



Home Office

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

An inspection of Overstayers: How the Home Office handles the cases of individuals with no right to stay in the UK

May – June 2014

The Home Office thanks the Independent Chief Inspector (ICI) for his report.

The Home Office accepts eleven of the recommendations made and has put action plans in place to address them; partially accepts one, and rejects one of the Chief Inspector's recommendations.

The Home Office response to the recommendations:

MRP/Contract Management Recommendations

1. Reviews its contract specification and assurance processes to ensure that outsourcing proposals are adequately validated.

1.1 Not accepted

1.2 We do not see evidence in this report to support the recommendation. Further review of Home Office assurance of procurement is not warranted on the back of the findings of the report.

1.3 The organisation initiated an increase in activity against the MRP through two pilots commencing January 2012 for six months. One pilot was contracted out to Serco, the other was carried out in house and both pilots were compared to each other and to a control group, to enable the impact of the intervention into the MRP to be assessed. The pilots were held on the basis of existing Caseworking techniques (telecoms, Caseworking policies) and benefited from an end to end process that was developed by Serco.

1.4 The Contact Management & Casework Contract was subject to extensive specification development and assurance/approvals prior to award.

- a. The specification was developed with a quality of the outcome that may be evidenced by the fact that it has not changed to date save for extension to deliver additional business benefit (such as improving the accuracy of Casework Information Database). This was achieved as follows:
 - i. The contract included a standards schedule that set mandatory and quality standards. These standards comprised of existing casework policies, screen shots and the casework process developed by Serco. The casework process was only included after validation during the early days of the pilots and the benefits of the intervention compared to the control group, then accepted by the business.
 - ii. By using operational, policy and procurement staff to ensure it reflected the business requirement in a manner that could be outsourced. In particular, the concept of contact management was created to enable the suppliers to deliver larger volume lower cost activity utilising call centre technology.
 - iii. An industry day was attended on 28 February 2012 by many potential suppliers who were afforded visibility of the initiative and an opportunity to feedback improvements.
 - iv. The tender process started in March 2012 and was evaluated by experienced business directors supported by caseworkers where appropriate, with commercial, legal and financial assurance; the preferred bidder was interviewed by the then Chief Executive of the UK Border Agency. The draft contract was reviewed by casework staff in the North East who had provided equivalent services in house.

- b. The business case was subject to the standard business rigour plus additional considerations by the then Chief Executive and the most senior commercial and financial review due to its strategic impact and structure of the contract. The outcome is that the contract development has been afforded a green rating by an independent Moore Stephens review.

2. Improves the quality of MRP data so that it can report accurately to Ministers and Parliament on the number of cases that have been resolved as well as those that remain outstanding.

2.2 Accepted.

- 2.3 Quality of MRP data was previously very poor, particularly for older cases, and improving data quality is an important aspect of work on this cohort of cases. Although there is more to do, substantial progress has been made through use of Capita to triage and review cases in the pool, and data quality is now considerably improved. This review of historic cases has also identified areas where MRP search parameters need to be revised to most accurately capture actionable cases. Work is already in progress to implement such improvements, and we will continue to make such changes as are needed to ensure the MRP is suitable both as an operational tool and as a basis for public reporting.

3. Undertakes analysis of Capita's contact management success rates in order to evaluate the benefits of the current process.

3.1 Accepted

- 3.2 We already have in place a process for assessing delivery against the strategic service levels in the contract, and for assessing value for money that has been approved by the appropriate channels in the Home Office.
- 3.3 We will now undertake an in-depth analysis of the contact management success rates, working on the data that Capita has collected from operating the service. This will identify what works well and where improvements can be made.

4. Improves the contact management process so that more migrants are persuaded to depart.

4.1 Accepted

- 4.2 According to Capita MI, of the 120,545 individuals that Capita deemed suitable for contact and put into their process to attempt contact, contact has been made with 24,753 (21%). Of these we can confirm that 2,474 (10%) have departed (many of them provided evidence they had departed prior to the contact). We have continually updated the contact management scripts used by Capita when speaking with individuals, to add in further consequences as they are brought online through the Immigration Act, and we have been warning individuals of these as the Bill progressed through Parliament. Consequences covered in the scripts include being unable to get a driving licence, unable to access benefits and financial services (such as mobile phone companies, banks and loan agents), unable to secure rented accommodation and potential charges for secondary NHS healthcare.

- 4.3 We are working across the Home Office to improve the data we use to contact people, as well as with other government departments, using Experian checks and putting cases back into contact when the previous barriers to their departure have been cleared or when new contact information is identified.

