



Home Office

## **The Home Office response to the Independent Chief Inspector's report:**

### **An Inspection of Border Force Operations at South Coast Seaports**

**January – April 2018**

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

This inspection focuses on immigration and customs checks at south coast ports in the UK. Those operations are part of a wider approach to border security that includes:

- A 24/7 command and control structure now covering all Border Force locations that gives us the ability to respond quickly to emerging pressures and make best use of available resources.
- Juxtaposed operations at ferry ports in Calais and Dunkirk, the Channel Tunnel at Coquelles and at rail stations in Paris and Brussels that enable Border Force officers to operate UK border controls and conduct security checks on freight, goods and passengers travelling to the UK via ferry, international rail and container shipping.
- Working closely with the French authorities to carry out robust checks at the border, together with the enhanced security measures in place and the camp closures, has seen a significant decrease in clandestines detected at the juxtaposed locations. The joint cooperation on security and migration management in Northern France has led to an approximate 50% reduction in clandestine detections in the UK since 2015.
- A national maritime command which includes the Joint Maritime Operations Command Centre (JMOC), a single cross-Government coordination mechanism for maritime surveillance and enforcement. This has increased integration and efficiency and delivered better coordination and maritime security.
- Close collaboration with port operators, marine managers, and law enforcement partners in the UK and overseas to monitor and assess clandestine risks to inform operational deployments at the border and wider HMG cross-government activity in source and transit countries.
- An example of such collaboration is the establishment of the Centre Conjoint d'information et de Coordination (CCIC) which, building on the previous Joint operations Centre, will deliver during 2018, a step change in how we tackle organised immigration crime (OIC) at the border in the future. This entails Police Aux Frontières (PAF), Douane and Gendarmerie working side by side in a dedicated office with Border Force, National Crime Agency, Immigration Enforcement and Kent Police to ensure the security of the juxtaposed ports and the targeting and disruption of cross-Channel traffickers, smugglers and related criminal groups.

We will continue to work with our key partners and to exploit technology and advanced information to both provide a more modern and efficient service for the customer and allow our highly trained officers to increasingly focus on areas of risk.

## The Home Office response to the recommendations

### **The Home Office should:**

**In relation to workforce planning (staff budgets/allocations, filling of vacant posts, forecasting departures and new requirements, recruitment exercises, training and development):**

#### **Recommendation 1(a)**

**Conduct a zero-based review for south coast ports, taking account of passenger and goods traffic at each port and at the harbours, marinas and coastline for which each port is responsible, and factoring in known and unknown threats and risks, and Border Force's 'core' functions and priorities**

1.1 Partially accepted.

1.2 South coast ports, as reviewed in this inspection, comprises parts of two different operational Border Force commands. The Home Office and Border Force routinely keep levels of resourcing under review and in line with ministerial priorities and overall funding constraints. As part of the preparation for the 2019 Spending Review, Border Force will take a national approach to considering resource allocation covering all areas of operations and activity, in line with ministerial and strategic priorities and operational threats and risks. This will feed into assessments of workforce and funding requirements and will also inform any further specific reviews required to ensure that we continue to deploy available resource optimally against future demands and risks. A specific south coast ports review as suggested would not align with this approach.

#### **Recommendation 1(b)**

**Ensure that Border Force senior managers at south coast ports are clear about their annual staff budgets/allocations and the functions and deliverables (including any targets) these are expected to cover/deliver, together with the mechanism(s) for raising issues about shortfalls in numbers and skills, and in-year pressures**

1.3 Partially accepted.

1.4 Border Force manages budgets at a regional level, not at port level. Border Force Regional Directors are allocated an annual regional budget which is converted into front line resources to deliver business priorities.

1.5 Directors are responsible for deployment of a workforce within their delegated budgetary levels, taking into account both saving requirements as well as ensuring the right individual levels of staff are available at each location to meet border security objectives.

