".

Observation - duty-free fraud risk

- 7.69 The previous inspection of Stansted noted that there was a problem with duty-free fraud. Individuals were able to check in at Stansted with low-cost flight tickets, giving them access to the duty-free shopping area, where they were able to purchase goods by presenting their boarding pass. Rather than board the flight, they were then able to exit unchecked, with their purchases.
- 7.70 Both Border Force and Manchester Airport Group (MAG) told inspectors that they had addressed this issue, and the number of such incidents had been greatly reduced. Border Force reported that "the newly created Stansted Crime Team had prioritised working with Duty Free Retail Partners as part of its routine to combat fraud and engagement with partners in this area had had demonstrable results with a number of cigarette seizures that were illicitly obtained."
- 7.71 During observations, inspectors saw no evidence of duty-free fraud. However, they did witness individuals who had not travelled exiting the restricted zone via a channel marked "Returning Passengers". A MAG employee was tasked with verifying that individuals using this channel had not arrived from abroad (by asking to check their ticket) before allowing them to enter the baggage hall.

⁴⁵ Based on parcel types, known addresses, destinations etc.

- 7.72 There were no Border Force staff in the “Returning Passengers” channel, and the MAG employee did not appear to notify Border Force of individuals entering the baggage hall via this route. Inspectors did not observe any customs checking of these individuals as they exited.

Observation - fast-parcels

- 7.73 Inspectors visited the freight and fast-parcels “sheds” and observed examinations of targeted parcels,⁴⁶ one of which contained a white powder en-route to an address in the UK. Border Force staff suspected it was a Class-A drug, but did not have the technology at hand to confirm this.
- 7.74 They explained that there was a device in the main terminal building that they could use to test such substances, but this would not produce a result of the evidential standard required for a prosecution. For this, a suspect substance would have to be sent for forensic analysis, which required a business case to be submitted to the budget holder. They said that this was because Border Force did not currently have a call-off contract with a forensic services provider.
- 7.75 They also told inspectors that when Border Force’s seizure of similar suspect substances had been challenged in court by the consignee, it had been ordered to return the substances as no forensic evidence had been provided to contradict statements and other paperwork from the consignee indicating that the substance was not illegal.

Sample evidence – search of persons

- 7.76 Inspectors examined 30 customs records. Only 11 of these stated why the person or parcel had been selected for examination. Inspectors were unable to verify whether customs cases were progressed properly or recorded on the Centaur⁴⁷ system accurately as these records were not supplied by the Home Office.

Complaints handling⁴⁸

- 7.77 During the onsite phase of the inspection, inspectors saw no examples of a passenger making a complaint to Border Force officers about their treatment. Inspectors noted that the interactions between officers and passengers were conducted politely and professionally at all times.
- 7.78 Also, during this period, there were no examples of excessive queuing times for passengers, and no observed instances of dissatisfaction with the efficiency and speed of the controls.
- 7.79 Data provided by the Home Office indicated that between January 2016 and July 2017, there were 310 items of complaints correspondence received about Border Force at Stansted. These contained 456 points of complaint.
- 7.80 Of the 371 individual points, 19% (87) were about ‘queuing-related matters’, 16% (74) were about ‘administrative or process errors made by staff’, 9% (40) were about ‘rudeness of staff’, and 7% (31) were about ‘delay in processing services’.

⁴⁶ Parcels selected for examination either by the East Midlands Hub or by the parcel carrier.

⁴⁷ Centaur is an IT system owned by Her Majesty’s Revenue and Customs but also used by Border Force.

⁴⁸ This inspection did not look at the complaints handling process at Stansted. However, in July 2017, the inspectorate published ‘A re-inspection of the complaints handling process January – March 2017’. This identified that “Border Force ... had a good deal more work to do to bring its complaints handling up to the required level of performance”.

8. Inspection Findings - Assurance

Operational Assurance Directorate

- 8.1 The Inspectorate's 2014 report noted the paucity of assurance activity at Stansted. It made a recommendation, which was accepted, that Stansted:

“Puts in place an effective quality assurance framework that provides senior managers with the confidence that all staff are complying with the policy, guidance and legislation that cover their work activities.”

- 8.2 In November 2013, Border Force created the Operational Assurance Directorate (OAD). OAD was tasked with developing, implementing, and sustaining a programme of thematic and geographical inspections to test border security and risk, and to assure compliance with operational standards and requirements, including the Border Force Operating Mandate.
- 8.3 OAD provides second line assurance of Border Force operational activity, to assist continuous improvement. In April 2014, it produced “Assurance Checks (Scheme of Control)”. This required Border Force managers to carry out specified first line assurance checks and provide feedback to staff on areas requiring improvement, along with opportunities to improve.

