Independent Chief Inspector
of Borders and Immigration

An inspection of the Home Office's approach to the identification and safeguarding of vulnerable adults

February – May 2018

David Bolt

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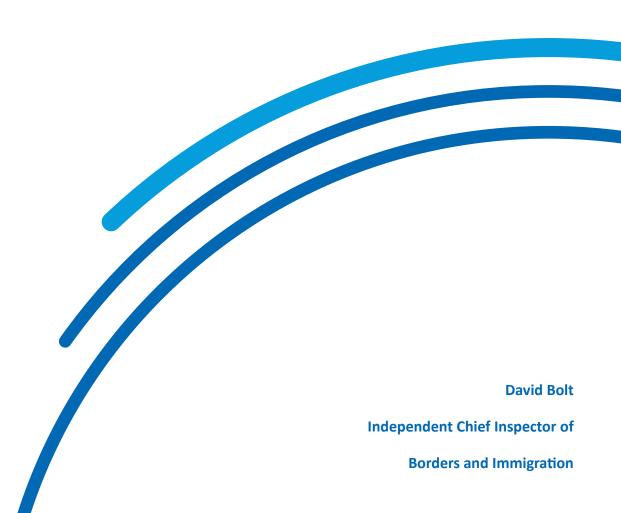
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Foreword

How well the Home Office's Borders, Immigration and Citizenship System (BICS) recognises and responds to the needs of vulnerable individuals is a test not just of its competence but also of its capacity for compassion, both of which have been questioned in recent months.

Over the past two years, a number of my inspections have focused on vulnerable 'groups'. I have reported on the identification and treatment of Potential Victims of Modern Slavery (PVoMS) at the border, on the Vulnerable Persons Resettlement Scheme (VPRS), on the workings of the asylum process (including a report, yet to be published, on the provision of asylum accommodation), and on the Home Office's consideration of the 'best interests' of unaccompanied asylum-seeking children. I have also looked again at the Home Office's handling of family reunion applications.

In this latest report, I have explored both the overall BICS approach to vulnerability and what is happening on the ground when Border Force, UK Visas and Immigration (UKVI), and Immigration Enforcement (IE) encounter vulnerable adults. Based on this and the earlier inspections, I am in no doubt that the BICS Board, senior management, and the majority of staff are serious about improving the protection provided to vulnerable individuals. A good deal of effort is already targeted at particular, well-delineated 'cohorts', such as children and PVoMS, and other vulnerability-focused work is ongoing across BICS to improve training, raise awareness, and capture information.

However, much remains to be done to develop a consistent understanding of what is meant by 'vulnerability' in a BICS context, and the appropriate response, and progress is too slow.

This report was sent to the Home Secretary on 20 August 2018. Its four recommendations cover: creating a detailed Programme Plan for delivering an effective response to the vulnerability and safeguarding challenges facing BICS; reaching out to other agencies with greater knowledge and expertise in dealing with vulnerable individuals; spelling out to BICS staff their 'duty of care' when they encounter vulnerable adults; ensuring that how each of the BICS directorates assesses and manages risk in relation to vulnerable individuals is fully aligned with the departmental goal of "Protecting Vulnerable People and Communities".

Work on this inspection ran in parallel with Stephen Shaw's follow-up review into the welfare in detention of vulnerable persons, published in July 2018. Stephen and I, and our respective teams, were in contact throughout, to share thoughts and avoid unnecessary duplication. Our reports were produced independently, but there are inevitable cross-overs.

My published Inspection Plans for 2018-19 and 2019-20 includes a number of topics where I expect the handling of vulnerable individuals to be a key focus. Stephen Shaw has recommended that the ICIBI should be "invited to report annually to the Home Secretary on the working of the Adults at Risk process", and the Home Secretary has accepted this recommendation. My aim is to complete the first of these reports by the end of 2018-19.

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1. Purpose and Scope

1.1   This inspection examined the efficiency and effectiveness of the identification and safeguarding of vulnerable adults[1] by the Home Office's Borders, Immigration and Citizenship System (BICS) business areas.

1.2   The inspection focused on frontline staff in Border Force and Immigration Enforcement, specifically:

- how they identify vulnerable adults during encounters with non-detained migrants
- how they are trained, supported and managed to understand and carry out their safeguarding responsibilities towards vulnerable adults
- how they record information about vulnerable adults on Home Office systems
- how and when they pass on vulnerable adults internally to another Home Office unit or to another relevant agency

1.3   It also examined the use of Home Office guidance, including the existing 'Suicide and Self-Harm' guidance, and newer initiatives such as the Asylum Safeguarding Hub and the Vulnerability Matrix 'pilot'.

1.4   The following areas were excluded from scope:

- adults in detention, who are covered in Stephen Shaw's 'Review into the Welfare in Detention of Vulnerable Persons' (January 2016), and follow-up review in 2017-18
- Potential Victims of Modern Slavery, covered in 'An inspection of Border Force's identification and treatment of Potential Victims of Modern Slavery' (July to October 2016), published in February 2017, and the re-inspection report published in March 2018
- asylum screening, covered in 'An inspection of asylum intake and casework' (April to August 2017), published in November 2017
- asylum accommodation, covered in a concurrent ICIBI inspection, publication date to be decided
- children, covered in 'An inspection of how the Home Office considers the 'best interests' of unaccompanied asylum-seeking children' (August to December 2017), published in March 2018

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1 The term "vulnerable" is interpreted and used differently by different agencies and groups. Some of the differences are explored further in this report. Here, the term is used primarily in the way the Home Office understands and uses it.

2. Methodology

2.1 Inspectors:

- Undertook familiarisation visits to:

  - Border Force, Gatwick Airport

  - Immigration Enforcement, Croydon Reporting Centre

  - Office of the Children's Champion,[2] London

- Reviewed and analysed a range of open source information, along with evidence and data provided by the Home Office

- Reviewed relevant recommendations from previous inspection reports, in particular 'An inspection of Border Force's identification and treatment of Potential Victims of Modern Slavery' (July to October 2016) and 'An inspection of the Home Office's Reporting and Offender Management processes' (December 2016 to March 2017), published in November 2017

- Sought written submissions from stakeholders and interested parties through a 'Call for evidence' posted on the Inspectorate's website

- Examined 70 Case Information Database (CID) case files with the following "Special Conditions" markers[3]:

  - "Known Suicide Attempt" (18 files examined from 27 requested)

  - "Threat of Self Harm" (23 files examined from 40 requested)

  - "Certified Mental Illness" (12 files examined from 30 requested)

  - "Safeguarding Referral Process" (17 examined from 20 requested)[4]

- Conducted 28 interviews or focus groups with frontline managers and staff at:

  - Immigration Enforcement, London, Liverpool and Glasgow

  - Border Force, Heathrow, Liverpool and Glasgow

  - UK Visas & Immigration (UKVI), Liverpool and Glasgow

- Interviewed senior managers from Border Force, Immigration Enforcement and UKVI with specific safeguarding responsibilities

- Interviewed key stakeholders including in the National Health Service, Social Services, and the police

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2 The Office of Children's Champion (OCC) is a team of 6 Home Office staff. OCC sits within the Public Protection directorate, part of the Home Office's Crime, Policing and Fire Group (CPFG).
3 The Home Office Case Information Database (CID) is the main immigration casework system. CID uses markers known as "Special Conditions" to denote categories of vulnerability such as "Certified Mental Illness", "Threat of Self Harm" and "Known Suicide Attempt".
4 Inspectors requested 117 case files where a "Special Conditions" flag had been entered on CID in 2017. The Home Office provided 100 of the requested files. Of the 100, 13 were found to be out of scope, and 8 arrived after inspectors had completed the file sampling phase of the inspection, leaving 79 files available to be examined of which 70 were examined.

3. Summary of conclusions

3.1   "Protecting Vulnerable People and Communities" is one of seven Home Office departmental 'goals'. It cuts across the whole department. This is recognised in the 2018 'Single Departmental Plan', which lists all Home Office ministers as "Lead ministers", while the Second Permanent Secretary (with overall responsibility for the Border, Immigration and Citizenship System (BICS)), and the Directors General for Crime, Policing and Fire Group (CPFG), and for the Office for Security and Counter Terrorism (OSCT), are listed as "Lead officials".

3.2   Prior to 2018, BICS had already appointed a Senior Civil Servant (SCS) to lead on vulnerability. In May 2017, the SCS lead drew the attention of the BICS Board to the absence of a consistent understanding of what BICS, and the wider Home Office, meant by "vulnerability", its objectives in relation to it, and how it managed relevant processes and hand offs. This, despite vulnerability and safeguarding having been BICS priorities for some time.

3.3   The Home Office is not alone in finding it challenging to define vulnerability. Several definitions exist, with different emphases, reflecting the context and concerns of their authors. For some, the term "vulnerable adult" is itself contentious, since "the label can be misunderstood, because it seems to locate the cause of abuse with the victim, rather than placing responsibility with the actions or omissions of others."[5] However, most definitions agree that vulnerable individuals require appropriate care and protection.

3.4   In the case of children, there is in fact a well-developed understanding within the Home Office of vulnerability and the required response. Section 55 of the Borders, Citizenship and Immigration Act, 2009[6] sets out the responsibilities of Home Office staff for safeguarding and promoting the welfare of children, and previous inspections have found that child safeguarding practices are now firmly embedded across BICS, albeit there is room for improvement.

3.5   In contrast, policies, guidance and practice in relation to vulnerable adults have developed within the different BICS directorates, with "no overarching strategy, and a risk of duplication, failure to make best use of shared expertise and lack of coherent approach with partners."[7]

3.6   How well and in what terms BICS staff understand adult vulnerability, and how effectively they respond, is conditioned by the nature, purpose and frequency of their encounters with such individuals, by their training, guidance, and record keeping routines, and by the outcomes available to them, including support from other agencies.

3.7   The treatment of vulnerable adults in detention was comprehensively examined in 2016 by Stephen Shaw CBE, whose follow-up review overlapped with this inspection. Inspectors liaised with Stephen and his team, but did not look at detained adults, except to note the "indicators" of risk set out in the 2016 and 2018 iterations of the 'Adults at Risk' policy, and the concern expressed by some critics that a "checklist" approach was not conducive to proper consideration of individual cases, and that vulnerability should be assessed individually, holistically and dynamically, since it could change.

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5 Association of Directors of Adult Social Services (ADASS).
6 https://www.legislation.gov.uk/ukpga/2009/11/section/55
7 Extract from the SCS presentation to the BICS Board, May 2017.

3.8   Outside the detention estate, this is problematic, since BICS interactions are, in the main, brief and transactional. BICS staff told inspectors that they were "not social workers". This is true not just in terms of relevant skills and experience, but also of the relationship a social worker will develop with an individual over time, compared with the typically 'one-off' BICS encounters. That is not to deride the efforts of frontline BICS staff to provide support where they identify that it is needed, and the inspection saw and heard of noteworthy examples of this.

3.9   Sensibly, the Home Office looks to 'hand off' responsibility for care and protection to the most appropriate agency, often Social Services, where it identifies a vulnerability that is beyond its competence. Inspectors were told that this was not always as easy or as quick as staff would wish, particularly out of hours. In part, this was because Social Services were themselves stretched, and Border Force and Immigration Enforcement believed they were regarded as "safe pairs of hands", which meant that Social Services did not see responding to a referral as a priority.

3.10   If true, this is a misjudgement of the capabilities of both directorates, as well as of their capacity and facilities for providing appropriate care. This led some staff to argue for a national strategy for engaging Social Services, although others believed that the current arrangements, where responsibility for establishing and maintaining contacts is devolved to local areas, were the only way it could work, because of the large number of local authorities and their different preferred ways of working.

3.11   While BICS may not have a consistent understanding of vulnerability in the round, it is the defining characteristic of some 'cohorts' with which BICS works, and which are supported by specific policies and processes, and in some cases by legislation. These include Potential Victims of Modern Slavery (PVoMS). This inspection did not look in detail at the Home Office's handling of PVoMS, as this had been covered in recent ICIBI inspections,[8] and by the National Audit Office (NAO).[9]

3.12   For this inspection, the key point about PVoMS as a category of vulnerability was that while it may be readily understood, identifying victims and responding effectively to their needs remained far from straightforward. Frontline Border Force officers told inspectors that having the time at the Primary Control Point (PCP) to consider possible vulnerabilities thoroughly was an issue, as their priority was to carry out the mandated immigration checks and to keep the queues moving. Management believed most frontline officers were "proactive" in identifying vulnerability and the need for safeguarding action, but "a few" were not. They saw this as a question of "attitude" rather than training or competence, but the officers said that some of their number "did not want a confrontation at the PCP", and did not look for vulnerabilities, but waited for individuals to "self-declare".

3.13   Border Force informed inspectors that it had a cadre of over 500 "Safeguarding and Modern Slavery" (SAMS) officers,[10] whose goals included "to provide support and advice to frontline colleagues on the identification of children at risk, PVoMS and vulnerable adults (including victims of honour-based violence)". Other officers who had been recruited to become SAMS officers were awaiting training. At the time of the inspection, some shifts at ports and airports operated without an onsite SAMS officer, since none was available to roster.[11]

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8 'An Inspection of Border Force's Identification and Treatment of Potential Victims of Modern Slavery'
(July - October 2016), published 2 February 2017, and 'A re-inspection of Border Force's identification and treatment of Potential Victims of Modern Slavery' (September - November 2017), published 28 March 2018.
9 'Reducing Modern Slavery', published 15 December 2017.
10 At the factual accuracy checking stage (August 2018), Border Force commented that: "A number of training courses will be run across the regions in the autumn. It is expected that this will deliver a cadre of approximately 550 SAMS officers. The current figure is around 530."
11 At the factual accuracy checking stage, Border Force advised that "in such instances staff were accustomed to contacting neighbouring ports where a SAMS officer was available to provide advice."

3.14 Another 'cohort' that is clearly defined, but challenging to identify, is "the most vulnerable" refugees from the Syrian conflict. The Vulnerable Persons Resettlement Scheme (VPRS) was inspected in 2017-18.[12] The report noted that the Home Office had recognised it was "not qualified to assess vulnerability" in this instance, and, again sensibly, it had contracted the United Nations High Commissioner for Refugees (UNHCR) to consider each refugee's specific circumstances and needs against its own Vulnerability Assessment Framework (VAF) and identify and prioritise "the most vulnerable" for resettlement via the Scheme.

3.15 While the inspections of PVoMS and of VPRS identified significant room for improvement, it was clear that the Home Office was making considerable efforts to ensure that these two vulnerable 'cohorts' received appropriate care and protection.

