



An inspection of the EU Settlement Scheme

November 2018 – January 2019

David Bolt

**Independent Chief Inspector of
Borders and Immigration**

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Foreword

For the Home Office, the EU Settlement Scheme represents both a major challenge and a great opportunity.

On a practical level, the challenge is to process the applications to the Scheme that it receives from the estimated 3.5 million EU citizens living in the UK, and ensure that each applicant is granted either settled status or pre-settled status in line with their rights, and this inspection examined the progress the Home Office had made in designing and testing the Scheme, focusing on the Private Beta 2 (PB2) phase that ran between November and December 2018.

The inspection looked specifically at governance of the Project, at staffing, and at the learning the Home Office had gained from its testing, including from the trialling of the 'EU Exit: ID Document Check app' and from the inclusion in PB2 of a small cohort of vulnerable applicants.

However, the challenge is also one of effective communication, against a climate of mistrust of the Home Office's intentions and of its competence. The inspection therefore also looked at internal and external communications in relation to the Scheme.

Meanwhile, it is not lost on the Home Office that the Scheme is an opportunity to demonstrate what it is capable of achieving with the right resources, appropriate input from other government departments and ministerial support for a new ("looking to grant") approach.

The inspection found areas for improvement and I have made seven recommendations. However, accepting that the Scheme had still to launch and therefore be properly tested, compared with many other areas of BICS, where systems and staff resources appear under constant strain, forcing them to be largely reactive and to juggle different demands, the EU Settlement Scheme stood out as having been afforded the preparation time, resources and organisational priority to succeed. Morale amongst the staff working on the Scheme, many of them new to the Home Office, was high and it will be important to try to maintain the positive attitudes when the Scheme becomes 'business as usual' and workloads become more challenging.

The intention, subject to the UK leaving the European Union with a deal, is that an Independent Monitoring Authority (IMA) will be created to monitor the working of the Scheme and investigate alleged breaches. Pending the creation of the IMA, I plan to continue to monitor and report on the Scheme in line with my statutory remit. My next report will be after the Scheme has launched and been in operation for a short period.

This report was sent to the Home Secretary on 6 March 2019.

David Bolt

Independent Chief Inspector of Borders and Immigration

1. Purpose and scope

- 1.1 This inspection examined the Home Office's preparations for the launch of the EU Settlement Scheme. The inspection looked at the Private Beta 2 (PB2) phase of the roll out of the Scheme, which ran from 1 November to 21 December 2018.
- 1.2 The inspection focused on the extent to which, at the end of PB2, the Home Office and others could have confidence in the design and delivery of the Scheme, which it was intending to open fully by 30 March 2019.
- 1.3 Although much of the evidence gathering for this inspection was done while PB2 was still running, this report was written after the publication by the Home Office of its 'EU Settlement Scheme private beta testing phase 2 report' on 21 January 2019 in order to take account of the Home Office's analysis and appraisal of its performance. Inspectors did not look to test the accuracy of the reported data but did review how it had been interpreted by the Home Office.
- 1.4 Inspectors looked specifically at:
 - governance of the EU Settlement Scheme Project
 - staffing assumptions and workforce planning and management, including training and guidance provided to EU Settlement Scheme caseworkers and staff in the Settlement Resolution Centre
 - the design, testing and development of the Scheme up to the end of the PB2 phase, including the trialling of the 'EU Exit: ID Document Check app', the accessibility of the Scheme for vulnerable applicants, and the Home Office's internal and external communications regarding the Scheme
- 1.5 Inspectors did not examine any individual applications to the EU Settlement Scheme.

2. Methodology

2.1 Inspectors:

- during Private Beta 1 (PB1), visited the Royal Liverpool University Hospital to observe members of the EU Settlement Scheme team assisting EU employees with their applications, followed by a 'walkthrough' of the EU Settlement Scheme's main processes and discussions with caseworkers and managers
- reviewed the Withdrawal Agreement (including the draft Agreement) and the Home Office's Statement of Intent in relation to the Scheme
- analysed Home Office documentary evidence, including guidance for applicants available on the GOV.UK website and material on the Home Office intranet
- reviewed relevant open source material, including reports and observations from stakeholders and social media postings
- observed three webinars arranged by the Home Office for employers in preparation for PB2
- interviewed and held focus groups with managers and staff in the EU Settlement Scheme (caseworking) business area and Settlement Resolution Centre in Liverpool, including the head of casework operations
- observed processes in the Settlement Resolution Centre
- interviewed the Project Manager and the Home Office Digital lead for the Scheme

3. Summary of conclusions

- 3.1 Between August and December 2018, the Home Office conducted two ‘Private Beta’ tests of its EU Settlement Scheme. ‘Private Beta’ 1 (PB1) ran from 28 August to 17 October and ‘Private Beta 2’ ran from 1 November to 21 December.¹ On 21 January 2019, it began ‘Public Beta 1’. At the time of writing (mid-February 2019), it remained the government’s intention that the Scheme would be open to all eligible applicants “by 30 March 2019”.
- 3.2 Following the completion of PB1 and PB2, the Home Office published detailed end of phase reports. The PB1 report² was published on 31 October 2018 and the PB2 report³ on 21 January 2019. Both reports contained performance data (numbers of applicants, numbers granted ‘settled status’, numbers granted ‘pre-settled status’, processing times etc.) and a narrative which included feedback from applicants on their experiences and lessons learned.
- 3.3 The PB1 and PB2 reports both described the test phase as “successful” and, in terms of their stated scope and ‘primary’ objectives (which were set out in the respective reports), the inspection found that this was largely justified. However, these objectives were deliberately limited in their scope, and in both instances the number of applicants fell well short of the Home Office’s working assumptions.
- 3.4 While the Home Office will argue that the numbers of applications were sufficient for PB1 and PB2 to serve as robust tests of the relevant systems and processes, the low take-up raises two obvious concerns: how well will the systems, processes and staff cope with much greater volumes of applications (which are inevitable at some point, although when is unclear)?; and, why did so many of those who were eligible to apply not do so, was it a communications failure, a reluctance for whatever reason to engage with the process, or something else?
- 3.5 Both concerns are amplified by the fact that eligibility for PB1 and PB2, apart from a small “vulnerability cohort” included in the latter, were likely to be amongst the easiest to reach and most straightforward to process, since the majority were employed in the public sector or by large institutions. Equally, these applicants might be expected to be amongst the most likely to be comfortable using the online application process which was the key focus of PB2, particularly given the levels of support the Home Office was offering.
- 3.6 It is questionable, therefore, whether the Scheme has been properly tested in terms of its capacity and capability to deal with ‘non-straightforward’ applicants, and some stakeholders have voiced their concern that it does not meet the needs of the diverse range of ‘vulnerable’ adults and children with whom they work. This includes concerns on a technical level (for example, for an online application the 6MB file that can be uploaded with additional evidence may not be large enough in some cases); in relation to the Scheme’s general accessibility (some applicants will struggle to provide documentation, because they have none or because it is held

1 PB2 was run in stages (see PB2 report for details). This was to allow the Home Office to make incremental improvements in response to feedback.

2 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752872/181031_PB1_Report_Final.pdf

3 <https://www.gov.uk/government/publications/eu-settlement-scheme-private-beta-2/eu-settlement-scheme-private-beta-testing-phase-2-report>

by an abusive partner, and some will struggle with language); and, the Scheme's scope (whether some cohorts will be eligible that stakeholders argue should be, such as 'Zambrano' carers).⁴

- 3.7 Meanwhile, on the communications point, it has also been suggested that a large proportion of people who will need to apply for settled or pre-settled status in order to continue to live and work in the UK legally after EU exit simply do not understand that this is the case, including some who believe that they do not need to do so because they have Permanent Residence, the numbers of which increased substantially following the result of the referendum.⁵ Stakeholders feared that these people risked falling foul of the compliant environment.
- 3.8 The Home Office had commissioned some independent research prior to PB1 into what EU citizens in the UK understood about their future status and how they planned to act, and it had also established a number of stakeholder 'user groups'. The Home Office was clearly keen to 'own' the messaging around the Scheme, as evidenced by the PB1 and PB2 reports, and through an email 'alerts' subscription service and social media. However, inspectors saw no evidence that it was looking to probe in detail why such small numbers had applied during PB2 and what this implied for the Scheme, including for application volumes after it was fully open, and how its communications might need to be adjusted to take this into account.
- 3.9 Notwithstanding these various concerns, compared with many other areas of BICS, where systems and staff resources appear constantly under strain, forcing them to be largely reactive and to juggle different demands,⁶ the EU Settlement Scheme stands out as having been afforded the preparation time, resources and organisational priority to succeed. This, together with the fact that the majority of staff are new to the Home Office and have understood the clear message that they should be "looking to grant, not for reasons to refuse" meant that morale was high at the time of this inspection.
- 3.10 It will be important to try to maintain staff morale and the customer service ethos when the Scheme is no longer a novelty but has become 'business as usual' and the workloads have become more challenging. Key to this will be appropriate performance measures, including an effective quality assurance regime. As at the end of PB2 there was still some work for the Home Office to do to establish these, and the Scheme's customised IT system⁷ was not yet capable of producing the necessary management information and data. This should be a priority, since regular performance reporting (not simply how long applications are taking to process, but a detailed breakdown of applications, outcomes, lessons learned and improvements made) will also be key to securing the confidence of those eligible to apply and other stakeholders, not least the European Commission.

4 A 'Zambrano' carer is a person from a non-EEA state whose residence is required in order to enable a child or dependant adult, who is British, to live in the UK (or the rest of the EEA). If the child is a UK citizen, a parent or parents with sole care of the child also have a right to reside and work in the UK.

