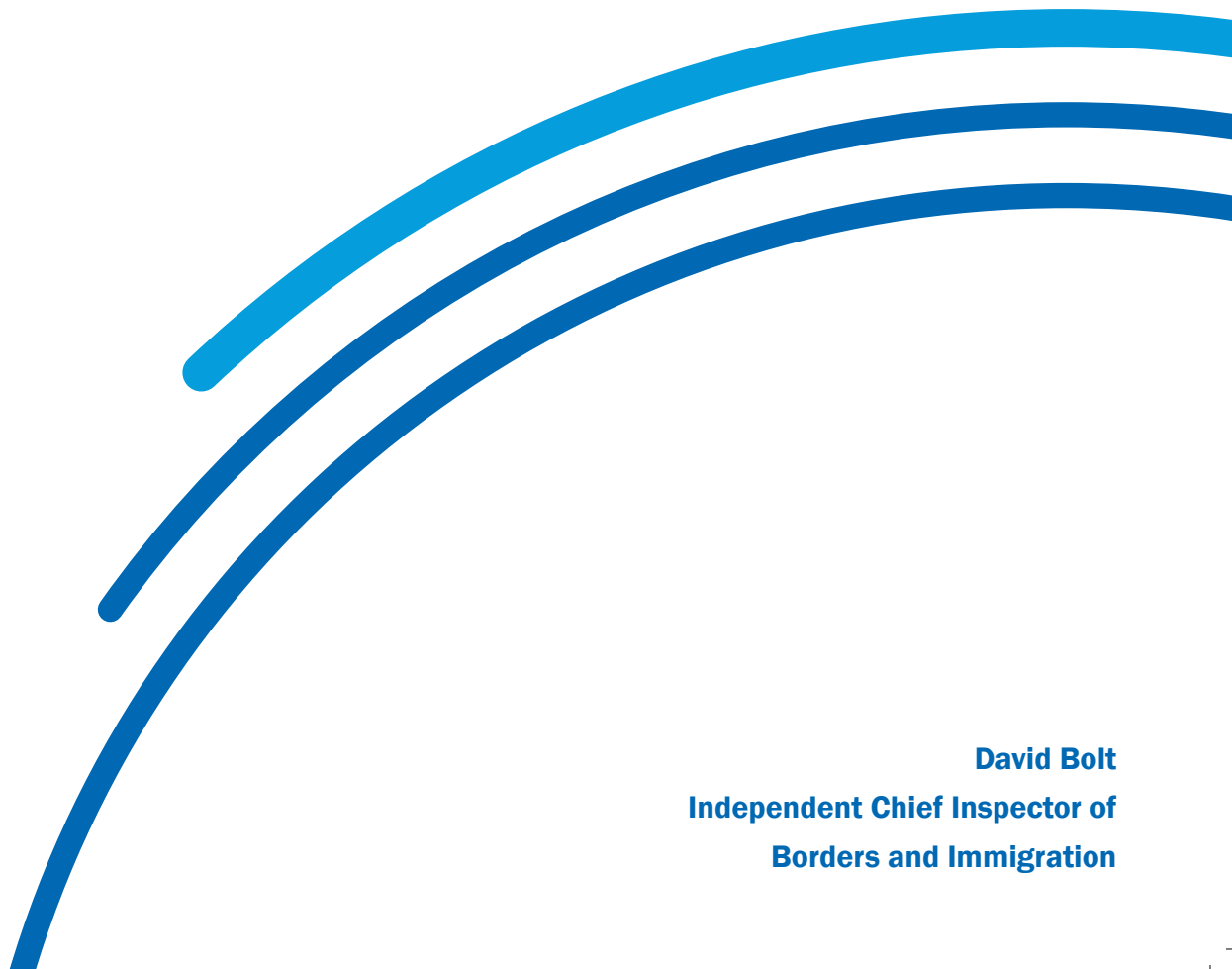




An Inspection of the Handling of Complaints and MPs' Correspondence

July - September 2015



David Bolt
Independent Chief Inspector of
Borders and Immigration

An Inspection of the Handling of Complaints and MPs' Correspondence

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Presented to Parliament pursuant to Section 50 (2) of the UK Borders Act 2007

March 2016



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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 by David Bolt, Independent Chief Inspector of Borders and Immigration.

Foreword

How well a public body handles complaints about the service it provides, or about the conduct of its staff, is rightly regarded as being a key measure of its performance, as well as having a significant impact on public perceptions of its work. Good complaint handling requires organisation, effort and commitment from management.

In 2009, the Parliamentary and Health Service Ombudsman (PHSO) published *Principles of Good Complaint Handling*, which identified six key principles to help public bodies deliver first-class complaint handling to their customers. These included being customer-focused, being open and accountable, acting fairly and proportionately, and putting things right.

The UK Borders Act 2007 sets out that the Independent Chief Inspector shall consider and make recommendations regarding the efficiency and effectiveness of the handling of complaints in respect of immigration and customs functions for which the Home Secretary is responsible.

This inspection examined the efficiency and effectiveness of the handling of complaints and MPs correspondence by Border Force, UK Visas and Immigration and Immigration Enforcement. In doing so, it relied heavily on the PHSO's six principles as the most appropriate benchmark for assessing the Home Office's performance.

The inspection found evidence of good practice, in particular the 'clear and simple' procedures for making complaints, which were accessible through Home Office websites and in leaflets and posters, and the proactive and personalised service provided to MPs, which had improved the quality and timeliness of responses significantly since this area was inspected in 2010.

However, the inspection also found areas where there was considerable room for improvement, specifically regarding inconsistent guidance for complaint handlers, poor record-keeping, including tracking of complaints to ensure that they receive a satisfactory and timely response, and failure to pursue all reasonable lines of enquiry in respect of minor misconduct complaints. These findings echoed a report issued by the PHSO in November 2015, based on its investigation of 158 complaints from 2014/15, which referred to the Home Office's poor complaint handling, citing delays, poor decision-making and not doing enough to put things right and learn from mistakes.

This report makes eight recommendations for improvement.

The finished report was sent to the Home Secretary on 7 January 2016.

David Bolt

Independent Chief Inspector of Borders and Immigration

Purpose and scope

This inspection examined the efficiency and effectiveness with which the Home Office handled complaints from the public and correspondence from Members of Parliament concerning UK Visas & Immigration (UKVI), Immigration Enforcement (IE) and Border Force (BF). It did this by examining:

- whether complaints made by members of the public, including immigration detainees, and correspondence from MPs were appropriately recorded and responded to within published service standards;
- if responses to complaints and correspondence from MPs were factually accurate, professionally drafted and provided answers to the substantive issues raised;
- whether complaints and issues raised by MPs were effectively investigated with reasonable remedies offered in appropriate cases;
- if the Home Office used learning from complaints and MPs' correspondence to improve service delivery.

The inspection included in its scope complaints about the service offered by UKVI, IE and BF as well as so-called 'minor misconduct' complaints. These were complaints about the behaviour of members of staff which, if substantiated, would not be serious enough to warrant disciplinary action.

It involved:

- a review of management information provided by UKVI's Customer Service Operations;
- an examination of Home Office staff guidance and documentary information provided by stakeholders;
- sampling of complaint files and electronic records; and
- interviews and focus groups with managers and staff.

The inspection did not consider serious misconduct complaints. Such complaints, if substantiated, would warrant disciplinary action. These complaints could require complex and protracted investigation to resolve and were investigated by the Home Office Professional Standards Unit. Also out of scope were complaints made by immigration detainees about healthcare in Immigration Removal Centres (IRC). Such complaints often contain medically confidential material and clinical knowledge is often required in order to determine properly if a complaint about healthcare was effectively addressed.

On 29 October 2015, the Inspectorate provided the Home Office with feedback on high level emerging findings.