3.16 Asylum is the other major area of BICS business where vulnerability is the primary consideration. The initial asylum "screening" interview follows a set format that includes questions intended to identify particular vulnerabilities. These include exploring whether the individual is a PVoMS, and/ or has particular "Health/Special needs", specifically, a medical condition, disability, infectious disease, is pregnant, has physical or mental health needs, or has experienced forced prostitution or labour or other forms of exploitation. Where a particular vulnerability is identified or suspected, the interviewer should refer the case to the Asylum Safeguarding Hub[13] to consider the necessary response, including possible referral to another agency, such as Social Services.

3.17 The later substantive interview looks to explore and test the basis for the asylum claim. Since the purpose of asylum is to provide protection for someone fleeing persecution, an informed and intelligent understanding of vulnerability as it applies to each individual claimant is essential.

3.18 Two recent inspection reports are relevant.[14] Both examined how the asylum system was working, and covered the quality of initial interviews (in 2016-17, over 15% of these were not "satisfactory", according to the Home Office's own quality assurance checks),[15] and of the quality and timeliness of asylum decisions. They raised a number of concerns, including staff turnover and lengthy staffing gaps, the inexperience of many decision makers, insufficient quality assurance of decisions, and the growth in cases marked "non-straightforward".

3.19 Internal Home Office guidance[16] identifies seven broad case types that might require an asylum claim to be categorised "non-straightforward". These include various vulnerabilities: possible victims of torture; pregnancy; "a particular vulnerability, such as a mental health condition"; PVoMS. On the face of it, the fact that these "types" are recognised as potentially more difficult and requiring more careful consideration is a good thing. However, since "non-straightforward" cases fall outside the 6-month service standard for a decision, the risk is that the claimant feels in limbo and their vulnerability is magnified.

3.20 The SCS presentation to the BICS Board noted that "immigration control measures which deny access to services can increase vulnerability in some circumstances". The "Compliant Environment" measures introduced in the 2014 and 2016 Immigration Acts to make the UK less attractive to irregular migrants by limiting their access to benefits and services, including health care, accommodation and paid employment, have been widely criticised. Some critics

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12 'An Inspection of the Vulnerable Persons Resettlement Scheme' (August 2017 – January 2018), published 8 May 2018.
13 Created in 2016 as a "Centre of Excellence" for dealing with safeguarding issues, and funded by the European Commission's Asylum, Migration and Integration Fund, which limits its remit to pre-decision asylum case support.
14 'An inspection of asylum intake and casework (April – August 2017)', published in November 2017, and 'An inspection of the Home Office's production and use of Country of Origin Information (April – August 2017)', published in January 2018.
15 The Asylum Intake and Casework Unit (AIC) carried out 13,255 (78%) of all screening interviews, of which 80% were quality assured as "satisfactory". The remaining 3,710 interviews were not quality assured.
16 'Asylum customer service standards: non-straightforward cases'.

are concerned that the measures target people whose immigration status already makes them vulnerable, and make them more vulnerable, including to exploitation by unscrupulous people and criminals. Previous inspections have highlighted the absence of any monitoring or measurement by the Home Office of any negative effects of these measures.

3.21   BICS sought to "strike the right balance between protecting the vulnerable and ensuring the maintenance of legitimate immigration control". This was particularly relevant in the work of Immigration Enforcement (IE), where its main objective to "encourage and enforce the return of illegal migrants from the UK" could "rub" against the need to safeguard individuals. However, a senior IE manager pointed out that the fact that an individual was vulnerable did not mean they should not be removed, but that they should receive appropriate support and protection through the process.

3.22   During the course of this inspection, some concern was expressed by frontline IE officers about the risk that individuals might look to "play the system" by claiming vulnerability in order to prolong their stay in the UK. Nonetheless, when inspectors observed an Immigration Enforcement and Compliance (ICE) team in action on a series of visits to domestic premises the entire team treated everyone they encountered, including those they arrested, with respect and care for their welfare, and made what was undoubtedly a stressful experience, where the occupants would have felt particularly vulnerable, as comfortable as it could reasonably be.

3.23   Training, guidance and in-house sources of expertise and advice are all key to achieving a consistent understanding and response to vulnerability across BICS. Border Force, UKVI and Immigration Enforcement have typically taken different approaches to most knowledge management and skills training, including within the three directorates, reflecting their particular functions and perceived needs. For example, the Border Force SAMS cadre reflected a requirement for immediate, on-hand support for frontline officers, while UKVI had moved to a hub model for its safeguarding advice, with IE somewhere in between with its local safeguarding co-ordinators for each business area.

3.24   For the most part, the directorates have taken this bespoke approach to training in vulnerability and safeguarding, the notable exception being the safeguarding of children. The bulk of the training delivery is via e-learning packages, and while recognising that "tailor-made" training for all eventualities was not realistic, some officers believed that more classroom training on vulnerability "from the experts" would be beneficial, as it would give the opportunity to ask questions and clarify any uncertainties.

3.25   In 2017, the Border Force Safeguarding Lead, in conjunction with the Border Force Learning, Capability & Talent Team, had developed a 3-level "Protecting the Vulnerable Training Pathway" (levels 2 and 3 involving classroom sessions) for all new and existing officers, and the UKVI Risk Pack for June 2018 referred to a "BF owned programme of work to understand the training and guidance available to caseworkers across the BICS, including UKVI, and ensure consistency of information and approach". This appeared to be a reference to the work of the Border Force Safeguarding Lead, who had presented the Pathway to the BICS Board as a model for future cross-BICS safeguarding training. However, at the time of the inspection, there was no evidence that this had been rolled out beyond Border Force.

3.26   The other key to consistency is reliable and systematic record keeping. Numerous inspection reports have commented on the poor standards of record keeping across BICS. Responses have typically focused on the IT, and pointed to various ongoing "transformation" plans, including to provide a "person-centric" rather than "case-centric" view of the records. While the Case

Information Database (CID) is certainly cumbersome to use, poor record keeping will not be solved solely by upgrading the IT. It requires absolute clarity about what must be recorded, where and in what format, and training and quality assurance checks that instil a regard for accurate, complete and intelligible records.

3.27   In fact, since the "Special Conditions" screen appears automatically whenever anyone across BICS accesses CID, the system already produces a "person-centric" search result for any "live" information recorded under this heading. The drop-down menu lists around 500 "Special Condition Types", dotted amongst which are around 40 that refer to a particular vulnerability, the majority of which apply to individuals in detention.

3.28   Guidance on how to interpret and use these special conditions is limited, and according to some frontline staff their training on CID was "awful". Unsurprisingly, inspectors found from their examination of case files and CID records that standards of record keeping using the special conditions were uneven, but generally poor, and certainly not good enough to provide reliable management information about vulnerable adults across BICS.

3.29   At the time of the inspection, a new 'Vulnerability Matrix', was being piloted. This had been developed by a working group drawn from Border Force, UKVI and IE. The Matrix was "an automated spreadsheet which calculates a unique and individual vulnerability score based on the chosen vulnerability indicators and the answers to supplementary questions".

3.30   Some of the 24 "vulnerability indicators" were essentially the same as existing special conditions, if differently expressed, but there were omissions and additions. Meanwhile, a scale of four new special conditions had been created on CID to record the Vulnerability Matrix scores. The high-level objective for the Matrix was "a consistent approach to the identification and recording of vulnerability" which would allow analysis of scale, type, trends and the impact of interventions. However, in the absence of more detailed guidance on how to identify and record the range of vulnerabilities that BICS staff may encounter it is difficult to see how this will be achieved.

3.31   Inspectors were in no doubt from this inspection that the BICS Board and senior management is serious in its intention to improve the protection it provides to vulnerable people, by developing a consistent understanding of what is meant by "vulnerability" in a BICS context and how best to respond. A good deal of effort is already targeted at particular, more delineated cohorts such as children and PVoMS, and other vulnerability-focused work is going on across BICS to improve training, raise awareness, and capture information.

3.32   Adult vulnerability is a complicated area, and one where BICS/Home Office is by no means the expert. Border Force, UKVI and IE each recognises that it represents a serious ("Red") risk. Meanwhile, other public bodies, such as Social Services, the NHS, and the police, are further ahead with their definitions of vulnerability, and with clearer instructions to their staff about their 'duty of care', and with their frontline processes. While BICS is already aware of and is working with these bodies, more systematic partnering might move its work on vulnerability forward at a quicker pace and with fewer missteps.

4. Recommendations

The Home Office should:

1. Review the progress made since the presentation on vulnerability and safeguarding to the BICS Board in May 2017, and update the BICS Board and then the Home Office Board (ExCo) before the end of 2018, producing a detailed Programme Plan that covers:

   a. what work has been completed in relation to vulnerability and safeguarding and what is underway across BICS (with owners, deadlines and deliverables)

   b. how this work is being co-ordinated and communicated across BICS and, where appropriate, the wider Home Office

   c. whether the cross-BICS lead on vulnerability and working group are adequately resourced and have the authority to deliver the required outcomes at the right pace

   d. the obstacles and solutions to establishing

      i. common descriptions and definitions (with examples) of the vulnerabilities that BICS staff may encounter

      ii. BICS-wide policies and shared or complementary processes and practices for responding to vulnerable individuals

      iii. consistent, quality-assured record keeping (including an overhaul of the use of "Special Conditions" flags)

2. Reach out to Adult Social Services, the police, the NHS, and any other agencies with direct experience of identifying and responding to vulnerable individuals, including relevant NGOs, with a view to:

   a. distilling "best practice" in terms of the identification of and response to vulnerable adults, and using this to focus and accelerate the BICS programme of work

   b. ensuring BICS staff have ready access to expertise and support, including clear 'hand off' arrangements to other agencies that are locally agreed, where necessary, but are underpinned by national strategies and framework agreements.

3. Spell out for BICS staff, in practical terms (with examples) as well as in law, what their 'duty of care' is to the people they encounter, where it starts and ends, and ensure that this is clearly stated in vulnerability and safeguarding guidance and training packages, and that the latter include sufficient classroom elements and expert input to give staff the confidence to deal as "first responders" with the range of vulnerabilities they may encounter.

4. Ensure that the Border Force, UKVI, Immigration Enforcement risk registers are fully aligned with regard to the goal of "Protecting Vulnerable People and Communities" (in practice, the risk of non-delivery is held at departmental rather than directorate level), and that the mitigating actions are designed to reduce the risk from "Red".

5. Background

Home Office "goals"

5.1 The Home Office's 'Single Departmental Plan', last updated on 23 May 2018, lists seven 'goals'. [17] These include "Protect Vulnerable People and Communities". Under this heading, the Plan refers to various categories of people who, by inference, the Home Office regards as vulnerable:

- victims of female genital mutilation (FGM), forced marriage, or violence against women and girls

- children, including via online exploitation and abuse

- people suffering mental health crises

- survivors of domestic abuse

- victims of modern slavery and other forms of immigration crime

- refugees and asylum seekers in need of protection

- victims of hate crime

- those exposed to extremism

5.2 The 'Single Departmental Plan' recognises that this goal is cross-cutting, and lists all Home Office ministers as "Lead ministers", while the Second Permanent Secretary (with overall responsibility for the Border, Immigration and Citizenship System (BICS), and the Directors General for Crime, Policing and Fire Group (CPFG), and for the Office for Security and Counter Terrorism (OSCT), are listed as "Lead officials".

Vulnerability and safeguarding as BICS priorities

5.3 In May 2017, the BICS Board received a presentation from the Senior Civil Servant (SCS) appointed as the cross-BICS lead on vulnerability. This included the statements that:

> "vulnerability and safeguarding are both specific BICS and wider Home Office priorities – but there is no consistent understanding about what we mean by vulnerability, what our objectives are, and how we manage relevant processes and hand offs".[18]

5.4 In the case of children, Section 55 of the Borders, Citizenship and Immigration Act 2009 set out the safeguarding responsibilities of Home Office staff, and previous inspections have found that these are embedded across BICS. In contrast, policies, guidance and practice in relation to vulnerable adults have developed largely independently within the different BICS directorates, and the presentation recognised that there was:

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17 https://www.gov.uk/government/publications/home-office-single-departmental-plan/home-office-single-departmental-plan#protect-vulnerable-people-and-communities

18 From a slide in an internal Home Office PowerPoint entitled 'Vulnerability and Safeguarding' presented to the BICS Board on 11 May 2017.

"no overarching strategy, and a risk of duplication, failure to make best use of shared expertise and lack of coherent approach with partners".

5.5   The presentation listed the "drivers" for safeguarding those at risk, as follows:

"Internal

- Ministerial priorities: PM [Prime Minister] focus on modern slavery, HS [Home Secretary] on vulnerability
- Immigration control measures which deny access to services can increase vulnerability in some circumstances
- Emerging picture of negative outcomes linked to our system: self-harm, hate crime, community tension

External

- Increased public awareness of need to protect vulnerable individuals from exploitation: Saville [sic],[19] Independent Inquiry into Child Abuse
- More pressure on Government to act: migrant crisis, Calais camp, Syria
- Statutory responsibility to protect and safeguard the wellbeing of children, and a duty of care to safeguard those who are unable to take care of themselves, from significant harm or exploitation

Pressure on BICS to identify and address vulnerability when we encounter it".

What is meant by "vulnerability"

5.6   In 2000, the Home Office and Department of Health produced a joint paper entitled: 'No secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse'.[20] 'No secrets' cited a previous government consultation that defined a vulnerable adult as someone:

"who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation."[21]

5.7   In 2005, the Association of Directors of Adult Social Services (ADASS)[22] published a comprehensive safeguarding framework on which many local authorities based their local policies and procedures.[23] It defined vulnerable adults as:

"those who would be at risk if they did not receive appropriate health and social care support".

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19 From context, clearly a reference to Jimmy Savile, not Lord Saville's enquiry into "Bloody Sunday".
20 https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care
21 1997 consultation paper 'Who decides?', issued by the Lord Chancellor's Department
22 The Association of Directors of Adult Social Services in England is a charity that aims to further the interests of people in need of social care by promoting high standards of social care services and influencing the development of social care legislation and policy. Membership is drawn from serving directors of adult social care employed by local authorities. Associate members are past directors and the wider membership includes deputy and assistant directors.
23 ADASS promotes a "local-area multi-agency response" and lists 9 standards for adult safeguarding, including "Process", which recommends that procedures follow the order: "alert", "referral", "decision", "safeguarding assessment", "safeguarding plan", "review", "recording", "monitoring".