5 In November 2018, a British Medical Association survey of 1,500 doctors from EEA countries found that a third (37%) were not aware of the EU Settlement Scheme, despite NHS employees being a particular focus of PB1 and PB2. <http://www.pulsetoday.co.uk/news/gp-topics/employment/eu-doctors-in-the-nhs-dont-trust-the-government-on-brexitsays-bma/20037798.article>

6 For example, Asylum Casework – see <https://www.gov.uk/government/publications/inspection-report-on-asylum-intake-and-casework>

7 The IT system uses a commercial-off-the-shelf (COTS) product. During Private Beta 1, inspectors observed this being tested and feedback being provided to IT support to make any necessary adjustments.

4. Recommendations

The Home Office should:

1. Clarify the consequences of the decision to remove the fee for EU Settlement Scheme applications (and loss of offsetting revenue) for the resourcing and functioning of the Scheme and for any other Borders, Immigration and Citizenship System (BICS) fees and services while the Scheme is in operation.
2. Dedicate sufficient resources to the EU Settlement Scheme throughout its life to ensure that all applications are processed efficiently and effectively, and that the lack of a customer service standard does not affect the priority given to these applications when compared with other UKVI functions that do have such standards.
3. Ensure that any additional demands the EU Settlement Scheme creates elsewhere in the Borders, Immigration and Citizenship System (BICS), for example in the Administrative Review team, are monitored and not allowed to have an adverse effect on the performance of these business areas.
4. Ensure that the EU Settlement Scheme's customised IT system is capable, routinely, of producing comprehensive management information and data:
 - a. to enable Home Office managers to set appropriate individual performance measures and to manage the Scheme's overall performance
 - b. to support an effective quality assurance regime for the Scheme
 - c. to enable the Home Office to produce regular reports on how the Scheme is performing (not simply how long applications are taking to process, but a detailed breakdown of applications, outcomes, latest lessons learned and improvements made) with the aim of securing the confidence of those eligible to apply and other stakeholders.
5. Provide EU Settlement Scheme caseworkers and Settlement Resolution Centre staff with clear guidance about 'evidential flexibility' in relation to settled status via the EU Settlement Scheme and ensure that they understand and apply it consistently.
6. Without discouraging them from trying to help applicants resolve any problems they are having with their application, ensure that Settlement Resolution Centre staff are trained to recognise when an applicant should be advised how to make a formal complaint or to apply for an administrative review.
7. Be clear in its communications with stakeholders dealing with vulnerable groups and individuals that while it is keen to encourage them to provide advice and practical assistance to applicants, including with the aid of grant funding where appropriate, that it recognises and accepts that it remains responsible for ensuring the EU Settlement Scheme meets the needs of everyone who is eligible and this includes making 'reasonable enquiries' on behalf of those (for example, 'looked after' children) who find it difficult to prove their eligibility.

5. Background

EU citizens in the UK

- 5.1 Since the referendum on 23 June 2016, the status and rights of the estimated 3.5 million⁸ EU citizens living in the UK after the UK exits the European Union (EU) has been the subject of significant parliamentary and public interest.

Draft Withdrawal Agreement

- 5.2 Part Two of the draft Withdrawal Agreement,⁹ published on 19 March 2018, concerned ‘citizens’ rights’. The draft text was marked to show that it had been “agreed at negotiators’ level, and will only be subject to technical legal revisions in the coming weeks”.
- 5.3 Part Two includes provisions for the protection of existing rights to equal treatment and non-discrimination for EU citizens residing and working in the UK, including in relation to employment, study, access to public services and benefits; continued mutual recognition of professional qualifications; and co-ordination of social security systems in relation to pensions, benefits and other forms of social security.
- 5.4 Article 14 of the draft set out the ‘Right of permanent residence’ for “Union citizens, United Kingdom nationals, and their respective family members, who have resided legally in accordance with Union law for a continuous period of five years in the host State”.

‘EU Settlement Scheme: statement of intent’

- 5.5 On 21 June 2018, the Home Office published ‘EU Settlement Scheme: statement of intent’.¹⁰ This policy paper described how the EU Settlement Scheme (‘the Scheme’) would give effect to Article 14.
- 5.6 The policy paper summarised what the Scheme would mean for EU citizens and their family members:
- EU citizens and their family members who, by 31 December 2020, have been continuously resident in the UK for five years will be eligible for ‘settled status’, enabling them to stay indefinitely.
 - EU citizens and their family members who arrive by 31 December 2020, but will not yet have been continuously resident here for five years, will be eligible for ‘pre-settled status’, enabling them to stay until they have reached the five-year threshold. They can then also apply for settled status.

⁸ According to ONS, Population of the United Kingdom by Country of Birth and Nationality. Released: 29 November 2018, the figure is 3.66 million.

⁹ <https://www.gov.uk/government/publications/draft-withdrawal-agreement-19-march-2018> Page 7

¹⁰ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718237/EU_Settlement_Scheme_SOI_June_2018.pdf

- EU citizens and their family members with settled status or pre-settled status will have the same access as they currently do to healthcare, pensions and other benefits in the UK.
- Close family members (a spouse, civil partner, durable partner, dependent child or grandchild, and dependent parent or grandparent) living overseas will still be able to join an EU citizen resident here after the end of the implementation period, where the relationship existed on 31 December 2020 and continues to exist when the person wishes to come to the UK. Future children are also protected.”

5.7 The June 2018 policy paper explained that the Scheme would be implemented mainly through secondary legislation. This would include:

- adding a new Appendix EU to the Immigration Rules to provide the basis under which EU citizens and their family members can apply for settlement
- changing the Immigration Fees Regulations to set the fees for applications under the Scheme and provide for fee exemptions for some applicants¹¹
- changing the Immigration Biometrics Regulations to enable biometrics to be taken (and retained) from EU citizens and non-EU citizen family members applying under the Scheme.

Independent assurance

5.8 The draft Withdrawal Agreement stated that citizens’ rights would be monitored in the UK by a new Independent Monitoring Authority (IMA):

“(the “Authority”) which shall have equivalent powers to those of the Commission acting under the Treaties to conduct inquiries on its own initiative concerning alleged breaches of Part Two of this Agreement by the administrative authorities of the United Kingdom and to receive complaints from Union citizens and their family members for the purposes of conducting such inquiries. The Authority shall also have the right, following such complaints, to bring a legal action before a competent court or tribunal in the United Kingdom in an appropriate judicial procedure with a view to seeking adequate remedy.

The Commission and the Authority shall each inform annually the specialised Committee on citizens’ rights on the implementation and application of Part Two in the Union, and in the United Kingdom, cover measures taken to implement or comply with Part Two and the number and nature of complaints received.”

5.9 Under the draft Withdrawal Agreement, the IMA will remain in place for at least eight years after the end of the transition period, when it may be abolished if the UK and EU agree that it is no longer required.

5.10 The ‘EU Settlement Scheme: statement of intent’ later explained that as primary legislation will be required to create the IMA:

“Ahead of that, the implementation of the EU Settlement Scheme will be monitored by the Independent Chief Inspector for Borders and Immigration (ICIBI). The ICIBI inspects all elements of the UK borders and immigration system, and is independent of the Home Office, providing impartial reports for the Home Secretary which are laid in Parliament.”

¹¹ On 21 January 2019, the Prime Minister announced that applicants to the EU Settlement Scheme would not have to pay a fee and those who had already done so would be refunded.

5.11 On 23 July 2018, the Committee on Exiting the European Union published its Eighth Report of Session 2017–19 ‘The progress of the UK’s negotiations on EU Withdrawal: The rights of UK and EU citizens, (HC 1439)’. Echoing concerns that had been expressed by Guy Verhofstadt on behalf of the European Parliament,¹² the Committee wrote:

“The Immigration Minister told us that she was confident that the Independent Chief Inspector of Borders and Immigration (ICIBI) will be able to carry out the role of safeguarding the rights and EU citizens in the UK, until the Independent Monitoring Authority (IMA) is ready. We are not as confident that the ICIBI is entirely suitable for the role, and fulfils the requirements set out in Article 152 of the draft Withdrawal Agreement.”

5.12 On 21 December 2018, the Committee received the Government response to its Report, in which the Immigration Minister reiterated:

“the Independent Chief Inspector of Borders and Immigration (ICIBI) will, through his existing statutory functions in respect of the UK immigration system, provide oversight of the operation of the EU Settlement Scheme. The ICIBI will be able to report on the functioning of the scheme, enabling improvements to be made as appropriate, and, if there are particular aspects of the scheme warranting more detailed enquiry, the ICIBI will be able to inspect these and report on them.”

5.13 The Government’s stated position is that the IMA’s powers will have effect from the end of the implementation period.¹³ However, in responding to the Committee the Immigration Minister noted that: “In a no deal scenario, there would be no requirement for the IMA to be established as its purpose would be to monitor the Citizens’ Rights part of the Withdrawal Agreement, which would not be in force.”

5.14 In reply, the Committee accepted that the creation of an IMA would require primary legislation but urged the Government to:

“provide detail in relation to IMA’s powers, procedures and resources. This is vitally important to instil confidence in the process, particularly given concerns expressed about the ability of the Home Office to manage such a task effectively.”

Private Beta 1

5.15 In August 2018, the Home Office briefed the ICIBI on its work on the EU Settlement Scheme, after which ICIBI and the Home Office agreed that it would not be productive to carry out a formal inspection of the Private Beta 1 (PB1) phase of the roll out given its relatively small scale and limited scope and duration.

