



A re-inspection of the Home Office's Reporting and Offender Management processes and of its management of non-detained Foreign National Offenders

October 2018 – January 2019

David Bolt

Independent Chief Inspector of
Borders and Immigration

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Reporting and Offender Management
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ISBN 978-1-5286-1039-1
CCS0219599664 05/19

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office

Our purpose

To help improve the efficiency, effectiveness and consistency of the Home Office's border and immigration functions through unfettered, impartial and evidence-based inspection.

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Foreword

My original inspection reports on the Home Office's Reporting and Offender Management (ROM) processes and on its management of non-detained Foreign National Offenders (FNOs) were published together in November 2017.

The 2 reports overlapped. The first focused on the Home Office's understanding and management of the reporting population, including whether reporting events were effective in moving cases towards conclusion, including how ROMs were encouraging voluntary departures, carrying out interviews to progress Emergency Travel Document (ETD) applications, working with partners to resolve barriers to removal, and supporting enforced removals by detaining individuals upon reporting. It also looked at the implementation of policy and guidance relating to the management of absconders.

The FNO inspection examined the efficiency and effectiveness of the Home Office's management of FNOs, focusing on the progression of cases involving non-detained FNOs towards their removal from the UK, and with particular reference to the actions taken from 2016 onwards following the conviction for the murder of 2 FNOs and the Home Office's own internal investigation and identification of lessons and necessary improvements.

The ROMs inspection found that Home Office guidance was clear that reporting events must have some value beyond compliance, but the volumes made this extremely difficult, and this was compounded by poor internal communication and coordination. The way non-compliance with reporting restrictions was recorded and treated was inconsistent, and there was little evidence that effective action was being taken to locate the vast bulk of absconders. Meanwhile, the FNOs inspection identified improvements that the Home Office needed to make to ensure that its processes were as efficient and effective as possible.

The ROMs report made 6 recommendations, all of which were accepted by the Home Office, and the FNOs inspection made a further 8, 6 of which were accepted, 1 partially accepted, and 1 rejected.

This re-inspection looked at all 14 recommendations and assessed progress the Home Office had made in its management of the ROM system and non-detained FNOs since November 2017. It found that significant efforts had been made to improve the efficiency and effectiveness of the reporting process, principally through technology-enabled smarter working, and that a good deal of analysis and review work had been done in relation to the management of "out of contact" cases. However, at the time of the inspection much of this had either been newly introduced or was yet to be put into practice and, in my judgement, the Home Office was unable to evidence that any of the original 6 recommendations could be considered "Closed".

The Home Office had been more successful in implementing the recommendations from the FNOs inspection, and inspectors saw sufficient evidence to consider 5 of the 8 recommendations "Closed". As the original report acknowledged, implementation of the recommendations would not change some of the underlying challenges or risks surrounding

the monitoring and removal of non-detained FNOs, but in terms of retaining parliamentary and public confidence it is important that the Home Office is able to demonstrate that it is doing as much as it possibly can to manage them.

This report makes 4 recommendations, the first of which concerns taking the necessary actions to close the original recommendations without further delays, while 2 others concern FNO management, including the request that the Home Office revisits its rejection of the recommendation regarding FNOs released to 'no fixed abode'. The final recommendation looks to ensure that the moves towards smarter working at the reporting centres do not have the unintended consequence of reducing the Home Office's ability to safeguard vulnerable individuals.

This report was sent to the Home Secretary on 31 January 2019.

David Bolt

Independent Chief Inspector of Borders and Immigration

1. Purpose and Scope

- 1.1 'An inspection of the Home Office's Reporting and Offender Management processes (December 2016 – March 2017)' was published on 2 November 2017. This inspection examined the efficiency, effectiveness and consistency of the Reporting and Offender Management (ROM) system. The inspection report made 6 recommendations, all of which were accepted by the Home Office. The recommendations were in relation to:
 - achieving the stated purpose of the ROM system
 - concluding cases
 - managing non-compliance
- 1.2 'An inspection of the Home Office's management of non-detained Foreign National Offenders (December 2016 – March 2017)' was also published on 2 November 2017. This parallel inspection examined the efficiency and effectiveness of the management of Foreign National Offenders (FNOs). The inspection report made 8 recommendations: 6 were accepted by the Home Office, 1 was partially accepted, and 1 was not accepted. The recommendations covered:
 - the work required to implement the recommendations of the Professional Standards Unit (PSU) in December 2015, the Gold Group Summary Report of July 2016 and the Operation Zincs Refresh Report of October 2016
 - Home Office records for FNOs
 - FNO guidance for staff
 - working relationships between Home Office units responsible for managing FNOs
- 1.3 This re-inspection looked at the progress the Home Office had made towards implementing each of the recommendations from the 2 reports.

2. Methodology

2.1 In November 2018, the Inspectorate wrote to the Home Office formally notifying it of the planned re-inspections and requested written evidence of the work done to implement each of the recommendations from the 2 reports, including:

- flow charts to illustrate how cases are managed and progressed, outlining the responsibilities of specific units and the Reporting and Offender Management system, including details on any hand-offs
- details of partnership working between reporting centres and other units
- updated guidance on reporting events, including any new processes for identifying and recording changes in circumstances
- details of the first-time reporting event pilot, including lessons learnt and subsequent roll out
- details of any safeguarding training packages and additional support offered to staff
- training records for all staff showing completion of mandatory safeguarding training and the 4-day residential course on vulnerability
- details on the new Triage Management (TRaM) tool¹
- a narrative explaining the 'Business Rules' project
- the outcome of the pilot in Solihull's reporting centre (including staff feedback, any improvements made and results)
- details of the strategy to target the promotion of Assisted Voluntary Return (AVR) options at police stations and reporting centres more effectively
- the number of scheduled reporting events between 1 April 2017 and 31 March 2018 and between 1 April 2018 and 31 October 2018
- the latest Home Office guidance on the 'Failure to Report' (FTR) and 'Absconder' processes, and evidence of how these have been communicated to staff, plus any other instructions issued to staff
- details of any assurance mechanisms in place to ensure consistency in the application of the FTR and absconder processes

2.2 Between 14 November and 21 December 2018, inspectors:

- visited the reporting centre in Lunar House to observe TRaM and Managed Reporting Appointments (MRA)²
- visited the reporting centre in Solihull for a briefing on the Business Rules, a pilot also known as Identify and Prioritise Immigration Cases (IPIC)³

¹ The aim of this tool was to aid the identification of cases and prioritise those to be progressed towards conclusion, simplifying a process that was previously carried out manually.

² This is a new reporting tool system where a barcode is attached to a bail form which when scanned will indicate whether a further intervention is required.

³ The Business Rules tool is designed to present cases to ROM staff that are suitable for certain actions.

- held discussions with the 'Out of Contact Cases' team working on the FTR and absconder review
- interviewed staff at Becket House, Loughborough and Lunar House reporting centres, and held discussions with non-detained casework staff and senior management from Criminal Casework and Criminal Casework's Contact Management and Workflow Team based in Liverpool
- interviewed the TRaM/IPIC project leads
- reviewed documentary evidence provided by the Home Office, including published guidance and action plans detailing progress against the recommendations and actions contained in the PSU, Gold Group, and Operation Zincs reports
- analysed the Home Office's performance data
- visited police stations with immigration reporting functions in Luton, where there was an Immigration Enforcement presence, and Peterborough where there was none

3. Summary of conclusions

- 3.1 The re-inspection found that, despite significant efforts to improve the efficiency and effectiveness of the Reporting and Offender Management (ROM) processes, principally through technology aimed at enabling smarter working, the Home Office was unable to evidence sufficient progress against the 6 recommendations from the original report for inspectors to consider any of them “Closed”.
- 3.2 In relation to making reporting events “meaningful”, it is arguable that by automating the process for the majority of reportees, these reporting events have little value beyond the routine enforcement of compliance, while opportunities to identify any safeguarding issues have been forfeited. Meanwhile, based on the reducing figures for voluntary returns and removals, the extra time created for “meaningful” conversations with the triaged minority does not appear to be having the hoped-for effect.
- 3.3 However, the greater concern is the failure to grip the absconder process effectively. While the Home Office had reviewed policies and guidance, operational processes and data relating to those that are ‘out of contact’ and had developed recommendations and plans for improvements, implementation had slipped and at the time of the re-inspection little of substance had been achieved. Crucially, Home Office guidance ‘Non-compliance and absconder process’ had not been updated since the original inspection and practice varied across the ROMs and caseworking units, while only a minority of Foreign National Offender (FNO) absconders were successfully traced by the Trace and Locate Team. This issue deserves to be treated with considerably more urgency than the Home Office has shown to this point.⁴
- 3.4 The Home Office had been more successful in implementing the recommendations from the inspection of its management of non-detained FNOs. Of 8 recommendations, inspectors saw sufficient evidence to consider 5 “Closed”.
- 3.5 Two recommendations remained “Open”. The first concerned the development of the Person Centric View of its caseworking records for non-detained FNOs. This had slipped because of delays in the roll out of the ATLAS⁵ system and the Home Office was unable to give a firm date for its delivery. Meanwhile, Criminal Casework staff continued to rely on local spreadsheets, which was inherently unsafe.
- 3.6 The second concerned the quality assurance of FNO records. The original inspection had recommended that the Home Office should systematically quality assure all case notes. This had been partially accepted, with the Home Office proposing an alternative solution based on an extension of the Quality Assurance Framework by September 2017 and dip sampling of case records.
- 3.7 The re-inspection found that despite a good deal of preparatory work having been done the dip sampling referred to in the response to this recommendation had still not begun, some 15

⁴ At the factual accuracy stage, the Home Office stated that: “The Criminal Casework Trace and Locate Team regularly trace Criminal Casework criteria high harm FNO absconders successfully. In 2017, 214 FNOs from 258 referrals were traced. In 2018, 229 from 190 referrals were traced. (CC Trace and Locate have a small pool of legacy cases, hence the discrepancy for the 2018 figures).”

⁵ ATLAS is a new Home Office caseworking system, currently in development.

months after the Home Office said that it would have and with no firm start date set. Given the importance of having accurate records as the basis for action, especially in the case of FNOs where the risks are typically higher, this was particularly poor.