1. Key Findings

What was working well

- 1.1 Procedures for making complaints about UK Visas and Immigration (UKVI), Immigration Enforcement (IE) or Border Force were 'clear and simple', as expected of public bodies. They were accessible through the UKVI, IE and Border Force websites and in leaflets and posters.
- 1.2 For individuals in immigration detention whose first language was not English, explanatory information was available in a range of languages and they were able to write their complaint in their own language. Although all responses were written in English, detainees could ask centre staff, the centre's Independent Monitoring Board or detainee welfare groups to assist in translating the response. Service provider staff must make arrangements to help detainees who may find it difficult to understand a response due to English not being their first language.
- 1.3 Most substantive responses to complaints (over 80% of the cases sampled) were written in plain English and in an appropriate tone.
- 1.4 The Border Force Correspondence Team (BFCT) retained ownership of a complaint until a substantive response had been provided. It was responsible for commissioning any investigation, receiving the results via a pro-forma, and ensuring that details of investigations were retained on the complaint file. BFCT routinely attached responses to complaints to the Complaints Management System (CMS) record, set out clearly whether or not the complaint had been upheld, and included information on the next stage of the process should the complainant not be satisfied with the response. In most cases, it was possible to determine from the record whether the complaint had been thoroughly and fairly investigated and whether the response was consistent with the investigation findings.
- 1.5 Although not strictly in line with guidance, which required a more senior officer to quality assure responses, file sampling demonstrated that the peer review process adopted by Border Force was working effectively, as responses were usually well written and dealt with all of the issues raised in the complaint. Border Force had developed and introduced a 'lessons learned' process and was able to point to examples of actions that had been taken as a result of this learning.
- 1.6 Where the complainant had requested a review of the handling of their complaint, the Border Force Correspondence Team (BFCT) recorded the approach taken by the reviewing manager in the complaint file. In two-thirds of the BFCT cases sampled, the response dealt with all of the issues raised in the review request. In most cases, another manager checked the response before it was sent to the complainant. In all cases, the response alerted the complainant to the option of raising the matter with the Parliamentary and Health Service Ombudsman (PHSO) if still not satisfied.
- 1.7 Immigration Removal Centre (IRC) managers, employed by contractors and operating the detention centres on behalf of the Home Office, had responsibility for checking responses to complaints from immigration detainees. In roughly three-quarters (27 out of 35) of the complaints sampled, the response had been attached to the Complaints Management System (CMS) record. Most of the responses were well-structured, addressed all of the issues raised in the complaint and referred the complainant to their right to pursue the matter with the Prisons and Probation Ombudsman (PPO) if not satisfied.

- 1.8 The quality and timeliness of responses provided to MPs had improved significantly since this area was inspected in 2010. From August 2014, performance had consistently met or exceeded the published service standards, which managers attributed to the introduction by UKVI's Customer Service Operations (CSO) in 2014 of internal timescales for responses to emails and telephone calls that were shorter than the published 20 working days service standard. Drafting guidance for staff and a system of rigorous quality checks had also made a difference to the quality of responses.
- 1.9 Surveys conducted by Customer Service Operations (CSO) showed that in 2014 MPs and their staff were highly satisfied with the services provided by MP Account Management Teams, and that the satisfaction levels had increased in 2015. Although only 16 MPs responded to our survey, the responses received were consistent with the CSO survey results. Staff involved in responding to MPs were committed to providing a professional service and were clear about what managers expected from them in terms of standards and performance. There was evidence of innovation, with managers focused on smarter ways of working and on providing a more efficient service with the resources available.

Areas for improvement

- 1.10 The Border Force Correspondence Team (BFCT), responsible for handling all service and minor misconduct complaints about Border Force, and Customer Service Operations (CSO), responsible for handling complaints about UKVI and IE, had adopted different complaint handling procedures, despite the same guidance applying to both.
- 1.11 The principal guidance document, 'Complaints Management Guidance: version 7', was lengthy and internally inconsistent. As such, it was of questionable value to complaint handlers in their day-to-day work. Some aspects of the guidance were not followed, to the extent that they had become redundant. For example, complaints resolved locally were not reported to the Central Point of Receipt (CPR) for recording on the Complaints Management System (CMS), nor were local records kept to help identify trends and to learn lessons. This meant that there was an incomplete picture of complaints raised. Equally, the Complaints Registration Form (CRF) was not being used as set out in the guidance to report unresolved complaints or complaints made in person about another business area, and staff seemed unaware of its existence.
- 1.12 Written responses to complaints about UKVI and IE were not always attached to the CMS record, failed to indicate in the response whether or not the complaint had been upheld, and frequently failed to notify the complainant what they could do if not satisfied. The inspection found limited evidence of effective quality assurance in UKVI's Customer Service Operations (CSO). According to managers, responses written by experienced staff were assured on a dip sample basis and those produced by new staff were subject to 100% checks. However, checks were not recorded on the Complaints Management System (CMS) and, based on the files sampled, if completed they were ineffective.
- 1.13 In minor misconduct cases, Customer Service Operations (CSO) referred the complaint to the relevant UKVI or IE business area to respond and immediately closed the Complaints Management System (CMS) record as '*unsubstantiated*'. CSO did not follow up on these cases to check that a substantive response had been sent to the complainant, or to update CMS with the outcome of the complaint. The closure, by BFCT and CSO, of complaint records when further information had been requested from the complainant, and when CSO referred minor misconduct complaints for investigation, was wrong in principle. In practice, it affected the accuracy of published performance data, although it was unclear to what extent.
- 1.14 File sampling indicated that most Border Force service complaints were investigated thoroughly and fairly. However, some minor misconduct cases were not, as Border Force was failing to pursue all reasonable lines of enquiry to identify the subject(s) of the complaint. Border Force was also misleading complainants by responding that it had not been possible to identify the officer(s) concerned when the truth was that a decision had been taken not to check systems that would provide this information on grounds of proportionality. In the circumstances, it was unreasonable

of Border Force to ask the complainant, sometimes after a period of weeks, to provide a physical description of the officer(s).

- 1.15 UKVI Directors received and reviewed data about complaints on a monthly basis, which included data about complaints in relation to IE. We saw no evidence during the inspection of UKVI having used the data to identify ways to improve services. Following the inspection we were informed by UKVI that insight from complaints, combined with other sources, is used to drive business improvement, including:
- provision of email updates for Permanent Migration customers;
 - a webform for international complaints; and
 - a project to reduce errors in Biometric Residence Permits.¹
- 1.16 From 1 July 2015, IE had commissioned a monthly insight bulletin, which would help to identify learning about the causes of IE-related complaints, but at the time of the inspection IE senior management was not systematically reviewing complaint handling performance
- 1.17 Customer Service Operations (CSO) handled requests for a review of the response to a complaint differently and less effectively than the Border Force Correspondence Team (BFCT). CSO did not make a sufficiently detailed record of the handling of review requests to determine how the reviewer had reached their conclusions, and the lack of detail on the Complaints Management System (CMS) in CSO cases raised serious doubts as to whether any meaningful review could in fact be carried out.
- 1.18 In the case of both service and minor misconduct complaints about UKVI and IE, poor record-keeping on the Complaints Management System (CMS) meant that it was often difficult to determine whether complaints had been investigated, what had been done during any investigation, or even whether the complainant had received a response. This was compounded by the transfer of ownership of minor misconduct complaints, and many service complaints, from CSO to the relevant business areas, without CSO following up to establish what, if anything, had been done to resolve the complaint.
- 1.19 From file sampling and transparency data, it was evident that UKVI, IE and Border Force regularly failed in their stated aim of providing a substantive response to a complaint within 20 working days. The 2010 inspection of the handling of complaints and MPs' correspondence had found similar problems with the timeliness of responses.²
- 1.20 Guidance requiring complaints to be acknowledged and complainants to be kept informed of likely difficulties in providing a timely response was largely ignored. Managers in CSO had already identified room for improvement in this area, in a Complaints Improvement Plan which they had drawn up in response to their own sampling of complaint files. The Border Force Correspondence Team (BFCT) did inform complainants where it was likely the response would not be provided within 20 days, but routinely cited high volumes of complaints as the reason, which was not always true.
- 1.21 From copies of the responses retained on the CMS it was possible to see that most service and minor misconduct complaints made by immigration detainees were investigated; however, it was often not possible to determine whether the investigation had been thorough and fair, because the response lacked detail and the investigation records were held by the third party suppliers who operated the centres on behalf of the Home Office. These suppliers did not have access to view CMS or upload investigation paperwork; however, investigation records were retained by the supplier and were accessible to the Home Office if needed.