5.16 Instead, the ICIBI visited Liverpool on 27 September 2018 (Week 5 of 8) to observe members of the EU Settlement Scheme team assisting EU employees at the Royal Liverpool University Hospital with their applications, followed by a ‘walkthrough’ of the Scheme’s main processes and informal discussions with Home Office caseworkers and managers.

¹² Writing to the Home Secretary, also in July 2018, Guy Verhofstadt, on behalf of the European Parliament, described it as “crucial” that the IMA was “up and running” when the Withdrawal Agreement came into force (assumed to be 30 March 2019) as “the ICIBI would not have the powers or responsibilities outlined in the draft Withdrawal Agreement, which go beyond carrying out inspections. In fact they include conducting inquiries, receiving complaints and, crucially, bringing, on the basis of a complaint, legal actions before a UK court or tribunal.”

¹³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728757/6.4737_Cm9674_Legislating_for_the_withdrawal_agreement_FINAL_230718_v3a_WEB_PM.pdf

- 5.17 All of the Home Office staff involved appeared enthusiastic about the Scheme. It was clear that a great deal of thought had gone into trying to ensure that the ‘customer experience’ was a positive one, not least the fact that Home Office staff assisting applicants all wore pastel polo shirts, which were smart, easily identifiable, and far-removed from the blue-black uniforms more often associated with immigration and borders functions. From observations, the interactions with applicants were professional and engaging, and the applicants appeared to find the process itself straightforward, user-friendly and quick.
- 5.18 All of the Home Office staff to whom inspectors spoke were clear about the aims of PB1 and were intent on testing processes and systems thoroughly. Inspectors saw evidence that improvements were being identified and implemented and heard that there was a close working relationship with Home Office IT. However, as the customised caseworking system being developed for the Scheme was not yet ‘live’ this could not be fully tested and caseworkers were having to work with the Case Information Database (CID) to process applications, which was cumbersome.¹⁴

Withdrawal Agreement and Political Declaration

- 5.19 On 25 November 2018, a special meeting of European Council endorsed the Withdrawal Agreement. The text in relation to the ‘Right of permanent residence’ remained unaltered from the draft¹⁵ as did the text in relation to ‘Monitoring of the implementation and application of Part Two’.

European Economic Area and European Free Trade Association citizens

- 5.20 In December 2018, the UK Government reached agreements with the European Economic Area (EEA), European Free Trade Association (EFTA) member states (Norway, Iceland, and Lichtenstein) and Switzerland that citizens of these countries would also fall under the scope of the EU Settlement Scheme. It has been estimated that there are 15,000 EEA nationals and 14,000 Swiss EFTA nationals living in the UK.

The current inspection

- 5.21 The current inspection has been carried out in accordance with the ICIBI’s statutory functions as set out in Sections 48 – 56A of the UK Borders Act 2007.¹⁶
- 5.22 The inspection looked at the PB2 phase of the roll out of the EU Settlement Scheme. This ran from 1 November to 21 December 2018. The inspection focused on the extent to which, at the end of PB2, the Home Office and others could have confidence in its preparations for the full implementation of the Scheme by 30 March 2019. The inspection findings are set out in Chapter 6.

Future inspections

- 5.23 Until the creation of the IMA, the date for which had not been fixed at the time of this inspection, ICIBI will continue to monitor the efficiency and effectiveness of the immigration elements of the Scheme in line with the UK Borders Act 2007. This will include monitoring the

14 The deficiencies with the Home Office’s Case Information Database (CID) have been widely reported, including in numerous previous ICIBI reports.

15 The phrase “in the host State” appeared twice in the draft Agreement but only once in the final version.

16 <https://www.legislation.gov.uk/ukpga/2007/30/crossheading/border-and-immigration-inspectorate>

numbers of applications, processing times, outcomes, details of engagement with stakeholders and evidence of continued governance of the project.

- 5.24 In order to avoid unnecessary duplication of effort, and to ensure that the ICIBI and IMA are fulfilling their statutory functions and providing an appropriate level of independent assurance that it is working efficiently, effectively and in accordance with the Withdrawal Agreement, the ICIBI will aim to agree a memorandum of understanding with the IMA about future monitoring and inspections.

6. Inspection findings

The EU Settlement Scheme ‘Project’

- 6.1 The two areas of the Home Office’s Borders, Immigration and Citizenship System (BICS) most closely concerned with the design and development of the EU Settlement Scheme (‘the Scheme’) have been BICS Policy and Strategy Group (PSG) and UK Visas and Immigration (UKVI). Digital, Data and Technology (DDaT) directorate¹⁷ have also been key contributors, with regular contributions from Capabilities and Resources, Communications, and Stakeholder Engagement. A number of other Home Office units are also represented on the Project Board.
- 6.2 The Scheme has been managed as a project, using ‘Agile Project Management’¹⁸ methodology. The project has two Senior Responsible Officers (SROs), Director Visas and Citizenship (UKVI) and Director BICS Strategy, with a Senior Civil Servant (Grade 5) as Project Manager. The Project Manager reports to the two SROs as necessary.
- 6.3 A Project Board, chaired by the SROs, has met roughly fortnightly since September 2017. In addition to the Project Board meetings, initially there were weekly meetings of the ‘workstream’ leads (Caseworking, Rules and Guidance, Stakeholder Engagement, DDaT). The frequency of these has increased since the start of PB2 and, at the time of the inspection, they were taking place three times a week.

Costs and benefits

- 6.4 According to an Impact Assessment (IA) signed by the Immigration Minister in July 2018, between 2018-19 and 2021-22 the Scheme is expected to cost the Home Office¹⁹ between £410 and £460 million (depending on the number and types of applicants),²⁰ of which £50 million are Capital costs. The IA noted that the “primary benefits” of the Scheme “are not monetised but the ability to give certainty and clarity to EU citizens and their family members living in the UK.”
- 6.5 The IA also noted that the Scheme was expected to generate between £170 and £190 million in revenue (again depending on the number and types of applicants). However, on 21 January 2019, the Prime Minister announced that “there will be no fee” for the EU Settlement Scheme applications, and applicants who had paid the fee would be refunded. Since the online application process requires payment of the fee to proceed this will require an IT fix,²¹ but it was unclear whether this would increase the overall cost of the Scheme.

17 Digital, Data and Technology (DDaT) directorate is not part of BICS but serves the whole of the Home Office.

18 Agile project management is an approach based on delivering requirements iteratively and incrementally throughout the project life cycle.

19 The Impact Assessment does not consider any additional costs of the EU Settlement Scheme for other government departments.

20 The IA assumed that between 2.25 and 2.65 million adults without a permanent residence document would apply, 0.65 and 0.75 million children aged 0-16, and 0.6 million adults with a permanent residence document (and therefore exempt from the £65 fee).

21 Inspectors were told that payment of the fee occurs at the same time as the HMRC/DWP checks are made and the payment screen is an integral part of the process.

Staff resources

- 6.6 Resource costs, mostly Salaries, make up a significant proportion (almost 90%) of the projected costs of the Scheme. The Home Office has calculated that of 1,803 full-time equivalents (FTEs),²² will be needed to run the two areas dealing directly with applications. The bulk of these will be EU Settlement Scheme caseworkers, the majority at Executive Officer (EO) and Administrative Officer (AO) grades. Their job will be to process and conclude (decide) applications. The remainder (266 FTEs) will staff the Settlement Resolution Centre, dealing with calls and emails and providing general information about the Scheme and specific support to applicants. Most of the staff in the Settlement Resolution Centre will be AOs. See Figure 1.

Figure 1: Staffing of EU Settlement Scheme Casework and Settlement Resolution Centre

Grade	EU Settlement Scheme Casework FTEs	Settlement Resolution Centre FTEs
Senior Civil Servant (Grade 5)	1	0
Grade 6	5	0
Grade 7	10	2
Senior Executive Officer (SEO)	31	5
Higher Executive Officer (HEO)	117	37
Executive Officer (EO)	630	86
Administrative Officer (AO)	580	136
Administrative Assistant (AA)	163	0
Total	1,537	266

- 6.7 The Home Office began recruiting staff for the EU Settlement Scheme in 2017. At the time of the inspection, senior managers were happy with the current staffing position but accepted that they might need to rely on agency staff to fill some roles temporarily.

Permanent Residence applications since June 2016

- 6.8 The decision to recruit early was in part due to the need for additional staff to manage an increase in the number of Permanent Residence²³ applications received after the referendum result. Official statistics²⁴ show that the number of Permanent Residence documents issued to EU nationals increased almost ten-fold to a peak of 168,413 in the year ending December 2017. See Figure 2.
- 6.9 In the year to September 2018, the Home Office issued 102,012 documents and cards certifying permanent residence. Despite the falling numbers since the 2017 peak, at the time of the inspection the application levels were still significantly higher than for the period prior to the referendum.