- 3.8 One of the 8 recommendations was not accepted by the Home Office. This concerned the risk of re-offending by FNOs released from detention to no fixed abode. The Home Office argued that the Ministry of Justice (MOJ) already monitored re-offending rates and that “few Foreign National Offenders are released to no fixed abode and those who are required to provide their address to the Home Office at their first reporting event in order that the Home Office can maintain contact”.
- 3.9 Inspectors asked for Home Office data on FNOs released to no fixed abode, including compliance with their scheduled first reporting event. The data showed that between 1 April 2017 and 1 October 2018, 32,011 FNOs had been released from detention (immigration and custodial combined), of which 107 (0.3%) had been released to no fixed abode. The Home Office did not hold data centrally on how many of the 107 complied with their first scheduled reporting event and provided a contact address.
- 3.10 According to the data compiled by the Home Office Performance and Reporting Analysis Unit (PRAU), between March 2018 and October 2018, 35 FNOs were released to no fixed abode. According to Criminal Casework’s Compliance Monitoring and Workflow Team (CMWT) there had been 29. The Home Office told inspectors that the PRAU data was more reliable. However, it is hard to see how the Home Office can have confidence in its monitoring of FNOs and their compliance with reporting restrictions if it is unable to keep track of such relatively small numbers. To compound matters, 8 (28%) out of CMWT’s 29 individuals failed to attend their first reporting event, leaving the Home Office without a contact address.
- 3.11 While the Home Office appeared uncertain about the precise numbers of FNOs released to no fixed abode, inspectors accepted that these were small. Nonetheless, the Home Office’s reliance on these individuals complying with their first scheduled reporting event to capture contact details is misjudged based on the rate of non-compliance. Meanwhile, its ‘system’ for re-establishing contact, which does not take effect until the FNO has missed 2 consecutive reporting events, which triggers a letter (ineffective where there is no known address), lacks urgency and certainty.
- 3.12 In light of these findings, the Home Office should reconsider its response to the original recommendation and, as a minimum, should ensure that it has sight of whatever data the MOJ collects in respect of re-offending by FNOs.

4. Recommendations

The Home Office should:

- 4.1 Review, and take the necessary actions to implement, without further delays, the “Open” recommendations from ‘An inspection of the Home Office’s Reporting and Offender Management processes (December 2016 – March 2017)’ and ‘An inspection of the Home Office’s management of non-detained Foreign National Offenders (December 2016 – March 2017)’.
- 4.2 Revisit its response to the recommendation that it should “analyse, and continue to monitor, re-offending rates for Foreign National Offenders (FNO), distinguishing between those released to a specified address and those released to no fixed abode, to ensure that measures introduced to create a ‘hostile environment’⁶ for individuals with no right to remain in the UK are not having a perverse effect on FNO reoffending”.
- 4.3 Ensure that the number of reporting individuals without an allocated case “owner” is kept to an absolute minimum and in the case of non-detained FNOs that it does not exceed 1% of that population in any month.
- 4.4 Expand the ‘First Reporting Event Questionnaire – Form FRE1’ question set to ensure that all vulnerabilities are captured and used to inform the future frequency of safeguarding conversations.

⁶ At the factual accuracy stage, the Home Office stated that it no longer uses the term ‘hostile environment’ and suggested that this should be replaced here by “measures introduced which require eligibility checks to be conducted”. However, as this is a direct quotation from an earlier report the original wording has been retained.

5. Background

The 2017 inspections

- 5.1 While the inspectorate's '3-year Plan 2016-17 to 2018-19' had included an inspection of 'Reporting arrangements, including Reporting Centres' and of 'Removals' (both scheduled for 2018-19), the timing of this work was brought forward at the request of the Home Secretary following an incident in which 2 individuals, both Foreign National Offenders (FNOs), one on reporting restrictions and the other subject to a deportation order, had murdered a third man, for which they had been convicted and jailed.

Reporting and Offender Management inspection

- 5.2 The original inspection of the Home Office's Reporting and Offender Management (ROM) processes focused on the effectiveness of reporting events in moving cases towards a conclusion, either Voluntary Return, Enforced Removal, or a grant of Leave to Remain in the UK.
- 5.3 The Home Office had already recognised the need for reporting events to be "meaningful" interactions, and the inspection agreed that they should have some value beyond simply recording compliance (or non-compliance) with the requirement to report. Progressing cases towards a conclusion meant using the reporting event to encourage voluntary departures and to identify changes in circumstances. The process required the Home Office to work with partners to resolve barriers to removal, and to identify and manage appropriate occasions for Emergency Travel Document interviews and Detention on Reporting.
- 5.4 The inspection found that the ROM process was hindered by 2 main factors – poor internal communication and coordination between ROM staff and casework staff, and the high volumes of reportees. The data provided to the re-inspection team indicated that for the 6 months to October 2018 there were 90,621 individuals in the reporting population.
- 5.5 The original inspection also highlighted inconsistencies in the way that non-compliance with reporting restrictions was recorded and found little evidence of effective action being taken to locate the vast bulk of "absconders".

Foreign National Offenders inspection

- 5.6 The original inspection examined the efficiency and effectiveness of the Home Office's management of Foreign National Offenders (FNOs), focusing on the progression of cases involving non-detained FNOs towards their removal from the UK, and with particular reference to the actions taken from 2016 onwards.
- 5.7 In late 2015, 2 Turkish nationals who had previous criminal convictions in the UK were charged with the murder in the UK of a third man. In August 2016, both were convicted and sentenced to life imprisonment.

- 5.8 In October 2015, Immigration Enforcement (IE) instructed the Home Office Professional Standards Unit (PSU) to conduct a review of the handling of the cases of the 2 FNOs. PSU reported in December 2015, making 10 recommendations and identifying 15 action points.
- 5.9 In March 2016, IE established a 'Gold Group' to review and manage the implementation of PSU's recommendations. The Group examined "the controls in place to ensure FNOs are swiftly identified and progressed towards return; the culture of staff to do all they can to identify and progress FNOs to return; and any other challenges that stand in the way of these controls and culture". It added 6 action points of its own to PSU's list. The actions taken following the PSU report, which was given the project name 'Operation Zincs', were examined as part of the inspection.
- 5.10 The inspection report acknowledged that the monitoring of FNOs was a challenging business, as was their removal from the UK, and that there were regular frustrations for the staff involved. However, the inspection found that a number of improvements needed to be made, including completing some of the work identified in the PSU and Gold Group reviews, and while these would not change the underlying risks, including the risks for public protection, it was important that the Home Office was able to demonstrate that its processes were as efficient and as effective as they could be.

6. Reporting and Offender Management processes

Recommendations, Home Office responses, Re-inspection findings and Conclusions

- 6.1 The Home Office responses to the 6 recommendations contained in the original inspection report were published with the report in November 2017. The recommendations and responses are set out in full below, together with the findings of the re-inspection and the ICIBI's conclusions and assessment of whether the recommendation can now be considered "Closed".

Recommendation 1

- 6.2 The original inspection found that a significant number of commissions from caseworking units, especially for Emergency Travel Documents (ETD) interviews, were rejected by Reporting and Offender Management (ROM) workflow teams as they were "judged as unlikely to succeed and therefore to be a poor use of ROM resources". Instead, ROM staff were self-identifying cases for fear of not meeting their performance targets. This led to concerns about the extent to which ROM staff and casework units were "on the same page", and highlighted the need for the Home Office to "ensure that roles and responsibilities for everyone involved in progressing the case of individuals subject to reporting restrictions to a conclusion are better defined and support joined-up working". This led to Recommendation 1.

"The Home Office should ... define the responsibilities of Reporting and Offender Management (ROM) staff and relevant case working staff for progressing the cases of individuals subject to reporting restrictions to a conclusion, with comprehensive guidance, including service level agreements between ROMs and caseworking units to ensure that 'signposted' cases and commissions are actioned within agreed timescales."

Home Office response: "Accepted"

- 6.3 The Home Office wrote that:

"A case triage tool⁷ has been developed to assess the removability and level of harm posed by offenders, automate the identification and prioritisation of cases, and to provide information on the length of time a barrier to removal has been in place. This tool will ensure the process of prioritising cases is consistent between Reporting Centres and Casework units. The tool was initially rolled-out to reporting centres in London and to the Returns Preparation directorate. Work is taking place to use this tool to ensure outstanding issues are escalated so that they can be resolved. On the back of this experience, we will update guidance on the respective roles of staff. On the 3 July 2017, the triage tool was rolled out nationally to all Reporting Centres.

⁷ TRaM. See footnote 1.

As we deploy the tool more widely and learn from it, it may be that we wish to supplement the standardisation it brings with service level agreements between reporting centres and casework units. We will decide, on the basis of further experience, whether that additional step is necessary because there is a risk that the establishment of SLAs reinforces a continuing divide which we are trying to bridge.”

Re-inspection findings

Guidance

- 6.4 Home Office guidance on ‘Reporting Offender Management’ was last updated on 22 January 2018. The current guidance states that all reporting individuals will have a caseworker who can commission actions intended to progress a case using the following methods:
- the tasking process, including requests for detention, travel documents and interviews
 - the ROM team email inbox for short requests, for example to put certain questions to the individual when they report
 - record full notes on CID⁸ to give a response to the caseworker for the individual’s case to be progressed
- 6.5 There is separate guidance covering ‘Case Information Database (CID) Tasking’. This is dated September 2016. CID Tasking is a workflow tool that allows cases to be tracked through the tasking process. The process covers all work that “referring units” require Immigration Compliance and Enforcement (ICE) teams and ROM teams to undertake.
- 6.6 The main applicant’s address as recorded on CID is used to direct the referral to the correct ROM team. The ROM team considers each referral and accepts or rejects it. If accepted, the ROM will update CID with the outcome.
- 6.7 The guidance requires ROM staff to conduct reporting events with the aim of maintaining contact with the person and, where appropriate, carrying out an interview and updating the ‘Person Notes’ field on CID. Reporting centres must also identify failures to report, set up future reporting events, check an individual’s contact details, update records if required, and inform the caseworker of any changes.
- 6.8 Under the guidance caseworking teams can request that a ROM staff carries out a ‘mitigating circumstances interview’ to gather any new information about an individual’s life in the UK. ROM staff can also decide for themselves to use a scheduled reporting event to carry out a ‘mitigating circumstances interview’.
- 6.9 Home Office guidance on ‘Non-compliance and Absconder Process’, dated 30 January 2018, sets out what to do when a person fails to report, listing: updating CID with the failure to report and any actions taken, attempting to make telephone contact with the individual, notifying the caseworker of the failure to report, and monitoring future compliance.