Capita Process Recommendations

- 5. Puts in place more effective quality assurance mechanisms so that Capita records departures correctly and removals statistics are not claimed in error.**

5.1 Accepted

- 5.2 We accept the need to continue to work with Capita to drive up quality across the board, and in particular in their updating of departure information.
- 5.3 The contract sets out Key Performance Indicators which are split into Strategic and Key Service Levels. The Key Service Levels are monitored on a points system and in the event of performance not meeting expectations, the contract requires Capita to prepare a correction plan setting out how they intend to improve performance. Where a correction plan has been required, Capita have provided this and steps have been taken to improve performance. Capita entering correct departure date and flight information forms part of the Key Service Level requirements.
- 5.4 The report states that removals in published statistics could have been 'overstated by more than 1,140 in 2013/14'. This is based on applying a 28% error rate against an overall figure of 4,080. It is regrettable if any departures were incorrectly categorised in the published statistics but there is no doubt that the individuals concerned left the UK. In response to this we are conducting a thorough review and the results of this work will be reflected in the next scheduled release of statistics in February 2015. We updated computer systems in April 2014 to ensure correct recording of departure data by Capita and issued new instructions to Capita about their recording responsibilities.

- 6. Records the type of barrier present on individual MRP records so that they can be prioritised effectively.**

6.1 Accepted

- 6.2 A change has been made to obtain granular data from the Capita workflow management system, this produces the detailed barrier list by type and is passed to the resolution team to cleanse. Cases are then closed, passed to core casework, or cleansed and recycled to contact management.

- 7. Re-evaluates the casework element of the Capita contract to ensure that it is a cost-effective use of public resources.**

7.1 Accepted

- 7.2 Full consideration was conducted with commercial colleagues in relation to casework and contract change, prior to implementation in which cost per case formed a substantial part. This was also supported by appropriate procurement and Commercial Oversight Group authority and notification to the Home Office Portfolio & Investment Committee,

the internal financial governance body which approved the business case for spend under the contract.

7.3 A new contract change for casework has been implemented since the inspection. We will structure a performance and value for money assessment based on the delivery expectations from the contract change agreement, and will review after six months. Assessment is based on regular measurement of Capita quality and scrutiny of claimed outcomes.

8. Records complaints accurately to reflect the number of people who have been contacted in error.

8.1 Accepted

8.2 The overall number of complaints about contact received by Capita and the Home Office remains very low; up until the end of Quarter 1 2014, 210 complaints (0.18% of those entering into the contact process) were received by Capita and the Home Office.

8.3 Capita fully investigate the circumstances of every complaint they receive and all individuals who have been contacted in error will receive a written apology, regardless of whether contact was as a result of a Capita or Home Office error. The categorisation of a complaint as substantiated or unsubstantiated does not have a material impact upon the service experienced by the migrant.

8.4 We do accept, however, that in order to better reflect the level of service received by migrants, we should routinely record cases in which a complainant has been contacted as a result of Home Office error. We will therefore implement a new categorisation of complaints to capture this data.

Removals Core Casework Recommendations

9. Takes urgent steps to:

- **Manage and monitor RCC workflow effectively; and**
- **Utilise experienced caseworkers to improve the process for selection and allocation of cases.**

9.1 Accepted in part

9.2 The Home Office welcomes the Independent Chief inspector's observation that the identification, allocation and progression of cases through Removals Casework could be improved. This forms a useful addition to the internal programme of continuous improvement work, which is underway having commenced in the first year of operations (2013/2014). We do not believe, however, that workflow was better managed before the new centralised model. Though some staff may feel that their case load was better managed at a local level, there was no systematic handling of the non-asylum, non-detained immigration caseload nationally, which meant the scale of the challenge lacked visibility and large numbers of cases now being managed by Removals Casework were not previously being progressed.

9.3 The Home Office accepts that there is room to further improve the selection and allocation of cases. We do not believe, however, that diverting experienced caseworkers from the job of resolving cases is the desired solution. Removals Casework continues to

work with partners across Immigration Enforcement to improve the quality of referrals in to the system and with Performance Reporting and Analysis Unit to refine the existing automated workflow tool. The next phase of continuous improvement activity will focus specifically on workflow systems and processes to further develop capability in this area.

10. Establishes standard procedures for caseworkers to follow in progressing a case to conclusion.

10.1 Accepted

10.2 The Home Office welcomes the Independent Chief Inspector's recommendation that standard procedures for casework should be established. However, we do not accept that the decision making and evaluation process can be standardised to such an extent that the decision is unaffected by the specifics of the case. Whilst it is right that suitably skilled caseworkers are able to select the appropriate tactical response on the facts of the case before them, for example where it is appropriate to try to establish a reporting regime, there are broad procedural principles which need to be more clearly laid out. As part of the continuous improvement work already in train, the inherited removals casework processes are being reviewed and standardised operating procedures are now in place to complement the standardised training modules.