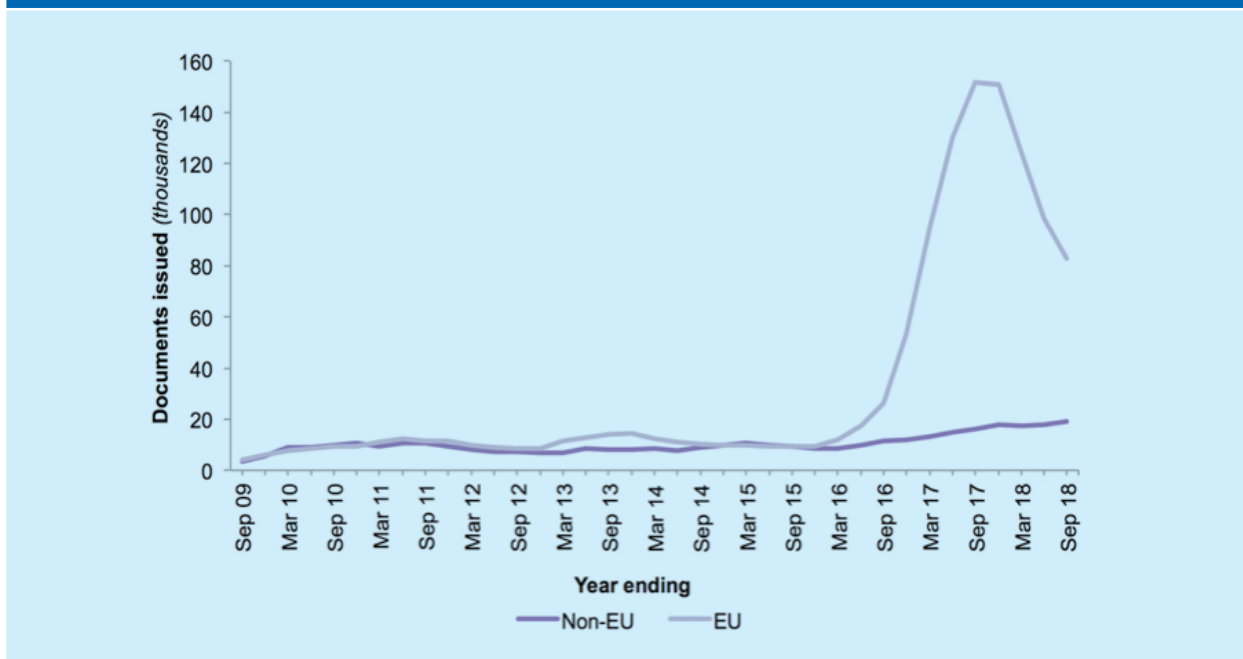
²² The full-time equivalent (FTE) figure represents the number of notional full-time employees working their standard hours who would be required to produce the total working hours of all actual full and part-time employees.

²³ Under regulation 15 of The Immigration (European Economic Area) Regulations 2006 European nationals automatically acquire a permanent right of residence in the UK after five years continuous residence as a qualified person.

²⁴ Transparency data : <https://www.gov.uk/government/publications/immigration-statistics-year-ending-september-2018/how-many-people-continue-their-stay-in-the-uk>

- 6.10 The Home Office did not know why applicants were choosing to apply for Permanent Residence in advance of the EU Settlement Scheme, since EU citizens who hold Permanent Residence will still have to apply for settled status once the Scheme opens, as is highlighted on the relevant GOV.UK webpages.²⁵ One suggestion was that it was because after the referendum some EU nationals were keen to secure documentary proof of their right to UK residence.²⁶

Figure 2: Number of EEA permanent residence documents issued to EU and non-EU nationals, year ending September 2009 to 2018



Staff morale

- 6.11 At the time of the inspection, most EU Settlement Scheme caseworkers and staff in the Settlement Resolution Centre were new recruits to the Home Office. Recruitment on such a scale is unusual for the Home Office, but managers saw it as an opportunity to develop a fresh culture in these business areas, one that reflected the aim of “looking to grant, not for reasons to refuse”.²⁷ For some staff it was their first job, some joined from another government department, and others from the private sector. This was also bringing in new skills and experience, for example Contact Centre management.
- 6.12 All staff received training designed to enable them to process EU Settlement Scheme applications or handle queries in the Settlement Resolution Centre. This training had included customer service. In addition, new recruits to the Home Office received an introduction to the Civil Service. Management training was arranged locally for new and recently appointed managers to avoid them having to wait for centrally-arranged Home Office training courses, which inspectors were told could take months.

²⁵ See <https://www.gov.uk/apply-for-a-uk-residence-card> for example.

²⁶ At the factual accuracy stage, the Home Office stated it was aware that people were applying for Permanent Residence “so they can go on to make a citizenship application”. It explained that “Permanent Residence allows a person who has been resident for more than 6 years can be free from immigration control immediately, whereas Settled Status required 1 year post grant irrespective of how many years resident. This is heightened by individual EU countries approaches to dual nationality, where some only allow it with other member states, hence applicants are attempting to acquire it before the UK leaves the EU.”

²⁷ EU Settlement Scheme: Statement of Intent.

- 6.13 Inspectors spoke to a number of managers and staff in interviews and in focus groups and informally while ‘floorwalking’ in both business areas. Without exception, they were enthusiastic about their work and morale was obviously high. Everyone said that they were committed to providing a ‘world class customer service’ and were clear that the aim was to ensure that the decision the applicant received was ‘right first time’.
- 6.14 Some staff had been involved in customer-facing roles during the PB1 phase and they told inspectors that this had increased their understanding of the anxieties felt by some applicants. The Home Office intranet had carried a piece from one manager, who wrote:
- “As somebody who has only dealt with applicants via letter, email or at best over the phone, this has been a great opportunity to provide clear information to applicants face-to-face.
- I have found this to be particularly rewarding, as the applicants have clearly been appreciative of some clarity in what have no doubt been uncertain times.”
- 6.15 Staff told inspectors that they felt well supported by senior managers, who were visible and approachable. They spoke of daily briefings and weekly ‘town hall’ meetings²⁸ which were used to communicate key messages. These meetings encouraged the exchange of ideas and new initiatives to improve working processes, a number of which had since been implemented.

Workloads

- 6.16 Senior managers told inspectors that as the Scheme was still undergoing Private Beta testing there had not been enough work to keep all of the staff fully occupied and some had been loaned to other areas within UKVI and Her Majesty’s Passport Office (HMPO)²⁹ to help to bring their caseloads down. The loans were on the understanding that when the Scheme required the staff they would be returned.
- 6.17 However, the low EU Settlement Scheme workloads also meant that the capacity of staff had not been fully tested at the time of the inspection and there were no numerical performance targets in place (such as number of cases to be completed per day, or the target time for dealing with calls to the Settlement Resolution Centre).

Private Beta 2 - Objectives

- 6.18 A feature of the EU Settlement Scheme was the availability of an ‘end-to-end’ online application process³⁰ that could be completed in one sitting, subject to the applicant being able electronically to verify their identity and prove UK residence. PB2 was designed primarily to prove the functionality of this online process: its simplicity and ease of use, including the clarity of guidance and communications material and the EU Exit: ID Document Check app; how straightforward it was for applicants to prove their continuous UK residence, including further testing the automated checks with Her Majesty’s Revenue and Customs (HMRC) and Department for Work and Pensions (DWP); and how the technology performed.

²⁸ Meetings open to all staff.

²⁹ HMPO is part of BICS and comes under the same Director General as UKVI.

³⁰ During the two Private Beta and Public Beta 1 phases, applications can be made only from the UK, but when the Scheme is launched fully at the end of March 2019 the Home Office’s intention is that applicants will be able to make an application from anywhere in the world.

- 6.19 The Home Office also aimed to use PB2 to learn about applicants’ experience and behaviours during the application process; the experience of UKVI caseworkers during the decision-making process; and how well the application process worked for more vulnerable applicants and what types of support they might require.

Identity document verification checks

- 6.20 The purpose of the ‘EU Exit: ID Document Check app’, commonly referred to as the ‘chip checker’, is to enable applicants to verify their identity using either their EU biometric passport or UK biometric residence card. As has been widely reported, at the time of the inspection, the app was working with Android devices but not with Apple devices,³¹ as it was the latter’s company policy not to allow third party apps to interface with its near field communication technology, which was necessary for a device to be able to read the biometric chip in an identity document.
- 6.21 Inspectors were told that attempts had been made to engage Apple, including personally by the Home Secretary. As at the end of PB2, inspectors had seen no evidence to suggest that Apple was considering making an exception to its company policy to accommodate the Home Office. However, on 3 February 2019, the Immigration Minister made a statement in which she wrote: “we continue to engage constructively with Apple”, and on 12 February 2019 she wrote to MPs reiterating this and stating that “we ... hope to come to a fix for this issue in the coming months”.
- 6.22 Meanwhile, the Home Office believed that the fact that an applicant would be able to retain their travel document while it processed their application meant it was worth those who did not have an Android device finding a way to use the app. It understood that some of the employers participating in PB2 had purchased compatible Android devices and made these available to their employees. Where this was not the case, it had advised applicants that they could ‘borrow someone’s phone’.
- 6.23 In advance of PB2, the Home Office had sought to reassure applicants that there were no data security concerns in using someone else’s phone to apply as the app wiped all data once the ID check had been completed. Inspectors were told of one case where the app had retained the borrower’s data, but the Home Office was able to establish that this had occurred because the app had not been closed after use and it had therefore not run the delete function.
- 6.24 According to the Home Office’s PB2 report:
- “Over 500 different types of android device (from 52 different device manufacturers) were successfully used by applicants to undertake the identity verification process via the app. Just under 80% of applicants completed this part of the process in under 10 minutes.”
- 6.25 The report noted that 90% of applicants had successfully validated their identity via the app. However, feedback from applicants and calls to the Settlement Resolution Centre indicated that the process was not quick and straightforward for all users. The report also noted some “technical constraints with certain [older] devices”. But, where applicants who had failed to get the app to work had followed the instruction to submit their document for manual verification UKVI had been able “in almost every such case” to read the chip via the app.