⁸ The Case Information Database (CID) is a Home Office caseworking and operational database used to record personal details of foreign nationals who pass through the immigration system.

Service Level Agreements

- 6.10 Inspectors met the ROM Workflow Team, which acts as the link between ROM staff and caseworkers. Team members felt they had a close relationship with colleagues from the various departments that fed work into the reporting centres. They told inspectors that they understood that certain cases had deadlines, for example Third Country Unit (TCU) cases and referrals for inclusions on charter flights.
- 6.11 However, while the reporting centres had agreements covering the ‘Third Country Detention on Reporting’, ‘Detention of Foreign National Offenders on Reporting’, and ‘National Removals Casework Pre-Planning’, for which inspectors saw the relevant process maps, they did not have any Service Level Agreements (SLAs) with other teams setting out agreed timescales.

Identification of cases for progression by reporting centres – use of the Triage Management tool

- 6.12 The Triage Management tool (TRaM) is a large database containing ‘live’ cases. The data can be filtered using 10 different fields. Due to the low number of referrals of actionable cases, ROM staff were using the tool to generate work for themselves, filtering cases, assessing current status, and progressing the case if appropriate, which might entail signposting it to the case owner.

Conclusions

- 6.13 The TRaM tool has been received positively by ROM teams, with benefits being realised immediately. TRaM has allowed ROM staff to filter large volumes of cases and generate work for themselves and progress cases towards a conclusion. In its response to the original report, the Home Office had said that as TRaM was deployed more widely “it may be that we wish to supplement the standardisation it brings with service level agreements between reporting centres and casework units”. However, it also recognised that there was a risk this would reinforce the divide it was trying to bridge.
- 6.14 While some of the relevant Home Office guidance has been updated, it does not explicitly outline the roles and responsibilities of ROM staff and caseworking units. ‘Non-Compliance and Absconder Process’ guidance, for example, fails to identify where responsibility lies for absconder action. Consequently, **Recommendation 1 remains “Open”**.

Recommendation 2

- 6.15 In the original inspection, inspectors observed no attempts by ROM staff to update Home Office records with information about the current circumstances of the reporting individual that could have a bearing on their removability. The case file sample confirmed that ‘change of circumstances’ interviews were relatively rare: “of the 104 cases examined, there were 13 where such a discussion had taken place and the outcome had been recorded”. ROM staff confirmed that these conversations were routine only during the individual’s first reporting event, when an ETD was completed, when a ‘RED004’ form was served, and upon detention. This led to Recommendation 2.

“The Home Office should ... determine the most effective way(s) to identify changes in the circumstances of individuals subject to reporting restrictions and develop processes and guidance to ensure this is done early and consistently, and that any changes are accurately recorded.”

Home Office response: “Accepted”

6.16 The Home Office wrote:

“We are introducing a first-time reporting event interview which will form part of our new operating model, which will be rolled-out across 2018/19. During this interview, officers will be required to ask questions seeking information to assist in assessing a person’s safeguarding or medical requirements, and their potential vulnerability. This will allow us to take a case-by-case approach as to how often we need to conduct change of circumstance interviews with each individual, prioritising them by their needs and progressing cases toward removal. Automation via the case triage tool will allow us to complete early and regular change in circumstances interviews whilst minimising the chance of absconding through identification and prioritisation of those reporting. These will fluctuate depending on an individual’s reporting frequency and removability. This has now been rolled-out to all ROM teams and Returns Preparation directorate. We have also recently worked with policy colleagues to update our reporting event guidance for staff so that it will reflect the introduction of our new operating model and automated reporting.”

Re-inspection findings

- 6.17 Inspectors found that staff had started to implement changes to the reporting arrangements. In November 2017, the Lunar House reporting centre ran a pilot to look at First Reporting Events (FRE) and make them more meaningful.
- 6.18 Immigration Enforcement’s (IE) transformation programme featured the roll out of ‘Managed Reporting Appointments’ (MRA),⁹ designed to make reporting an automated event with more substantial contact with a ROM officer planned only for when a specific action is required to progress a case. As part of this, the intention was for the individual’s FRE to involve a meaningful interview, used to capture all the relevant data about them. A FRE checklist was introduced to encourage consistency of data capture, and it was hoped that this would also bring more consistency to the way cases were being managed.
- 6.19 The MRA tool is designed to assist ROM counter staff. It provides an instant response to whether they need to make an intervention or conduct an interview or can allow the individual to leave the reporting centre. MRA draws only on information recorded on CID. Consequently, CID data quality has a direct bearing on its effectiveness.
- 6.20 MRA had reduced the time reportees spend at the counter, from an average nationally of 6 to 8 minutes to approximately 20 seconds. This has enabled ROM staff to focus on interventions in support of IE’s strategic goals, such as increasing voluntary returns, compliance and enforced removals.¹⁰ However, inspectors were told by ROM counter staff and their managers that it was not translating into more meaningful interactions and the reduced contact with most individuals meant fewer opportunities for change of circumstance conversations.
- 6.21 There were no specific instructions about how or how often ROM staff should carry out change of circumstance conversations. There did not appear to be any structure to this and it was left to the discretion of individual officers. Additionally, there was no designated field on CID to record that such a conversation had occurred, so no mechanism for knowing if the process was working.

⁹ MRA went live at Lunar House ROM on 21 August 2018, and at Becket House ROM on 12 November 2018.

¹⁰ The Home Office told inspectors that other benefits of MRA include reduced queues, a more positive experience for reportees, a reduction of 12 to 3 counter staff at Lunar House, and financial savings (still to be realised).

Conclusions

- 6.22 IE had made some efforts to make FRE more meaningful, and to improve the efficiency of ROM staff by automating reporting events where there is no planned intervention or interview. As such, it has done most of what it committed to do in response to Recommendation 2. Crucially, however, this has not led to more meaningful interactions and has reduced the opportunities for ROM staff to have change of circumstance conversations with most reportees. Therefore, there is still some work to do, for example in providing better guidance about when to have and how to record change of circumstance interviews, and **Recommendation 2 remains “Open”**.

Recommendation 3

- 6.23 The original inspection found that opportunities to identify and explore safeguarding concerns were rare due to the “perfunctory nature of most interactions between ROM counter staff and individuals subject to ‘reporting restrictions’”. Of the sample of 104 case files examined, 84 contained “no evidence that ROM staff had enquired about safeguarding issues”. Additionally, while staff had been given basic training in identifying safeguarding risks, the priority given to carrying out such checks varied across reporting centres. Recommendation 3 sought to address this.

“The Home Office should ... ensure that Reporting and Offender Management (ROM) staff receive the necessary safeguarding training and support to identify where individuals subject to reporting restrictions are at risk.”

Home Office response: “Accepted”

- 6.24 The Home Office wrote:

“All staff have completed mandatory safeguarding training. However, EO graded-staff have recently attended a four-day residential course where vulnerability, safeguarding and adults at risk were covered in detail, with a deeper focus on adults at risk for the purposes of detention. This face-to-face training is to be rolled out to all staff by April 2018.

This training teaches staff to identify indicators that would suggest a potential safeguarding issue; these may manifest themselves in the appearance or behaviour of an offender during a reporting event. If these safeguarding indicators are observed, appropriate action must be taken. This may involve the offender being referred to another agency (for example social services), or information being recorded on Home Office systems where it can be taken into account in future interactions with the individual.

Offenders are also interviewed prior to any decision to detain, which involves a full assessment of any vulnerability issues, including any medical or mental health issues.”

Re-inspection findings

Mandatory safeguarding training and additional packages

- 6.25 In February 2018, the Home Office stated that staff in the 3 ROM commands had undertaken core safeguarding training, focusing on ‘Adults at risk’ and ‘Keeping children safe’. It said that staff had, in addition, completed further courses covering topics such as ‘Modern slavery’ and ‘NHS abuse’.

- 6.26 The Home Office also reported that “all EO-graded staff have attended a four-day residential course where vulnerability, safeguarding and adults at risk were covered in detail.” This ‘ROM Induction Programme’ contained 2 modules about safeguarding: ‘Modern Day Slavery - Awareness and First Response Actions’ and ‘NRC¹¹ – Vulnerability referrals into NRC Power to detail Family splits and levels of authority’.
- 6.27 At the end of November 2018, the Home Office provided inspectors with its training records for staff in each region. These were formatted inconsistently. From the information recorded, inspectors were unable to confirm that all staff had completed the mandatory ‘Adults at Risk’ and ‘Keeping Children Safe’ training. In the case of 2 of the 41 staff in one region the record appeared to show that they had completed their ‘Keeping Children Safe’ course as long ago as 2014. See Figure 1.

Figure 1: Training records for the numbers of staff who had completed both mandatory training packages: ‘Adults at risk’ and ‘Keeping Children Safe’ as at end of November 2018

	North ROMs	London ROMs	Central ROMs
Total number of staff with training records	42	126	17
Number of staff recorded as having completed ‘Adults at Risk’ training	42	40	7
Number of staff recorded as having completed ‘Keeping Children Safe’ training	41	105	15

- 6.28 In interviews with inspectors, ROM staff at Becket House (London) questioned the effectiveness of e-learning for this type of training. They also questioned the applicability of the training course content, which they said was “generic” rather than specific to the work at reporting centres. These views were echoed by ROM senior management at Lunar House, who felt that the e-learning package was inadequate, and that some staff simply attempted to complete it as quickly as possible. Refresher training was delivered by the same method, and there was currently no classroom-based training.
- 6.29 The training records for ‘Modern Slavery’ showed that it had been completed by 37 (88%) out of 42 staff in the North region, 95 (75%) out of 126 staff in the London region, and 11 (65%) out of 17 staff in the Central region.
- 6.30 Despite having committed to rolling out the 4-day vulnerability course to all staff by April 2018, the training records showed that 46 members of staff had completed this course between March and April 2017, with no evidence of any further courses having been scheduled or completed since. Staff feedback on the 2 safeguarding modules was positive overall, with delegates describing the course as “informative” and “a refresher of existing knowledge”.
- 6.31 To test the effectiveness of the training, inspectors requested data for the number of safeguarding conversations and referrals made by ROM staff between 1 October and 30 November 2018. The Home Office responded that this data was not available because these events were recorded in ‘Person Details’ on CID and were not centrally retrievable.