Assurance at Stansted

- 8.4 Home Office data indicates that managers at Stansted completed 6,761 assurance checks between July 2016 and June 2017.
- 8.5 According to the data, only 25 (0.37%) of the required checks were missed during this period. These were recorded as “exceptions”. The reasons the checks were missed were not given, but the most common “exceptions” related to custody records, custody suites⁴⁹ and ‘General Aviation Reports’.⁵⁰
- 8.6 The completed assurance checks identified 233 issues, most commonly in relation to passenger ‘Presenters’,⁵¹ to records kept of passengers required to submit to further examination⁵² at the Primary Control Point (PCP), to intelligence alerts, and to PCP infrastructure.
- 8.7 The data provided by the Home Office did not give details of the issues or what improvement action was taken. Inspectors therefore looked at OAD's second line assurance reports, and sample case files and records, focus groups, interviews and onsite observations, for evidence of assurance activity and subsequent improvements.

⁴⁹ Border Force accommodation used for the purpose of detaining persons arrested under the Customs and Excise Management Act 1979 or the Police and Criminal Evidence Act 1984.

⁵⁰ A ‘General Aviation Report’ is a document that pilots and carriers are requested and encouraged to submit to Border Force in advance of the arrival of a non-commercial aircraft in the UK to enable Border Force to risk assess the movement and respond accordingly.

⁵¹ Staff employed by the airport operator or carriers to present passengers to Border Force for examination under the Immigration Act 1971.

⁵² The PCP log is a document containing information regarding the identity of a passenger required to submit to further examination under Schedule 2 of the Immigration Act 1971 along with arrival data, reasons for examination and other operationally relevant data.

Operational Assurance Directorate Reports

- 8.8 Since 2013, OAD had conducted 2 second line assurance visits (“Spot Checks”) to Stansted. Both “Spot Checks” identified issues with the assurance process at Stansted, and challenged the picture painted by the Home Office data.
- 8.9 In its most recent “Spot Check”, in July 2017, OAD noted that there:
- remained minor issues with Operating Mandate checks compliance at the PCP
 - were issues over robustness of assurance standards relating to case files and record keeping, to the extent that managers had missed issues on 6 of 7 assured files
 - were identified instances of assurance checks not being done, but no record of an “exception”

File and record sampling

- 8.10 Inspectors examined 76 immigration files and 30 customs records selected at random from the period January 2016 to July 2017. These confirmed the concerns raised in the OAD report. Of the immigration files:
- 4 of 76 did not include the reason(s) for a further examination
 - 30 of 76 IS81 forms were not completed to the required standard
 - 7 of 58 interviews did not meet the required standard
 - in 11 of 46 leave to enter cases insufficient reasons were recorded
 - in 9 of 42 refusal of leave cases the refusal notice did not meet required standards
 - 18 of 75 detention forms (IS91R) were not completed correctly
 - In 24 of 67 cases there was no record that the detainee had been informed of their bail rights
 - In 19 of 64 cases detention authorisation forms (IS91) were not completed correctly
- 8.11 Of the customs records:
- 4 of 30 notebooks did not meet required standards (2 were not supplied in response to the evidence request as they could not be located)
 - in 11 of 30 cases no reasons were recorded for the selection of the goods or person for examination
- 8.12 There was evidence from 17 of the immigration files that they had been assured locally. In 5 cases a Border Force Higher Officer (BFHO) had completed and signed a file assurance form assuring documents that were not on file. In 2 cases, the file assurance form had been countersigned by a more senior officer. There was no evidence that any of the customs records had been assured locally.

Interviews, focus groups and onsite observations

- 8.13 Inspectors asked operational managers (Border Force Senior Officers and Higher Officers) what assurance activity was required and when and how this was completed. They were told that most operational assurance checks were done “whenever the opportunity arose”, or they were delegated to the Operational Support Officer.⁵³ Inspectors were shown documents recording assurance activity and managers demonstrated a good level of knowledge of what assurance checks were required. However, while observing the immigration and customs controls, inspectors did not witness any assurance checks being done.
- 8.14 In focus groups, operational staff of all grades acknowledged that assurance work had developed, despite resistance to its introduction. However, they reported that the assurance process was not robust, but was a “tick box exercise” and of little value. They said they would welcome feedback on their work from managers, but it was rare for them to receive any. However, where given, it was well-delivered and constructive.
- 8.15 Managers involved in the assurance process at Stansted agreed that the robustness of the assurance work was “questionable”. It largely involved completing online forms. They were aware that, although their own assurance checks had identified few issues, the 2017 OAD “Spot Check” had highlighted concerns about decision making and record keeping. However, feedback had been general rather than specific.
- 8.16 The general view was that pressure of work, particularly the pressures on BFHOs to ensure that the controls were working properly, was responsible for the failure to deliver meaningful assurance. Other matters simply took priority over assurance and there was too little time left to complete this work to the required.