5.8　However, ADASS also recognised that using the term "vulnerable" to describe an individual could be problematic:

"Whilst the phrase "vulnerable adults" names the high prevalence of abuse experienced by the group, there is a recognition that this definition is contentious. One reason is that the label can be misunderstood, because it seems to locate the cause of abuse with the victim, rather than placing responsibility with the actions or omissions of others."

5.9　Vulnerability is a key part of the police THRIVE model,[24] used to ensure consistency in dynamic risk assessments, and linked with the police National Decision Model, which also aids a standardised approach. The definition of vulnerability used for THRIVE is:

"a person is vulnerable if as a result of their situation or circumstances they are unable to take care or protect themselves, or others from harm or exploitation".

5.10　The BICS presentation recognised that there was "no consistent understanding of what we mean by vulnerability" and there was a requirement to develop one. It suggested the following "working definition":

"vulnerability is a set of negative outcomes resulting from a mix of personal characteristics and experiences".

5.11　Beyond this generic "working definition", how BICS staff understand vulnerability is partly conditioned by the categories available to them for recording vulnerable individuals and their circumstances. Categories such as "unaccompanied asylum seeking child" or "Potential Victim of Modern Slavery" are relatively unambiguous, and supported by defined processes. However, guidance on how to interpret and use the "Special Conditions" categories available on the Case Information Database (CID) for recording other vulnerabilities is limited, and understandings vary. The new 'Vulnerability Matrix', which was being piloted during this inspection, expands on the categories of vulnerability, but does not address definitions.

Statutory responsibility

The Care Act 2014

5.12　The Care Act 2014[25] applies explicitly to local authorities in England and Wales, and by extension, where relevant, to other public bodies, such as the Home Office. It focuses on the promotion of an individual's "well-being" in relation to:

"(a)　personal dignity (including treatment of the individual with respect);

(b)　physical and mental health and emotional well-being;

(c)　protection from abuse and neglect;

(d)　control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);

(e)　participation in work, education, training or recreation;

(f)　social and economic well-being;

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24 http://www.college.police.uk/About/Documents/Conference/The_THRIVE_approach_workshop.pdf
25 As amended by the Care Act 2016. The Act also introduced 6 'Principles of safeguarding': Empowerment, Prevention, Proportionality, Protection, Partnership, and Accountability.

(g)   domestic, family and personal relationships;

(h)   suitability of living accommodation;

(i)   the individual's contribution to society."

5.13   In promoting an individual's well-being, the Act requires local authorities to have regard to the following:

"(a)   the importance of beginning with the assumption that the individual is best-placed to judge the individual's well-being;

(b)   the individual's views, wishes, feelings and beliefs;

(c)   the importance of preventing or delaying the development of needs for care and support or needs for support and the importance of reducing needs of either kind that already exist;

(d)   the need to ensure that decisions about the individual are made having regard to all the individual's circumstances (and are not based only on the individual's age or appearance or any condition of the individual's or aspect of the individual's behaviour which might lead others to make unjustified assumptions about the individual's well-being);

(e)   the importance of the individual participating as fully as possible in decisions relating to the exercise of the function concerned and being provided with the information and support necessary to enable the individual to participate;

(f)   the importance of achieving a balance between the individual's well-being and that of any friends or relatives who are involved in caring for the individual;

(g)   the need to protect people from abuse and neglect;

(h)   the need to ensure that any restriction on the individual's rights or freedom of action that is involved in the exercise of the function is kept to the minimum necessary for achieving the purpose for which the function is being exercised."

Duty of care

5.14   While not referenced in the 2017 presentation to the BICS Board, the Corporate Manslaughter and Corporate Homicide Act 2007 makes explicit reference to the "relevant duty of care" owed to a person "detained at a removal centre, a short-term holding facility or in pre-departure accommodation" or "being transported in a vehicle, or being held in any premises, in pursuance … of immigration escort arrangements". This duty of care clearly extends to a number of functions carried out by Border Force and Immigration Enforcement officers in particular, plus the commercial providers of escorting and detention services under contract to the Home Office.

5.15   More generally, the notion of a duty of care is applied to cases where the question of negligence arises when a person has suffered harm or loss because of the actions (or inactions) of another. The nature and extent of the duty of care that is owed depends on the relationship between the parties, and in the case of a public body may be affected by its purpose and functions. For BICS staff, other than those involved in detaining individuals, there is no clear, single legal definition, except in relation to the safeguarding of children.

5.16   In common law, duty of care is linked to the idea of a standard of conduct that might reasonably be expected in the circumstances. What precisely it is reasonable to expect from BICS staff in every circumstance where they encounter an adult who may be vulnerable is open to argument. However, some useful yardsticks exist. For example, in its '6 Principles of Good Administration', under 'Getting it Right', the Parliamentary and Health Service Ombudsman (PHSO) states that public bodies:

> "should follow their own policy and procedural guidance, whether published or internal" and "should provide effective services with appropriately trained and competent staff".

5.17   In order to deal effectively with vulnerability it first needs to be identified. Again, how far the duty of care of BICS staff extends is not easily defined. In some circumstances, such as an initial interview of an individual seeking asylum or suspected of being a victim of modern slavery, exploring and identifying the individual's vulnerability should be a primary concern. Here, the College of Policing is relevant. It emphasises the importance of "professional curiosity" to "look beyond the obvious" in thinking about whether someone is vulnerable and what their needs may be. However, unlike the police, many BICS 'encounters' are paper-based, and these offer more limited opportunities for proactivity, unless the vulnerability is self-declared.

5.18   The needs of vulnerable individuals whom BICS staff encounter may well be beyond the Home Office to meet, for example provision of appropriate medical or mental health care. PHSO's '6 Principles' are again relevant. Under 'Being Customer Focused' these include:

> "Public bodies should treat people with sensitivity, bearing in mind their individual needs, and respond flexibly to the circumstances of the case. Where appropriate, they should deal with customers in a co-ordinated way with other providers to ensure their needs are met; and, if they are unable to help, refer them to any other sources of help."

The Shaw 'Review into the Welfare in Detention of Vulnerable Persons'

5.19   In his 'Review into the Welfare in Detention of Vulnerable Persons', published in January 2016, Stephen Shaw reflected a range of views from stakeholders about vulnerability and its causes, acknowledging that the concept of vulnerability is complex and that there are numerous dictionary definitions, though these "consistently refer to susceptibility to physical or emotional harm, damage or injury".

5.20   The Shaw report focuses on detention, which it noted may create or contribute to an individual's feeling of vulnerability. However, more broadly, while sympathising with the view that "checklists of vulnerability were not conducive to proper consideration of individual cases", Shaw recognised that the categories of those unsuited to detention listed in the Home Office's Enforcement Instructions and Guidance[26] had some value, but that they needed to be extended and amended, and that "vulnerability should be assessed individually and holistically", as well as dynamically, since it could change.

5.21   In part in response to the Shaw report, in September 2016, the Home Office introduced a new 'Adults at Risk' policy, which was updated in December 2016. This drew widespread criticism, not least because, according to its critics, the timing of its initial introduction had not allowed for meaningful debate, but also because the approach asked Home Office caseworkers to identify and weigh "indicators" of risk, and was overly reliant on individuals themselves presenting documented evidence of their vulnerability.

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26 The "checklist" included unaccompanied children and young persons, the elderly, pregnant women, those suffering from serious medical conditions, those suffering from serious mental illness, victims of torture, those with serious disabilities, victims of trafficking.

5.22 In March 2018, a revised draft 'Guidance on adults at risk in immigration detention' was presented to Parliament. This came into force on 2 July 2018. It lists "conditions or experiences which will indicate that a person may be particularly vulnerable to harm in detention". Although it uses different language and definitions, the list mirrors the (adult) categories in the 'Enforcement Instructions and Guidance' and the earlier versions of the policy, with the addition of "victims of sexual or gender based violence, including female genital mutilation", "victims of modern slavery", those "suffering from post traumatic stress disorder", and "transsexual or intersex person[s]".[27]

Pressure to respond to high profile events

5.23 Some of the pressures on the Home Office, particularly BICS, to respond to high profile events affecting vulnerable individuals and groups are enduring, and the response has become 'business as usual'. The Syrian conflict and the Vulnerable Persons Resettlement Scheme (VPRS) is one example. In this case, the Home Office has delegated responsibility for identifying "the most vulnerable" refugees to the United Nations High Commissioner for Refugees (UNHCR). UNHCR uses its own established criteria for assessing vulnerability.[28]

5.24 'An Inspection of the Vulnerable Persons Resettlement Scheme' (August 2017 to January 2018), published in May 2018, was critical of some aspects of the Home Office's management of VPRS, but found that its delegation of the identification of the most vulnerable to UNHCR had sensibly recognised that, in this instance, it was "not qualified to assess vulnerability" and that UNHCR had the necessary means, experience and first-hand contact to do this more effectively.

5.25 In the case of irregular migrants encamped in northern France and looking to enter the UK by whatever means, the Home Office came under particular pressure in 2016 to respond to the plight of unaccompanied minors when the French authorities took action to clear the camps. Meanwhile, the UK's wider obligations to unaccompanied refugee children has been raised repeatedly by parliamentarians and stakeholders unhappy with the government's efforts to date.

5.26 While refugee children, or families fleeing the Syrian conflict, may enjoy broad public sympathy, attitudes towards other asylum seekers, including those who have entered the UK clandestinely, are more divided. At the time of writing (July 2018), a number of European countries were hardening their stance towards irregular migrants. At the same time, the Home Office's "Compliant Environment" measures, designed to make it harder for those without leave to remain in the UK to access essential goods and services, have come under greater scrutiny and challenge, in particular because of their wrongful use in 'Windrush' cases.[29]

Increased public awareness

5.27 The BICS presentation refers to "the Saville [sic] child abuse enquiry" as an example of a case with a high media profile that increased public awareness of vulnerability, and of institutional failure to do 'the right thing'. It might have mentioned any number of other cases where a public authority has made headlines for failing in its duty of care. While this should not affect minimum standards of safeguarding for BICS, an implication of this "driver" is that increased public awareness could change what people consider to be a reasonable expectation.

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27 https://www.gov.uk/government/publications/draft-revised-guidance-on-adults-at-risk-in-immigration-detention
28 UNHCR's vulnerability criteria are set out in 'An Inspection of the Vulnerable Persons Resettlement Scheme' (August 2017 to January 2018), published in May 2018 https://www.gov.uk/government/publications/an-inspection-of-the-vulnerable-persons-resettlement-scheme
29 Those arriving in the UK from the Caribbean between 1948 and 1971 have been labelled the 'Windrush generation'; a reference to 'Empire Windrush', the ship on which some of the first arrivals travelled. 'Windrush' has become a way of referring to the cohort of cases facing immigration issues due to a lack of documentation, identified in early 2018.

Ministerial priorities on modern slavery and vulnerabilities

5.28   In 2013, while Home Secretary, the Prime Minister sponsored a Modern Slavery Bill (later the Modern Slavery Act 2015). The Act made provision about slavery, servitude and forced or compulsory labour and about human trafficking, including provision for the protection of victims, and for the creation of an Independent Anti-Slavery Commissioner.

5.29   In November 2016, the then Home Secretary declared that it was a priority that the Home Office delivered on its duty to ensure that it identified and took into consideration any vulnerability factors which might put an individual at increased risk of harm.[30]

Increased vulnerability due to immigration control measures

5.30   A suite of "hostile environment"[31] measures was introduced in the Immigration Act 2014 (and extended in the Immigration Act 2016) aimed at making the UK appear less attractive to existing and potential irregular migrants by limiting their access to benefits and services, including health care, accommodation and paid employment. The measures have been widely criticised, including by those concerned that they target people whose immigration status already makes them vulnerable, and makes them more vulnerable, including to exploitation by unscrupulous and criminal types.

5.31   The Home Office recognised that it needed to "strike the right balance between protecting the vulnerable and ensuring the maintenance of legitimate immigration control".[32] During the course of this inspection, some concern was expressed by Home Office staff about the risk that individuals might look to "play the system" by claiming vulnerability in order to prolong their stay in the UK.

Emerging picture of negative outcomes linked to Home Office systems

5.32   The "negative outcomes" referred to in the BICS presentation were "self-harm, hate crime, community tension". This inspection did not explore the latter two, which were more relevant to the concurrent inspection of asylum accommodation provision. It did look at how the Home Office deals with individuals who threaten suicide or self-harm, and this is covered later in this report.

5.33   While the presentation did not name particular Home Office systems, for BICS the asylum system clearly has the greatest potential to lead to "negative outcomes".

Aim

5.34   Taking all of the drivers into account, the May 2017 presentation to the BICS Board concluded that BICS's aim should be to:

"operate systems that are effective in identifying whether those who use them or are subject to them are vulnerable to a set of negative outcomes and take reasonable steps to ensure that a proportionate safeguarding response is provided by a competent agency to minimise the risk of these outcomes".

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30 The then Home Secretary described vulnerability as one of her "priorities" during a speech to the College of Policing in November 2016. Full text available at https://www.gov.uk/government/speeches/home-secretarys-college-of-policing-speech-on-vulnerability
31 Since renamed "Compliant Environment".
32 From guidance to Immigration Enforcement officers.

5.35   The BICS Board agreed to set up a cross-BICS working group on vulnerability and safeguarding to:

"• scope what work was already taking place

• understand how this work could be best achieved through shared processes

• bring a consistent approach to the identification of vulnerability."

6. Inspection findings: Encountering vulnerability

Border Force encounters

6.1 In the majority of cases, a Border Force officer's first encounter with an individual is at an immigration control point (Primary Control Point or PCP) at a port of entry to the UK, or at a juxtaposed control in France or Belgium.

6.2 The Border Force 'Operating Mandate' requires that in all cases officers at the PCP carry out a "visual assessment of behaviour and circumstances", and where there are indications that an individual is "at risk or vulnerable (such as potential victims of trafficking) the circumstances must be referred to the relevant authority in accordance with current guidance".

6.3 A tiny proportion of individuals encountered at the PCP declare that they are seeking protection, either asylum or rescue from abuse. In such cases, the individual will be held and interviewed away from the PCP, affording officers an opportunity to explore their vulnerability.