¹ Document issued by the Home Office as proof of a holder's right to stay, work or study in the UK.

² http://icinspector.independent.gov.uk/wp-content/uploads/2010/07/Lessons-to-learn_The-UK-Border-Agency's-handling-of-complaints-and-MPs-correspondence.pdf

1.22 Responses to detainee complainants were not checked by Home Office staff before being sent although guidance stated that they should be checked by a more senior member of service provider staff. Where they contained errors, or had not been attached to CMS, dip sampling by Home Office managers had failed to pick this up. A small proportion (approximately 10%) contained obvious grammatical errors and spelling mistakes that should have been spotted.³

³ Instructions have now been amended to ensure that a dip sample of immigration detainee complaints is undertaken.

2. Summary of Recommendations

The Home Office should:

1. Conduct a fundamental review of current guidance in relation to complaints handling and ensure that guidance is concise, unambiguous and practical, covering as a minimum:
 - For customer-facing staff: the recording and reporting requirements for locally resolved complaints, for unresolved complaints and for complaints about other business areas;
 - For staff responding to written complaints about minor misconduct and service: the details to be included in the response regarding whether or not the complaint is upheld, what further steps (if any) will be taken and the option of requesting a review if not satisfied;
 - For staff responsible for maintaining the record of complaints: what needs to be recorded regarding whether or not the complaint is upheld, and the actions that have or will be taken and by whom.
2. Put in place sufficient management and/or quality assurance checks to ensure that guidance is being applied as intended, that the investigation of complaints is thorough and impartial, that responses deal with the substance of the complaint, and that remedies are appropriate.
3. Ensure that, where requested, the response to a request for a review of the handling of a complaint notifies the complainant of their options should they remain dissatisfied.
4. Review the stated aim to respond to all complaints within 20 working days and either take steps to ensure that it is achieved in 95% of cases, in line with the published service standard, or revise it to provide complainants with a realistic timescale for a response.
5. Ensure that complaints are acknowledged in line with guidance and, where it is likely that the 20 working day target for a substantive response will not be met, that complainants are notified and provided with regular updates until provided with a substantive response.
6. Ensure that the Complaints Management System (CMS) is used to track the full history of a complaint from receipt to resolution, keeping the CMS record open until a substantive response has been provided to the complainant, recording accurately the details of any investigation and its findings, and retaining a copy of the original complaint and the response on the system.
7. Ensure that a thorough and fair investigation is conducted of all minor misconduct complaints, taking all reasonable steps, including checks against Home Office systems and records, to identify the subject of the complaint where this is in doubt.
8. In order to ensure compliance with guidance, greater consistency, and better quality assurance, retain ownership of complaints and responsibility for providing a substantive response within an appropriately resourced, dedicated correspondence team, which is empowered to require contributions from the relevant business area where necessary.

3. The Inspection

Background

- 3.1 Individuals who have a complaint about Border Force, UK Visas & Immigration (UKVI) or Immigration Enforcement (IE) may raise it directly with the relevant Home Office directorate either in person or in writing. Alternatively, they may take their complaint to their Member of Parliament (MP), who can pursue it on their constituent's behalf.

Definition of a complaint

- 3.2 In its published complaints management guidance⁴ the Home Office defines a complaint as '*any expression of dissatisfaction that needs a response about the service we provide, or about the professional conduct of our staff/contractors*'.⁵ Complaints fall into one of three categories: service complaints; minor misconduct; or serious misconduct.
- 3.3 Service complaints are '*related to the way that Immigration Enforcement, UK Visas & Immigration and Border Force work (typical complaints would be about delay, lost documents or administrative failings). These complaints are both about the actual service provided and the operational policies behind them*'.⁶
- 3.4 Minor misconduct '*is usually to do with isolated instances of rudeness and unprofessional conduct which are not serious enough to warrant a formal investigation and if substantiated they would not normally lead to discipline (misconduct) proceedings*'.
- 3.5 Serious misconduct is '*any unprofessional behaviour which, if substantiated, would lead to misconduct proceedings*'.

Home Office structures

- 3.6 Where an individual complains directly to a member of staff of Border Force, UKVI or IE, there is an expectation that the member of staff will try to resolve the complaint there and then. To that extent, all staff who come into contact with the public are involved in the complaint handling process.
- 3.7 Where a complaint, whether direct or in writing, includes allegations that may amount to serious misconduct on the part of a member of staff, the complaint should be investigated by the Home Office Professional Standards Unit (PSU). We did not inspect the work of the PSU in this inspection.
- 3.8 Written minor misconduct or service complaints are routed, via a Central Point of Receipt (CPR), to correspondence teams for further action. The Border Force Correspondence Team (BFCT), part of the core Home Office Direct Communications Team, handles written complaints about Border Force. Written complaints about UKVI or IE are handled by the Central Correspondence Team (CCT) within UKVI's Customer Service Operations (CSO), which is part of the Performance

4 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/404202/complaint_management_guidance_version_7.pdf

5 In the case of complaints from immigration detainees, the definition of a complaint includes any expression of dissatisfaction about the service provided by or the conduct of the supplier staff working on behalf of the Home Office.

6 For detention services, service complaints also relate to the service provided by both commercial suppliers and the National Offender Management Service (NOMS).

and Customer Services Directorate (PCSD). Minor misconduct or service complaints made by immigration detainees are handled by the Detention Services Customer Service Unit (DS CSU) within IE's Detention Operations.

- 3.9 Correspondence from MPs, whether by letter, email or telephone, is handled by CSO's MP Account Management Teams. From July 2015, CSO took on responsibility for MPs' correspondence in relation to Border Force. It already had responsibility for correspondence relating to UKVI and IE.

Principles of Good Complaint Handling

- 3.10 In February 2009, the Parliamentary and Health Service Ombudsman⁷ (PHSO) published *Principles of Good Complaint Handling*.⁸ This set out six key principles intended to promote understanding of what is meant by good complaint handling, in order to help public bodies deliver first-class complaint handling to their customers. The inspection relied heavily on the PHSO principles as the most appropriate benchmark for assessing the efficiency and effectiveness of Border Force, UKVI and IE in handling complaints and MPs' correspondence.

- 3.11 The PHSO's six principles were:

- *Getting it right;*
- *Being customer-focused;*
- *Being open and accountable;*
- *Acting fairly and proportionately;*
- *Putting things right; and*
- *Seeking continuous improvement.*

Customer Service Excellence

- 3.12 The other point of reference for the inspection was the Customer Service Excellence (CSE) Standard.⁹ This is a '*practical tool for driving customer-focused change... specifically designed to offer real benefits to all organisations, no matter how big they are or what sector they work in...*'

- 3.13 The CSE Standard advises organisations that:

- '*Listening to, and asking for, comments, feedback and complaints about your service can be a great way to make small adjustments to the way your organisation runs, and both formal and informal feedback can be equally important*'; and
- '*You should use the complaints you receive about the way you provide services and any dips in your performance to make sure customers receive the service you have promised them*'.