³¹ According to published data, in December 2018, the market share in the UK held by Google with the Android OS was 38.28%, making it the second largest of any mobile manufacturer. <https://www.statista.com/statistics/271240/android-market-share-in-the-united-kingdom-uk/>
The same source reported that in May 2018 the UK market share of iOS, the Apple operating system, was 49.37%. <https://www.statista.com/statistics/271195/apple-ios-market-share-in-the-united-kingdom-uk/>

- 6.26 The Home Office had recognised that its guidance on using the chip checker app had to be as clear as possible in order to minimise avoidable failures, and senior managers told inspectors they were tracking feedback left on the app and received by the Settlement Resolution Centre, as well as comments posted on social media, in order to make running improvements. Some involved simple updates, for example informing applicants to enable access for the app to the device’s camera, while staff in the Settlement Resolution Centre were developing their knowledge of the passports issued by each of the EU27 countries so they could provide tailored advice to applicants.
- 6.27 Where improving the user experience required a technical fix, inspectors saw evidence that DDaT would implement this quickly. For example, at the beginning of PB2, if an applicant tried and failed to use the chip checker more than 5 times they would be locked out from applying for 7 days. This was recognised as too long and amended to 24 hours during PB2.
- 6.28 However, some technical problems were beyond the Home Office’s ability to fix. For example, during PB2 it was discovered that one EU member country had not implemented one of the international biometric data standards in its passports, which caused the app to identify them as fraudulent. Another country had issued a batch of passports where the chips were defective and could not be read via the app.

ID card holders

- 6.29 EU citizens holding an ID card rather than a passport were not able to take part in Private Beta 1 or 2. Nor were citizens of the European Economic Area (EEA)/European Free Trade Association (EFTA) or Switzerland, since the agreement to include them in the Scheme was reached on 20 December 2018, the day before PB2 closed. These applicants will have to wait until the Scheme is fully open (“by 30 March 2019”). Since the Home Office will not have tested to any extent the identity/travel documents that these applicants will present there is a risk that they will encounter new problems that may or may not be easy to fix, albeit the numbers of EEA/EFTA citizens (around 15,000) and Swiss citizens (14,000) are relatively small.

Document scanner locations

- 6.30 During PB2, applicants who did not have access to an Android device could attend one of 13 ‘EU Settlement Scheme: ID document scanner locations’, the majority in Register Offices, to have their biometric document scanned for a fee of between £12 and £15.32.
- 6.31 Inspectors observed staff at the Settlement Resolution Centre dealing with calls from applicants reporting issues with the chip checker app. In each case, staff attempted to resolve the problem over the phone, calling the applicant back if necessary. In some instances, they were unable to find a solution, but inspectors did not witness any attempts to encourage an applicant to visit an ID document scanner location. Instead, applicants were asked to submit their passport to the Home Office.
- 6.32 During the course of PB2, 220 appointments were conducted at a document scanner location. According to the PB2 report, from these, the Home Office again identified the need for clearer guidance, in this case about the point in the application process when ID verification needed to be completed. However, given the low numbers it is questionable whether the document scanner location option could be said to have been properly tested during PB2.

32 <https://www.gov.uk/government/publications/eu-settlement-scheme-id-document-scanner-locations>

- 6.33 The PB2 report noted the Home Office’s intention to “work with partner organisations during the public test phase from 21 January 2019 to substantially increase the network of identity document scanner locations, building towards national coverage for the full opening of the scheme by 30 March 2019”. At the time of writing (mid-February 2019), the GOV.UK page had last been updated on 30 January 2019 (with new contact details for some locations) but the list of 13 locations was as for PB2.

Submitting documents by post

- 6.34 Although the chip checker featured prominently in the two Private Beta phases of the project, the Home Office has estimated that it will be used by between 25% and 35% of all applicants. If correct, this means that the majority of applicants (possibly over 2.5 million) will be submitting their travel document by post. While the postal route has been available during PB2, principally as the fall-back where the app could not read the chip in an applicant’s passport, at the time of the inspection it had yet to be tested at scale and will have its own logistical challenges (document receipt, secure storage and return), however these are not new to the Home Office.

Residence checks

- 6.35 Once an applicant’s identity has been verified, the online application can proceed to the residence check stage. This involves automated checks against data held by Her Majesty’s Revenue and Customs (HMRC) and the Department of Work and Pensions (DWP) for evidence of residence in the UK.
- 6.36 These automated checks are intended to remove or reduce the need for applicants to provide their own documentary evidence of residence and also to speed up the Home Office’s decision-making process. In PB2, of 27,211 decisions made and issued by 14 January 2019, 22,723 (84%) applicants did not need to provide any additional evidence of UK residence.³³ The PB2 report described this part of the process as “particularly successful”.³⁴
- 6.37 However, stakeholders have pointed out that the automated checks, which use the applicant’s National Insurance number, are geared towards individuals in employment and in receipt of a state pension or benefits that demonstrate residence, which is reflected in the main cohorts selected for inclusion in PB1 and PB2, and that the process of proving residence will be much harder for those with no record of having worked in the UK, including dependent family members.
- 6.38 During PB2, online applicants received a message that they either qualified for ‘settled status’ or ‘pre-settled status’. This was based on the data held by HMRC and/or DWP. Where the automated checks revealed gaps in an applicant’s history of UK residence, meaning that they did not appear to qualify for settled status, the applicant was informed of the gaps and given the opportunity to upload further evidence to fill them in.
- 6.39 Home Office guidance for applicants included a list of documents that could be used to prove residence.³⁵ The list was not intended to be exhaustive, and caseworkers told inspectors they aimed to exercise discretion in favour of the applicant and would not refuse an application due to the lack of documentation before attempting to contact the applicant and assist them to find

33 <https://www.gov.uk/government/publications/eu-settlement-scheme-private-beta-2/eu-settlement-scheme-private-beta-testing-phase-2-report#proving-uk-residence>

34 The update provided to MPs by the Immigration Minister on 12 February 2019, three weeks into the Public Beta 1 phase, noted that: “In 79 percent of concluded cases, applicant successfully completed their application without the need to provide any further evidence of residence themselves.”

35 <https://www.gov.uk/guidance/eu-settlement-scheme-evidence-of-uk-residence>

acceptable forms of proof of residence. Based on the feedback it received during PB2, the Home Office had trebled the size of a file an applicant could upload (from 2MB to 6MB), recognising that some applicants might need to provide evidence covering the full five years. However, stakeholders have suggested that this may still not be large enough in some cases.

IT reliability and support

- 6.40 The automated checks are dependent on the availability of HMRC's and DWP's systems. The PB2 report noted two occasions where "a technical disruption" prevented HMRC data being returned to applicants, one of which resulted in the service being temporarily suspended. Inspectors were told this was "an unplanned outage of HMRC systems over a weekend", which had resulted in applicants receiving a 'not found' message.
- 6.41 According to the PB2 report, "around 380" applicants were affected and they were contacted by UKVI and checks against HMRC and DWP data were conducted manually. The report notes that "A save and return function has now been implemented as a safeguard against future disruption of this nature." Senior managers told inspectors that if this happened again they would make it clear on GOV.UK that the system was unavailable and invite applicants to try again later.
- 6.42 Inspectors were also told that the Home Office had a Live Service Agreement (LSA) with DWP covering the interface with the DWP's Citizen Benefit Footprint (CBF) service, which was built to support the EU Settlement Scheme. This included the agreement that the automated check should take no more than six seconds. However, the Home Office told inspectors that some applicants had reported that during PB2 they had waited minutes rather than seconds to receive the result of the checks.
- 6.43 Although the Home Office had in place live IT support with HRMC, at the time of the inspection the two departments had yet to finalise a Live Service Agreement. Inspectors were told in mid-January 2019 this would be completed "in the next three weeks".
- 6.44 Inspectors were also provided with copies of memoranda of understanding between the Home Office and HMRC and between the Home Office and DWP. These covered data-sharing, including the legal basis for sharing data, and data security.

Evidential flexibility

- 6.45 The 21 June 2018 Statement of Intent referred to evidential flexibility in the following terms:
- "A principle of evidential flexibility will apply, enabling caseworkers to exercise discretion in favour of the applicant where appropriate, to minimise administrative burdens. User-friendly guidance will be available online to guide applicants through each stage of the application process."
- 6.46 In relation to meeting the qualifying period of five years continuous residence in the UK, the Home Office policy team told inspectors that:
- "an applicant who has been here for four years and six months should not be granted settled status, but an applicant for whom there is only four years and six months' worth of evidence of residence may be granted settled status where the caseworker is otherwise satisfied that they qualify for it."

6.47 Internal guidance issued to EU Settlement Scheme caseworkers stated:

“The Immigration Rules currently permit an applicant to be absent from the UK for a maximum of six months in any given twelve-month period and this should be considered before further evidence of residency is requested. This can include situations where an applicant has evidenced four years and six months of residency in the UK, for example from 05/04/2014 to 05/10/2018, the applicant will be eligible for settled status.”

6.48 However, while observing the Settlement Resolution Centre, inspectors were told that some caseworkers were exercising evidential flexibility to grant settled status where the applicant had been in the UK for less than five years, confusing evidence of residence with the actual length of residence required. In one case, a caller was given this information when she called to explain that she had been in the UK for four years and ten months and wanted advice about whether she should apply now or wait.

Vulnerable applicants

6.49 The Home Office understood that applicants “with more complex needs” could face additional barriers when seeking to apply for settlement under the Scheme and might require extra support through the application process. It had therefore included a “vulnerability cohort” in PB2. This comprised individuals being supported by one of seven community organisations or ‘looked after’ children in the care of one of five local authorities.