⁵³ The Operational Support Officer supports the Border Force Higher Officer managing the work at the PCP.

Annex A: An Inspection of Border Force Operations at Stansted Airport (May-August 2013)

Recommendations and responses

Recommendation 1

Border Force should assess its priorities and review whether the planned additional recruitment will be sufficient to drive improvement across the whole range of immigration and customs activities.

Response: Accept in full

The best possible mix of staff and skills will be delivered through a Workforce Planning Model which will be implemented by the end of March 2014.

To address current shortfalls, increasing number of passengers and to fulfil new commitments at Cambridge Airport, Border Force (BF) Stansted are recruiting 40 staff. The new recruits will receive core training by 30 June, enabling deployment during summer 2014.

In addition to this recruitment, and building on the success of Heathrow, BF Stansted is developing a new Central Region Operations Centre, which will ensure that the right interventions are made at the right time, by the right people in the right place. Additionally, the formation of a dedicated Cyclamen/Freight team on 1 December 2013 will ensure the most effective utilisation of resource.

Recommendation 2

Border Force should ensure that staff know their legal powers, responsibilities and jurisdiction when operating between immigration and customs functions.

Response: Accept in full

The national core skills training given to officers on joining provides details of legal powers to be used when operating either customs or immigration functions. BF Stansted will reinforce this by commencing a skill refresh and consolidation programme in January 2014.

Assurance of staff's knowledge of legal powers will be determined through a dedicated operational assurance capability which is provided by the new Border Force-wide Operational Assurance Directorate, to be implemented by April 2014.

Recommendation 3

Border Force should put in place an effective quality assurance framework that provides senior managers with the confidence that all staff are complying with policy, guidance and legislation that covers their work.

Response: Accept in full

An effective quality assurance framework will be put into place by April 2014, which will ensure compliance with legal and policy requirements, frontline instructions and guidance. Compliance with guidance and instructions, including those relating to asylum and prosecutions procedures, will form a routine and significant part of frontline manager responsibilities in relation to assurance activities and control measures.

Recommendation 4

Border Force should ensure that staff dealing with passengers suspected of swallowing prohibited or restricted drugs are trained about risks to health and safety and the preservation of evidence.

Response: Accept in full

Life saving skills and preservation of evidence are already included within the national core skills training for Secondary examinations. Further to enhance these skills, officers will also be trained from December 2013 in the recognition of signs of intoxication and potential leakages of prohibited drugs at an early stage, so that referrals to health care practitioners can urgently be made.

Regional Border Force managers have been directed to raise awareness of all Border Force officers, including Primary Control Point staff, on the risks associated in dealing with this type of smuggler and to ensure these cases are immediately referred to colleagues who have been appropriately trained.

To reiterate the importance of preserving evidence and ensure a consistent approach to the monitoring of suspected drug swallowers at all ports from the moment of interception, Border Force will also shortly be publishing a new Drugs Swallowers Policy.

Recommendation 5

Border Force should ensure that all fast-parcels are subject to targeting and selection systems and that:

- resources are available to examine them; and
- staff reconcile the parcels they examine against those selected for examination.

Response: Accept in full

BF Stansted have formed a dedicated team to focus on Cyclamen and Freight duties, which includes Fast Parcels. Since 1 December 2013, this team has delivered a more timely and consistent approach to the examination of all freight, including targeted fast parcel consignments.

From April 2014, all Fast Parcel targeting will be centralised at East Midlands Airport where a dedicated resource already exists.

Recommendation 6

Border Force should ensure that the re-issued guidance relating to the prosecution of asylum applicants who present forged documents is adhered to and communicated to all relevant staff.

Response: Accept in full

On 4 October 2013, Border Force communicated its policy relating to the prosecution of asylum applicants who present forged documents to all Border Force Officers. Assurance that this policy is being followed will be part of the assurance framework and will form a routine and significant part of frontline manager responsibilities in relation to assurance and control measures.

Recommendation 7

Border Force should provide opportunities for staff to maintain their skill levels, particularly in a live operational environment.