1.6 Workforce plans are then developed to port level within each region. However, importantly, the Regional Director retains flexibility to manage the workforce at a regional level to ensure overall resourcing levels are based on delivery, risk and affordability.

1.7 This ensures flexible deployment of the workforce, including permanent staff and seasonal workers who can be deployed in accordance with business priorities and emerging

risks. Workforce plans are reviewed regularly across regions, and Border Force as a whole, to meet demand. Operational port leads are fully engaged in that review process.

1.8 Border Force routinely confirms regional budgets prior to the start of each financial year. However, in 2018/19 there was a delay in confirming to each region their final budget settlement due to added complexities including resourcing to deliver EU exit activity. This complexity is expected to continue for the duration of the current spending review (thereby including 2019/20) which may affect budget settlements being agreed before the start of each financial year accordingly.

## **Recommendation 2**

**In relation to operational support and equipment (including, but not limited to, vehicle scanners, overhead and under-vehicle cameras, dog teams), conduct a fundamental review of the requirements of each south coast port, taking account of: Recommendation 1; recent demand (e.g. met and unmet requests for such support and equipment); detection successes and failures (where these are known); and known or likely changes (e.g. an increase in cruise arrivals).**

2.1 Partially accepted.

2.2 See 1.2 above. Consideration of the needs of Border Force as a whole in relation to current and expected future demand will be considered as part of Spending Review 2019, which will be the key influencer of any reviews of operational support and equipment in Border Force. Any review of equipment in south coast ports would need to take place in that context. The points raised in the recommendation are among those that are typically considered in Border Force's annual assessments for capital bids for equipment. The spirit of the recommendation, however, is recognised and accepted.

## **Recommendation 3 (a)**

**In relation to immigration and customs threats to the south coast:**

**a) regularly risk-test:**

**i. cruise liner crews**

**ii. Roll-on Roll-off (RoRo) freight arrivals at Southampton, including car transporters**

**iii. a representative sample of accompanied freight and tourist vehicles at all ports**

**iv. a greater proportion of commercial and non-commercial General Maritime arrivals**

3.1 Partially accepted.

3.2 Border Force's approach to risk testing at the border is collaborative, multi-agency and intelligence-informed and is coordinated through the tasking and co-ordination structure. This brings together senior representatives from Border Force, law enforcement and other government departments, and assesses proposals for operational activity which are designed to test perceived vulnerabilities and to understand better the level and nature of risks to the border. This approach ensures that an appropriate level of resource and prioritisation is applied according to the Border Force control strategy. Most of that suggested in the recommendation is routine activity for Border Force and its partners. For the front line to search a greater proportion of arrivals alone risks the potential to have a disproportionate impact on legitimate traders and would not necessarily bring commensurate benefits. It is important to retain a balance between facilitating legitimate trade, ensuring freight examinations are justified and proportionate, and

making sure border security is maintained. We achieve this best through a targeted approach, collaboration and intelligence sharing with other law enforcement bodies and stakeholders.

### **Recommendation 3 (b)**

**Record information about searches and other activities conducted by Border Force at and from each port in a consistent format and in sufficient detail to improve knowledge of the threats and risks and of what works best in terms of prevention and detection (including an evidenced evaluation of the effectiveness of “hub-generated” targets and “officer selected” targets)**

3.3 Partially accepted.

3.4 It is important that front line record keeping reflects legislative and policy requirements and does not distract officers from core operational functions. Border Force is working with analysts from Home Office Economics to examine the effectiveness of both hub generated and officer selected targets in combination with a range of influencing factors such as EU and non-EU traffic volumetrics. This is part of a wider project investigating how we can improve on our standard operating model. The project will look at the data that is currently captured, with a view to establishing what data needs to be routinely maintained to best support the business. The project is currently at scoping stage.