Bespoke training course on vulnerability

- 6.32 In August 2018, the Home Office informed inspectors that a “bespoke training course aimed at identifying a range of vulnerability issues presented by applicants and reportees” was being developed. This would better equip staff to identify, report and signpost cases for “meaningful assessment and case consideration”. The course was expected to have been developed by June 2019.

First Time Reporting Event interviews

- 6.33 The Home Office also informed inspectors of plans to introduce a formal ‘first time reporting event interview’ during 2018-19 to assess an individual’s safeguarding or medical needs, and their potential vulnerability. This had been piloted during December 2017 and launched at Lunar House at the same time as Manage Reporting Appointments (MRA). The Home Office planned to roll it out nationally by summer 2019.
- 6.34 Inspectors reviewed the first-time reporting event questionnaire. The questions that might reasonably be described as concerned with the individual’s vulnerability were essentially healthcare-related. It asked:
- “Are you currently taking any prescribed medication?
 - If so how long have you been taking medication?
 - Please provide details of medication/dosage?¹²
 - Who prescribed the medication to you?
 - Have you had any operations within the last 3 years?
 - Have you received any medical treatment from a hospital in the last 12 months?
 - Are you awaiting any NHS treatment?
 - If yes, what is it for and do you have a date?
 - Are you pregnant?
 - If so, how many weeks are you and what hospital have you been referred to?”
- 6.35 There were other questions concerning whether the individual held a UK driving licence, bank account, was financially self-sufficient or in receipt of benefits, whether they owned or rented a property, and what family members they had in the UK and in their home country, plus other personal data. None of these questions concerned possible vulnerabilities. However, the Home Office told inspectors an assessment of vulnerability was made prior to any decision to detain.¹³
- 6.36 ROM senior management at Lunar House told inspectors that safeguarding was considered only on these 2 occasions rather than being monitored regularly throughout an individual’s period of reporting. It was also felt that opportunities to identify vulnerabilities could be lost with automated reporting as ROM counter staff contact lasted only a matter of seconds and conversation was limited. The first-time reporting event pilot report had raised this as a risk and inspectors witnessed that it was the case during observations at the reporting centres.

¹² The interviewer is prompted to inform the individual that they may be advised to report with current medication in the near future.

¹³ At the factual accuracy stage, the Home Office commented: “This will also be rather out of date by the time the report is published given the fact that we are using the time freed up by automated reporting to allow our teams to spend more meaningful time with those who are vulnerable, in line with our new vulnerability strategy.”

Conclusions

- 6.37 The Home Office was unable to show that all ROM staff had completed the mandatory e-learning on vulnerability or attended the 4-day residential as stated in its response to Recommendation 3. **Recommendation 3 therefore remains “Open”**. To close it, the Home Office needs to look not just at improving its records of who has received what training, but at the applicability of the training content to ROM staff and at the means of delivery. Its plans for bespoke training in vulnerability may provide an answer, but not quickly. Meanwhile, more thought needs to go into first time reporting event interviews if they are going to be of real value in identifying vulnerabilities, and care needs to be taken that automated reporting events do not result in missed opportunities to identify and safeguard vulnerable individuals within the reporting population.

Recommendation 4

- 6.38 The original inspection noted that ROM staff assisted enforced removals in 2 main ways: “by progressing applications for Emergency Travel Documents (ETDs), and by assisting with the detention of individuals on reporting, including for same day removals.”
- 6.39 Different views about ETD interviews, referred to under Recommendation 1, “raised inspectors’ concerns about how well the reporting population is understood by the Home Office” and the extent to which ROM and caseworking staff agreed on the cases that were removable. This highlighted the need for the Home Office to “improve data collection and analysis about the reporting population so that reporting events and case progression are informed and aligned to organisational priorities” and led to the first part of Recommendation 4.
- 6.40 The original inspection also found that between 1 April and 30 September 2016 almost two-thirds (1,735 out of 2,646 or 65.6%) of those detained on reporting were not removed but were subsequently released due to a barrier to removal having been identified. As at 30 September 2016, a further 99 remained in detention pending removal. ROM staff had confirmed that this ‘attrition rate’ matched their experience. This led to the second part of the recommendation.
- 6.41 The report recommended that:

“The Home Office should ... improve data about the reporting population, and through regular analysis identify and agree (between Reporting and Offender Management (ROM) and case working units) which individuals are removable, who should be prioritised for a reporting event, the precise purpose of that event, and how to reduce the detentions to removals ‘attrition rate’.”

Home Office response: “Accepted”

- 6.42 The Home Office wrote:

“The function envisaged is precisely the function of the new case triage tool. This case triage tool has been developed to assess the removability and level of harm posed by offenders, and automate the identification and prioritisation of cases. This has now been rolled-out to ROMs nationally and to the Returns Preparation directorate.

Analysis of the reasons for attrition is a constant process. Activities aimed at reducing attrition are being taken forward by a cross-IE working group. We envisage this function

will need to continue on a permanent basis. The Home Office stated that the improvement of data, analysis, and identification of removable individuals was “precisely the function of the new case triage tool”. Furthermore, it stated that activities aimed at reducing attrition are being taken forward by a cross-Immigration Enforcement (IE) working group.”

Re-inspection findings

Triage Management tool

- 6.43 In December 2016, the Home Office began the roll out of its new triage tool, TRaM. It is intended to support the ROM processes, and the Returns Preparation and Refused Case Management teams. TRaM draws information from the CID and Central Reference System (CRS)¹⁴ to identify cases within the reporting population for progression, allowing reporting centres to prioritise the cases based on the assessed level of harm, removability and knowledge of whereabouts. TRaM generates a weekly spreadsheet that the reporting centres use.
- 6.44 All of the ROM staff to whom inspectors spoke were positive about TRaM. They used it regularly to identify cases to progress, liaising with caseworkers as necessary. As TRaM worked from CID data, staff were cautious about any actions and fully audited cases before proceeding. Inspectors were told that cases that are not ‘owned’ by a caseworker on CID are not captured by TRaM when a report is produced. The TRaM Team was aware of this gap but did not expect it to be fixed “for a couple of years”.
- 6.45 Inspectors were told that TRaM was a “work in progress”, with staff feeding back to the programme team and changes and improvements being implemented on a rolling basis and communicated via e-mail from the TRaM Team.
- 6.46 The plan is to use the information contained in TRaM to support the development of rules that prioritise cases for specific actions. This will be done through a digital tool called ‘Identify and Prioritise Immigration Cases’ (IPIC). Inspectors saw IPIC being piloted in the Solihull reporting centre. This was the second such pilot. Feedback was extremely positive, with staff seeing real benefits to the way they work. The 8-week Solihull pilot was to be fully analysed by Home Office Analysis and Insight, with a report due in early 2019.

Detention on Reporting ‘attrition rates’

- 6.47 Figures provided for the re-inspection showed that between 1 April 2018 and 31 October 2018, 2,061 individuals were detained on reporting. As at 31 October 2018, 412 had been removed from the UK directly from detention and 89 were still in detention pending removal. 1,560 individuals (76%) had been released from detention.¹⁵
- 6.48 In April 2018, the Home Office produced a report on ‘Enforced Returns Attrition’. The report focused on Detention on Reporting (DoR) and ‘Enforcement Visit Proactive’ (EVP) detentions. It established that the main causes of failed removals were lengthy legal disputes, practical and administrative issues (for example, not having sufficient escorts), and personal (often medical) issues. The report noted a 69% ‘attrition rate’ between February and July 2017. It made 10 recommendations including improving recording on Home Office systems and exploring options to reduce an individual’s ability to issue multiple or last minute legal challenges.

¹⁴ According to Home Office guidance, CRS is “a web-based application that contains entry clearance data from diplomatic missions overseas”.

¹⁵ Data includes each individual only once in each month, however, one individual may have been detained on reporting in more than one month during the time period. Of those released, Home Office records showed that 458 had left detention because they claimed asylum, 111 were Adults at Risk and 348 were granted Immigration Judge bail.

Conclusions

- 6.49 Using data from CRS and CID, TRaM captures the reporting population on a single spreadsheet, making potentially removable cases easier to identify and prioritise, which ROM staff have welcomed. The improvement and further development of TRaM, and the development of IPIC should ensure that ROM processes can become more efficient and effective and should improve collaboration with caseworkers and the Returns Preparation directorate. However, TRaM's reliance on CID (and CRS) records, the quality of which has regularly been found to be poor, is a risk and it is prudent that ROM staff fully audit cases before taking action based on TRaM.
- 6.50 Figures for the 'attrition rate' of those detained on reporting (and via EVP) show that recent performance was worse than at the time of the original inspection, which was already a cause for concern. The Home Office needs to implement the recommendations from the April 2018 internal report as a matter of urgency, and to be ready to explore other options if these fail to result in significant improvements.
- 6.51 TRaM is recognised as a "work in progress" and IPIC has yet to be fully evaluated. Meanwhile, the Home Office has gone backwards with the 'attrition rate' for DoR cases. **Recommendation 4 therefore remains "Open"**.

Recommendation 5

- 6.52 Even though the reporting centres visited displayed posters and leaflets promoting the Voluntary Returns Scheme (VRS), other than in Eaton House where a pilot project was in operation, the original inspection team did not observe ROM counter staff promoting voluntary return, except where the individual had first expressed interest.
- 6.53 The low uptake of voluntary departure was reflected in Home Office data which indicated that "between 1 January and 30 September 2016, 3,996 individuals who were subject to 'reporting restrictions' made a voluntary departure from the UK" (the total reporting population over this period was between 79,158 and 84,722).
- 6.54 Furthermore the report stated that "for individuals reporting at police stations there were no leaflets or posters on display promoting the Home Office VRS or other options. Nor did ROM staff engage with individuals who had requested further information about their options". Individuals who expressed interest were simply referred to the VRS helpline, and "police station staff were neither trained nor empowered by the Home Office to conduct 'meaningful' interventions."
- 6.55 These findings led to Recommendation 5:
- "Based on improved data collection and analysis of the reporting population, the Home Office should develop a strategy to target promotion of voluntary return options more effectively, including to individuals reporting at police stations by publicising and promoting voluntary return schemes at these locations."