6.50 The PB2 report noted that: “296 applications were submitted through these channels. Of 251 decisions made in respect of this group by 14 January 2019, 67% had been granted settled status under the scheme and 33% pre-settled status.” Although all of these vulnerable applicants had used the chip checker app, “albeit often with support”, as a result of the feedback it had received the Home Office had confirmed that “an alternative paper application form would be of benefit to this cohort, and this will be provided for the full opening of the scheme from 30 March 2019”.

6.51 Additionally, the PB2 report referred to “grant funding of up to £9m in 2019-20 to enable a range of charities and other community groups across the UK to offer practical support to vulnerable EU citizens and their families in applying under the scheme”.

6.52 In February 2019, the Home Affairs Committee opened an enquiry into the EU Settlement Scheme, and on 13 February took evidence from some of the organisations that had assisted individuals from the “vulnerability cohort” to submit applications to the Scheme.³⁶ However, in summary, stakeholders expressed serious concerns about the Scheme’s ability as currently conceived and configured to meet the needs of vulnerable groups, including undocumented children, victims of domestic abuse, and different categories of carers with ‘derivative rights’.³⁷

6.53 These concerns included the use of automated residence checks, and the Home Office was called upon to accept responsibility for making “reasonable enquiries” to establish residence rather than expecting vulnerable individuals to do this unaided. For example, a ‘looked after’ child should have a ‘footprint’ with Social Services and/or the Department for Education, which the child might find harder to access than the Home Office.

³⁶ <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/eu-settlement-scheme/oral/96447.html>

³⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/684300/derivative-rights-v4.0ext.pdf

- 6.54 The overall impression from the organisations involved with the PB2 “vulnerability cohort” was that the Home Office was significantly underestimating the practical challenges with the process, as well as other obstacles, that vulnerable applicants were likely to face, and that PB2 had done little to correct this.
- 6.55 Underlying some of these concerns was a sense that the Home Office did not fully understand the nature and extent of the issues. This chimed with the ICIBI report ‘An inspection of the Home Office’s approach to the identification and safeguarding of vulnerable adults (February – May 2018)’, published in January 2019, identified that while the Home Office’s Borders, Immigration and Citizenship System (BICS) directorates targeted a good deal of effort at particular, well-delineated vulnerable cohorts, such as children and Potential Victims of Modern Slavery, it still had a lot more to do to develop a consistent understanding of what is meant by ‘vulnerability’ in a BICS context and to respond appropriately.
- 6.56 The report noted that other public bodies were further ahead in this regard and recommended that the Home Office should reach out to other agencies, including NGOs, with direct experience of identifying and responding to vulnerable individuals. This recommendation was accepted.
- 6.57 In the case of the EU Settlement Scheme, the grant funding for relevant charities and community groups will be important in terms of enabling them to offer practical support, and will need to extend beyond 2019-20, but the Home Office remains responsible for ensuring that the Scheme works for all vulnerable individuals and groups and to do this it needs to understand fully the nature and extent of vulnerability in this instance.
- 6.58 With regard to the cost of applying, the ICIBI report ‘An inspection of the Home Office Borders, Immigration and Citizenship System’s policies and practices relating to charging and fees (June 2018 – January 2019)’ noted the concerns of stakeholders that the fee to apply to the EU Settlement Scheme might prevent some people, particularly larger, less well-off families, from accessing their EU rights. The removal of the fee has addressed this specific point, but the Home Office will also need to ensure that there are no associated costs, for example the cost of travel to, and use of, an ID document scanner location, that have the same discouraging effect.
- 6.59 In February 2019, the Home Office provided inspectors with an update about the work it was doing to meet the needs of vulnerable applicants. This included a copy of the report it had commissioned from an independent consultancy into the experiences of vulnerable applicants during PB2. The Home Office stated that it was:
- “implementing a comprehensive vulnerability strategy, to ensure we deliver a scheme which is accessible, and which handles marginalised or at risk customers with sensitivity and flexibility, according to their needs.”
- 6.60 The Home Office referred to its work with the “user group of external stakeholders who represent the needs of potentially vulnerable individuals ... to ensure the right support arrangements are in place”, which included “a range of direct support offered by the Home Office and indirect support through third parties such as community groups and charities.” The Home Office said it believed these organisations would have the best networks and expertise to support the most vulnerable.
- 6.61 In its update, the Home Office noted that “at the highest level, the needs of the vulnerable are expected to be:

- Help to identify that they need to apply for the scheme on time;
- Help with the technology and/or process involved;
- Support with language;
- Help because they are struggling to demonstrate that they meet the criteria; and/or
- End-to-end support (i.e. someone making an application for them); and
- Help to use their status once they have been granted.”

6.62 It described its “key objectives” as:

- “To provide sufficient promotion of the scheme, such that all audiences, including the hard-to-reach, are aware of the need to apply;
- To put in place adequate support arrangements (both direct and indirect) to enable all customers to apply on time; and
- To ensure that the needs of vulnerable customers are duly considered in plans for activity beyond the point of applying, be that in accessing services once their status is secured or in relation to any enforcement activity being proposed for individuals who have failed to apply or been refused.”

UKVI’s Assisted Digital Service

6.63 For PB2, the Home Office had extended UKVI’s Assisted Digital Service to “support applicants without the appropriate access, skills or confidence” to complete the EU Settlement Scheme application process online. The Assisted Digital Service, which is free to use, provides³⁸:

- telephone support from a skilled adviser who will help you complete your application form online
- face-to-face support at a centre to access and complete the online form – applicants can contact ‘We are Digital’ to book an appointment
- face-to-face support at home to complete the form – a ‘We Are Digital’ tutor will visit applicants in their home and help them complete their online application form”

6.64 According to the PB2 report, only 39 calls were made to the Assisted Digital Service, most of which were either because the caller had not received an invitation to apply during PB2 or did not have access to an Android device. The report noted that: “For the public testing phase from 21 January 2019, face-to-face assisted digital support will initially be available in 50 locations. These will gradually be increased to provide national coverage by 30 March 2019.”

6.65 At the time of the inspection, the GOV.UK webpage ‘EU Settlement Scheme: Assisted Digital service’, which was updated on 5 February 2019, did not list the locations where face-to-face support was available. However, the locations were listed on the ‘Assisted Digital: UK Visas and Immigration’ webpage (last updated on 27 April 2018). This listed 98 libraries throughout England and Wales where “Assisted Digital Services are available”. Inspectors were unclear how this list related to the 50 locations referred to in the PB2 report.

³⁸ <https://www.gov.uk/government/publications/eu-settlement-scheme-assisted-digital-service/eu-settlement-scheme-assisted-digital-service>

Declaration of criminal convictions

- 6.66 The EU Settlement Scheme requires applicants to declare if they have been convicted of any criminal offences in the UK or overseas. The Home Office told inspectors that it was unlikely it would not already be aware of any applicants who had a history of serious and/or persistent criminality, since any foreign national offender who has received a custodial sentence is referred to the Home Office for it to consider whether deportation is appropriate.
- 6.67 The PB2 report was silent about whether any applicants had declared a criminal conviction. However, inspectors were told that there had been “some” but, were given to understand that none of these had declared a conviction for a serious offence. At the point when the Home Office produced its PB2 report, no applicants had received a refusal on the basis of their criminal convictions.

EU Settlement Scheme caseworking system

- 6.68 The Home Office had developed a new standalone caseworking system, specifically for processing EU Settlement Scheme applications. Inspectors were told about the system when they visited Liverpool during PB1. At that time, it was not ‘live’, but it was being tested by caseworkers, who were feeding comments back to the IT developers to make necessary improvements. The system went ‘live’ on 1 November 2018 and was in use throughout PB2.
- 6.69 Although it is commercial-off-the-shelf (COTS) product, the system has been configured to fit the Scheme. Speaking to inspectors, caseworkers were complimentary about the system, which they found user-friendly and intuitive. They described it as a great improvement on the Casework Information Database (CID). However, because it was standalone they still needed to check CID, along with other caseworking systems, to see if the applicant had previously come to the attention of the Home Office.
- 6.70 At the time of the inspection, senior managers recognised that enhancements to the system were needed in relation to management information and performance data. The Home Office was unable to tell inspectors, for example, how many applicants who had been granted pre-settled status believed they were entitled to settled status.³⁹
- 6.71 Equally, although the system was able to provide a snapshot of current application volumes and their progress through the process, it was not able to inform managers how many applications a caseworker had completed. Caseworkers were required to record this separately. Team leaders spoke of manual workarounds and managers had to export information to a separate spreadsheet in order to have a record of the number of tasks completed. This was not a critical issue for PB2 given the relatively low numbers of applications, but when the Scheme is open and the numbers increase significantly, managers will require easier access to this sort of performance data.

‘Digital Status’

- 6.72 Applicants who are successful in obtaining settled or pre-settled status will receive this in the form of a ‘digital status’ which they will be able to access securely online. The intention is that anyone who requires proof of a person’s rights and entitlements, for example an employer or landlord, will be able to check this online with that person’s authority to do so.⁴⁰

³⁹ At the factual accuracy stage, the Home Office noted that: “The data is reportable by PRAU (Performance Reporting and Analysis Unit). This issue has subsequently been clarified in a letter from the Home Secretary to the HASC (Home Affairs Select Committee) on 27 February [2019]”.

⁴⁰ The Home Office told inspectors that the use of ‘digital status’ for the EU Settlement Scheme built on the functionality of the Home Office’s Employer Checking Service, which went live in Spring 2018.