- 3.14 The '*Deal effectively with problems*' criterion includes the following elements:

- Ease of use of the complaints procedure and solving problems within a reasonable time limit;
- Training for staff and guidance to handle complaints and investigate them objectively;
- Learning from both formal and informal complaints;
- Reviewing and improving the complaints procedure; and
- Ensuring satisfactory outcomes for customers.

7 The PHSO is an officer of the House of Commons, appointed by Her Majesty the Queen, and is independent of government. The PHSO has statutory responsibilities and reports directly to Parliament.

8 http://www.ombudsman.org.uk/_data/assets/pdf_file/0005/040/0188-Principles-of-Good-Complaint-Handling-bookletweb.pdf

9 http://www.customerserviceexcellence.uk.com/CSE_Standard.pdf

Methodology

- 3.15 The inspection used six of the Chief Inspector's core inspection criteria,¹⁰ which are set out at Annex B. Prior to the onsite phase of the inspection, we:
- reviewed management information in relation to complaints and MPs' correspondence;
 - examined Home Office staff guidance for the handling of complaints and MPs' correspondence; and
 - examined documentary information provided by stakeholders.
- 3.16 We also selected at random and sampled a total of 269 complaint handling cases, broken down as follows:
- 100 complaints handled by the Border Force Correspondence Team;
 - 104 complaints handled by Customer Service Operations;
 - 35 complaints handled by the Detention Services Customer Services Unit;
 - 30 MP correspondence cases.
- 3.17 The onsite phase of the inspection took place between 21 September and 08 October 2015. We interviewed managers and staff from PCSD, BFCT, Detention Operations, Border Force, UKVI and IE. We also visited the following:
- Immigration Compliance and Enforcement (ICE) Teams, Reporting and Offender Management (ROM) units and Premium Service Centres (PSC) in Sheffield, Glasgow, Manchester and Croydon;
 - Border Force Teams at Glasgow, Leeds Bradford and Heathrow airports;
 - Dungavel and Harmondsworth Immigration Removal Centres (IRC).

We conducted interviews and focus groups with 132 Home Office staff and 5 IRC Service Provider¹¹ staff. Figure 1 refers:

Grade	Number
Administrative Officers (AO)	19
Executive Officers (EO)	33
Higher Executive Officer (HEO)	36
Senior Executive Officer (SEO)	24
Grade 7	15
Grade 6	4
Senior Civil Service (SCS)	1
Total	132

- 3.18 On 29 October 2015, we provided high level emerging findings to the Home Office.

¹⁰ <http://icinspector.independent.gov.uk/wp-content/>

¹¹ Organisation contracted to operate the IRC.

4. Inspection Findings – Screening and Routing

The benchmark

- 4.1 The Parliamentary and Health Service Ombudsman (PHSO) principle ‘*Getting it right*’ envisages that a public body should be expected to follow its own policy and procedural guidance on complaint handling.
- 4.2 The Customer Service Excellence (CSE) criterion ‘*Dealing effectively with problems*’ expects that staff should have the training and guidance to handle complaints.

Complaints Management Guidance

- 4.3 Home Office guidance¹² on complaint handling was contained in

‘Complaints Management Guidance: version 7. ‘Guidance on how complaints are received, managed and resolved by UK Visas & Immigration, Immigration Enforcement & Border Force directorates of the Home Office.’

Guidance on responding to and recording ‘verbal’ complaints¹³

- 4.4 Section 2.1.2 of the Complaints Management Guidance entitled ‘*Verbal and face to face complaints*’ stated that ‘*For Border Force, Immigration Enforcement and UK Visas & Immigration staff:*

Staff who deal with customers and members of the public may receive complaints from time to time, about their colleagues, colleagues in other parts of the Home Office or about the teams they manage.

Every effort should be made to resolve a complaint as per section 6.3.’

- 4.5 Section 6.3 was entitled ‘*Local resolution of minor misconduct or service complaints*’ and stated:

‘6.3.1 Local resolution is about resolving, explaining, clearing up or settling a complaint. The aim is to provide a speedy and satisfactory resolution to a complaint. It involves management commitment to improving services and a willingness to acknowledge that a situation could have been handled differently or better. It is not part of the procedures outlined in the Discipline policy and is not used for conduct which would be subject to those procedures.

6.3.2 In many cases, if the customer is present, it offers the opportunity to resolve the complaint immediately by talking to the customer to clarify the issues, explain operating procedures, agreeing the actions to be taken and where appropriate offering an apology.’

¹² Guidance concerning the handling of complaints from those in immigration detention was contained in *Detention Service Order 03/2011 Handling of complaints in immigration removal centres, short term holding facilities, holding rooms and during escorts* which was in force until the end of July 2015 and then replaced by *Detention Service Order 3/2015 Handling Complaints* which took effect from the beginning of August 2015. Explanatory material for those in immigration detention was contained in *UKBA Detention Services – Making a Complaint*.

¹³ The Home Office uses ‘verbal’ and ‘verbally’ to describe complaints made in person and not in writing.

4.6 Sections 4.3 concerned the registering and recording of complaints:

‘4.3.1 All complaints must be registered on the Complaints Management System (CMS)...’

‘4.3.6 ... Complaints made verbally, and in person, about service delivery or rudeness that are resolved immediately and no further action is required subsequently will not usually be recorded on CMS. These would include, for example, verbal complaints made by passengers about queuing times at Primary Check Points at ports or Reporting Centres, for which apologies or explanations had been given at the time, would not need to be recorded individually on CMS. However, managers should keep simple local records on volumes and types of complaint to allow trends to be identified and monitored, and from which lessons could be learned’.

‘4.3.7 Where a complaint has been made verbally ... staff should record the details of the customer’s complaint and resolution and copy this to the CPR Complaints@homeoffice.gsi.gov.uk who will register the complaint directly onto the Complaints management System (CMS) and close it’.

4.7 Section 4.7 (like section 6.3) was entitled ‘Local resolution of minor misconduct or service complaints’ and stated, *inter alia*:

‘4.7.1 Local resolution is the primary means of handling all minor misconduct or service complaints. Local resolution is about solving, explaining, resolving or settling a customer’s complaint ...’

4.7.5 The Central Point of Receipt / Responder Hubs / CSUs will need to be notified in writing of complaints that have been addressed through local resolution so that they can record the details on CMS ...’

4.8 The responsibilities of Central Point of Receipt (CPR) were set out in sections 2.3.1 to 2.3.7. Section 2.3.4 stated:

‘2.3.4 Any local resolution complaints dealt with by the business are recorded and closed on the Complaints Management System (CMS) by CPR’.

4.9 We were told by all of the business areas we visited in Border Force, UKVI and IE that complaints made in person were resolved locally where possible. In Border Force and IE this would sometimes be noted in a pocket notebook or incident log, particularly where it was considered that the complainant might subsequently put their complaint in writing. None of the staff we spoke to in these public-facing areas informed CPR in writing about locally resolved complaints. Staff in CPR confirmed that this was the case.

4.10 We did not find any evidence that records of volumes and types of locally resolved complaints were kept. Managers in the Border Force Correspondence Team (BFCT) told us that Border Force had a ‘derogation’ from the requirement to inform CPR of locally resolved complaints and these complaints were not recorded on the Complaints Management System (CMS). Apart from the reference in the guidance to complaints made about queuing times at Primary Check Points, noted at 4.3.6 of the *Complaints Management Guidance*, we could find no documentary evidence for this derogation.