Home Office response: "Accepted"

- 6.56 The Home Office wrote:
- "Using marketing techniques and analysis Immigration Enforcement's Voluntary Return Service (VRS) is building an improved understanding of migrants' behaviours. This analysis will be used by ROMs to focus voluntary departure activity on those cases where it is most likely to be effective."

Re-inspection findings

Promotion of Voluntary Returns Scheme at reporting centres

- 6.57 Inspectors were told that staff were fully aware of VRS and used it regularly. Staff told inspectors that they could no longer refer a case to the Detention Gatekeeper¹⁶ if they were unable to evidence that they had conducted a comprehensive VRS conversation. Inspectors were shown an extensive training package created for ROM counter officers, which clearly outlined the scheme, its merit and how to approach VRS conversations and drive up application rates.
- 6.58 Home Office data showed that, between April 2017 and October 2018, IE staff offered VRS to 41,277 individuals. By 31 October 2018, 1,939 of the 41,277 had had a voluntary return recorded on or after the date of the offer. The Home Office told inspectors that there was a general decline in the number of immigration offenders leaving the UK and returns were diminishing “across all routes”. It believed that the root cause may be that fewer negative immigration decisions were being made and that there were more successful appeals and fresh applications.

Promotion of Voluntary Returns Scheme at police stations

- 6.59 Despite the fact that IE relied on the police to deal with individuals on reporting restrictions who were not able to report to a reporting centre, there was no official training package for the police for this task, which mitigated against consistency and the ability of police officers and police staff to have meaningful conversations with reportees, including discussing voluntary return options with them. Heavy workloads and lack of access to Home Office databases did not encourage the police to see this as a priority.
- 6.60 Inspectors visited 2 police stations, 1 in Luton, which had a relatively large reporting population and had an IE officer working alongside the police, and the other in Peterborough, where the reporting population was dealt with by police officers or police staff alone.
- 6.61 In Luton, the lack of space and privacy were not conducive to making the reporting process “meaningful”. IE staff, when in attendance, ran the process like a ROM. But, when they were not able to attend the police officers and police staff who fielded reportees were not equipped to do this.
- 6.62 Inspectors were told, and observed, that police stations did not display posters explaining the different schemes available to reportees. Nor did they have leaflets to distribute, and inspectors were told that if an individual expressed an interest in the VRS the police would direct them to the VRS helpline.

Conclusions

- 6.63 Since the original inspection, the Home Office appeared to have improved its data capture in relation to ROM conversations about VRS and reinforced the importance of this by no longer permitting ROM staff from referring a case to the Detention Gatekeeper unless they can evidence that a VRS conversation has taken place.
- 6.64 However, from the latest figures, the success rate is low (1,939 out of 41,277 or 4.7%). IE appeared fatalistic about this, pointing to a general decline in returns. Whatever the realities

¹⁶ A detention gatekeeper is responsible for approving decisions about who enters immigration detention in order to ensure that the decision is lawful and appropriate at the time it is taken.

about immigration decisions, appeals and fresh applications, it seems unlikely that the success rate of VRS conversations will improve if staff do not believe that they can 'sell' VRS. An honest and thorough evaluation of the effectiveness of the VRS training package would be a start.

- 6.65 Little, if anything, appeared to have been done since the original inspection to ensure that there were meaningful conversations with those individuals who were required to report at police stations. As a minimum, there should be some basic awareness training for police officers/staff, reinforced by periodic IE visits, and appropriate literature should be available to hand to reportees.
- 6.66 **Recommendation 5 remains "Open".**

Recommendation 6

- 6.67 The original inspection found "significant inconsistencies in the way non-compliance with reporting restrictions was recorded and treated". There were instances where reporting events had not been completed by the Home Office (6,989 instances in December 2016, equating to approximately 9%). It also noted that "there were no formal agreements underpinning the use of police stations for immigration reporting events" despite approximately 10% of the reporting population reporting to one.
- 6.68 The parallel inspection of non-detained Foreign National Offenders (FNO) stated that "the process for following up reporting event 'no shows' needs to be significantly tightened up". It also found little evidence that "effective action was being taken to locate the vast bulk of those declared as absconders".
- 6.69 These findings led to Recommendation 6:

"The Home Office should ... conduct a fundamental review of the failure to report and absconder processes and confirm that:

- aims and objectives are clearly defined, along with relevant success criteria
- the priorities of relevant Home Office teams and other agencies (e.g. the police) are aligned
- assurance measures are in place to monitor the processes and to measure effectiveness."

Home Office response: "Accepted"

- 6.70 The Home Office wrote:

"We recognise the inspectors' observations of inconsistencies in our operation and are taking action to address this issue. We are conducting a fundamental review of how we establish and maintain contact with those who have not complied with restrictions placed on their stay in the UK as part of the Exit Checks initiative, due to be completed by April 2018. This electronic recording of cross border movements will provide us with information on migrant behaviour and help us to determine whether individuals who appear to have overstayed are in contact with the Home Office, for example via data matching across HO databases. Our future operating model will be informed by the outcome of this review, and will include the process to be followed when an individual absconds or fails to report."

Re-inspection findings

'Out of Contact Cases' Project

- 6.71 In September 2017, the Home Office initiated an 'Out of Contact Cases' Project, the objectives of which included designing a more consistent and efficient approach towards dealing with non-compliance and reviewing ways of bringing back into compliance the 'out of contact' population.
- 6.72 In June 2018, as part of this Project, it completed a 'fundamental review' of 'Failure to Report' (FTR) and absconder processes, the findings and recommended 'next steps' which were agreed by Immigration Enforcement (IE) Directors.
- 6.73 The 'Out of Contact Cases' Project recommended that a set of business rules should be applied to the 'out of contact' population so that cases of interest could be identified and signposted for further action. The business rules would triage cases according to factors such as knowledge of whereabouts, removability, and harm. Any cases of interest would be directed to an 'Out of Contact Service' (to be created).
- 6.74 In addition, the Project recommended a review of current Home Office guidance that all absconders should be recorded on the Police National Computer (PNC). IE Directors commissioned the IE Strategy Team to implement this recommendation, which proposed a more efficient "profile-based approach" in which only certain cases, such as those with no impediment to prompt removal and those with high harm ratings, would be recorded on the PNC. This would be combined with the streamlining of tracing capabilities,¹⁷ with cases prioritised according to 'business rules'. As part of the strategic solution to tackling the out of contact population, the intention was to align the application of business rules with the introduction of ATLAS.
- 6.75 The Project had also proposed that SMS should be piloted to test its effectiveness as part of the FTR process, and subject to evaluation findings could be considered for wider roll out as part of a revised FTR process.
- 6.76 Inspectors were told that seeking sign-off on recommendations from the 'Out of Contact' review had been delayed for a combination of reasons, including the tasking of the Project team to support IE's response to Windrush and to support the delivery of ATLAS, the latter being behind schedule. Pending the strategic solution, changes would need to be made to tackle the risk, including introducing revised processes, updated guidance and staff instructions. In October 2018, IE Directors advised that a cost-benefit analysis should be undertaken to support discussions and decision making on the Project's recommendations, to understand the impact of changes over the coming financial years.
- 6.77 In August 2018, the Home Office informed inspectors that the activity was "now focused on delivering process improvements" through the delivery of a "consistent IE system wide approach, underpinned by enhanced MI reporting, and supported by revised guidance and staff instructions", with an estimated completion date of December 2018. In January 2019, inspectors asked for an update and were informed that the work had been "put on hold".¹⁸

17 At present, tracing activity is conducted within Returns Preparation, Criminal Casework, the National Absconder Tracing Team, and the Exit Checks Contact Management Team.

18 At the factual accuracy stage, the Home Office commented that the work was not "on hold" but that "timescales for delivery had shifted to the right due to the Project team [being] tasked with supporting Immigration Enforcement's response to Windrush and to support the delivery of Atlas, and [the team] was waiting for an economist to start the cost benefits analysis, which had been planned to commence in January 2019."

Non-compliance management

- 6.78 Discussions with the 'Out of Contact Cases' Project team in November 2018 revealed that there were still 2 different processes in operation following a FTR, as there had been at the time of the original inspection. ROM staff in the North region took action¹⁹ 31 days after a FTR. ROM staff in the London region took no action themselves. ROM staff at Becket House (London) and Lunar House told inspectors they were unsure about who was responsible for taking action or what the agreed process was. Other London region ROM staff, including senior management, assumed that responsibility lay with the case owner, who would monitor any non-compliance.
- 6.79 The review of FTR and absconder processes identified differences in the way caseworking units operated in relation to FTRs. For example, the Criminal Casework (CC) unit had its own dedicated team, the Contact Management and Workflow Team (CMWT). CMWT received Management Information (MI) daily on FTRs from the Performance and Reporting Analysis Unit (PRAU). In contrast, Returns Preparation caseworkers were responsible for monitoring their own cases for non-compliance, but did not receive this MI. Inspectors were told that Refused Case Management teams did not monitor their FTR population. UKVI had no set procedures for managing FTRs and taking absconder action.
- 6.80 The 'Out of Contact Cases' Project team had highlighted the reliance on individual case owners to follow up on FTRs and take absconder action as a risk.
- 6.81 As well as variations in the FTR process, inspectors found instances where an outcome of a reporting event had not been completed, leaving it unclear whether an individual had been in contact or not. Home Office data for October 2018 showed that of 76,415 scheduled reporting events 7,155 (9.36%) were 'blank'. The percentage of 'blank' reports had increased each month since July 2018: from 5.39% in July, to 7.10% in August, and 7.47% in September.

Monitoring non-compliance by Foreign National Offenders

- 6.82 The daily MI report received by CMWT contained the outcome of all criminal case reporting events. CMWT also ran its own weekly report for FNOs who were required to report to police stations and sought the outcome of each scheduled event directly from the police using a 'review' template. There were no SLAs in place with the police, however inspectors were told that they tended to respond within the week.
- 6.83 These reports were used as the basis for follow up FTR actions. Staff told inspectors that the relevant guidance was easy to follow.
- 6.84 Despite these efforts, analysis of Home Office data on the FNO reporting population revealed that 44% of FNOs with at least 1 reporting event between 1 September 2017 and 31 October 2018 had at least 1 'blank' reporting event (in 1 case there were 81 'blank' events).²⁰

Absconder action

- 6.85 The Home Office informed inspectors that in 2017-18 there were 14,406 "absconder breaches". Of these, 13,821 were referred for tracing but only a quarter (3,558 (26%) of those sent for tracing) were located.