6.4 Border Force officers may also encounter individuals attempting to enter the UK clandestinely, typically concealed in vehicles arriving at seaports. Individuals may have been concealed in poor conditions for some time, and officers may need to consider whether they require immediate medical attention. In all instances, including where the individual agrees to be returned to their port of embarkation, there will be a period where the individual is detained, most likely in a short-term holding facility at the port. In such cases, the Home Office's 'Adults at Risk' policy states:

> "Detention in port holding rooms at the border on immigration grounds is likely to remain appropriate, even if an individual is assessed as being at risk. This is because of the inherently short term nature of the detention in these circumstances. If there are significant and obvious indicators to suggest that the individual is at immediate risk, or that the detention of the individual is likely to be prolonged, the case should be reviewed and there should be an assessment of the appropriateness of continued detention, and the appropriate facility for continued detention, in line with the policy set out in this chapter."

Border Force Risk Register

6.5 Inspectors requested the Border Force risk register in relation to vulnerable adults. The 2017 and 2018 versions of the risk register both listed "Vulnerable adults" as a "Red" risk.[33] The later version sets out the "cause", "effect", "impact" and "mitigation" as follows:

> "Cause
>
> There is a lack of clear policy, process and hand-offs in respect of vulnerable adults arriving at the border.

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33 Home Office Risk Registers use "Green", "Amber", "Red" and "Black" to describe risks with "Black" as the highest risk rating. In 'How to Read a Risk Register' from October 2011 (on Horizon) "Red" is defined as a risk with a rating of 15-22 (on a scale of 1-25, with 1 being low risk).

Effect

This means that BFOs do not understand their legal or moral obligations to vulnerable adults arriving in the UK and are likely to encounter delays and difficulties in processing arrivals and resolving associated casework.

Impact

This could lead to delay, potential harm to both the individual and the public and both financial and reputational damage to the Home Office.

Mitigation

The BICS board have agreed a 'Protecting the Vulnerable' Cross directorate approach with Border Force leading on areas of training and guidance. IE and UKVI will lead on other issues. Work is ongoing - led by IE to create a cross directorate Vulnerability Matrix which will enable cases on CID and its successor Atlas to be flagged and ensure the correct actions are taken to safeguard an individual throughout the lifetime of a case."

6.6 This risk was due to be reviewed by 31 March 2018, but as at May 2018 Border Force was unable to confirm whether a review had been completed.

Border Force training and guidance

6.7 Training for Border Force officers in relation to vulnerability has focused on children and Potential Victims of Modern Slavery (PVoMS). Some officers receive further training in the safeguarding of vulnerable individuals. These 'Safeguarding and Modern Slavery (SAMS)' officers are not dedicated to this function, but carry out the range of Border Force duties, including working at the PCP.

6.8 In 2017,[34] Border Force told inspectors that "as part of mandatory learning ALL of our staff are trained in MS,[35] NRM,[36] Keeping Children Safe[37]/FGM".[38] It was unable to provide figures for the numbers of staff who had completed these mandatory e-learning packages, and explained:

"There is no single source of national training figures however it is the responsibility of all SAMS teams to ensure all frontline officers in the regions have undergone appropriate safeguarding training."

6.9 The highest level of SAMS training is "Tier 3". Inspectors reviewed the 'Safeguarding and Modern Slavery Tier 3 Course Assurance'. It contains a checklist of 20 training modules to be completed and signed by the trainer to confirm that delegates have covered the required course content. The checklist includes "Child Protection Legislation" and "Handling PVoMS", as well as "Forced Marriage" and "Honour-based Violence". There is no module entitled "Vulnerable Adults", nor separate content for vulnerabilities such as "Mental Health" or "Suicide and self-harm".

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34 'A re-inspection of Border Force's identification and treatment of Potential Victims of Modern Slavery' (September – November 2017), published in March 2018, refers.
35 Modern Slavery, for which there is an e-learning package 'Modern Slavery – Border Force'. Border Force reported that by 31 October 2016, 5,502 of a total of 7,735 Border Force staff had completed this package.
36 National Referral Mechanism, for which there is an e-learning package 'Modern Slavery – NRM'. Border Force reported that by 31 October 2016, 3,642 Border Force staff had completed this package.
37 There are 2 Tiers to 'Keeping Children Safe' training. Tier 1 is described as "Protecting children (core skills)", while Tier 2 is described as "Keeping Children Safe (advanced skills)".
38 Female Genital Mutilation.

6.10   The SAMS 'Tier 3 Training Content Guide' has a section on "Children's Services" that notes "What we can expect from them. How/when to refer." There is no equivalent section covering "Adult Social Services". Awareness of Adult Social Services is not included in Border Force training. Both the Border Force and Immigration Enforcement safeguarding leads confirmed to inspectors that there was no national strategy or policy for engaging Adult Social Services.

'Protecting the Vulnerable: Training Pathway'

6.11   In 2017, the Border Force Safeguarding Lead, in conjunction with the Border Force Learning, Capability & Talent Team, developed a 'Protecting the Vulnerable: Training Pathway', comprising 3 levels, with the intention that it would be followed by both existing Border Force officers and new recruits.

- PTV Level 1 (Knowledge)
  e-learning for all staff to receive the vital information and background

- PTV Level 2 (Skills – Expert)
  Classroom based training. Modular format so commands can decide what is needed for their staff but certain elements to be core, e.g. the national decision-making model (NDM).

- PTV 3 Level (Skills – Specialist)
  Classroom based training for SMS teams and operational managers.

6.12   A 'Protecting the vulnerable' module has been included in Border Force 'Core Skills 1'[39] training since October 2017, and in 'Core Skills 2' and Seasonal Workforce training since January 2018. In relation to the wider roll out to "experienced middle managers", so that they had the same level of knowledge as new staff, the Risk Register noted that the approach was proposed within a wider operational training review, which would be considered in early 2018 by Border Force Learning & Skills Board. Meanwhile, in its evidence to this inspection, the Home Office's Office of the Children's Champion (OCC) reported that it had observed the 'Core Skills 1' training in February 2018, and described it as:

> "a basic introduction to safeguarding/vulnerability issues which focuses on relevant legislation, identifies key abuses, raises awareness of behavioural indicators, and highlights good communication skills … [its] real strength, however, is the practical advice it provides staff about their first responder role".[40]

Border Force frontline perspectives

6.13   Inspectors interviewed Border Force frontline officers at Heathrow, Gatwick, Liverpool and Glasgow airports. A commonly expressed view was that the requirement to manage the queues at the PCP[41] meant that the interaction with a passenger was normally brief, just sufficient for officers to carry out the 'Operating Mandate' checks. This did not encourage thorough consideration of possible vulnerabilities, unless they were "blindingly obvious".

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39 Border Force has 3 core training courses: Core Skills 1 – equips officers to undertake immigration duties to the point of further examination; Core Skills 2 – equips officers with to undertake customs work including selecting and searching vehicles and persons; Core Skills 3 – equips officers to undertake further examination for immigration purposes.
40 Border Force officers are designated first responders in relation to Potential Victims of Modern Slavery
41 Nationally, there is a Service Level Agreement (SLA) in place that sets the maximum queuing time at the PCP (or e-Passport gate) at 25 minutes for UK/EEA passengers and 45 minutes for other nationalities, with a target that Border Force should achieve this in 95% of cases. Queue "breaches" are a regular source of friction between Border Force and airport/seaport operators.

6.14   Border Force management told inspectors they believed that most frontline officers were "proactive" in identifying vulnerability and the need for safeguarding action, but "a few" were not. They saw this as a question of "attitude" rather than training or competence. Frontline officers said that some of their number "did not want the confrontation at the PCP", and did not look for vulnerabilities, but waited for individuals to "self-declare".

SAMS "goals"

6.15   SAMS officers have "generic goals" in relation to safeguarding.[42] For Border Force Senior Officers and above these include:

> "Provide leadership to the safeguarding and modern slavery team at the port and ensure that sufficient time, resources and training are in place to enable operational effectiveness."

6.16   Ensuring resources were in place appeared to be a particular challenge. While they aimed to roster at least one SAMS officer on each shift, managers at Heathrow, Gatwick, Liverpool and Glasgow airports told inspectors that this was not always possible. At Gatwick, one SAMS officer was normally designated to cover both North and South terminals, although other SAMS-trained officers might also be deployed on normal duties. At smaller ports, there might be no SAMS officer rostered on a shift, particularly a night shift. In such case, the port may need to contact another port for assistance.

6.17   The goal for Border Force Higher Officers is to "Provide specialist knowledge to colleagues of all grades in this area of work." While for frontline SAMS officers,[43] the goals include:

- "Identify potential victims of modern slavery (PVoMS) and other vulnerable adults and provide appropriate operational response.

- Provide direct support and advice to frontline colleagues on the identification of children at risk, PVoMS and vulnerable adults (including victims of honour based violence - HBV).

- Empower frontline colleagues to deal with this area of work effectively by sharing learning and raising awareness of BF guidance and policy."

6.18   SAMS officers are expected to deliver these goals "in line with [their] role's professional standards". There are no metrics, and no description of how the goals will be achieved or used to assess performance.[44] SAMS officers at Heathrow, Gatwick and Liverpool airports told inspectors that safeguarding was not regularly discussed during performance reviews, and they were unable to tell inspectors whether their own or their unit's safeguarding performance had improved year-on-year. Despite this, they felt that safeguarding was more important now than it had been in the past.

6.19   More generally, frontline officers at all of the airports visited said they were aware of the importance of safeguarding. When asked, most officers referred to "mental health" as a "top" vulnerability. They recounted first-hand "good news stories" of successfully identifying vulnerability and initiating safeguarding action. However, officers said that they did not receive any data from Border Force about safeguarding "demand" or performance.

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42 Border Force advised that these "generic" safeguarding goals "can be adapted to suit each port environment". However, inspectors found no evidence of this having been done at the ports visited.
43 Border Force Officer grade.
44 At the factual accuracy checking stage, Border Force commented: "As SAMS is an additional part of the BFO role the goal is part of the list of goals for the BFO role and the success criteria apples to the role as a whole. This is in line with the standard approach brought in across the Home Office for the last reporting year."

6.20   Officers at Glasgow recounted a recent incident where a passenger with a mental health vulnerability had been accompanied to hospital and officers had waited with the individual while they were seen. This had taken two officers away from the PCP for approximately 6 hours. Management indicated that this abstraction of staff for almost the whole of their shift would not be possible when the airport was busy, for example in the evening. At such times, passengers may have to wait at the airport until someone is free to deal with them.

Border Force record keeping, analysis and data-sharing

6.21   PCP log guidance[45] lists 14 reasons for issuing an IS81[46] and detaining an individual at the PCP. These include "Section 55 enquiries",[47] "Trafficking concerns", and "Other". They do not include "Safeguarding", "Vulnerable adult", or any other named vulnerability.

6.22   Having issued an IS81, the PCP officer will normally inform the Border Force Higher Officer responsible for the shift. Either may decide that the designated SAMS officer should be consulted. The PCP officer may use the Case Information Database (CID) to raise a "Special Conditions" flag.[48] But, frontline officers at Liverpool Airport told inspectors that CID training was "awful", and that they were often unsure which special condition to use. However, where they had been consulted, the SAMS officer might be able to advise.

6.23   In addition to the PCP log, Gatwick Airport has a separate safeguarding log, which is completed by SAMS officers after they have dealt with an individual. A SAMS officer told inspectors this was "optional", it was not quality assured by managers, and its purpose was not fully understood by the SAMS officers, as the information was not recorded elsewhere, or available to others.

6.24   Officers at Heathrow told inspectors that they did not create specific safeguarding records. Some terminal-specific statistics were captured for PVoMS, and "good news stories" and "lessons learned" about PVoMS and children were circulated, but this was not collated centrally.[49]

6.25   As part of the evidence for this inspection, Border Force shared an internal document produced by a senior managers' "Safeguarding Forum", the purpose of which is "to identify vulnerable adults and ensure correct level of support is in place". The document lists 14 "Aims and Objectives". One of these refers to "highlighting trends", but none refers to collecting data or reporting performance, so it is unclear how trends would be identified. Another aim is to keep training on Modern Slavery themes and "all forms of Honour Based Abuse" up to date. There is no explanation why honour-based abuse has been highlighted and other vulnerabilities are not mentioned.

Border Force facilities

6.26   Previous inspection reports[50] have referred to how the configuration of passenger arrival halls at some airports and vehicle PCPs at seaports means there is little opportunity to observe individuals before they approach the controls. The role of the "Roving Officer", and the challenges they face,

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45 An internal Border Force document used by operational teams to record the reasons why an IS81 (detention) form was served.
46 Under Schedule 2 of the Immigration Act 1971 passengers unable to satisfy an officer's initial questioning that they qualify for entry to the UK in one of the categories set out in the Immigration Rules can be required to submit to further examination, which may involve an interview, baggage search and contacting any UK-based sponsor. The passenger is required to wait, and is not free to leave, until the immigration officer returns. They are therefore being detained from that point in time. A Home Office form IS81 'Authority to detain for examination/further examination' is issued to passengers explaining under what powers they have been detained.
47 Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the Home Secretary to make arrangements to ensure that immigration, asylum and nationality functions are discharged "having regard to the need to safeguard and promote the welfare of children who are in the UK".
48 The "Special Conditions" screen on CID has a choice of approximately 500 special conditions from which to choose with around 40 related to categories of vulnerability.
49 At the factual accuracy checking stage, Border Force advised that:" PVoMS records are collated centrally on a monthly basis although front line officers would not necessarily be aware of this."
50 For example, https://www.gov.uk/government/publications/an-inspection-of-border-force-operations-at-stansted-airport and https://www.gov.uk/government/publications/inspection-report-on-border-force-operations-at-east-coast-seaports-july-2017

have also been extensively examined. Similarly, previous reports have highlighted that the facilities at ports and airports for holding and interviewing individuals vary considerably, and in some cases are likely to be a barrier to dealing effectively with vulnerable individuals.

6.27 In response to the recommendation in 'An inspection of Border Force operations at east coast seaports' (July to November 2017) that it should "ensure that the facilities and arrangements in place at each port for accommodating and processing clandestine arrivals are fit for purpose …", Border Force pointed out that "provision of facilities in holding rooms at ports is the responsibility of the port operator", but it accepted that "facilities must be of an acceptable standard to match operational use". It stated that it would "develop national standards over the course of 2017", however there was no evidence of these during this inspection or during 'An inspection of Border Force operations at south coast seaports' (January to May 2018).

6.28 During the current inspection, officers at Liverpool Airport told inspectors that their facilities were "shocking" and "inappropriate". There was no "holding facility" and individuals who required safeguarding had to be held at a local police station, while the lack of a family room meant that officers at Liverpool Airport had resorted to putting up a poster of a children's television character when interviewing a family in order to make the space feel less stark.