- 6.73 The Home Office explained that, in line with government policy, this was part of a strategic move away from issuing physical documents towards a more online and digital environment. According to the Home Office, digital status was preferable to some form of card because:
- the information is up to date and accurate (provided individuals inform the Home Office if they have changed their mobile phone number, email address, name, and identity document)⁴¹
 - it provides a clear description of the individual's rights
 - individuals can view their own status and choose how, what and with whom to share their personal data
 - a card would contain information about the individual which they might not wish to share, for example an employer could see not only the individual's right to work but their DWP and healthcare status
 - a card may be lost or stolen, or an individual may simply not have it with them when they need it
- 6.74 Notwithstanding these benefits, it was evident from stakeholders, media reporting and social media that some people would prefer to hold some form of physical document to show as proof of their status and rights in circumstances where this may be required, for example when looking to rent a property, because they fear that they may otherwise face discrimination.⁴²

Quality Assurance

- 6.75 The PB2 report did not refer explicitly to quality assurance processes. However, inspectors saw evidence of extensive quality assurance of casework decisions and of conversations with callers to the Settlement Resolution Centre and the latter's email responses. During Private Beta 2, checks were conducted on all decisions made by new caseworkers. In addition, before any information was cascaded to staff or included in Standard Operating Procedures it was reviewed by the quality assurance team.
- 6.76 Given that the Scheme was going through Beta testing and that most staff were new, this level of quality assurance was both appropriate and necessary. Once the Scheme is fully open, application volumes are likely to mean that the Home Office will have to adopt a more selective quality assurance regime. Elsewhere in UKVI, it typically works on a 2% dip sampling basis where staff have demonstrated that they are fully competent, but because of the significance of EU settlement decisions and the importance of maintaining confidence in the Scheme this may not be sufficient, at least until the Scheme is more mature.

Operating Mandate and Standard Operating Procedures

- 6.77 The UKVI Operating Mandate sets out the mandatory identity and suitability (criminality) checks required for each type of application for leave to enter or remain in the UK. Inspectors found that some caseworkers who were new to the Home Office were not aware of the Operating Mandate.
- 6.78 However, they were aware of the Standard Operating Procedures (SOPs) for the EU Settlement Scheme. This internal document contained much of the key information from the Operating

41 <https://www.gov.uk/update-eu-settlement-scheme-details>

42 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/695273/An_inspection_of_the_Right_to_Rent_scheme.pdf

Mandate but, crucially, it did not cover the frequency with which mandatory checks must be repeated, which is every 90 days where the application remains without a decision. Because of the way the Scheme has been constructed this is unlikely to be a consideration, except in rare cases. By the end of PB2 there were no undecided applications that were 90 days old.

Decision timescales

- 6.79 The Home Office told inspectors that it hoped to be able to provide EU Settlement Scheme applicants with a decision within two weeks. However, at the time of the inspection it was not intending to publish a customer service standard for the Scheme. Instead, it planned to provide up-to-date information via GOV.UK about how long applications were taking to be processed, including ‘non-straightforward’ cases, so that applicants could make an informed decision about when to apply, which could be significant if they had to submit their travel documents. Although the relevant webpage was ‘live’,⁴³ it was not used during PB2.
- 6.80 According to the PB2 report, “69% of decided applications were processed in three working days, and 81% within a week”. The report noted that, as at 14 January 2019, 2,776 cases were awaiting a decision of which “the majority were incomplete or awaiting further evidence” because:
- “the applicant needed to submit their passport for verification (around a third of the cases), but some had not yet been able to do so as they were travelling over the holiday period
 - the applicant had erroneously claimed to have a valid PR document and so had benefitted from a fee exemption to which they were not entitled (around a third of the cases)
 - a smaller proportion of cases were held pending further evidence of residence to be submitted from the applicant. UKVI is working directly with these applicants⁴⁴
 - the remainder were held pending a series of minor technical updates to the caseworking system due to take place in the week commencing 14 January 2019 or were subject to other clarifications.”
- 6.81 This was three weeks after PB2 had closed, albeit spanning Christmas and New Year so there had been only 10 working days. Without a more detailed breakdown of the nature of the applications that were proving problematic, it is difficult to draw any conclusion about the significance of the one in five cases that took longer than a week to decide, and the c.10% of all PB2 applications that were still undecided after 10 or more working days.
- 6.82 Eligibility to apply during PB2 was determined by the Home Office. Aside from the small “vulnerability cohort”, applicants were likely to be the more straightforward to reach and process since most were employed by large employers. This will not be the case when the Scheme is fully open, and if these ratios were replicated the Home Office could find a large proportion of its EU Settlement Scheme resources tied up with dealing with ‘non-straightforward’ applicants, for whom the decision timescales could be much longer than the hoped-for two weeks.

Settlement Resolution Centre

- 6.83 The Settlement Resolution Centre (SRC) was opened to accept email queries from 22 October 2018 and telephone calls from 24 October 2018. It operated between 08.00 and 20.00 Monday to Friday, and between 09.30 and 16.30 at weekends.

⁴³ <https://www.gov.uk/government/publications/eu-settlement-scheme-application-processing-times/eu-settlement-scheme-pilot-current-expected-processing-times-for-applications>

⁴⁴ Inspectors were told that if the Home Office required an interview with an applicant in order to progress their application this would be dealt with by a separate, already established UKVI interviewing team.

- 6.84 Emails to the SRC are free and calls are charged at a local rate. During PB2, the SRC received 4,654 emails from applicants and 10,628 calls. The total number of applications received during PB2 was 29,987, suggesting a significant proportion of applicants felt they needed some assistance with their application. Of the 10,628 calls, 4,676 were from applicants who were in the process of completing their application.
- 6.85 Inspectors observed SRC managers and staff analysing the reason for each contact and updating staff guidance. There was also a process for feeding issues to the technical team and Project Board where technical fixes were required or where guidance on GOV.UK needed to be updated.
- 6.86 Call handlers told inspectors that the training they had received had emphasised resolving customer queries in one call to achieve the Home Office’s aspiration of ‘world class customer service’. Staffing assumptions for the SRC were based on an average call taking four minutes, but staff were clear “a call takes as long as it takes” and inspectors were told that, during PB2, some had lasted up to 40 minutes.
- 6.87 Inspectors asked the Home Office about average call times during PB2, but it was unable to provide this information. This will clearly become more relevant once the Scheme is open to everyone who is eligible to apply. Senior managers recognised that it would take time to bring new staff into the SRC if they were needed because of the volumes of emails and calls. They also recognised that there was a link between demand on the SRC and effectiveness of the Home Office’s communications about the Scheme and the quality of its published guidance.
- 6.88 While inspectors were observing the SRC there were system-wide problems with the Home Office’s IT. These had a direct impact on the SRC as staff were unable to send emails or save documents to the shared drive. These problems highlighted the Scheme’s dependency on the Home Office’s general IT infrastructure.

Complaints

- 6.89 The Home Office provided inspectors with details of the complaints process should anyone wish to lodge a complaint in relation to their application. Formal complaints would be managed by the UKVI customer correspondence hub in the same way as any other complaints received about UKVI. The hub would mark these to a senior manager in the EU Settlement Scheme business area to investigate and prepare the response.
- 6.90 Complaints were mentioned in the training materials for EU Settlement Scheme staff but not in any detail, and inspectors did not see any evidence that staff had been trained to recognise a complaint. In discussion, Settlement Resolution Centre staff did not appear to be aware of how to signpost applicants who wished to make a formal complaint. They said they would try to resolve any issues themselves and, if necessary, refer the caller to their manager.

Administrative Reviews and Appeals

- 6.91 During PB2, if an application to the EU Settlement Scheme was unsuccessful on eligibility grounds the applicant was able to apply for an administrative review⁴⁵ of the decision. An administrative review was also available if an applicant was granted pre-settled status but believed they were entitled to settled status.

45 An administrative review costs £80, which will be refunded if it is successful, or invalid. The ICIBI inspected the BICS administrative review processes in 2016 and re-inspected them in 2017. See <https://www.gov.uk/government/publications/inspection-report-on-administrative-review-processes-may-2016> and <https://www.gov.uk/government/publications/a-re-inspection-of-the-administrative-review-process-2>

- 6.92 The PB2 report noted that, as at 14 January 2019, the Home Office had received 24 requests for an administrative review of a decision in relation to an EU Settlement Scheme application.⁴⁶ The report stated that 11 of the 24 administrative reviews had been processed and 13 were pending. All 11 challenged the grant of pre-settled status rather than settled status, and in 10 cases the applicant was successful and settled status was granted. According to the PB2 report, in nine of these 10 cases the applicant had provided additional evidence of their eligibility for settled status with their application for administrative review.
- 6.93 UKVI has a dedicated team that deals with all in-country administrative review requests. Inspectors were told the team had received training on the EU Settlement Scheme to enable them to carry out reviews of these cases. The training comprised of EU Settlement Scheme casework training and how to use the EU Settlement Scheme Caseworking system. The EU policy lead had also been providing advice and support on a case by case basis.
- 6.94 There is no reliable way of predicting the likely volumes of administrative review requests that will be received once the Scheme is fully open. However, the 24 received during PB2 represented roughly 0.1% of applicants, which would mean around 3,500 for the Scheme as a whole. Again, as the majority of the PB2 applicants were likely to be the more straightforward to process, the actual figure could be much higher. This therefore has the potential to place a significant extra burden on UKVI's dedicated team, which may require reinforcing to prevent its overall performance from suffering.
- 6.95 The Withdrawal Agreement also sets out the right of a statutory appeal against a decision, which would come into force after the UK exits the EU, provided there is a deal.