Complaints made overseas – Asia Pacific pilot

4.11 UKVI had run a pilot scheme in the Asia Pacific region whereby complainants were able to submit complaints by means of a web-based form. The guidance covering this was contained in ‘*UKVI International Complaints Operational Guidance for Asia Pacific Version 4.3 June 2015*.¹⁴ At paragraph 3 the guidance stated:

¹⁴ This guidance concerned a pilot scheme allowing complainants in the Asia Pacific region to submit a complaint by means of a web-based form. At the time of our inspection there were no plans to extend this service to complainants in other regions.

1. Informal Complaints

Wherever possible, all who encounter complaints – at VACs,¹⁵ on the phone, via the Ambassadors' offices etc – should seek to resolve them on the spot. However, such complaints still need to be captured for audit purposes, especially in case the customer contacts us again about the same issue.

Complaints that are resolved this way should be summarised in an email that covers both the details of the complaint and its resolution within 48 hours of the complaint's arising to the Central Point of Receipt (CPR) team at international.complaints@homeoffice.gsi.gov.uk...

- 4.12 A flowchart which followed the above text indicated that after receipt of such an email the CPR team was to record and close the complaint on CMS.
- 4.13 At the time of our inspection there were no plans to make the web-based service available to complainants in other regions.

Complaints Registration Form (CRF)

- 4.14 Section 2.1.5 of the Complaints Management Guidance entitled '*Complaints Registration Form*' stated:

2.1.5 'The Complaints Registration Form (CRF) is used internally by staff for:

- complaints which haven't been resolved; or*
- complaints made verbally about a different part of the business.*

The CRF is located in the complaints section of the Horizon site.'

- 4.15 The Horizon¹⁶ website described the CRF form as follows:

'The complaints registration form (CRF) is used by staff for registering complaints from the general public which they have resolved under the local resolution process. Staff can also use it to record complaints which they have not been able to resolve as the customer remains dissatisfied or because the customer is complaining about another part of the business.'

- 4.16 None of the staff whom we spoke to in the public-facing areas of Border Force, UKVI or IE was aware of the existence of the CRF or the requirement to use it in the circumstances specified in the guidance. Staff told us that where they had been unable to resolve a complaint informally, or if a complaint was made about a different part of the business, they would advise the customer to put their complaint in writing. Some staff in the Central Point of Receipt (CPR) were aware of the CRF document, but could not remember the last time one had been received.

Guidance on responding to complainants

- 4.17 Sections 4.8.1 to 4.8.3 of the Complaints Management Guidance dealt with how to respond to complainants:

4.8.1 'Customers have to be informed of the outcome of their complaint – whether it is substantiated or not – as well as any steps Immigration Enforcement, UK Visas & Immigration or Border Force are taking as a result of it...'

¹⁵ Visa Application Centres

¹⁶ Home Office intranet

4.8.2 *'Where a written response is provided the HEO workflow manager must quality assure that response (whether for posting or email). A copy of the response, confirmation of who quality assured the reply and a summary of any other steps that need to be taken, including who is responsible for taking them, must be recorded on CMS... Failing to attach a response on CMS means the case is not recorded as closed and will therefore show as not having met the service standard target.'* 4.8.3 *'If the response was not in writing the CPR should be informed straightaway that the complaint has been resolved, whether or not the complaint was substantiated and any pertinent points arising from discussions with the customer. The CPR must log these details onto CMS.'*

Escalation

- 4.18 Sections 4.8.5 and 4.8.6 of the Complaints Management Guidance dealt with the escalation process should a complainant not be satisfied with the response they received:

4.8.5 *'When any verbal or written response to the complaint is provided, the customer must also be informed about how they can take forward their complaints if they are not satisfied with the reply...'*

4.8.6 *In written responses to customers after a review has been undertaken and internal complaints processes exhausted, the following sentence should be used to explain this:*

"If you are not satisfied with how your complaint has been addressed you can contact your MP and ask for your complaint to be referred to the Parliamentary and Health Service Ombudsman".

Border Force Correspondence Team responses

- 4.19 The Border Force Correspondence Team (BFCT) told us that complainants who make a written complaint always receive a written response, which is attached to the CMS record before the record is closed. In our sample of 100 complaints concerning Force, a written response had been sent to 92 of the complainants informing them whether or not the complaint had been upheld and of any further action that would be taken, e.g. the issuing of a reminder to staff concerning correct procedures. In these 92 cases a copy of the response had been retained on CMS. In the remaining eight cases a substantive response had not been sent, because either further information was awaited from the customer (five cases) or the complaint remained open and unresolved on CMS (three cases).
- 4.20 Managers in the BFCT told us that all replies were peer-reviewed by another correspondence officer¹⁷ in the team and that the two HEOs in the team were available to provide advice to a drafter or reviewer, where required. This was a compromise because it was not practicable for all replies to be quality assured by the HEOs, as required by the guidance, due to the numbers of complaints involved.
- 4.21 We found that 83 of the 92 complaints that had received a substantive response had been peer-reviewed. The name of the officer who had carried out the peer review had not been recorded on CMS in any of these cases, but this information was recorded in the paper file. Eighty-three of the 92 responses had addressed the complaint in full and the tone of the response had been appropriate. Seven responses either had not dealt with all of the issues raised in the complaint or had used defensive language. The remaining two complaints had been treated as 'out-of-time', so the responses had not addressed the substance of the complaints.
- 4.22 In 90¹⁸ responses the complainants had been informed that, if not satisfied with the response, they had up to one month to request a review of the findings. In the 15 cases in our sample where the BFCT had received a request for a review the response had included the form of words set out in the guidance concerning referral to the PHSO should the complainant remain dissatisfied.

¹⁷ Where monetary compensation was proposed the response was reviewed by a manager.

¹⁸ The other two complaints were treated as 'out of time'.

Customer Service Operations¹⁹ responses

- 4.23 Managers in Customer Service Operations (CSO) told us that responses to written complaints concerning UKVI and IE could be provided by letter, email or telephone. They added that substantive responses to minor misconduct complaints were composed and delivered by the relevant business areas in UKVI and IE, and that responses to complaints from UKVI customers overseas were composed and delivered by the visa post concerned. We were told that where the relevant business area or visa post composed and delivered the response by letter or email, staff in CSO's Central Correspondence Team (CCT) should attach a copy to the Complaints Management System (CMS) record before closing it. Where the reply was provided orally, the conversation should be summarised on CMS. We were told that any quality assurance of written replies would be conducted in the business area concerned.
- 4.24 Of the 71 service complaints about UKVI or IE in our sample, we found that a substantive response had been provided to the complainant in 60 cases. Of these responses, 38 had been by letter and 22 by email. Some had been delivered by the CSO, others by staff overseas, i.e. where the complaint was from a visa applicant.
- 4.25 None of the 60 responses indicated whether or not the complaint had been upheld, while 25 of them had failed to inform the complainant that they could request a review if they were not satisfied.
- 4.26 We sampled 33 minor misconduct complaints. CSO had forwarded all 33 complaints to the relevant business area to deal with and to respond directly to the complainant. We found evidence that a substantive response had been provided to the complainant in 13 of these 33 cases. We were unable to determine from CMS or other systems whether a substantive response had been provided in the remaining 20 cases.
- 4.27 Our file sample also showed that, immediately they had referred a minor misconduct complaint to the relevant business area, the CSO closed the CMS record as '*unsubstantiated*'. An acknowledgement of the complaint was sent to the complainant, stating that the complaint would be investigated and that a further response would be sent if appropriate. CSO subsequently made no attempt to check whether the complaint had been investigated, whether a reply had been sent or whether the complaint had been upheld or not. Figure 2 provides an example of one such case.

Figure 2: Case study–Minor misconduct complaint–closed on CMS prior to resolution.