Border Force 'hand offs'

6.29 Border Force works with a wide range of partners, including other government departments and agencies, local authorities, the police and non-government organisations. In the context of vulnerable individuals, local (to the port or airport) Social Services are a particularly important partner, to whom individuals may need to be 'handed off' in order to receive professional care.

6.30 Border Force officers at Heathrow told inspectors they had a positive relationship with their local Social Services. However, the regular visits from Social Services to discuss cases had stopped because officers were not being released from the PCPs to attend meetings.[51]

6.31 Border Force officers were aware that Social Services were stretched, but wondered if they understood Border Force's own resource constraints and limited facilities for holding vulnerable individuals. The officers felt that Social Services saw Border Force as "a safe pair of hands" and, as a result, referred cases did not get prioritised, meaning that individuals stopped by Border Force spent longer waiting in unsuitable conditions for Social Services to collect them.

6.32 Officers at Heathrow believed an "overarching" policy with Social Services would be useful as current practice was to escalate any issues through their managers and this could be a "bit slower" out of hours. Border Force management confirmed that there was no national policy covering engagement with Social Services, and that awareness of Adult Social Services was not included in Border Force training.

6.33 Managers at Heathrow said that they would benefit from an onsite service, in addition to the current Port Medical Inspector, to assist with all safeguarding concerns, in particular mental health. What they felt they needed was a "real-time" point of contact, such as a resident mental health nurse, or failing this a "hotline", to whom Border Force could refer cases for professional advice.

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51 At the factual accuracy checking stage, Border Force commented that: "Meetings were often cancelled due to non-attendance by social workers, and there being insufficient cases to discuss due to a reduction in arriving cases." It advised that it was "looking to extend the scope of joint quarterly meetings [described as "primarily strategic"] to address issues emanating from on-going cases."

UK Visas and Immigration encounters

6.34 Most UK Visas and Immigration (UKVI) processes are paper-based or IT-enabled. With some key exceptions, face-to-face or telephone encounters with "applicants", "claimants" or "customers" are not common practice.

6.35 For those applying for a UK visa from overseas, where there is face-to-face contact it is normally with staff at a Visa Application Centre (VAC), who are employed by a commercial partner. UKVI Entry Clearance Officers (ECOs) have the option of interviewing an applicant if in doubt about whether to issue a visa, but seldom do so, including where vulnerability may be a material factor, as in family reunion applications where there is the ability to grant "outside the rules" based on "compassionate factors" or "exceptional circumstances". The evidence from previous inspections is that ECOs prefer to rely on the documentary evidence provided.[52]

6.36 For refugees from the Syrian conflict, initial contact is with the United Nations High Commissioner for Refugees (UNHCR). For the purpose of the UK's Vulnerable Persons Resettlement Scheme (VPRS), the Home Office asks UNHCR to use its own vulnerability criteria[53] to determine who are "the most vulnerable". Meanwhile, it relies on the International Organisation of Migration (IOM) to carry out a Migration Health Assessment (MHA), and identify the refugees' health care needs.

6.37 Before they arrive in the UK, a UKVI staff member takes the refugees through a series of questions to try to find the best local authority match. This interview is conducted by telephone/video link, with an IOM staff member acting as interpreter. Once they arrive, local authorities and their integration delivery partners are in direct and regular contact with the refugees. The Home Office's focus is on encouraging and making funding available to the local authorities and others.

6.38 In the UK, some processes do routinely involve UKVI staff in face-to-face encounters with individuals. These mostly relate to asylum claims. UKVI conducts the majority of initial "screening" interviews of asylum claimants.[54] For adult claimants, the interview follows a set format that includes questions intended to identify particular vulnerabilities. These include exploring whether the individual is a Potential Victim of Modern Slavery, and/or has particular "Health/Special needs", specifically, a medical condition, disability, infectious disease,[55] is pregnant, has physical or mental health needs, or has experienced forced prostitution or labour or other forms of exploitation.

6.39 Where the interviewer identifies, or suspects, that the claimant is vulnerable, they should refer the case to the Asylum Safeguarding Hub to consider the necessary response, including referral to another agency, such as Social Services, where appropriate.

6.40 UKVI staff also conduct the substantive asylum interview, typically some months after the screening interview. The substantive interview looks to explore and test the basis for the asylum claim. Asylum is intended to provide protection for someone fleeing persecution in their country of nationality or habitual residence, who has:

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52 'An inspection of family reunion applications' (January to May 2016), published in September 2016; 'An interim re-inspection of Family Reunion applications received at the Istanbul Entry Clearance Decision Making Centre' (December 2016 – March 2017), published in July 2017; 'A re-inspection of the family reunion process, focusing on applications received at the Amman Entry Clearance Decision Making Centre' (November 2017 – April 2018), awaiting publication.
53 UNHCR's Global Vulnerability Criteria are: "Legal and/or physical protection needs; Survivors of torture and/ or violence; Medical needs; Women and girls at risk; Family reunification; Children and adolescents at risk; Lack of foreseeable alternative durable solutions".
54 Border Force and Immigration Enforcement officers carry out some asylum screening interviews.
55 The 'Initial contact and asylum registration form' that UKVI interviewers have to complete also refers to "contagious diseases". The 2 terms appear to be used synonymously.

"a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside of his country of nationality and is unable, or owing to that fear, is unwilling to avail themselves of the protection of that country".[56]

6.41   By definition, therefore, an understanding of vulnerability is central to asylum decision making. Two recent inspection reports are relevant: 'An inspection of asylum intake and casework' (April – August 2017), published in November 2017, and 'An inspection of the Home Office's production and use of Country of Origin Information' (April – August 2017), published in January 2018. Both examined how the asylum system is working, and covered decision quality and timeliness, about which they raised a number of concerns, including the inexperience of many decision makers.

UKVI's "Mission"

6.42   In response to the preliminary evidence request for this inspection, the Home Office reported that "[in 2017] UKVI has developed four missions, including the mission to safeguard the vulnerable and host communities", for which there was a named Senior Civil Servant "sponsor". The work in relation to vulnerability was intended to be "cross-cutting", taking in the whole of BICS, and to address what had been identified as significant policy and operational gaps.

UKVI Risk Register

6.43   Inspectors requested sight of the UKVI Risk Register and were provided with a copy of the 'UKVI Risk Pack – June 2018', produced by Operational Assurance and Security Unit (OASU) for the UKVI Senior Leadership Team. "Safeguarding the vulnerable" appeared as a "Red' risk", shown graphically as both "Highly likely" and having a "Critical impact", although a further, more detailed slide had "to be confirmed" against "Proximity", "Current impact" and "Current likelihood". The risk "trend" was described as "static" (that is neither "rising" or "decreasing").

6.44   The June 2018 Risk Pack listed a number of "Mitigations", including safeguarding strategies, training and guidance, cultural orientation for refugees and a "strategic approach to matching/ allocation of refugees to places to reduce impact of vulnerability", development of cross-BICS protocols on management information, recording and 'hand offs', and the review of "equalities action plans (gender, LGBTI and deaf and disabled people) for asylum and resettlement".

6.45   Another of the listed mitigations was "Vulnerability matrix pilot" – see Chapter 7.

UKVI training and guidance

6.46   The Risk Pack "Mitigations" also referred to a "BF owned programme of work to understand the training and guidance available to caseworkers across the BICS, including UKVI, and ensure consistency of information and approach".

6.47   This appeared to be a reference to the work of the Border Force Safeguarding Lead, who informed inspectors that she had presented the Border Force 'Protecting the vulnerable: Training pathway' to the BICS Board as a model for future cross-BICS safeguarding training. At the time of the inspection, there was no evidence that this had been rolled out beyond Border Force.

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56 Extract from the 1951 United Nations Convention Relating to the Status of Refugees.

6.48   Meanwhile, the 'UKVI Core Skills Framework' lists the training required for different UKVI roles: "Senior Managers"; "Front Line Manager"; "Decision Maker"; "Administration Support"; "Customer Facing". As at July 2018, the version available on the Home Office intranet was dated July 2014.

6.49   For all these roles, the list includes three e-learning packages that are directly relevant to vulnerability: 'Keeping Children Safe' – a 40-minute package that must be completed every 2 years; 'Keeping Children Safe New Children's Duty' – a 5-minute package that must be completed once; 'Human Trafficking' – a 60-minute package that must be completed annually. Under "Customer Facing" there are two additional 'Keeping Children Safe' classroom-based training packages. The 'Tier 2' package lasts 840 minutes, while the length of the 'Tier 3' package is "dependent on business requirement".

6.50   Staff guidance on UKVI's responsibilities, functions and processes is available via the Home Office intranet. Guidance for applicants, claimants and customers of UKVI is available on GOV.UK.

6.51   Using the search terms "Vulnerable adults", the former produces a link to a section headed "Vulnerable people and children". The focus is primarily on modern slavery, trafficking, and the safeguarding and welfare of children (Section 55). However, there is also a link to 'Suicide and self harm: family casework' (version 1.0 dated April 2016), which refers to assessing the risk level (1 = low, 2 = medium, 3 = high) by reference to documents provided, including medical reports and evidence of suicide attempts and self harm, or case notes from Border Force or Immigration Enforcement. The guidance states that it "is intended to help [family caseworkers][57] take all the appropriate steps to discharge our duty of care".

6.52   GOV.UK, under "Information about your asylum application" (updated April 2016), provides advice and useful contacts for help and assistance for certain categories of vulnerable persons, "Victims of human trafficking and modern slavery", "Victims of torture", "Gender based violence", "Domestic violence", "FGM (Female genital mutilation)", "Help for children", "Lesbian and gay support".

Asylum Safeguarding Hub

6.53   The Asylum Safeguarding Hub was created in September 2016 as a "Centre of Excellence" for dealing with safeguarding issues. It is funded by the Asylum, Migration and Integration Fund,[58] which limits its remit to pre-decision asylum case support. At the time of the inspection, the Hub had 35 staff spread across 8 locations, with its senior manager (Grade 7) based in Glasgow.

6.54   Inspectors visited Glasgow. They were told that the Hub had developed "organically" in various UKVI units, but the 'Adults at Risk' strategy had been the catalyst to standardise processes and policies and achieve consistency across the UK. By speeding up referrals where vulnerabilities have been identified in the asylum screening interview, UKVI hoped to progress cases more efficiently, and avoid breaching the 6-month service standard or adding to the number of cases deemed "non-straightforward". [59]

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57 Asylum decision makers.
58 The Asylum, Migration and Integration Fund was set up by the European Commission (EC) to fund projects between 2014 and 2020. The UK was allocated £360m.
59 'An inspection of Asylum Intake and Casework' (April to August 2017)' found there was a "relentless" focus on meeting the 6-month customer service standard (known as the 'Day 182' target). https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662769/An_Inspection_of_Asylum_intake_and_casework.pdf

6.55   The senior manager described the Hub as a "3-year project" that needed time to "bed in". The biggest challenge was to change the "mindset" of asylum casework teams to think first about "high risk" and not the "182-day decision target". While the project was now making progress, initially it had been "hindered" by a lack of staff.

6.56   Hub staff in Glasgow told inspectors that they make 30-40 referrals to Social Services or GPs a day, and that while some cases could take 15 minutes others take "a couple of hours". The Hub did not have performance measures. It had done some work with the Office of the Children's Champion on this, but found it was difficult to measure safeguarding performance as "CID doesn't tell you how many people are suicidal or tried to self-harm last week". Although most of the information the Hub received was "anecdotal", the senior manager believed that the system "looks and feels better".

6.57   The Glasgow Asylum Safeguarding Hub team was co-located with Immigration Enforcement, and had developed a close working relationship with the local Immigration Compliance and Enforcement (ICE) team. The latter referred to the Hub for safeguarding advice, although this was not part of the Hub's function. The ICE team senior manager believed that his team would not be able to deal as effectively with vulnerable adults without the Hub's input. The inspection team did not witness the same close working relationship between Hub staff and ICE teams based at the other locations they visited.

6.58   The initial lack of Hub staff meant that although a range of Standard Operating Procedures (SOPs) had been drafted, at the time of the inspection they had not yet been finalised. The Hub had shared these draft SOPs with the Refused Case Management (RCM) unit, but told inspectors that "we've got our approach and they've got theirs". Scale was a factor. While the Hub now had 35 posts,[60] it understood that RCM had just 5 staff working on safeguarding. Hub staff told inspectors they had had limited engagement or sharing of best practice with RCM, despite the risk of duplication and "massive crossover" between the two units.

6.59   The Hub senior manager told inspectors that it was not explicitly stated where the Hub's "duty of care" ended, but it generally considered it was no longer responsible when an individual's asylum claim was granted. However, "hand offs" to other Home Office teams, if required, were not clearly documented. Where a claim was refused, the case should pass from the Hub to the RCM at the point where the individual was "Appeal Rights Exhausted" (ARE).[61] However, in practice the Hub would "carry on" as the RCM would not have much to contribute if no further representations had been received. Hub staff in Glasgow reported that the Hub's remit was "until ARE", but noted that there were ARE individuals in Scotland who remained in asylum accommodation and were still covered by the Hub.

Refused Case Management

6.60   The Immigration Act 2014 substituted the right of appeal for most decisions with an administrative review process. Rights of appeal are now limited to four categories of decision.[62] A person may initially appeal to the First-Tier (Immigration & Asylum) Tribunal, which can allow or dismiss it, and subsequently to Upper Tribunal where they believe the First-Tier has made an error in law.

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60 2x G7, 2x Senior Executive Officer, 7x Higher Executive Officer, 10x Executive Officer, 14x Administrative Officer, forming 7 regional teams and a 3-person Central Admin Team.
61 ARE claimants are those with no further statutory right of appeal challenging the outcome of their application.
62 The 4 are: refusal of a human rights or protection claim and revocation of protection status - appeal rights are in Part 5 of the Nationality, Immigration and Asylum Act 2002; refusal of a visa and refusal to vary leave to remain, in some situations, where the application was made before the Immigration Act 2014 was in force; refusal to issue a European Economic Area (EEA) family permit as well as certain other EEA decisions where appeal rights are in Regulation 36 of the Immigration (European Economic Area) Regulations 2016; deprivation of citizenship whereby Section 40A of the British Nationality Act 1981 applies.

6.61 Having exhausted their appeal rights, many individuals make "further submissions" (produce new evidence in support of their claim or application) which are managed by Refused Case Management (RCM), a UKVI unit based in Liverpool, visited by inspectors in April 2018. According to RCM, further submissions often included claims or evidence of self-harm.