¹⁹ Action took the form of a 3-stage process. Stage 1: try to contact the individual by telephone, and if successful seek a reason for the failure to report and issue a verbal warning. If unsuccessful, issue a warning letter ISE343. Stage 2: refer the case to the local Immigration Compliance and Enforcement (ICE) team for a visit to the individual's home address, where appropriate. Stage 3: in the event of no home visit, or an unfruitful one, put the case forward for absconder action.

²⁰ 9,982 FNOs were scheduled to report between 1 September 2017 and 31 October 2018. There was at least one 'blank' event recorded for 4,403 of them. The outcome of each of their scheduled reporting events was recorded for the remaining 5,579.

- 6.86 Two teams provided an absconder tracing service. CC's Trace and Locate team was responsible for tracing FNOs who had been declared as absconders, and the National Absconder Tracing Team (NATT) was responsible for all other absconders.²¹
- 6.87 The review of FTR and absconder processes highlighted that the teams had a similar level of resources but the NATT received a significantly larger number of referrals. One of the options being proposed was streamlining tracing capabilities, forming a merged team to work on tracing activity according to agreed business priorities.

Police reporting

- 6.88 The review of FTR and absconder processes did not refer explicitly to immigration reporting at police stations. However, the Home Office informed inspectors that:

“FTR data captured and reviewed by the Project team includes FTR from police station, and discussions on FTR processes with ROM leads also includes response to FTR at police station. Regional ROM processes apply to both police station and reporting centre FTRs. Furthermore, we have introduced a PRAU report specifically for FTR at police stations.”

- 6.89 Police staff in Peterborough told inspectors that approximately 350-400 individuals reported there and 20% of front desk time was spent on this immigration function. However, there were no formal meetings with the Home Office to explain IE's priorities and the recording of reporting events was left up to the police station. The reporting function was described to inspectors as an “add on” where “you do your own thing”.

Conclusions

- 6.90 While the Home Office had reviewed its ‘out of contact’ procedures and had developed recommendations and plans for improvements, implementation had slipped and at the time of the re-inspection little of substance had been achieved. Crucially, Home Office guidance ‘Non-compliance and absconder process’ had not been updated since the original inspection and practice varied across the reporting centres and caseworking units, while only a minority of FNO absconders were successfully traced.
- 6.91 **Recommendation 6 remains “Open”** and deserves to be treated with considerably more urgency than the Home Office has shown to this point.

²¹ The Exit Checks Contact Management Team also had tracing capability.

7. Management of non-detained Foreign National Offenders

Recommendations, Home Office responses, Re-inspection findings and Conclusions

- 7.1 The Home Office responses to the 8 recommendations contained in the original inspection report were published with the report in November 2017. The recommendations and responses are set out in full below, together with the findings of the re-inspection and the ICIBI's conclusions and assessment of whether the recommendation can now be considered "Closed".

Recommendation 1

- 7.2 The original inspection recognised that "while considerable effort had gone into progressing the Professional Standards Unit/Gold Group action points in 2016, by the time of the inspection the momentum did not appear to have been maintained". A request for the latest update on this in May 2017 found that the 'Summary of Actions' document provided was undated, as were the majority of the entries against individual action points, and action points were not fully addressed, raising concerns that some of the work had not been seen through to completion, nor was there an indication of central oversight to see this work through to 'business as usual'.
- 7.3 This led to Recommendation 1:

"In respect of the Professional Standards Unit (PSU) December 2015 report, the Gold Group Summary Report of July 2016, and the Operation Zincs Refresh Report of October 2016, the Home Office should:

- produce a clear, single account of what has been done to satisfy each of the recommendations and action points
- indicating which are 'closed' and which remain 'open', with milestones/completion dates for the latter, ownership of actions, and oversight/sign off arrangements."

Home Office response: "Accepted"

- 7.4 The Home Office wrote:

"Immigration Enforcement Assurance Management and Risk Assessment team has produced a refreshed action log of all recommendations for the Gold Group with clear milestones/completion dates for the latter, ownership of actions, and oversight/sign off arrangements. This will be regularly updated/reviewed to ensure that the recommendations are progressed."

Re-Inspections findings

- 7.5 Inspectors were provided with an action log dated November 2018 showing all recommendations related to the Professional Standards Unit (PSU) December 2015 report, the Gold Group Summary report of 2016, and Operation Zincs Refresh Report of 2016, with clear milestones/completion dates for the latter, ownership of actions, and oversight/sign-off arrangements.
- 7.6 The action log was produced by the Immigration Enforcement Assurance Management and Risk Assessment (IEAMRA) team. In its response to inspectors, IEAMRA stated that the action log has been “regularly updated/reviewed to ensure that the recommended actions are progressed” but did not provide details of how often this had been done.
- 7.7 Of the 24 action points outlined in the log, 13 were shown as ‘Closed’ and 6 were ‘Closed with further monitoring’. 4 actions were shown as ‘Open’, and 1, relating to a rejected recommendation, was “Not pursued”.
- 7.8 Inspectors were also provided with a copy of a ‘Business Improvement Plan’ log created by Criminal Casework’s (CC) Business Assurance team to record and categorise recommendations, responses, action points and milestones/completion dates, and to ensure responses were organised and correctly prioritised. Inspectors were told that the team was also undertaking a “fundamental review” of all inspection report recommendations and action points to conclude this systematic evaluation and to assess whether the activity that has taken place provides the necessary level of evidence to close these recommendations.

Conclusions

- 7.9 While some recommendations and action points from the reports examined as part of the original inspection remained “Open”, inspectors saw sufficient evidence that IE had a clear record and understanding of what had been done and what remained to be done to be satisfied that **Recommendation 1 can be considered “Closed”**.

Recommendation 2

- 7.10 The original inspection found discrepancies between the total reporting population figures issued in the Gold Group Summary Report and Operation Zincs Refresh Report and those provided as part of the parallel inspection of the Reporting and Offender Management (ROM) system. The report noted that the “markedly different numbers referred to as the ‘total reporting population’ and different periods covered [raised] questions about how well the data is understood by Gold Group members and by readers of its report, and about whether all non-detained FNOs were identified”.

- 7.11 This led to Recommendation 2:

“In respect of the Professional Standards Unit (PSU) December 2015 report, the Gold Group Summary Report of July 2016, and the Operation Zincs Refresh Report of October 2016, the Home Office should:

- Confirm that the explanations of the figures quoted in the Gold Group documents are accurate,
- and that all non-detained Foreign National Offenders (FNO’s) are ‘flagged’ and known to Immigration Enforcement Directorate’s Criminal Casework unit.”

Home Office response: “Accepted”

7.12 The Home Office wrote:

“The figures in the dataset produced for the Gold Group are correct and are a deliberate sub set of the published data. The figures in the dataset provided to the inspection team are consistent with transparency data and the methodology for published data which includes the subset used by the Gold Group.

All non-detained FNOs are flagged and are known to Immigration Enforcement’s Criminal Casework Unit. The Home Office has assurance processes in place to mitigate any potential risk of errors in a large scale recording system.”

Re-inspection findings

- 7.13 With regard to the figures quoted by the Gold Group, the Home Office explained that the sub-set included only those persons with an ‘open restriction’ for reporting.²² The Home Office also pointed out that “the period covered [was] atypical from the recognised quarters of the business year (December 2015 to February 2016)”.
- 7.14 In December 2018, the Home Office told the re-inspection team that all non-detained FNOs were now ‘flagged’ and known to CC, with the caveat that there may be some errors of detail as with any large-scale recording system but that its assurance processes mitigate that risk.
- 7.15 Inspectors were provided with data to show the total number of FNOs by detention status and the Home Office unit to which the non-detained FNOs are ‘flagged’ (the case ‘owner’). See Figure 2.

Figure 2: Total number of FNOs January-October 2018, by status and ownership of non-detained cases

Month	Total	Detained	Non-detained	Home Office ‘owner’		
				CC	Other	None
Jan	14,128	7,370	6,758	6,333	342	83
Feb	14,155	7,368	6,787	6,393	314	80
Mar	14,011	7,247	6,764	6,405	296	63
Apr	13,911	7,162	6,749	6,418	270	61
May	13,899	7,090	6,809	6,452	280	77
Jun	13,874	6,989	6,885	6,529	274	82
Jul	14,021	6,869	7,152	6,812	242	98
Aug	13,962	6,738	7,224	7,041	83	100
Sep	13,936	6,655	7,281	7,171	57	53
Oct	13,891	6,643	7,248	7,181	36	31

²² An “open” restriction means that the person was still required to report and had not been removed from the UK, granted leave, been recorded as an “absconder”, or excused from reporting for personal reasons, for example ill health.

Conclusions

- 7.16 The Home Office has confirmed the accuracy of figures quoted in the Gold Group report and also that all non-detained FNOs are now ‘flagged’ and known to CC. Although there may be some errors in the data, there are assurance processes in place to mitigate these. The Home Office should ensure that the number of non-detained FNO cases without an ‘owner’ is kept to a minimum (below 1% would be a realistic target) but **it has provided sufficient evidence for Recommendation 2 to be considered “Closed”**.

Recommendation 3

- 7.17 The original inspection noted that the Home Office’s transformation plans included the creation of a Person Centric View (PCV) of its records,²³ and the Gold Group had “requested support from Home Office enablers to ensure this area of transformation is prioritised”. This was because the Case Information Database (CID) was currently configured according to ‘cases’ rather than the ‘person’, which led to information about individuals being fragmented. The original inspection suggested that non-detained FNO records should be given the highest priority considering public protection arguments.
- 7.18 The original inspection also found that despite the introduction of a case progression system called Pathfinder, which was designed to manage criminal cases, the Home Office was still operating with different spreadsheets as Pathfinder did not provide staff with all of the required functionality.
- 7.19 This led to Recommendation 3:

“The Home Office should prioritise the development of the Person Centric View (PCV) for non-detained Foreign National Offender case working records, fixing a date for its delivery, and ensuring in the meantime that CC’s information management is not reliant on disparate spreadsheets.”