- On 27 October 2014, the complainant made a written complaint via legal representatives alleging that an asylum caseworker had laughed during an asylum interview when the complainant had related an account of torture.
- On 16 December 2014, Customer Service Operations (CSO) recorded the complaint on the Complaints Management System (CMS) and wrote to the complainant stating that it would be investigated. On the same day, CSO allocated the complaint to a manager in Asylum Casework and closed the complaint on CMS as '*unsubstantiated*'.
- On 29 December, a manager in Asylum Casework wrote to the complainant stating that the complaint would be '*attended to*' early in the New Year and '*appropriate and proportionate action taken*'. This letter was not attached to CMS.

Chief Inspector's comment:

It is not clear whether this complaint was ever investigated, as the letter of 29 December was merely a further acknowledgement. As at 10 November 2015, UKVI were not able to provide any further detail regarding any investigation or whether a substantive response had been provided to the complainant.

¹⁹ During the period covered by our file sample, responding to complaints concerning UKVI and IE was the responsibility of regional Customer Service Operations Responder Hubs. This is now the responsibility of Customer Service Operations Central Correspondence Team.

- 4.28 We asked managers in CSO about the practice of closing minor misconduct complaints prior to resolution and were told that this was consistent with management instructions issued to staff in June and July 2014 requiring minor misconduct complaints to be acknowledged within 48 hours of receipt and then immediately closed on CMS with no further update routinely provided to the complainant. We were given a copy of these instructions.
- 4.29 During the inspection, CSO managers shared with us their *Complaints Improvement Plan (version 16/9.15/DRAFT)*, the delivery date for which was November 2015. Project 10 concerned the handling of minor misconduct cases to ensure that customers were kept informed while the cases were investigated. The plan indicated that UKVI was considering:
- *whether the same approach can be taken by Border Force and UKVI/IE;*
 - *extending service standard; and*
 - *acknowledging the initial complaint earlier if there is an extended service standard. This takes account of the fact that 20 days is often not long enough to resolve more complex cases and that the current system of closing on CMS at acknowledgement stage (in UKVI) can result in cases not being followed up or properly recorded.*
- 4.30 CSO Managers also told us that responses drafted by their staff were not always quality assured as required by guidance. We were told that all responses drafted by new members of the team were quality assured by a manager until that team member was considered competent. Thereafter, draft responses were quality assured on a dip sample basis. In our file sampling of UKVI and IE cases we found no record on CMS or elsewhere that any of the responses had been quality assured.

The review procedure

- 4.31 Sections 5.5.1 to 5.5.3 of the *Complaints Management Guidance* set out the review procedure for complainants who were not satisfied with the response they have received to a service complaint:

‘5.5.1 Following the receipt of the substantive reply, customers may seek a review of the findings of the officer answering the complaint. All complainants have up to 1 month from the date of the substantive reply to their complaint to seek a substantive review of the findings ...

The same Responder Hub (or Border Force Correspondence Team / Detention Services) will be responsible for reviewing the handling of service complaints but the review should be undertaken by an independent officer who was not involved in drafting or quality assuring the original response.

5.5.2 ... The reviewing manager will review the steps taken to resolve the complaint and if they decide the investigation to have been insufficient they will consult the relevant responder to find out what went wrong and ensure that the issue is addressed.

5.5.3 If the reviewer judges that the process was so flawed as to affect the outcome of the complaint the Responder Hub / CSU will re-consider the complaint under the correct process.’

- 4.32 Sections 6.5.1 to 6.5.4 set out the procedure in respect of minor misconduct complaints:

‘6.5.1 If a customer is unhappy with the handling of a minor misconduct complaint they can ask the Responder Hub to review the process...

6.5.2 Reviewers will look at the paperwork to ensure that local resolution was appropriate and that the conclusions were warranted from the evidence provided...

6.5.4 If the evidence suggests that the manager handling the complaint showed bias; the investigation was incomplete, inadequate or flawed; or appropriate steps to address unprofessional

behaviour were not taken, the Responder Hub should contact the line manager who responded originally (or their manager if the concern is about that manager's handling of the case) to take the matter further as appropriate.'

Border Force Correspondence Team reviews

- 4.33 We looked at 15 requests for a review of a substantive response to a complaint about Border Force. Eleven of these requests concerned the handling of service complaints and four concerned minor misconduct complaints. We found that in ten of the 15 cases the reply to the review request had addressed all of the issues raised, was factually accurate and written in an appropriate tone. In the remaining five cases we found that the reply had failed to address all of the issues raised by the complainant.
- 4.34 The review in all 15 cases had been conducted by one of the two HEO managers in the Border Force Correspondence Team (BFCT), and we saw on the complaint files a narrative written by the HEO during the course of the review, setting out how the complaint had been handled. We were told by BFCT managers that the HEOs checked each other's reviews and we found evidence of this in 11 of the 15 cases. In all 15 cases a written reply had been provided, informing the complainant whether or not the original decision had been maintained and that they could take the matter to the PHSO via their MP if still not satisfied.

Customer Service Operations reviews

- 4.35 We looked at seven requests for a review of the handling of service complaints about UKVI or IE. In all seven cases the original response had failed to indicate whether or not the complaint had been upheld. In all seven cases we found there was insufficient detail recorded on CMS to determine how the reviewer had reached their conclusions. In all seven cases the original decision was maintained on review. In three of the seven cases the complainant had not been informed of the option of taking the complaint to the PHSO.

Learning from complaints

- 4.36 In its *Principles of Good Complaint Handling* the PHSO stressed that those at the top of a public body should take the lead in ensuring good complaint handling by, *inter alia*, giving it appropriate priority and importance and ensuring that learning from complaints is used to improve service. Similarly, the CSE Standard emphasised the importance of identifying patterns in informal and formal complaints and using this information to improve services.
- 4.37 The Home Office's *Complaints Management Guidance* stated:

1.1.2 'Dealing with complaints effectively and efficiently is a core element of our service to our customers. Complaints provide essential feedback so that we can learn lessons, improve our service and provide the opportunity to put things right. We should not be defensive about complaints but should use them as an opportunity to listen, learn and improve.'

Border Force 'lessons learned'

- 4.38 We were told that Border Force had developed a 'lessons learned' process following our previous inspection of Complaints and MPs' Correspondence.²⁰ Border Force used this process to identify trends in complaints or one-off issues and advised the Lessons Learned Manager, who in turn fed this information into the Operational Assurance Action Group. This Group acted as a link between operational and non-operational parts of Border Force and '*drives the development of improvements to business processes and guidance where necessary*'. We were provided with some examples of action that had been taken as a result of learning from complaints, which included:

²⁰ Lessons to learn: The UK Border Agency's handling of complaints and MPs' correspondence. A Thematic Inspection: October 2009 - January 2010.

- amendments to template letters used by postal hubs;
- information added to e-gates leaflets concerning the safeguarding of children; and
- new guidance on how to obtain CCTV footage when a serious incident had occurred which might result in a complaint.

UKVI reviews of complaints

- 4.39 We were told, as part of an Operational Overview presentation from senior managers, that UKVI complaints data was reviewed on a weekly basis at operational level and on a monthly basis at Director level. We were provided with a copy of a report, dated 25 September 2015, which showed UKVI customer contact volumes for the period January to June 2015. This was the first of these reports to have been produced, and it would be updated quarterly. The report suggested that correspondence regarding pre-application issues could be addressed by making improvements to the content and functionality of UKVI pages on the GOV.UK website.
- 4.40 In the first six months of 2015 the top five themes for complaints about UKVI were:
- Disputing a decision;
 - Application fees;
 - English Language Testing;
 - Appointment booking; and
 - Application updates – in service standard.
- 4.41 We did not see any evidence during the inspection of how UKVI was using this insight into complaints to make specific improvements to service delivery. However, following the inspection we were informed by UKVI that insight from complaints, combined with other sources, was used to drive business improvement. Examples included:
- Provision of email updates for Permanent Migration customers;
 - A webform for international complaints; and
 - A project to reduce errors in Biometric Residence Permits.²¹

IE reviews of complaints

- 4.42 As part of the same Operational Overview presentation, we were told that IE complaints data was included in the UKVI pack reviewed by UKVI Directors. We found no evidence that the data had been reviewed by IE Directors, or of any systematic processes for IE to learn from complaints. However, we were told that from July 2015 IE had commissioned a monthly insight bulletin for review at Director level. We were not provided with any concrete examples during the inspection of how IE had used learning from complaints to make improvements.