6.62 RCM had its own Standard Operating Procedures (SOPs), which differed from the Asylum Safeguarding Hub's procedures. In the case of suicide and self-harm (SSH) risks, RCM maintains a colour-coded spreadsheet, with separate 'tabs' for each of three SSH levels:

- Level 1: a single threat of self-harm or suicide

- Level 2: repeated threats of suicide or self-harm or a minor incident that has already occurred

- Level 3: a serious, immediate and evidence-based risk the person is likely to commit suicide, or serious self-harm or attempted suicide has already occurred

6.63 Figure 1 shows the number of cases recorded on the spreadsheet to the end of February 2018.

Figure 1: Refused Case Management's record of Level 1, 2, 3 Suicide and Self Harm cases as at end February 2018			
	Recorded in 2017	**Recorded in Jan-Feb 2018**	**Total (earliest recorded)**
Level 1	454	85	1,653 (since 2013)
Level 2	224	28	680 (since 2012)
Level 3	29	75	104 (since 2017)

6.64 RCM used three Special Conditions flags when recording SSH cases on CID:

- 'Safeguarding Referral Process' – used to indicate an internal referral had been made

- 'Service in Person of Decision' – used to indicate that decisions should be served while support[63] is present

- 'Threat of Self Harm/Known Suicide Attempt' – used to describe the actual vulnerability

UKVI record keeping

6.65 Inspectors examined a sample of current case records. They found differences between the RCM case notes on CID and documents retained on the paper files. The latter included a "Security Pro Forma" with a section entitled "Suicide and Self Harm" with 3 options: "0 – No evidence", "1 – Some evidence", "2 – Immediate risk". In 2 of the cases examined the "Security Pro Forma" had been marked "0", while the corresponding CID notes, completed on the same day, indicated a Level 3 SSH risk.

6.66 The Home Office told inspectors that the CID Special Conditions flag "Known Suicide Attempt" was attached to 27 cases in 2017. However, given that RCM alone added 29 Level 3 cases to its local spreadsheet in 2017, this raised doubts about the consistency and comprehensiveness of UKVI record keeping, and the robustness of data on SSH vulnerability derived from CID. More positively, inspectors found consistent use of a clear "safeguarding minute" by RCM staff, using 3

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63 Such as the individual's legal representative or a doctor.

special conditions for each case of self-harm. This clearly explained the vulnerability on the case and advised of the requirement to serve any decision in person due to the potential negative effect of that decision on the individual concerned.

Immigration Enforcement encounters

6.67   Immigration Enforcement (IE) officers encounter individuals in a range of circumstances: at Reporting and Offender Management (ROM) centres,[64] in their homes, where they work, on the street. Some may already be known to the Home Office, and possibly to the particular IE officer, such as those required to report regularly. Some may be the subject of a targeted enforcement operation, against a place of employment or residential premises.

6.68   For individuals who have entered the UK clandestinely and are found in or jumping down from a lorry, the encounter with the IE officer(s) may be their first face-to-face contact with the Home Office. For those in the UK without leave to remain who have not previously been "detected", it may be their first meaningful encounter. Whether or not this is the case, and notwithstanding how professionally Immigration Enforcement manages these encounters, the likelihood is that they will be stressful for the individuals concerned, particularly where they result in an arrest.[65]

Immigration Enforcement Risk Register

6.69   Immigration Enforcement provided inspectors with a 'Risk and Assurance Review' slide pack, prepared for a meeting of its Senior Leadership Team (SLT) in February 2018, and an 'IE Vulnerability Risk Register', dated March 2018. The former identified "Failure to manage vulnerability effectively" as a "Strategic Risk", which was assessed as 'Red'.

6.70   The latter went into more detail. It described the risk as "A lack of effective governance of vulnerability issues across IE and the Borders and Immigration System", and under 'Potential consequences' stated:

"We may fail in our duty of care and vulnerable applicants may not be treated appropriately; this may cause harm to the individuals involved and reputational damage to the Home Office."

6.71   Under "Existing controls", "Progress in year", and "Further action" the bulk of the references are to safeguarding children, victims of modern slavery and trafficking, and adults in detention. No other categories of vulnerability are referred to explicitly. However, there are references to self-assessments and action plans being in place in all IE directorates and reviewed monthly, and to "safeguarding co-ordinators for children and adults" having been identified "in all IE areas". The future actions include "SCS[66] discussions being driven forward at SLTs around creating a vulnerability hub and the need to embed vulnerability in [the] transformation agenda" and a "training review to ensure that those who are making vulnerability assessments across IE receive the relevant training."

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64 The Reporting and Offender Management (ROM) system provides the principal point of contact between the Home Office and individuals who have been notified of their liability for detention and removal from the UK. In 2017, the reporting population was approximately 80,000. Three quarters of those reporting were required to do so monthly, quarterly, or less frequently. Foreign National Offenders (FNOs) tended to have to report more frequently.
65 The Shaw Review notes the observation by HM Inspectorate of Constabulary that: "The experience of being arrested and taken into police custody intrinsically disempowers the detainee."
66 Senior Civil Servant.

Immigration Enforcement training and guidance

6.72   Immigration Enforcement "General Instructions" can be accessed on the Home Office intranet. They include general guidance, policy and instructions and are divided into three broad sections:

- powers and operational procedures: which include information about enforcement powers, conducting operations and types of operational visits

- offender management: which includes information on case maintenance, detention, contact management and sanctions

- returns – process and consideration: which includes information about arranging removals, family removals, and removals documentation.

6.73   IE officers told inspectors that they referred to "General Instructions" when making decisions involving vulnerable individuals. They also relied on 'ICE casts'.[67] These are sent out periodically and provide updates and direction on the latest policies and procedures frontline officers must follow. Officers mentioned 'ICE casts' at all the sites inspectors visited, and they clearly found them useful. However, a number commented that it was often hard to find the specific 'ICE cast' they needed, and managers said there was no way of monitoring whether officers had read and absorbed particular 'ICE casts' and were applying them consistently.

6.74   There was also a reliance on teamwork and the experience of colleagues. Officers told inspectors that if one member of the team missed something it was likely that someone else would pick it up and ensure that it was dealt with. This applied equally to dealing with vulnerable individuals.

6.75   In terms of formal training, new IE officers[68] have a 20-day induction consisting of 66 modules "giving IE staff the immigration knowledge and background required to link into the IE strategy of protecting; preventing; pursuing and preparing to protect UK interests".[69] This is delivered by Business Embedded Trainers (BETs), in partnership with external trainers. Further training is provided for officers involved in arrests or entry to premises under warrant.

6.76   The training "pathway" for new IE officers includes a mandatory e-learning package that covers safeguarding, but officers told inspectors that they would find it useful to have some classroom-based training from experts in safeguarding vulnerable individuals, as e-learning could become "tick-box", especially where it was mandatory. However, they acknowledged that it would be difficult to provide "tailor-made" training for all of the situations they might face.

6.77   Each IE directorate had appointed a "Vulnerability Lead", supported by a network of Vulnerability/Safeguarding Co-ordinators, to provide support and guidance where required. Meanwhile, each directorate, plus the Office of the Children's Champion (OCC) and training and skills colleagues were represented at the IE 'Safeguarding Forum'. The Forum ensures that:

- all business areas have completed the self-assessment process

- action plans are in place to address any weaknesses highlighted by self-assessment and ensure that actions are progressed

- issues and risks to vulnerable adults are captured and escalated

- children's risks are captured and escalated

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67 Internal (to Immigration Enforcement) communications aimed at operational officers.
68 Assistant Immigration Officer, Immigration Officer, and Chief Immigration Officer grades.
69 Extract from the Course objectives.

6.78   The Office of the Children's Champion told inspectors it had not been approached or involved in the creation or assurance of any current IE training packages.

Immigration Enforcement frontline perspectives

6.79   At the time of the inspection there were 19 Immigration Compliance Enforcement (ICE) teams. These were located around the UK, often occupying the same premises as a ROM (of which there were 16). Inspectors visited the ROM and ICE teams in Glasgow and Liverpool, and the ROM and East London ICE team at Becket House (Southwark).

6.80   Inspectors accompanied an ICE team on an intelligence-led operation. This involved early morning visits to three residential premises, targeting non-EEA nationals believed to have entered the UK holding forged or stolen EU passports. Prior to each deployment the team received a detailed briefing, which included designating specific roles to named officers. The briefing identified each of the targets, all of whom were adult males. None was assessed as vulnerable. The team had no intelligence about other possible occupants.

6.81   In the event, only one of the targets was encountered. He was arrested, along with a non-EEA young woman living at the same address, who according to her own testimony had entered the UK illegally. There were several other young men in the house. The team quickly established that they were all EEA nationals exercising their Treaty rights. Throughout, everyone, including the arrestees, was treated with respect, and spoken to politely but firmly. A female officer was designated to stay with the young woman while she got dressed and gathered her possessions. As the woman spoke little English, the officers used 'Big Word'[70] to communicate with her.

6.82   The targets were not encountered at the second and third addresses. During both visits the ICE team was professional and thorough, without prolonging the time spent in the property any longer than was necessary to search for the targets and to establish that the occupants had the right to remain in the UK. There was a small child in the third property, and the team ensured that she and her parents were kept together in a separate part of the house while the search and questioning of the other (male) occupants took place.

6.83   From this operation, and from interviews with IE officers through the course of this inspection, it was evident that frontline IE teams were well-organised, professional and motivated to do a good job. They appeared to relish the operational challenges and the fact that they did not know quite what they would find each time they deployed. Officers told inspectors that they felt supported by the operational management structure, which included having a Chief Immigration Officer (CIO)[71] in the office as "back-up" when they were out on visits.

6.84   IE officers told inspectors that most ("about 80%") of the time they spent dealing with vulnerability was taken up with children. This was not because children were a particular focus, but because for children there was a clearly defined process they were required to follow, while this did not exist for adults, except for the 'Adults at Risk' policy when considering whether an individual can be safely detained.

6.85   Officers were aware of the safeguarding network. They said that IE managers had worked hard to ensure that each region had access to it. However, it seemed to them that managers were focused on capturing and sharing "good news stories", as examples of best practice, and that thus far the network was not being fully utilised.

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70 Big Word is an official interpreting service used as required by Home Office officials, and accessed on the telephone.
71 Immigration Enforcement Higher Officer.

6.86   One of IE's main objectives is to "encourage and enforce the return of illegal migrants from the UK".[72] Amongst the officers to whom inspectors spoke there was a recognition that this could "rub" against the need to safeguard vulnerable individuals, and could even exacerbate vulnerabilities in some instances, for example preventing individuals with mental health issues from accessing health care. A senior IE manager pointed out, however, that the fact that an individual was vulnerable did not mean that they should not be removed, but that they should receive appropriate support and protection through the process.

6.87   IE officers of all grades told inspectors that they believed some individuals claimed to be vulnerable in order to prevent or delay their removal. Frontline officers reported that this happened regularly, and they believed some of it was co-ordinated. They cited "mental health" as a particular example of something they were not in a position to dispute, which could mean that such cases ended up in the "too difficult pile".

6.88   In Glasgow, Liverpool and London, inspectors spoke with ROM staff about individuals who were recorded as vulnerable and who failed to report as required. A ROM manager told inspectors that ROMs were not resourced to chase up non-attendees, and it was for the UKVI or IE caseworker,[73] not the ROM, to decide whether to task an ICE team with an enforcement visit. Even where an individual had a 'Suicide or Self-Harm' Special Conditions flag, non-attendance did not trigger immediate action from the ROM.

Immigration Enforcement 'Hand offs'

6.89   There was no 'General Instruction' specifying where an IE officer's duty of care to an individual began and ended. Officers told inspectors that their understanding was that once they had made a referral to the appropriate agency, for example the police or Social Services, their duty of care ended. An IE manager commented that while some frontline officers were "risk adverse" regarding vulnerability and others could be "overly cynical", most took the view that they were not social workers and could not be expected to perform that role.

6.90   All ICE teams worked with local authorities, and might refer a vulnerable individual to a local authority to receive the care they needed. However, there was no UK-wide IE strategy for local authority engagement. Relationships with local authorities varied, as did the capacity of ICE teams to develop and maintain them.

6.91   IE officers told inspectors that contacting local authorities out of hours could be a problem. Also, local authorities did not see it as a priority to respond where an individual was in IE's custody as they regarded them as "in safe hands". However, they felt this failed to take account of whether IE had the appropriate facilities, resources or skills to provide the required level of care, and they believed IE was not equipped to respond effectively beyond the initial encounter stage.

6.92   IE officers also told inspectors that working with other agencies could be challenging, especially where they were operationally dependent on the other agency. For example, if they were expecting to encounter a vulnerable person or child they would have to plan their operation around when the necessary support would be available. If Social Services did not have the resources available to support the operation it might need to be rearranged or called off. This reduced IE's effectiveness.

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72 https://horizon.fcos.gsi.gov.uk/section/organisation/home-office/immigration-enforcement
73 Caseworking units in UKVI are responsible for managing the cases of most individuals on reporting restrictions, with Foreign National Offenders managed by IE's Criminal Casework Directorate.

7. Inspection findings: Record keeping

Record keeping: Use of "Special Conditions"

7.1 Inspectors examined how vulnerabilities were being recorded on the Home Office's main caseworking and operational database, CID. The Home Office provided inspectors with a list of 41 CID "Special Conditions Types" used for recording a vulnerability - see Figure 2.

Figure 2 List of CID "Special Conditions Types" used for recording a vulnerability		
Adult at Risk – Level 1	DS: Medication Required and Held	Family Split – Removal
Adult at Risk – Level 2	DS: Medication Required and Not Held	Female Genital Mutilation
Adult at Risk – Level 3	DS: Mental Illness	Infectious Disease
Certified Mental Illness	DS: Mobility Issues	Known Suicide Attempt
DD Auth – Split Nursing Child from Mother[74]	DS: Pregnant	NRM Victim Care Contract[75]
Detained Safeguarding Team Interest	DS: Risk to women/children	Physical Illness
DS: Claimed Medical Condition	DS: Self Medicating	Police Interest
DS: Diabetic	DS: Substance Abuse	Pregnant
DS: Existing Medical Condition	DS: Terminal Illness	Safeguarding Referral Process
DS: Infectious Disease	DS: Threat of Self Harm	Special Needs
DS: Known Suicide Attempt	DS: Vulnerable Adult Care Plan	Threat of Self Harm
DS: Medical Hold	DS: Vulnerable Person	Other
DS: Medication Not Known	Exception Risk	N/A
DS: Medication Not Required	Family Split – Detention	

7.2 CID has around 500 "Special Conditions Types".[76] These appear in a drop-down box on a "Special Conditions" screen, where they are listed alphabetically according to their "Value" (an abbreviated alpha-numeric code). The 41 Types at Figure 1 are not separated out, or marked in any way to indicate that they apply to vulnerabilities. Nor are they further defined or explained in any cross-BICS guidance.