Home Office response: “Accepted”

- 7.20 The Home Office wrote:

“Core elements of Person Centric View were rolled out to Criminal Casework in June 2017. This will be followed by iterative improvements and additional functionality until the closure of the Casework Information Database (CID) in 2019. In the meantime, Criminal Casework’s Management Information is sourced from CID data provided by the Home Office Performance Risk and Analysis Unit (PRAU) and also from Criminal Casework’s case progression tool, Pathfinder. The use of any local spreadsheet is strongly discouraged where PRAU data or Pathfinder functionality can be used. However, there are particular circumstances, such as charter removal operations, where local spreadsheets will continue to be used.”

Re-inspection findings

- 7.21 The Home Office informed inspectors that the PCV was in use in CC when dealing with grants of leave where FNOs had successfully appealed against their deportation or where deportation was not being pursued. It also stated that staff dealing with this area of work in CC had received relevant training. It explained that the PCV screen would be the main home page in ATLAS for every case, which meant that after CID was decommissioned, all staff in CC would be using the PCV screen.

²³ The intention was for the PCV to enable caseworkers and decision makers to review and verify a person’s biometrics, immigration history and criminality checks in one place, reducing the need to log on to multiple systems.

- 7.22 However, when inspectors visited CC in November 2018 staff told them that the PCV was not presently in use. They were not aware of plans for its roll-out. Some said they had not heard of it. Senior managers told inspectors that there had been a delay with the roll out of PCV due to delays with ATLAS.
- 7.23 Inspectors were also told that non-detained CC teams still maintained their own spreadsheets. The main reason for this was that Pathfinder was updated only at certain points during the day and not at set times, so it was not as current as individual spreadsheets.

Conclusions

- 7.24 The evidence seen by the re-inspection team appeared to confirm that the Home Office had started to provide training sessions for the PCV tool and conduct roadshows. However, some CC staff professed no knowledge of it, which suggested poor communication at the very least. As at November 2018, ATLAS roll-out was planned for late 2019, however there was no certainty about this and the programme had already suffered delays. Meanwhile, the Home Office had not managed to wean CC staff off local spreadsheets by providing a working alternative. Consequently, **Recommendation 3 remains “Open”**.

Recommendation 4

- 7.25 The original inspection noted that the ‘Gold Group Summary Report’ had recognised an issue with Case Information Database (CID) data quality across the Home Office’s Borders, Immigration, and Citizenship system.
- 7.26 Recommendation 4 sought to address this in respect of criminal cases:

“The Home Office should systematically quality assure all case notes in respect of Foreign National Offenders to ensure that accurate, up to date records are being maintained.”

Home Office response: “Partially Accepted”

- 7.27 The Home Office proposed an “alternative solution”. It wrote:

“The recommendation to systematically quality assure all case notes would be disproportionately onerous and time consuming, however, Criminal Casework is committed to the extension of the existing Quality Assurance Framework checks by September 2017 which will dip sample case notes to ensure CID records are up to date and accurate.”

Re-inspection findings

- 7.28 In August 2018, the Home Office confirmed that CC had developed a new Quality Assurance Framework (QAF), which took into account “the dip sampling of case notes to ensure Case Information Database (CID) records are up to date and accurate”. This was intended to be rolled out across Immigration Enforcement in November 2018.
- 7.29 Inspectors were able to verify that quality assurance forms had been updated and included a question about whether CID had been updated following casework action: “Has CID been updated correctly to reflect the current application including any notes, barriers, outcomes and diary events?”

- 7.30 The Home Office had also introduced a “criminal case review process” for non-detained cases (the guidance was published in March 2018), which was an additional measure for reinforcing evidential case progression and intended to “outline the importance of updating CID notes”.
- 7.31 However, in November 2018 the Home Office told inspectors that: “No formal dip sampling of case notes has taken place as yet, however the process for dip sampling case notes has been drafted and is currently awaiting final sign off. Sampling will commence in January 2019 to monitor the quality of CID notes. This will continue monthly and a report provides feedback to the Senior Management Team.”

Conclusions

- 7.32 Despite a good deal of preparatory work, at the time of the re-inspection the dip sampling referred to in the response to this recommendation had still not begun, some 15 months after the Home Office said that it would. Given the importance of having accurate records as the basis for action, especially in the case of FNOs where the risks are typically higher, this is particularly poor. **Recommendation 4 remains “Open”.**

Recommendation 5

- 7.33 The original inspection found that many FNOs were not receiving assistance with finding accommodation. Consequently, the Home Office did not have a fixed address for a number of non-detained FNOs at the point of release. Also, insufficient consideration was being given to whether this ‘hostile environment’ informed approach increased the likelihood of re-offending.
- 7.34 The inspection found that the Home Office was not collating statistics for re-offending rates by non-detained FNOs and was therefore unable to assess the risks or consider possible mitigations. This led to Recommendation 5:

“The Home Office should analyse, and continue to monitor, re-offending rates for Foreign National Offenders, distinguishing between those released to a specified address and those released to no fixed abode, to ensure that measures introduced to create a ‘hostile environment’ for individuals with no right to remain in the UK are not having a perverse effect on FNO reoffending.”

Home Office response: “Not Accepted”

- 7.35 The Home Office wrote:

“This work would partly duplicate work by [Ministry of Justice] MOJ who already monitor proven reoffending rates. Further, few Foreign National Offenders are released to no fixed abode and those who are required to provide their address to the Home Office at their first reporting event in order that the Home Office can maintain contact.”

Re-inspection findings

- 7.36 Inspectors requested details of the MOJ data on re-offending rates seen by the Home Office. It did not provide this, and instead elaborated on its reasoning for not conducting this analysis, stating:

“Putting to one side the cost and logistical issues inherent in such bespoke analysis, the purpose of the analysis is unclear. Were it to be clear, for example, that the provision of state funded accommodation for foreign criminals reduces reoffending rates, it is far from clear that the solution would then be to provide such accommodation on a larger scale.”

[the solution of providing accommodation for foreign criminals would] “involve considerable public expense” [and would] “create an incentive for all illegal migrants to commit crimes ... and not to comply with their removal from the UK.”

- 7.37 Where FNOs are released to no fixed abode the Home Office relies on them to comply with their first scheduled reporting event and to provide a valid contact address. Data provided by the Home Office revealed that between 1 April 2017 and 1 October 2018, 32,011 FNOs had been released from detention (immigration and custodial combined), of which 107 (0.3%) had been released to no fixed abode.
- 7.38 The Home Office did not hold data centrally on how many of the 107 complied with their first scheduled reporting event and provided a contact address. Inspectors were told that the Compliance Monitoring and Workflow Team (CMWT) held local data on whether FNOs released to no fixed abode had attended their first reporting event, however cautioned that this data was “not as accurate as Performance and Reporting Analysis Unit (PRAU) data”.
- 7.39 The discrepancies between CMWT data and PRAU data was illustrated in the figures each provided for the number of FNOs released to no fixed abode between March 2018 and October 2018. According to PRAU there had been 35: according to CMWT 29. It is hard to see how the Home Office is able to have confidence in its monitoring of FNOs and their compliance with reporting restrictions if it is unable to track such relatively small numbers. To compound matters, 8 (28%) out of CMWT’s 29 individuals failed to attend their first reporting event, leaving the Home Office without a contact address.
- 7.40 Inspectors were told by the Home Office that action would be taken only after 2 consecutive reporting breaches by an FNO and this would normally consist of issuing a warning letter (not possible where an FNO had been released to no fixed abode and had failed to attend their first scheduled reporting event). Only after 10 breaches would the non-compliance be escalated to the case owner and CMWT team leader, and after 20 breaches to the CMWT senior manager.

Conclusions

- 7.41 While the Home Office appeared uncertain about the precise numbers of FNOs released to no fixed abode, inspectors accepted that these were small. Nonetheless, the Home Office’s reliance on these individuals complying with their first scheduled reporting event to capture contact details is misjudged based on the rate of non-compliance and its ‘system’ for re-establishing contact lacks urgency and certainty. In light of these findings, **the Home Office should reconsider its response to Recommendation 5**, and as a minimum should ensure that it has sight of whatever data MOJ collects in respect of re-offending by FNOs.

Recommendations 6 and 7

- 7.42 Recommendations 6 and 7 concerned Home Office guidance. The original inspection found that the Home Office intranet had replaced the ‘Enforcement Instructions & Guidance (EIG)’, which had been the previous source of all guidance, but there was some “uncertainty about

the current guidance and where it could be found” amongst CC staff and managers. The report observed: “This pointed to poor internal communication, not helped by the fact that some pages of the revised guidance on the Home Office intranet contained links to EIG, which when clicked produced ‘page not found’ responses”.

7.43 This led to Recommendations 6 and 7:

“The Home Office should ensure that its guidance about Foreign National Offenders (FNOs) is kept up to date, including any links and cross-referencing (and liaise with the owners of Multi-Agency Public Protection Arrangement (MAPPA)²⁴ guidance to remove obsolete references to the UK Border Agency and ensure that the guidance is otherwise up to date).”

and

“It should ensure that the necessary training, internal communications and assurance measures are in place to guarantee that staff are aware of and comply with guidance in respect of Foreign National Offenders.”

Home Office response: “Accepted” (both recommendations)

7.44 In response to Recommendation 6, the Home Office wrote:

“The updated MAPPA guidance has been published on Horizon, the Home Office intranet. Criminal Casework is conducting a thorough review of all Foreign National Offender guidance and updating as required. A new IT programme for Criminal Casework staff (iManage) introduced in July 2017 will improve accessibility and maintenance of Foreign National Offender guidance.”

7.45 In response to Recommendation 7, it wrote:

“Criminal Casework has an established Quality Assurance Framework (QAF) that has improved the quality of case working and compliance with guidance in respect of foreign national offenders. Furthermore, terms of reference have been agreed with Immigration Enforcement’s internal assurance team who commenced an inspection and audit of the robustness of the current QAF in Criminal Casework in July 2017. The focus of this review is on identifying measures to record and improve compliance.”