Feedback on Private Beta 2

- 6.96 Everyone who applied through PB2 was able to provide feedback following completion of their online application. Of 29,987 applicants, 1,330 (around 4%) provided feedback. Of those, 61% of applicants would "speak highly" [of the process] while a further 19% gave a "neutral response". The PB2 report did not explain what the remaining 20% had to say about the process.

Application volumes

- 6.97 The EU Settlement Scheme project has relied on volumetrics produced by 'Home Office Analysis and Insight' and independent research to estimate the numbers eligible to apply via Private Beta 1 and 2. In both cases, the numbers actually applying were significantly lower than the estimate.
- 6.98 For PB2, it was estimated that between 250,000 and 350,000 would be eligible to apply, and the Home Office's working assumption was that it would receive between 75,000 and 120,000 applications. In fact, it received just under 30,000. The Home Office told inspectors that it was satisfied that this number of applicants had enabled it to test and improve its systems ahead of full launch, which was the purpose of PB2.
- 6.99 Senior managers offered some suggestions why the number of applicants was lower than expected: it had stressed that participation in this Beta phase was voluntary and believed some individuals might have deferred applying due to the continued uncertainties over Brexit. However, inspectors found that the Home Office had not made any serious attempts to investigate the reasons for the low take-up during or at the conclusion of PB2.

⁴⁶ The administrative review route had not been available to applicants during Private Beta 1.

Foreign language versions of guidance

- 6.100 The Home Office told inspectors that it planned to provide versions of its EU Settlement Scheme guidance in all 23 EU languages plus Welsh after the Scheme launches in March 2019. It had decided not to do so earlier as the guidance was continually changing in response to lessons learned from the Beta testing exercises.
- 6.101 However, based on the comments from stakeholders, since some of the more vulnerable groups and individuals do not originate from an EU country the requirement for foreign language versions of the guidance goes beyond the 23 EU languages and Welsh. The Home Office's 'vulnerability strategy' appears to recognise this, since it refers to "support with language", but it was not clear to inspectors what the Home Office understood this to mean in practice.

External communications – the 'authoritative voice'

- 6.102 Prior to Private Beta 1, the Home Office had commissioned independent research to test the draft EU Settlement Scheme and help it to:
- develop a typology of EU citizens
 - understand expectations and likely behaviours
 - understand responses to the Settlement Scheme, and
 - identify support and communication needs amongst different groups of EU citizens
- 6.103 The research was conducted in the summer of 2018 and provided the Home Office with feedback from a spread of EU nationals who had been invited to take part in focus groups. Inspectors were told that the results of the research were "indicative" and "not statistically representative". Nonetheless, they pointed to some potential challenges for the Home Office, for example they indicated that 35% of EU citizens could be expected to apply in the first three months of the full launch of the Scheme. They also indicated that 6% of EU citizens who planned to stay in the UK would not be applying to the EU Settlement Scheme, in over a third of cases because they did not believe it applied to their circumstances because they already had Permanent Residence.
- 6.104 During PB2, the Home Office looked to employers to explain the EU Settlement Scheme to eligible employees. To this end, and in response to concerns from employers that they did not want to get the messaging to their staff wrong, the Home Office had developed an 'employers' toolkit' and an email template for employers to use with their employee. It also held a series of webinars for employers.
- 6.105 Inspectors observed three webinars delivered by the EU Settlement Scheme Project Manager and Head of EU Policy to representatives from Higher Education Institutions, NHS trusts, local government and the health and social care sectors. The webinars consisted of a presentation on the EU Settlement Scheme followed by a question and answer session. Inspectors found the content clear and ample time was allowed for questions. Most employers wanted clarity about their responsibilities for checking for evidence of settled status.
- 6.106 More generally, the Home Office was concerned that there was a lot of misinformation in the public domain about what would happen to EU nationals living and working in the UK after EU exit. It was keen to be seen as the authoritative voice in relation to the EU Settlement Scheme.

- 6.107 The Home Office provided Inspectors with evidence of its stakeholder engagement. It had been running four user groups: EU Ambassadors; employers; general stakeholders; and representatives of vulnerable groups. In general, it believed the response from the groups had been positive.
- 6.108 The Home Office had been encouraging stakeholders to sign up to its official email alerts. By November 2018, 280,000 people had signed up. During 2018, four emails were sent out. However, as at 21 January 2019 there had been no email updating stakeholders on PB2, which had concluded on 21 December 2018. On 4 February 2019 the Home Office sent out an email alert which included a link to the PB2 report, an announcement that Public Beta 1 had begun on 21 January 2019, and an update on the abolition of the fee and plans for refunding it.
- 6.109 On 27 December 2018, the Home Office tweeted an EU Settlement Scheme video. As at 21 January 2019, it had been viewed over four million times and over 7,000 comments had been tweeted. These numbers were far greater than for any other topic tweeted by the Home Office.
- 6.110 The video contained no information that was not already available on GOV.UK. Nonetheless, it attracted criticism for its timing, over the Christmas holiday, its use of “stock photos” and “cheery music”, the depiction of only younger EU citizens, the “menacing” undertone that failure to comply would mean deportation. Some critics argued that having to “pay to stay” was unacceptable.
- 6.111 In discussions with inspectors, senior managers were aware of the impact the Windrush scandal had had on the public’s perception of the Home Office’s ability to deliver the EU Settlement Scheme. However, it was unclear whether the Home Office had either a strategy or the means to combat negative publicity, especially given the speed with which stories can be shared and take root.

No deal preparations

- 6.112 On 6 December 2018, the Department for Exiting the European Union published the policy paper ‘Citizens’ Rights – EU citizens in the UK and UK nationals in the EU’, which outlined the impact on citizens’ rights in the event of a no deal Brexit.⁴⁷ It stated that:

“the UK will continue to run the EU Settlement Scheme for those resident in the UK by 29 March 2019 in a ‘no deal’ scenario. The basis for qualifying for status under the scheme will remain the same as proposed in a ‘deal’ scenario and will be focused on residence in the UK. This means that any EU citizen living in the UK by 29 March 2019 will be eligible to apply to this scheme, securing their status in UK law.”

- 6.113 The paper set out the key differences for EU and EEA nationals applying to the EU Settlement Scheme in the event of no deal – see Figure 3.

Figure 3: Differences for applicants to the EU Settlement Scheme under a ‘no deal’ Brexit

	Deal	No Deal
Must be resident in the UK by	31 December 2020	29 March 2019
Cut-off date to apply for the EU Settlement Scheme	30 June 2021	30 December 2020
Appeal rights	Yes	No

⁴⁷ <https://www.gov.uk/government/publications/policy-paper-on-citizens-rights-in-the-event-of-a-no-deal-brexite>

6.114 The paper also notes that:

- “Close family members (a spouse, civil partner, durable partner, dependent child or grandchild, and dependent parent or grandparent) living overseas will still be able to join an EU citizen resident here after the end of the implementation period, so long as the relationship existed on 31 December 2020 and continues to exist when the person wishes to come to the UK. Future children are also protected.
- EU citizens would have the right to challenge a refusal of UK immigration status under the EU Settlement Scheme by way of administrative review and judicial review, in line with the remedies generally available to non-EEA nationals refused leave to remain in the UK. There would be no preliminary reference procedure to the Court of Justice of the European Union, as it would not have any jurisdiction in the UK.
- The EU deportation threshold would continue to apply to crimes committed before exit. However, we would apply the UK deportation threshold to crimes committed after 29 March 2019.”

6.115 Home Office senior managers recognised a no deal Brexit would place additional pressures on EU Settlement Scheme casework as the cut-off date for applications was six months shorter, but the Project team told inspectors that the only real difference would be that the communications material would need to be amended.

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
- 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.

Annex B – ICIBI’s expectations

Background and explanatory documents are easy to understand and use

(e.g. Statements of Intent (both ministerial and managerial), Impact Assessments, Legislation, Policies, Guidance, Instructions, Strategies, Business Plans, intranet and GOV.UK pages, posters, leaflets etc.)

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate).
- They are kept up to date.
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible).

Processes are simple to follow and transparent

- They are IT-enabled and include input formatting to prevent users from making data entry errors.
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined.
- The potential for blockages and delays is designed out, wherever possible.
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets).

Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent

- Individuals understand their role, responsibilities, accountabilities and powers.
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance.
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully.
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences.
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences.

Decisions and actions are ‘right first time’

- They are demonstrably evidence-based or, where appropriate, intelligence-led.
- They are made in accordance with relevant legislation and guidance.
- They are reasonable (in light of the available evidence) and consistent.
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements).

Errors are identified, acknowledged and promptly ‘put right’

- Safeguards, management oversight, and quality assurance measures are in place, are tested and are seen to be effective.
- Complaints are handled efficiently, effectively and consistently.
- Lessons are learned and shared, including from administrative reviews and litigation.
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits.

Each immigration, asylum, nationality or customs function has a Home Office (BICS) ‘owner’

- The BICS ‘owner’ is accountable for:
 - implementation of relevant policies and processes
 - performance (informed by routine collection and analysis of Management Information (MI) and data, and monitoring of agreed targets/deliverables/budgets)
 - resourcing (including workforce planning and capability development, including knowledge and information management)
 - managing risks (including maintaining a Risk Register)
 - communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
 - effective monitoring and management of relevant contracted out services
 - stakeholder engagement (including customers, applicants, claimants and their representatives)

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