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74 "DD Auth" – Requires authorisation by a Deputy Director.
75 "NRM" – National Referral Mechanism used for Potential Victims of Modern Slavery.
76 New types are added as required, for example a number have been added for Windrush cases, and some redundant types have been deleted.

7.3 While the meaning of some Types, for example "Pregnant", is unambiguous, others are open to interpretation. As Figure 1 shows, the majority of those relating to vulnerability were named with individuals in detention in mind (the "DS" prefix stands for "Detention Services").

7.4 When a case record on CID is accessed, any "Special Conditions" entries relating to that individual are displayed automatically.[77] The user must click to close this screen before they are able to continue. However, a "Special Conditions" flag acts as an alert, although it does not trigger or require action. The "Special Conditions" screen on CID can be closed without taking or committing to take any action. In this respect, it operates in a similar way to a diary reminder on a personal computer.

7.5 As CID allows for duplicate special conditions to be raised for the same individual, the Home Office was unable to provide certain data requested by inspectors, for example, the number of individuals who had had a "Threat of Self Harm" flag raised in 2017.

Examination of case records

7.6 Inspectors requested 117 case files where a "Special Conditions" flag had been entered on CID in 2017. The Home Office indicated that it was able to provide only 92 of the requested files within the required timescale. Of these, 13 were found to be out of scope,[78] and a further 8 arrived after the completion of the file sampling phase of the inspection.

7.7 Of the 70 files inspectors examined:

- 18 were flagged as "Known Suicide Attempt"
- 23 were flagged as "Threat of Self Harm"
- 12 were flagged as "Certified Mental Illness"
- 17 were flagged as "Safeguarding Referral Process"[79]

7.8 Inspectors compared the case file with what was recorded on CID under "Special Conditions" flags. This revealed:

- 12 cases where BICS staff had had information about serious vulnerabilities, such as threats of self-harm or mental health issues, but had not raised the relevant "Special Conditions" flag
- 13 cases where a "Special Conditions" with a "DS" prefix was used for an individual who was not detained
- 4 cases where the "Additional Information" field was left blank, did not provide clear or detailed notes, or contained information that should have been recorded as a separate "Special Condition"

Failure to raise a "Special Conditions" flag

7.9 Amongst the 12 cases referred to above, inspectors found a particularly egregious example of a failure to raise a "Special Conditions" flag – see Case study 1.

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77 "Special conditions" are listed in date order of entry on CID (with most recent first). "Special conditions" with a "Closed Date" are displayed on the same screen, but drop to the bottom of the list. "Special Conditions" are denoted on CID by a flag icon. This icon is highlighted red once a "Special Condition" has been added and remains "Open".
78 1 child, 1 Potential Victim of Modern Slavery, 6 detained cases, and 5 with no relevant "Special Conditions".
79 To put this in context, in 2017 there were c. 65,000 uses of the "Safeguarding Referral Process" flag.

Case study 1: Information about suicide and self-harm vulnerabilities recorded on CID but no "Special Conditions" flag raised

The individual

The individual was a South African male who was found dead in March 2017, apparently having committed suicide.

Case details

- In November 2016, the record shows that the Home Office received a solicitor's letter making it aware of the threat of self-harm. No "Special Conditions" flag was raised at this time

- In February 2017, the individual submitted a letter at a Reporting and Offender Management (ROM) centre describing a suicide attempt made in November 2016. CID notes mention that the individual was taken from the ROM to an Accident & Emergency Department due to concerns for his mental health, but there is no indication the suicide and self-harm (SSH) process was followed, and no mental health "Special Conditions" flag was raised

- The only "Special Conditions" flag related to vulnerability raised for this case ("Threat of Self-Harm") was added 1 week after the individual had died

Home Office comments

When asked about this case, the Home Office responded:

"The officer dealing with this case had given details to first aider and thought they would update CID. The officer then went on leave for four days, on return had an email asking him to update it but did not"

Independent Chief Inspector's comments

There is no way of knowing whether the outcome would have been different had the Home Office flagged this case earlier and followed its SSH process. But, in not doing so, it is not able to demonstrate that it discharged its duty of care in this instance, or met its objective of protecting the vulnerable.

Use of the wrong "Special Conditions" flag

7.10   Inspectors asked the Home Office about the 13 cases where a "DS" prefixed "Special Conditions" flag had been used for non-detained cases. The Home Office responded that the "DS "special conditions" flag had been used "incorrectly" or "inappropriately" in most instances, and described this as a "training issue". However, Refused Casework Management commented that:

"'DS' flags may be used in error by individual caseworkers where a DS version exists as well - SC [Special Conditions] flags are not covered in training packages and we are not aware of any guidance or glossary for them. Furthermore, the team recommend the use of DS flags when there is no appropriate non-DS flag to cover a situation."

7.11   This response indicates that the Home Office is aware that the existing "Special Conditions" options on CID do not cover the range of vulnerabilities staff are encountering. Although pragmatic, by endorsing staff taking a 'closest fit' approach, it compromises the quality and consistency of any data relating to vulnerabilities.

Inconsistent use of the "Additional Information" field

7.12   The "Additional Information" field on the "Special Conditions" screen allows staff to record further details about the flagged vulnerability, such as the nature of the self-harm and when it occurred, in order to inform and assist other CID users. Inspectors were unable to find clear guidance on how to complete the "Additional Information" field, for example how much information to provide and how to structure it.

7.13   Inspectors noted two cases that contained simply "2009" and "vulnerable" in the "Additional Information" field. In another case, the "Special Conditions" flag used was "Safeguarding Referral Process", while "pregnant" and "mental health" were noted in the "Additional Information" field, both of which are "Special Conditions" in their own right. This again reduces the value of any data drawn from CID.

7.14   Inspectors also found that notes explaining or relevant to an individual's vulnerabilities were recorded in different places on CID. Most users appeared to use "Case Notes", but some used the "Person Notes" tab. Staff told inspectors that it could be time-consuming to find information, and it might be missed, whereas this could be avoided if it were recorded in the "Additional Information" field or this was used to signpost other information.

Knowledge of "Special Conditions" and relevant training and guidance

7.15   When talking to staff across BICS, inspectors found that levels of knowledge of "Special Conditions" varied. This appeared to be due, at least in part, to the frequency with which different units dealt with certain types of cases. Inspectors held 23 focus groups with staff from grade Administrative/Assistant Officer (AO) to Senior Executive Officer (SEO) from Border Force, UKVI and IE (and also interviewed 8 Grade 7s and G6s). Each group was asked about the function of the "Safeguarding Referral Process" flag. Answers included "it's for an internal referral"; "it's for external referrals"; "it's for the NRM"; "it's to highlight cases for funding reasons"; and, "I've never heard of that one".

7.16   Inspectors asked about guidance and training for how to use CID "Special Conditions" flags. Border Force responded that "SC flags are not covered in training packages and we are not aware of any guidance or glossary for them".

7.17   The Asylum Safeguarding Hub reported that, in 2017, it had created Standard Operating Procedures (SOPs) covering CID notes and "Special Conditions".[80] Inspectors reviewed these SOPs. The SOP entitled "Entering Special Conditions Flags on CID" did not contain a glossary or explanation of what each "Special Conditions" type should be used for, and referred to the "Additional Information" field as the "Comments Box". However, it did provide some examples of notes that could be used.

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80 As of February 2018, 10 SOPs including "CID Special Conditions flags" had been "operationally implemented" for use by the Asylum Safeguarding Hub (up from 1 SOP in August 2017), and 14 other SOPs including "Suicide and self-harm referrals" were "under consultation before completion and implementation".

7.18   Meanwhile, a search of the Home Office intranet found that "Routing and first contact" guidance for asylum caseworkers provided a 'walkthrough' (with screen-shot) of how to create a "Special Conditions" flag on CID, but, confusingly, it conflated the drop-down options available under "Special Conditions Type" with the further details that can be added only as free text in the "Additional Information" field.

7.19   The intranet also contained guidance produced by IE's Criminal Casework Directorate (CCD), covering what to include in the "Additional Information" field for 11 "Special Conditions" relating to Foreign National Offenders, while another IE unit informed inspectors of guidance relating to 15 "Special Conditions" that applied to deportation cases.

7.20   To the extent that guidance existed, it appeared to have been developed within directorates or business units, without cross-reference to others. Meanwhile, none of the frontline operational staff to whom inspectors spoke during this inspection was aware of any of this guidance.

7.21   Staff across BICS described vulnerability as "wide" and "changing". Many felt that they required regular updates to supplement the initial training they had received, which in most cases had been limited to e-learning packages. However, some questioned whether the Home Office had the necessary expertise in-house. One of the Business Embedded Trainers (BETs) in IE told inspectors that they did not feel comfortable delivering training in this "specialist" area, and that it might be better to employ external trainers with greater expert knowledge.

Suicide and Self-Harm guidance

7.22   The intranet contains specific guidance on 'Suicide and self harm'. The latest version (8.0) of this guidance was published on 12 June 2015, and runs to 15 pages. It outlines the referral procedure for adults, with a link to guidance entitled "Safeguard and promote child welfare", observing that "there will be crossover between these issues – for example, where an adult's vulnerable state places children within their care at risk."

7.23   Addressed to "all business areas that carry out immigration functions" the "Suicide and Self Harm" guidance "explains your duties towards people you believe are at risk" and "sets out the limits of your responsibilities", noting that "Members of staff who carry out immigration functions are not expected to be clinicians with medical knowledge."

7.24   The guidance states that

"all business areas must:

- follow the advice on identifying those at risk of suicide or self harm
- develop links with local health and social services and the police, if they do not already have them, and make sure these links allow information on specific cases to flow freely in both directions between the Home Office and other agencies
- record cases which involve people who have threatened suicide or self harm, carried out previous self harm or made previous attempts to commit suicide and report them to the designated local safeguarding coordinators".

7.25   Under "Links with local agencies" the guidance states that if a business area has contact with the public it must, as a minimum, have named contacts in the local Social Services and Health Authority, which the "ICE team will normally lead on establishing". It must also appoint a

safeguarding co-ordinator and a Grade 6 or 7 safeguarding lead. The guidance instructs staff to refer all cases (Horizon contains a template referral form) as:

"social services and/or other organisations may have had other referrals about the same person of which the Home Office is not aware, and they may take action as a result".

7.26 The guidance describes 3 levels of risk:

- Level 1 risk cases: a single threat of self-harm or suicide

- Level 2 risk cases: repeated threats of suicide or self-harm or a minor incident that has already occurred

- Level 3 risk cases: a serious, immediate and evidence-based risk the person is likely to commit suicide, or serious self-harm or attempted suicide has already occurred

7.27 It sets out the actions staff must take for each level of risk – see Figure 3.

Figure 3: Suicide and Self-Harm risk levels and required actions	
Level	**Actions required**
1	• immediately contact a named local contact in health or social services, using the referral form • minute the case file • raise a flag on CID • make a note on the CID special conditions screen • inform the local safeguarding coordinator • advise the individual's legal representative (if they have one) to encourage their client to seek professional help
2	• all the requirements for level 1 cases, but also notify health and social services by telephone before sending the referral form • bring the case to the attention of the local safeguarding lead, who must decide whether to take any other action in terms of the referral and interaction with health and social services

3	• if the risk is immediate, call 999 for emergency assistance
	
	• in non-emergency cases, follow all the level 1 and 2 actions
	
	• immediately refer the case to deputy director level (who may be the local safeguarding lead), who must hold a case conference to discuss the person's immigration status and may ask local social services, health services and police to participate, the purpose of which is to:
	
	  • "make sure the other agencies are in a position to consider the correct course of action from their perspectives
	
	  • consider the level of risk to the person beyond the one the other agencies have already identified
	
	  • consider next steps in handling the case and whether a different form of handling is required (the external agencies are expected to have a view but the Home Office deputy director must make the decision)"

Suicide and Self Harm file sampling evidence

7.28   Of the 70 case files examined by inspectors, 18 had a "Special Conditions" flag for "Known Suicide Attempt", and 23 had a "Threat of Self-Harm" flag. Inspectors found:

- 27 cases where there was no Minute on the file, and it was therefore unclear whether the Suicide and Self Harm guidance had been followed

- 18 cases where a referral form was sent, but it was unclear whether an acknowledgement had been received from social services or other agency

- 9 cases where the wrong risk level was assigned

- 9 cases where no referral form was sent when this was required

- 3 cases where the "Special Conditions" flag was inconsistent with what was recorded elsewhere within Home Office records

7.29   It appeared from the file sample that the referral form was not routinely saved to the paper case file. Nor was the referral form amongst the document templates listed within the CID 'Doc Gen' function, where copies of various completed templates relevant to a case may be stored electronically.

7.30   It also appeared that acknowledgements were often not received, or not filed, although inspectors found some evidence that staff followed this up. In one of the cases examined, a referral form had been sent on 29 April 2017, and another on 24 June 2017. The second referral form noted "we don't seem to have had a reply". There was no explanation of the 2-month wait for a response. Overall, it was hard to see how anyone could be certain whether a referral had been made by looking at a case file.

7.31   Inspectors found two cases where the risk level initially assigned had later been "downgraded" by another caseworker. In one of these, an individual assessed as Level 3 in October 2017 was moved to Level 1 in February 2018, which would not seem to be possible based on their respective definitions.

7.32   Inspectors asked what process there was for a Home Office unit to upgrade or downgrade a SSH risk assigned by another unit. Returns Preparation responded that "No process exists, however it would be accepted that the most up to date risk assessment would be the one which is accurate." Refused Case Management replied:

> "There is no established process for upgrading/downgrading risk levels set by another unit. However, RCM Safeguarding occasionally do this if new information or a reassessment of previous information lead to a different conclusion. In that case CID is updated with the correct flags and a note to explain the logic applied."

7.33   In three cases, documents added to the file after the "Known Suicide Attempt" or "Threat of Self-Harm" "Special Conditions" flag had been raised stated there was no evidence of a suicide or self-harm vulnerability.

7.34   Instead of using "Level 1, 2, or 3", three cases had used other "gradings": "Level C", "adult protection", or "AAR level 1".