**In relation to the detection of clandestine entrants at south coast seaports:**

### **Recommendation 4 (a)**

**Ensure that the reviews (Recommendations 1 and 2) take note of the concern that clandestine entrants are aware of and seek to exploit Border Force’s difficulties in dealing with multiple detections from the same vessel**

4.1 Accepted.

4.2 See 1.2 above. In preparation for the Spending Review 2019 Border Force will be taking a national approach and will consider all areas of operations and activity, in line with Ministerial and strategic priorities and operational threats and risks. In securing the UK border, there is a need to mitigate risk in a manner that will both protect the border and the public purse, and it is not possible or appropriate to resource every location for every operational eventuality. Collaboration with overseas authorities and timely sharing of intelligence is vital. In addition, all Border Force regions have contingency plans in place for mass arrivals and risks and threats to the border are monitored closely through a 24/7 structure of command and control units which now exist in all regions. South Region’s Regional Command and Control Unit (RCCU) opened in June 2018, with full operating capability to be established in 2019 following evaluation.

### **Recommendation 4(b)**

**Resolve the issues with detention facilities and escorting services (keeping reliable records of contract compliance and managing non-compliance robustly) so that they do not impact adversely on the ability of port officers to carry out their core business, and, where required, ensure that contingency measures are formalised**

4.3 Partially accepted.

4.4 Border Force will consider both the frequency and type of use of the detention facilities at these locations to assess how to resolve the issues identified in this report (including those issues identified around facilities and escorting services). However, it is vital that the best use is made of tax payers' money and, therefore, arrangements must be commensurate with the demand, particularly at locations where the need for detention is rare. An action plan will be developed and agreed with stakeholders by November 2018.

#### **Recommendation 4 (c)**

**As a matter of urgency, fix the Civil Penalty scheme, so that Notices (fines) are issued wherever appropriate and payment is pursued promptly**

4.5 Accepted.

4.6 The Clandestine Entrant civil penalty is an important part of our response to the clandestine challenge, to encourage road hauliers and others to take appropriate measures to secure their vehicles and prevent them from being used by those seeking to circumvent the UK's border control. An internal review was undertaken in early 2018, and associated recommendations to improve the service are currently being considered.

4.7 Notices are served when appropriate and payment is pursued through a number of activities, including the seizure of lorries by Border Force pending payment of unpaid debts. Over the last two financial years, targeted activity has resulted in over £1m in outstanding debt being recovered. Over the last 5 years the amount recovered totals £12.5 million.

4.8 Whilst the last 12 months has seen a drop in civil penalties issued due to team restructuring, the Civil Penalty Team has, in May 2018, imposed 93 penalties with a value of over £500k. This is the highest number in the last 12 months and demonstrates that throughput rates are increasing.

4.9 Plans are now in place to deploy additional personnel to the Civil Penalty team to undertake retrospective penalty imposition and Border Force expect that the team will be back to a business as usual position within the next 12 months. It should be noted that south coast ports represent a very small proportion of potential civil penalty cases, the majority emanating from juxtaposed locations which are not part of south coast ports.

#### **Recommendation 4 (d)**

**Accelerate the publication of guidance from the consultation on the use of Personal Protective Equipment (PPE)**

4.10 Accepted.

4.11 Body armour is only one element of the control measures that can be used to reduce the likelihood/severity of accident or injury when Border Force officers undertake their duties. Initial work has been completed to evaluate the use of body armour in Border Force. Generic National Risk Assessments are now being developed to provide comprehensive baselines for all Border Force activity and to drive a more consistent approach. This work is reporting to the Chief Operating Officer and should be completed by the end of 2018.

**In relation to customer service and stakeholder engagement:**

**Recommendation 5 (a)**

**Publicise the Service Level Agreement (SLA) for queuing times for arriving passengers at south coast ports, including an explanation of how this is calculated (having first standardised the method of doing so)**

5.1 Accepted.

5.2 Work is already underway to evaluate current approaches to queue measurement with a view to standardising the approach. The configuration of the port and type of traffic are major factors constraining our ability to operate a single methodology. This activity, due to complete by the end of the year, will inform future measures which will then be shared with relevant stakeholders to gain their input before finalising.