Re-inspection findings

7.46 The updated MAPPA guidance was published on the Home Office intranet (Horizon) on 25 August 2017.

7.47 The IE internal assurance team’s audit was completed in August 2017 and made 7 recommendations. Key findings were presented to the Head of CC, together with an action plan for each recommendation.

7.48 In February 2018, a new team within CC’s Business Assurance and Development Team took ownership of all of CC’s guidance and procedures. The team mapped out the guidance on

²⁴ The Multi Agency Public Protection Arrangements (MAPPA) are a set of local arrangements for assessing and managing the risks posed by sexual and violent offenders.

Horizon and on GOV.UK. It found 279 guidance documents, comprising 118 main documents and 161 supporting documents or forms, covering 23 areas of guidance. In addition, the team looked at 95 “Process Communications”²⁵ to check that the contents had been incorporated into existing guidance.

- 7.49 CC reviewed all of the guidance, redrafting and updating it as necessary. Between April and July 2018, 42 documents had been reviewed and required no further action, another 98 had been reviewed and required further action, and another 60 documents still needed to be reviewed.
- 7.50 All guidance was catalogued, including historic FNO processes and communications, and a new electronic library was created. All new ‘Process Communications’ are now placed onto iManage, which is maintained by the CC Business Assurance and Development Team as ‘business as usual’.
- 7.51 The CC Business Assurance and Development team had produced a ‘Learning and Development Strategy’ for CC, aligned to a new ‘Criminal Casework People Strategy’. This was rolled out in April 2018. A copy was provided to inspectors. It sets out the directorate’s ambitions regarding the timing and quality of training, making evaluation an integral part of learning and development, and focusing on improving the quality of caseworking and staff compliance with processes.
- 7.52 Inspectors were also provided with a list of all mandatory training courses, and other additional training, for each grade within CC, together with a spreadsheet containing records of over 2,000 training sessions delivered since April 2018. The training ranged from an ‘Initial Caseworker Course’ to ‘Bail Changes Workshops’.

Conclusions

- 7.53 Inspectors saw plenty of evidence that guidance had been thoroughly overhauled, was being kept up to date, and was now more readily accessible to staff. Similarly, a considerable amount of effort had gone into improving the training, with the aim of achieving better quality caseworking and compliance with guidance.
- 7.54 CC recorded both Recommendations as closed in August 2018, and on the evidence provided ICIBI agrees that **Recommendations 6 and 7 can be considered “Closed”**.

Recommendation 8

- 7.55 The original inspection identified “wider ‘cultural’ problems with understanding, communication and collaboration within Criminal Casework (CC), and between CC and staff working in the Reporting and Offender Management (ROM) system”. Feedback was limited and there was an “us and them” attitude, with limited collaboration, and each lacking an understanding of the aims and objectives of the other.
- 7.56 This led to Recommendation 8:

“The Home Office should ... create and deliver an Action Plan to improve working relationships across the whole of CC and with the other areas of the Home Office responsible for managing Foreign National Offenders (FNO’s), in particular staff within the ROM system, addressing as a minimum effective leadership, internal communications, and the alignment of goals and priorities.”

²⁵ Including emails and other communications updating staff on processes, guidance and legislation.

Home Office response: “Accepted”

7.57 The Home Office wrote:

“Since the inspection Criminal Casework has developed a People and Communications Strategy with the ROMs where we are building on the existing Criminal Casework ROMs forum. We have also and formalised the monthly meetings to include focus on leadership, internal communications, and the alignment of goals and priorities.”

Reinspection findings

- 7.58 CC had developed a People and Communications Strategy in conjunction with Reporting and Offender Management (ROM). This built on existing bi-monthly forums. Inspectors were provided with a copy of the accompanying action plan. This outlined actions to develop better communication and engagements mechanisms with a view to improving the ‘handoffs’ between the 2 directorates.
- 7.59 The action plan also included a quarterly senior management joint meeting, a ‘lessons learned’ log, proposals to embed CC staff in ROMs, and to identify shadowing opportunities. The CC and ROM deputy and assistant directors also met monthly to identify and resolve any operational issues.
- 7.60 Inspectors were also provided with the ‘Detention of Foreign National Offenders on Reporting: Care Plans’²⁶ guidance which details the responsibilities of CC and the ROMs when managing the planned detention of an FNO on reporting. This clearly laid out team responsibilities and facilitated working together.
- 7.61 Inspectors were informed by CC senior management that a lot of work had been done throughout 2018 to improve working relationships across CC and with other areas of the Home Office. To strengthen this further, once CC had been restructured a “bespoke Outreach programme will be put in place, with effective leadership, internal communications and alignment of goals and priorities assured by the cross-departmental Returns Board”. As at the end of 2018, the restructuring of CC had not been completed.
- 7.62 Becket House ROM counter staff told inspectors that the introduction of new technology, specifically MRA²⁷ and TRaM,²⁸ meant they could concentrate on more productive work. As a result, there had been more emergency travel documents interviews, more detentions on reporting and other work to progress cases. There was also a feeling that these tools had helped to “improve the working relationships with caseworking teams” as the work was now more “team orientated”.

Conclusion

- 7.63 From the evidence provided, there have been improvements in the working relationships between all of those involved in non-detained FNO monitoring and management, supported by CC People and Communications Strategy and accompanying action plan, and assisted by new IT systems that have changed the way ROM staff work and brought them closer to caseworkers.
- 7.64 Based on this evidence, **Recommendation 8 can be considered “Closed”**.

²⁶ When CC staff decide to detain an FNO on reporting, it is essential that any known risk is recorded and detailed for the ROMs attention. This takes the form of a ‘Care Plan’ within the tasking pro forma found on the CID Document Generator Tool. It notifies officers in Immigration, Compliance and Enforcement (ICE) teams and the ROMs of any risk factors they need to prepare for when the FNO attends for reporting purposes. If the planned detention relates to a particularly high profile FNO, this must be clearly stated on the Care Plan.

²⁷ Managed Reporting Appointments

²⁸ Triage Management tool

Annex A: Previous ICIBI recommendations

An inspection of the Home Office's Reporting and Offender Management processes

The Home Office should:

In relation to achieving the stated purpose of the Reporting and Offender Management (ROM) system:

1. Define the responsibilities of Reporting and Offender Management (ROM) staff and relevant case working staff for progressing the cases of individuals subject to reporting restrictions to a conclusion, with comprehensive guidance, including service levels agreements between ROMs and caseworking units to ensure that 'signposted' cases and commissions are actioned within agreed timescales.
2. Determine the most effective way(s) to identify changes in the circumstances of individuals subject to reporting restrictions and develop processes and guidance to ensure this is done early and consistently, and that any changes are accurately recorded.
3. Ensure that Reporting and Offender Management (ROM) staff receive the necessary safeguarding training and support to identify where individuals subject to reporting restrictions are at risk.

In relation to concluding cases:

4. Improve data collection about the reporting population, and through regular analysis identify and agree (between Reporting and Offender Management (ROM) and case working units) which individuals are removable, which should be prioritised for a reporting event, the precise purpose of that event, and how to reduce the detentions to removals 'attrition rate'.
5. Based on improved data collection and analysis of the reporting population, develop a strategy to target promotion of voluntary return options more effectively, including to individuals reporting at police stations by publicising and promoting voluntary return schemes at these locations.

In relation to managing non-compliance:

6. Conduct a fundamental review of the failure to report and absconder processes and confirm that:
 - aims and objectives are clearly defined, along with relevant success criteria
 - the priorities of relevant Home Office teams and other agencies (e.g. the police) are aligned
 - assurance measures are in place to monitor the processes and to measure effectiveness

An inspection of the Home Office's management of non-detained Foreign National Offenders

The Home Office should:

In respect of the Professional Standards Unit (PSU) December 2015 report, the Gold Group Summary Report of July 2016 and the Operation Zincs Refresh Report of October 2016:

1. Produce a clear, single account of what has been done to satisfy each of the recommendations and action points, indicating which are 'closed' and which remain 'open', with milestones/ completion dates for the latter, ownership of actions and oversight/sign off arrangements.
2. Confirm that the explanations of the figures quoted in the Gold Group documents are accurate, and that all non-detained Foreign National Offenders are 'flagged' and known to Immigration Enforcement Directorate's Criminal Casework unit.

In relation to Home Office records for Foreign National Offenders:

3. Prioritise the development of the Person Centric View for non-detained Foreign National Offender caseworking records, fixing a date for its delivery, and ensuring in the meantime that Criminal Casework information management is not reliant on disparate spreadsheets.
4. Systematically quality assure all case notes in respect of Foreign National Offenders to ensure that accurate, up-to-date records are being maintained.
5. Analyse, and continue to monitor, reoffending rates for Foreign National Offenders, distinguishing between those released to a specified address and those released to no fixed abode, to ensure that measures introduced to create a 'hostile environment' for individuals with no right to remain in the UK are not having a perverse effect on Foreign National Offender reoffending.

In relation to guidance:

6. Ensure that Home Office guidance about Foreign National Offenders is kept up to date, including any links and cross-referencing (and liaise with the owners of Multi-Agency Public Protection Arrangement (MAPPA) guidance to remove obsolete references to the UK Border Agency and ensure that the guidance is otherwise up to date).
7. Ensure that the necessary training, internal communications and assurance measures are in place to guarantee that staff are aware of and comply with guidance in respect of Foreign National Offenders.

In terms of working relationships:

8. Create and deliver an action plan to improve working relationships across the whole of Criminal Casework and with the other areas of the Home Office responsible for managing Foreign National Offenders, in particular staff within the Reporting and Offender Management system, addressing as a minimum; effective leadership, internal communications, and the alignment of goals and priorities.

Annex B: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) was established by the UK Borders Act 2007. Sections 48-56 of the UK Borders Act 2007 (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality and customs by the Home Secretary and by any person exercising such functions on his behalf.

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

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

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

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

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which he has committed to do within 8 weeks of receipt, subject to both Houses of Parliament being in session.

Reports are published in full except for any material that the Secretary of State determines it is undesirable to publish for reasons of national security or where publication might jeopardise an individual's safety, in which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

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

Annex C: ICIBI ‘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 (Borders, Immigration and Citizenship System) ‘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)

Acknowledgements

The inspection team is grateful to the Home Office for their cooperation and assistance during the course of this inspection and appreciate the contributions from staff who participated. We are also grateful to the stakeholders who participated.

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