Case study 2 Failure to follow the Suicide and Self-Harm guidance timescales

The suicide and self-harm risk

- The individual, an Iranian adult male, was housed in asylum accommodation.
- On 18 July 2016, his doctor informed the accommodation Provider (a commercial company contracted by the Home Office) that the individual had suicidal thoughts, and wanted to jump from a third floor window
- On 19 July 2016, the accommodation provider informed the Home Office, and moved the individual to a ground-floor room

Home Office actions and record keeping

- On 19 July 2016, a note was added to CID
- On 21 July 2016, a case conference was held, following which a "Special Conditions" flag for "Safeguarding Referral Process" was added to CID. The "Additional information" field referred to "Level 3", but there was no evidence of an immediate telephone or written referral

The reporting event

- On 20 July 2017, the individual attended a reporting event and presented a letter from his GP referring to Post Traumatic Stress Disorder (PTSD) and psychotic depression, and stating that it would be dangerous for individual to drive
- The record of the reporting event states "I asked whether subject is driving and he replied no". Nothing was noted about offers of support or signposting to other agencies, and no "Special Conditions" flag was raised

The Home Office comment

"It is unclear why additional special conditions weren't deemed appropriate to be used in this case."

Independent Chief Inspector's comments

The asylum accommodation provider moved quickly to reduce the immediate risk to the individual and to inform the Home Office. Thereafter, it appears that the Suicide and self-harm guidance was followed, and an appropriate referral made, but not to the prescribed timescales for a Level 3 case.

The incident was recorded as 'Safeguarding Referral Process'. Despite several further suicide attempts, no flag had since been added for 'Known Suicide Attempt'. There was no evidence that this file had been quality assured at any point and these issues identified and addressed.

Effecting and recording "hand offs"

7.35 The 'Suicide and self harm' guidance recognises that individuals requiring health or social care should be referred to the responsible agency. While there may not be the same urgency, the principle applies equally to other vulnerabilities where the Home Office is not competent to assess the individual's needs or to provide the support or care required.

7.36   Inspectors found that 'hand offs' to other agencies relied on local procedures. Responsibility for establishing and maintaining relationships with local agencies, such as Social Services and the police, was delegated to local teams, as envisaged in the 'Suicide and self harm' guidance.

7.37   Senior managers told inspectors that it would be difficult to have a nationally-agreed process for hand-offs due to the large number of local authorities and the different ways they worked. However, some thought the Home Office should make more of the fact that it had the national picture, and pointed out that all local authorities operated under the same legislation, the Care Act 2014.

7.38   Frontline officers in Border Force and Immigration Enforcement told inspectors that having a directorate-wide[81] Single Point of Contact (SPOC) to liaise with Social Services would be useful, especially if they needed to "escalate" a case. IE officers suggested that their Command and Control Unit[82] had the potential to act as the SPOC for vulnerability issues.

7.39   Inspectors were given an example of an issue that officers believed would benefit from a national approach and/or the involvement of SPOC. They were told that:

> "Social Services will often state they cannot do anything if the applicant is not already known to them. This is the result of different structures across different local authorities in the UK."

7.40   Inspectors found one case where the referral for an individual with a "Threat of Self Harm" flag "bounced back" from Social Services as the individual was not known to them, and they indicated that they required a referral via the individual's GP before they could act. In this particular case, the individual did not have a GP and the Home Office told inspectors that they felt that "advising him to get a GP could indicate the imminent service of a negative [asylum] decision and possibly trigger further SSH incidents."

7.41   The risk in such cases, apart from someone whom the Home Office had identified as particularly vulnerable not getting the care they required, is that the situation is simply recorded and left unresolved. A similar case is described in Case Study 3.

Case study 3: Referral to social services not made because the individual was not registered with a GP

The suicide and self-harm risk

- The individual, a Sudanese adult male, made a threat of self-harm at a Reporting and Offender Management (ROM) centre

Home Office actions and record keeping

- An ambulance was called, but the individual was left unsupervised and left the building before the ambulance arrived

- No Suicide and Self-Harm referral form was completed, and the case notes stated that Social Services were not informed as "applicant was no fixed abode and had no GP"

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81 The Home Office uses "directorate" to mean different things. In this context, officers were referring to a Single Point of Contact (SPOC) for Border Force and for Immigration Enforcement.
82 The Command and Control Unit specialises in handling police referrals to IE, but also acts as an out-of-hours contact for other parts of BICS.

> **Home Office comment**
>
> When asked about this case, the Home Office responded:
>
> "There is no specific policy on this, however public facing staff are trained on the application of the national decision model to allow them to make appropriate decisions in a dynamic environment."
>
> **Independent Chief Inspector's comment**
>
> Having decided that the threat of self-harm was sufficiently serious to warrant calling an ambulance, it would be reasonable to expect the Home Office to recognise its duty of care to extend to sitting with the individual until the ambulance arrived.
>
> The decision not to make a referral may have been informed by experience, and it is likely that the restriction imposed by Social Services was beyond the member of staff concerned to resolve. Nonetheless, noting this on CID and taking no further action was not an effective way for the Home Office to discharge its duty of care.

7.42   Since the incident highlighted in Case Study 3, the Asylum Safeguarding Hub had produced a Standard Operating Procedure entitled "SHSOP0010 Vulnerable customer is not registered with a GP".[83] It advised:

> "Send a letter to the customer suggesting they register with a GP" or "make this recommendation face to face at their next reporting event."

and continued

> "Not all customers need a GP, indeed many customers will navigate their way through the asylum process without any support or guidance from medical services."

7.43   It is unclear whether this would have helped in the case in question, or would help in similar cases in future, assuming that the Asylum Safeguarding Hub is consulted. It does not address the issue of individuals with no fixed abode, nor does it help with individuals who fail to attend a reporting event and for whom the Home Office does not have an address. The SOP does not offer a solution or course of action where Social Services refuse to engage, including where an individual is in need of urgent care, the inference being that the Home Office's duty of care can be discharged by ensuring it correctly follows its own administrative and record keeping processes.

7.44   At the time of the inspection, a further 14 SOPs had been drafted by the Asylum Safeguarding Hub, including 'Suicide and self-harm referrals'. These were "under consultation before completion and implementation".

Measuring performance

7.45   Senior managers across BICS told inspectors that it was "difficult" to measure the volume of vulnerabilities encountered and the performance of different Home Office units. However, other agencies had performance measures in place, at least some of which appeared transferrable.

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83 The SOP had an implementation date of 18 September 2017.

7.46   In 2015, Her Majesty's Inspectorate of Constabulary (HMIC) reported on Vulnerability, including a definition:

>   "The extent to which a police force is successful at identifying, protecting and supporting those who are vulnerable is therefore a core indicator of its overall effectiveness."

7.47   HMIC rated the 43 police forces in England and Wales as either "outstanding", "good", "requires improvement" or "inadequate" by reviewing case files, observing multi-agency meetings and analysing crime data.

7.48   Meanwhile, the NHS told inspectors:

>   "There are a range of mechanisms which support the commissioners of health services [to] assure themselves that services are compliant with the Care Act 2014. User experience, quality inspections e.g. CQC,[84] complaints monitoring and quality data monitoring are all used to help commissioners understand the impact of the principles of the Care Act".

7.49   NHS England also publishes the 'Safeguarding Adults Collection' statistics every year and was able to report that in 2016-7 there were 109,145 individuals who were the subject of a safeguarding enquiry under Section 42 of the Care Act, and that this was an increase of 6 per cent on 2015-16.

Improving Home Office Management Information

7.50   At the time of the inspection, a senior UKVI manager, responsible for the Asylum Safeguarding Hub, was leading a project to improve the Home Office's recording of vulnerability, and was working with Children's Services at a local authority to see how they were using their IT and management information (MI).

7.51   The May 2017 presentation to the BICS Board noted:

>   "MI on vulnerable people in our systems is underdeveloped but:
>
>   - Around a quarter of asylum cases in progress are flagged for vulnerability and more than half of those have mental health indicators
>   - Around 500 individuals (more than 1 in 10 of those identified as vulnerable) have attempted suicide or self-harm or are considered to be a serious or imminent risk of doing so".

7.52   The data quoted is caveated as "inconclusive", but the document states there is "enough evidence to generate concern", and that the Home Office needs to be better sighted on the current extent of vulnerable adults in its systems before it can address this effectively.

The Vulnerability Matrix

7.53   The Vulnerability Matrix is "an automated spreadsheet which calculates a unique and individual vulnerability score based on the chosen vulnerability indicators and the answers to supplementary questions". The Matrix has 24 "indicators" of vulnerability – see Figure 4.

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84 Care Quality Commission.

- Age dispute
- Allegation of Historic Child Sexual Abuse
- Child Protection/Risk to Child/Child Neglect
- Disability
- Domestic Abuse
- Female Genital Mutilation
- Food or Fluid Refusal
- Forced Marriage
- Honour-based violence
- LGBTI
- Physical Health
- Potential Victim (of modern slavery)

- Pregnancy
- Proof of kinship/Family Reunion
- Mental Health
- Missing Adult/Child
- National Security Threat
- Suicide and Self Harm
- Unaccompanied Minor
- Victim of Assault
- Victim of Hate Crime
- Victim of Torture
- Violent Behaviour/Disruptive Behaviour/Escape Attempt
- Vulnerable to Radicalisation

The Vulnerability Matrix "pilot"

7.54   The concept of a 'Vulnerability Matrix' was presented to the BICS Board in 2017. A working group of 6 BICS staff drawn from across Border Force, UKVI and Immigration Enforcement, planned a "pilot" to run at 3 sites from 26 March 2018 to early July. Inspectors visited 2 of them: Heathrow Airport Terminal 5 and Croydon Reporting Centre.

7.55   Senior Resettlement, Asylum Support and Integration (RASI) managers told inspectors that this was "just an initial trial" and the indicators themselves were still not set. They had been suggested by frontline staff based on the types of cases they commonly encountered, albeit some more frequently than others. At this stage, there was no underpinning data in relation to the indicators to show how often each was encountered.

How it works

7.56   The Matrix has a set of 61 Yes/No tick box questions that when completed generate a vulnerability score of 0, 1, 2 or 3.

Figure 5: Vulnerability Matrix "Scores"	
Description	**Code**
No vulnerability identified	V0
Level 1 vulnerability	V1
Level 2 vulnerability	V2
Level 3 vulnerability	V3

7.57   The Vulnerability Matrix "quick guide"[85] states:

"Upon completion of the Vulnerability Matrix, users must next update CID with the relevant Special Conditions flag, a record of the Vulnerability Score and, finally, provide comprehensive notes.

The CID Special Conditions flags (which have been added to CID specifically for this pilot) are V0 – No vulnerability identified, V1 -Level 1 vulnerability, V2 – Level 2 vulnerability and V3 – Level 3 vulnerability."

7.58   The guide informs those involved in the pilot to:

"Undertake your assessment of vulnerability in the usual way using your existing processes and tools. The vulnerability matrix is for recording vulnerability, not an assessment tool in itself."

Changes to CID

7.59   The pilot required changes to be made to CID. The change request form[86] stated:

"There is currently no agreed definition of the various types of vulnerability or a method for recording the varying degree of vulnerability identified in individuals who interact with immigration systems or come into contact with Borders, Immigration and Citizenship staff."

7.60   The same change request form explained the high-level objective as follows:

"There is an appetite to enable staff across the Borders, Immigration and Citizenship System to take a consistent approach to the identification and recording of vulnerability. It is proposed that four new 'Special Conditions Flags' are created in order to allow staff to record varying/increasing levels of vulnerability (having used a comprehensive vulnerability matrix to make a well-reasoned assessment). This will also allow analysis of the scale and type of vulnerability in the system(s) and, over time, will provide a strategic overview of trends and the impact of interventions."

7.61   In terms of benefits, the change request form looks beyond the pilot, stating:

"Our ability to record, analyse and act upon instances of vulnerability right across the BICS will be greatly improved."

7.62   Similarly, the answer to how the change will be communicated envisages that the pilot will lead to a system-wide roll out:

"The changes will first be publicised to a select group of colleagues from various teams across BICS who will take part in a pilot. Subsequently, the change will be communicated via a global email to all staff across BICS."

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85 An internal Home Office document provided to ICIBI as part of the evidence request.
86 An internal Home Office document provided to ICIBI as part of the preliminary evidence request.

Training for the pilot

7.63   A training session was held for local leads, who were expected to "cascade" the training to their teams. At one of the pilot sites the staff involved in inputting data described the cascaded training they received as "brief", comprising "5 minutes on how to fill in the spreadsheet".

7.64   At both sites, staff understood that the focus was on identifying vulnerability. Consistency of recording was not mentioned. Without first standardising how the recording categories should be interpreted and used, with practical examples, the Matrix risks simply perpetuating the different understandings of vulnerability that exist across BICS under a mixture of old and new headings. The inspection found no evidence that this risk had been considered.

7.65   The Project Lead told inspectors he did not want staff to see the Vulnerability Matrix spreadsheet as "just another thing to do", and conceded that there was a risk that the pilot had not been "sold correctly". Taken together with the reference to "a global email to all staff across BICS" as the means to communicate the system-wide roll out of the Matrix [following a successful pilot], it appeared that the challenges of engaging staff, particularly frontline officers, in any new initiatives had been significantly underestimated.[87]

7.66   Inspectors reviewed the training for the Vulnerability Matrix. This featured a reminder to "provide a detailed narrative using CID notes" explaining that "The pilot is fundamentally about supporting colleagues later in the system - clearer notes means improved safeguarding." No examples or further descriptions were provided of what constituted a "detailed narrative" and "clearer notes", but the guidance also states:

> "The final step in the process is for users to provide detailed and comprehensive notes explaining the process followed and the reasoning behind the vulnerability assessment."

Initial feedback on the pilot

7.67   Initial feedback on the pilot from frontline staff had been mostly positive. One group thought the use of a 0-3 scoring system for the Vulnerability Matrix was potentially confusing as the Adults at Risk policy also used a 1-3 system, and there had been some concerns about the length of time it would take to complete the Matrix. However, Border Force officers at Heathrow Terminal 5 had been able to complete it for more cases than the suggested 25 per fortnight, and felt it would be beneficial to complete the Matrix for all cases as that would give them more experience of using it.

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87 During this inspection, as in other recent inspections, frontline staff told inspectors that the bulk of their communications arrived via email, which they often had no time to read.

Annex A: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) 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 his 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 him 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 he 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.

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Inspection team

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