11. Changes its performance management measures to ensure that case resolution is prioritised.

11.1 Accepted

11.2 We are pleased that the Independent Chief Inspector recognises the clear focus on casework quality. It is correct to observe that 'conclusions' are a measure of flow more than case closure and this reflects the core removals casework objective to build capability and capacity to deal with flow. In terms of individual performance management, casework objectives were revised in July 2014 so that there is a clear incentive for caseworkers to seek to 'resolve' rather than administratively 'conclude' a person's case.

12. Produces management information that clearly distinguishes between cases that are transferred, closed, or in progress.

12.1 Accepted

12.2 It is acknowledged that at the time of inspection the management information (MI) available on Removals Casework Core Casework performance was limited. Since that time however, considerable efforts have been made to develop a more transparent and meaningful suite of MI.

12.3 Weekly reporting has undergone numerous developments and now breaks down the work in progress for Removals Casework Core Casework to include those cases awaiting conclusion (in progress), and those that are awaiting a tasking referral or have been referred for tasking and are awaiting a tasking outcome.

12.5 In recent months, monthly Work In Progress reports have been developed to allow workflow and individual casework teams to reconcile their case loads, and prioritise those

cases which are documented and in contact with the Home Office. Monthly detailed productivity reports will be available from November, allowing operational managers the oversight they need to manage individual caseworker performance and productivity.

13. Ensures effective joint working between the different units within Immigration Enforcement, specifically:

- Improves communication so that tasking referrals are of sufficient quality and volume to meet ICE teams' needs;
- Improves tracking and monitoring of referrals; and
- Provides dedicated casework resource so that barriers that emerge at the point of detention are swiftly addressed.

13.1 Accepted

- 13.2 We welcome the Independent Chief Inspector's recommendation for more effective joint working across Immigration Enforcement. Removals Casework has been working alongside the Central Head of Profession team, other referral units and enforcement teams to develop a shared CID based system of referring cases and providing feedback on the action taken. This process was implemented for Removals Casework on 4 August 2014.
- 13.3 The process covers all work that referring units require immigration, compliance and enforcement (ICE) teams to undertake; both tasking resulting in detention of offenders and non operational referrals such as interviews under caution. It was developed to ensure we have a grip on performance and to provide a consistent method of tasking referral, consideration, acceptance, rejection, tracking and reporting. Where cases are rejected by the ICE teams, Removals Casework analyse all responses to re-task once capacity becomes available, initiate casework activity to clear subsequent barriers, or to challenge incorrect rejections.
- 13.4 The National Tasking team provide Management Information to the Strategic Tasking Board on a monthly basis including referral rates, acceptance and rejection rates, and arrest and removal attrition.
- 13.5 We continue to identify and recommend further improvements to this process such as increasing feedback from the ICE teams and providing improved monitoring of cases into detention. We have seen an overall increase in feedback following implementation of this process from 35% to 53%.
- 13.6 The CID tasking process is supported by monthly Regional Tasking Boards (RTB) for London and the South East; North Wales and the Midlands and Scotland and Northern Ireland. Removals Casework attend all of the RTB meetings to provide updates on forthcoming casework activity, forecasts for ICE team referrals and operational updates. This has significantly improved communication with the ICE teams and provided a forum for sharing of information. The RTBs focus on the Strategic Tasking Board priorities, forecasted referrals and ICE team capacity to better align the resource available. This is an ongoing process and feeds the results into the Operational Tasking Orders to better inform the Strategic Tasking Board on proposed activity and capacity.
- 13.7 Removals Casework have used the information provided by CID tasking and through the RTBs to develop a dashboard which details numbers of cases tasked, accepted, rejected and ultimately transferred into detention. We are in discussion with the Central Tasking team with a view to rolling this out across all referring units. CID tasking was rolled out

with full training and guidance for staff, ensuring understanding of the tasking process and their role in ensuring the efficient flow of cases through the process- from initial referral to enforcement action, detention and removal.

- 13.8 Casework barriers emerging at the point of detention fall to the National Removals Command for assessment and would not necessarily prevent continued detention if they were likely to be quick to resolve. We think this element of the recommendation stems from views expressed by Immigration Officers, who previously felt able to approach a local caseworker to clear a casework barrier for someone they had arrested, but would have to release if the barrier was unable to be immediately cleared. Where there are caseworkers co-located with ICE teams, this can still be done in order to achieve the best outcome for the Home Office. We will ensure that processes for referring cases for urgent consideration are clarified with ICE teams.
- 13.9 The route for signposting cases into Removals Casework was implemented in June 2014. The operating model states that Reporting Centres will identify cases suitable for Detention on Reporting and signpost these cases through to the appropriate caseworking unit. We accept that the routes for ICE teams to refer cases has been different across referring units and we have now instigated a piece of work alongside the Central Head of Profession team to develop a more streamlined and consistent process for the referral of work for casework action. This will increase the visibility of tasking of cases swiftly at the point of arrest and pre-detention.