Response: Accept in full

BF Stansted will establish a dedicated Cyclamen/Freight team in December 2013. Staff will rotate through this team on a 3 monthly basis and provide opportunities for all staff to maintain their skill levels. This will be used as a test model for wider changes.

By the end of March 2014, Border Force will maintain a comprehensive database of skills and specialisms so that operational areas can consistently ensure that officers maintain their skill levels.

Recommendation 8

Border Force should ensure that searched passengers are requested to self-classify their ethnicity, and give full consideration to whether other diversity data should be requested and recorded.

Response: Accept in part

A 2005 review, and operational feedback, demonstrated that self-classification of ethnicity by passengers led to confusion and inaccurate or incomplete data being recorded.

A new "Search of Person" recording process is already being developed and piloted. This pilot relies on a coding system that provides a simple method for identifying categories of ethnicity that can be more easily applied by officers.

In February 2014, Border Force will evaluate the data captured under this pilot, to ensure it is meaningful and allows Border Force to meet its legal obligations under the Equality Act 2010.

Recommendation 9

Border Force should stop passengers buying duty free goods and then leaving the airport without travelling.

Response: Accept in full

BF Stansted has held initial discussions with the airport's owners, MAG, to tackle the abuse of duty free goods. The Customs Approvals Team will advise as to whether the process / infrastructure at Stansted comply with their Customs Approvals requirement. In the interim, BF Stansted will continue to deploy officers where intelligence indicates a risk.

At a national level Border Force will continue to work jointly with HMRC on an ongoing basis to tackle this issue across all ports in line with agreed enforcement priorities.

Recommendation 10

Border Force should ensure that the statistics it keeps accurately reflect the number of passengers who have been subject to further examination at the Primary Control Point.

Response: Accept in full

To ensure the accurate reflection of passengers that have been subject of further examination at the PCP, BF Stansted advised all officers on 29 November 2013 of the requirement to record the details on a log located at a central point.

To ensure completion a Senior Office Duty Manager will undertake a daily check of the log.

Recommendation 11

Border Force should mandate a set period within which a summary report of a refusal is completed.

Response: Accept in full

An appropriate time period for the clearance of IS125s will be mandated in the Border Force Operations Manual in January 2014.

Annex B: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration was established by the UK Borders Act 2007. Sections 48-56 of the UK Borders Act 2007 (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality and customs by the Home Secretary and by any person exercising such functions on her behalf.

The legislation empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions. However, functions exercised at removal centres, short-term holding facilities and under escort arrangements are excepted insofar as these are subject to inspection by Her Majesty's Chief Inspector of Prisons or Her Majesty's Inspectors of Constabulary (and equivalents in Scotland and Northern Ireland).

The legislation directs the Independent Chief Inspector to consider and make recommendations about, in particular:

- consistency of approach
- the practice and performance of listed persons compared to other persons doing similar activities
- the procedure in making decisions
- the treatment of claimants and applicants
- certification under section 94 of the Nationality, Immigration and Asylum act 2002 (c. 41) (unfounded claim)
- the law about discrimination in the exercise of functions, including reliance on section 19D of the Race Relations Act 1976 (c. 74) (exception for immigration functions)
- the procedure in relation to the exercise of enforcement powers (including powers of arrest, entry, search and seizure)
- practice and procedure in relation to the prevention, detection and investigation of offences
- the procedure in relation to the conduct of criminal proceedings
- whether customs functions have been appropriately exercised by the Secretary of State and the Director of Border Revenue
- the provision of information
- the handling of complaints; and
- the content of information about conditions in countries outside the United Kingdom, which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials.

In addition, the legislation enables the Secretary of State to request the Independent Chief Inspector to report to her in writing in relation to specified matters.

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which she has committed to do within eight weeks of receipt, subject to both Houses of Parliament being in session. Reports are published in full except for any material that the Secretary of State determines it is undesirable to publish for reasons of national security or where publication might jeopardise an individual's safety, in which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

As soon as a report has been laid in Parliament, it is published on the Inspectorate's website, together with the Home Office's response to the report and recommendations.

Annex C: Criteria used in this inspection

Operational delivery

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

Safeguarding individuals

5. All individuals should be treated with dignity and respect and without discrimination in accordance with the law.
6. Enforcement powers, should be carried out in accordance with the law and by members of staff authorised and trained for that purpose.
7. All border and immigration functions should be carried out with regard to the need to safeguard and promote the welfare of children.
8. Personal data of individuals should be treated and stored securely in accordance with the relevant legislation and regulations.

Continuous improvement

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

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