Complaints made by immigration detainees

- 4.43 Section 4d of Detention Service Order 03/2011²² provided, *inter alia*, that the response to a complaint from an immigration detainee must:
- *properly address the points made by the detainee irrespective of whether the complaint is upheld or not;*
 - *explain clearly how the investigation was conducted, and what the investigator's conclusions are – a*

²¹ Document issued by the Home Office as proof of a holder's right to stay, work or study in the UK.

²² From August 2015 a new *Detention Service Order 03/2015 Handling Complaints* was implemented.

complainant is more likely to accept a decision if trouble is taken to explain it, even if they are still not entirely satisfied; and

- *set out how the detainee may take their complaint to the Prisons and Probation Ombudsman if they remain dissatisfied with the outcome. The response must include a copy of the PPO information leaflet and a copy of the feedback questionnaire.²³*

Responses to immigration detainees

- 4.44 In 27 of the 35 complaints from immigration detainees we sampled, we found evidence that a response had been provided. Of the 27 responses, we found that 23 were generally well-structured, addressed all the substantive issues raised in the complaint, explained how the complaint had been investigated and stated clearly whether or not the complaint had been upheld. In 24 of the 27 responses, the complainant had been informed that they could raise the complaint with the Prisons and Probation Ombudsman (PPO) if they were not satisfied with the response. We found spelling and grammatical errors in 11 responses. In one of these the response had repeated an expletive used in the complaint: managers in Detention Operations told us that this was not appropriate.
- 4.45 While the guidance required that copies of the response were sent to the Detention Services Customer Service Unit (DS CSU), to local Home Office managers in IRCs, and to the Independent Monitoring Board, it was silent on the question of quality assurance.²⁴ We were told that a senior member of the IRC supplier's management team was required to quality assure the response before it was sent to the complainant, that the DS CSU looked at all responses as they received them, and that complaints were a regular feature of a weekly teleconference with IRC managers. We were also told that IE Grade 7 Delivery Managers²⁵ had begun dip sampling responses for quality assurance purposes in August 2015 when the new Detention Service Order was implemented. However, we saw no evidence from the Complaints Management System (CMS) records to indicate that, prior to this, responses had been quality assured.
- 4.46 In 2014, the PPO received 31 eligible²⁶ complaints from immigration detainees. The Deputy PPO told us that the Assistant Ombudsman who dealt with complaints from immigration detainees found responses from IRCs '*courteous but sometimes lacking in detail.*'

Learning from complaints

- 4.47 Managers in Detention Operations told us that IRCs held focus groups with detainees concerning complaints and that the output from these focus groups was fed into a monthly analysis of complaints. We were also told that DS CSU staff had started to look at trends in complaints in order to understand the reasons for them with a view to improving service delivery.
- 4.48 Detention Operations managers also told us that, as part of their performance monitoring role, the IE Delivery Managers evaluated whether lessons were being learned from complaints. Findings were reported to DS CSU for inclusion in a monthly performance report that was being developed and issues were taken up locally with contractors. National issues were escalated to the head of Detention Operations.
- 4.49 Managers at Dungavel and Harmondsworth IRCs told us that they collated their own data on the reasons for complaints and tried to address any issues identified. They provided us with copies of this analysis for August and September 2015. The data included the number of complaints raised in the

²³ There was no internal review process for complaints made by those in immigration detention.

²⁴ *Detention Service Order 03/2015 Handling Complaints* came into effect during the inspection and introduced a Home Office quality assurance requirement.

²⁵ Home Office managers responsible for IRC contract monitoring and compliance.

²⁶ Anyone in an IRC can complain to the PPO if they feel they have been treated unfairly. They can complain about their treatment in detention but not about the reasons for detention or their immigration status. Complaints from third parties, other than legal representatives, will not normally be accepted.

month, the nationality of complainants, reasons for the complaints, and the numbers substantiated and unsubstantiated.

- 4.50 On 12 November 2015, the PPO provided us with a breakdown of completed investigations by subject matter of complaint for 2013, 2014 and 2015 (year to date). In each year, the PPO had investigated more complaints about the handling of detainee property than about any other issue.
- 4.51 In its *Learning lessons bulletin – March 2014*²⁷ the PPO highlighted the ‘*considerable scope for improvement in the appropriate care and consistent recording of detainee property*’ and expressed surprise that IRCs had not learnt from the policies adopted for the management of detainee property by the Prison Service.

Conclusion

- 4.52 The Border Force Correspondence Team (BFCT), responsible for handling all service and minor misconduct complaints about Border Force, and the Customer Service Operations (CSO), responsible for handling complaints about UK Visas and Immigration (UKVI) and Immigration Enforcement (IE), had adopted different complaint handling procedures, despite the same guidance applying to both.
- 4.53 The principal guidance document, ‘Complaints Management Guidance: version 7’, was lengthy and internally inconsistent. As such, it was of questionable value to complaint handlers in their day-to-day work. Some aspects of the guidance were not followed, to the extent that they had become redundant. For example, complaints that were resolved locally were not reported to the Central Point of Receipt (CPR) for recording on the Complaints Management System (CMS), nor were local records kept to help identify trends and to learn lessons. This meant that there was an incomplete picture of complaints raised. Equally, the Complaints Registration Form (CRF) was not being used as set out in the guidance to report unresolved complaints or complaints made in person about another business area, and staff seemed unaware of its existence.
- 4.54 The Border Force Correspondence Team (BFCT) routinely attached responses to complaints to the Complaints Management System (CMS) record, set out clearly whether or not the complaint had been upheld, and included information on the next stage of the process should the complainant not be satisfied with the response. In contrast, responses from Customer Service Operations (CSO) to complaints about UKVI and IE were not always attached to the CMS record, failed to indicate in the response whether or not the complaint had been upheld, and frequently failed to notify the complainant what they could do if not satisfied.
- 4.55 In minor misconduct cases, CSO referred the complaint to the relevant UKVI or IE business area to respond and immediately closed the CMS record as ‘*unsubstantiated*’. CSO did not follow up on these cases to check that a substantive response had been sent to the complainant, or to update CMS with the outcome of the complaint. The Border Force Correspondence Team (BFCT) worked differently, commissioning investigations by the relevant business area but retaining responsibility for the complaint and for preparing and sending the response to the complainant.

Although not strictly in line with guidance, which required a more senior officer to quality assure responses, file sampling demonstrated that the peer review process adopted by Border Force was working effectively, as responses were usually well written and dealt with all of the issues raised in the complaint. In contrast, the inspection found limited evidence of effective quality assurance in UKVI’s Customer Service Operations (CSO). According to managers, responses written by experienced staff were assured on a dip sample basis and those produced by new staff were subject to 100% checks. However, checks were not recorded on CMS and, based on the files sampled, if completed they were ineffective.