**Recommendation 5 (b)**

**Clarify for cruise operators and any other stakeholders who may be offered a premium service at their own cost what basic level of service they are entitled to receive from Border Force at no cost**

5.3 Accepted.

5.4 Border Force currently operates either a shore-side clearance service or, when it is more operationally effective to do so, deploys crossing officers for cruises. Border Force does not currently offer a premium service but has trialled a paid for (optional) crossing officer service. The trial is currently being evaluated and Border Force expects to be in position to advise the sector of the outcome of the evaluation before the end of 2018. This will include details of the basic service they are entitled to receive from Border Force at no cost.

**In relation to General Maritime:**

**Recommendation 6 (a)**

**Ensure that the reviews (Recommendations 1 and 2) take note of the importance placed by harbour masters and marina managers on face-to-face contact with familiar officers as the best way of gathering information from the maritime and boating communities (making sure that Field Intelligence Officers and visiting port officers have sufficient time for this)**

6.1 Accepted.

6.2 Border Force recognises the importance of face-to-face contact by familiar officers with harbour masters and marina managers and will consider twinning Field Intelligence Officers (FIOs) wherever possible. It is the intention of Border Force that FIOs should be the primary point of contact for these important cohorts. Border Force is also exploring the feasibility of a dedicated phone line for Harbour Masters and Port Facility Security Officers to call when they have information to offer and their FIO is for any reason unavailable. A trial of such a line in the

South region is under development and is expected to complete by the end of 2018. Whilst there are well-published public facing numbers for the public to use in Project Kraken, the above steps are being put in place to take account of their feedback and to acknowledge the special relationship that exists with these groups.

### **Recommendation 6 (b)**

**Look again at Project Kraken, in particular at the reporting arrangements, and identify if it could be made more effective**

6.3 Accepted.

6.4 As advised during the course of the inspection, Border Force is currently reviewing the reporting arrangements within Project Kraken and will produce an evaluation with recommended next steps by November 2018.

### **Recommendation 6 (c)**

**Ensure the business plan for the Border Protection Squadron captures all activity, so that the efficiency and effectiveness of the cutters and Coastal Patrol Vessels can be properly evaluated, in the meantime taking steps to increase the time at sea hours**

6.5 Partially accepted.

6.6 The vessels in the Border Force maritime fleet of cutters and coastal patrol vessels deploy to sea whenever it is operationally beneficial, and the vessels are not otherwise in scheduled training or maintenance periods. Sea hours are not, however, a measure of operational effectiveness. For example, a boat on standby or en route to a destination would be included in any hours at sea. Border Force monitors availability and planned versus achieved tasks, and tracks activity against key priorities. Border Force will, however, review the Border Force Maritime Business Plan in advance of its next publication in April 2019 to ensure it better reflects key measurements of operational performance.

### **Recommendation 6 (d)**

**Ensure a formal and transparent process is in place for the storage and disposal of vessels used for immigration offences, where this is not covered by existing legislation**

6.7 Partially accepted.

6.8 Border Force will consider legal options available to address the issue highlighted in the report. Initial consideration will be completed by the end of October 2018. Whilst Border Force understands the principle behind the recommendation it may not be possible to address.

### **Recommendation 7**

**Set specific deadlines for the implementation of recommendations made by the Inspectorate (and by the Border Force Operational Assurance Directorate) and put appropriate measures in place to ensure that these are met.**

7.1 Partially accepted.

7.2 For external or other non Border Force reviews, a process is already in place to ensure deadlines are set as appropriate and for progress to be monitored and challenged regularly. As a deliberate approach to better align outcomes of in house assurance activity to transformation and improvement work already underway at Border Force locations, Operational Assurance Directorate (OAD) provides full feedback to port managers to allow them to best tackle any issues raised without creating additional reporting.