²⁷ http://www.ppo.gov.uk/wp-content/uploads/2014/07/LLB_Cross_Office_IRC_final_web.pdf

- 4.56 Border Force had developed and introduced a ‘lessons learned’ process and was able to point to examples of actions that had been taken as a result of this learning. UKVI Directors received and reviewed data about complaints on a monthly basis, which included data about complaints in relation to IE. However, there was no evidence of UKVI having used the data to identify ways to improve services. From 1 July 2015, IE had commissioned a monthly insight bulletin, which would help to identify learning about the causes of IE-related complaints, but at the time of the inspection IE senior management was not systematically reviewing complaint handling performance
- 4.57 Border Force Correspondence Team (BFCT) and Customer Service Operations (CSO) handled requests for a review of the response to a complaint differently. BFCT recorded the approach taken by the reviewing manager in the complaint file. In two-thirds of the BFCT cases sampled, the response dealt with all of the issues raised in the review request. In most cases, another manager checked the response before it was sent to the complainant. In all cases, the response alerted the complainant to the option of raising the matter with the Parliamentary and Health Service Ombudsman (PHSO) if still not satisfied. CSO did not make a sufficiently detailed record of their handling of review requests to determine how the reviewer had reached their conclusions, and the lack of detail on the Complaints Management System (CMS) in CSO cases raised serious doubts as to whether any meaningful review could in fact be carried out.
- 4.58 Supplier managers at Immigration Removal Centre (IRC) had responsibility for checking responses to complaints from immigration detainees. Responses were not checked by Home Office staff before being sent to the complainant. In roughly three-quarters (27 out of 35) of the complaints sampled, the response had been attached to the CMS record. Most of the responses were well-structured, addressed all of the issues raised in the complaint, and referred the complainant to their right to pursue the matter with the Prisons and Probation Ombudsman (PPO) if not satisfied. Where responses contained errors, or had not been recorded on CMS, Home Office managers had failed to pick this up, although dip sampling had only been implemented from August 2015 with the issue of the new Detention Service Order.

Recommendations

Recommendations: The Home Office should:

- Conduct a fundamental review of current guidance in relation to complaints handling and ensure that it is concise, unambiguous and practical, covering as a minimum:
 - » For customer-facing staff: the recording and reporting requirements for locally resolved complaints, for unresolved complaints and for complaints about other business areas;
 - » For staff responding to written complaints about minor misconduct and service: the details to be included in the response regarding whether or not the complaint is upheld, what further steps (if any) will be taken, and the option of requesting a review if not satisfied;
 - » For staff responsible for maintaining the record of complaints: what needs to be recorded regarding whether or not the complaint is upheld, and the actions that have been or will be taken and by whom.
- Put in place sufficient management and/or quality assurance checks to ensure that guidance is being applied as intended, that the investigation of complaints is thorough and impartial, that responses deal with the substance of the complaint, and that remedies are appropriate.
- Ensure that, where requested, the response to a request for a review of the handling of a complaint notifies the complainant of their options should they remain dissatisfied.

5. Being Customer-focused

Customer focus

- 5.1 UK Visas and Immigration's website stated that UKVI aimed to be:

'a customer-focused organisation, offering a high quality service, making it clear what you can expect from us and what your responsibilities are in return.' Its commitment to those with a complaint was that they could expect UKVI to *'take complaints seriously, investigating them fully and providing a considered response'*.

- 5.2 The Immigration Enforcement website did not mention a specific commitment to customer service but did state that:

*'We take complaints seriously. Our aim is to resolve complaints fairly and quickly; we will take steps to put things right when they have gone wrong, and learn lessons on how to improve our service.'*²⁸

- 5.3 Meanwhile, one of Border Force's priorities²⁹ was *'to provide excellent service to customers.'*³⁰ Border Force made no specific commitment regarding how it would deal with complaints.

A 'simple and clear' procedure

- 5.4 The Parliamentary and Health Service Ombudsman's (PHSO) *'Principles of Good Complaint Handling'* stated that public bodies should ensure that their complaints procedure is:

'simple and clear, involving as few steps as possible',

and that

'their complaint handling arrangements are easily accessible to their customers'.

Public bodies should also:

Let their customers know about any help or advice that may be available to them if they are considering making a complaint.

- 5.5 The websites for UKVI and IE directed their customers to send complaints in writing either by post or by email to the Central Point of Receipt (CPR), setting out the details of their complaint *'clearly and briefly, including dates and any reference numbers where possible...'* Customers were informed that:

'...a complaint about our service or professional conduct...will be managed by one of our customer service units. They are responsible for ensuring that your complaint is resolved in a satisfactory and timely manner. We will send you an acknowledgement, telling you which unit is dealing with your complaint.'

28 <https://www.gov.uk/government/organisations/immigration-enforcement/about/complaints-procedure>

29 The website actually refers to Border Force's priorities in 2012 to 2013 but have taken them to mean continuing priorities

30 <https://www.gov.uk/government/organisations/border-force/about>

- 5.6 If a customer was not satisfied with how a complaint had been handled, they could ask for the matter to be reviewed:

‘The customer service unit will review whether your complaint has been dealt with properly. It will tell you its findings within 20 working days of the date when you ask for a review.’

- 5.7 If a customer was still dissatisfied after the review stage, they were advised that it was open to them to ask their MP to raise the matter with the Parliamentary and Health Service Ombudsman (PHSO):

‘If you are not satisfied with the customer service unit’s response, you can ask a UK MP to raise your concern with the Parliamentary Ombudsman. If you are a visa applicant outside the UK and you have a sponsor in the UK, you can ask your sponsor to raise your case with their MP...’

- 5.8 The UKVI website informed its overseas customers that they could follow the same process. For customers located in the Asia Pacific³¹ region, UKVI had piloted a web-based complaint form.³² We were told that this pilot had been a success and that take-up had been higher than anticipated. However, there were no plans to roll out the web-based complaint form more widely.

- 5.9 The Border Force website advised customers who had a complaint that there were two stages to the complaints procedure³³ and that complaints could be submitted either by email or by post.³⁴ They were asked to provide *‘the date, time and port where the incident occurred and details of the complaint.’* The website advised *‘You can write to Border Force if you’ve been through stage 1 and aren’t happy with the response. A complaints manager will review the handling of your complaint.’* In all the Border Force cases we sampled, the substantive response to the complaint alerted them to this option. If a customer was still unhappy after the review stage, they were advised:

‘You can ask the Parliamentary and Health Service Ombudsman (<http://www.ombudsman.org.uk>) via an MP to look at your complaint if you are still not happy.’

- 5.10 The complaints procedure for those in immigration detention³⁵ was set out in *Detention Services Order 03/2015*.³⁶ Complaints could be submitted by email or in writing and could be written in the complainant’s own language. Written complaints could be posted in complaints boxes located in the detention facility. The review options differed, in that immigration detainees who were not satisfied with the response to their complaint had the right to refer the complaint directly to the Prisons and Probation Ombudsman (PPO).

- 5.11 Complaint forms for detainees directed that, once completed, they should be placed into the *‘locked yellow Home Office Immigration Enforcement complaints box.’* At Harmondsworth Immigration Removal Centre (IRC) we found that the Independent Monitoring Board’s (IMB) complaint boxes were yellow and the IE boxes, which were located alongside the IMB boxes, were black. In the same IRC, we found that some complaint boxes did not have labels or were labelled incorrectly. We pointed this out to IRC managers at Harmondsworth and they later informed us that new boxes had been ordered.

- 5.12 We found evidence of help and support offered to detainees in IRCs. Complaint forms for use by detainees were printed in 18 languages. We were told that if a detainee had difficulty making a complaint, they could do so informally at detainee committee meetings or could seek advice at contact

31 Australia, Brunei, Burma, Cambodia, China, Fiji, Hong Kong, Indonesia, Japan, Laos, Malaysia, Mongolia, New Zealand, North Korea, Pacific Islands, Papua New Guinea, The Philippines, Singapore, South Korea, Taiwan, Thailand and Vietnam.

32 https://eforms.homeoffice.gov.uk/outreach/_static/ukvi-international-complaints.html

33 <https://www.gov.uk/government/organisations/border-force/about/complaints-procedure>

34 Border Force complaints are also sent by post to the Central Point of Receipt, and the email address differs from the one used by UKVI and IE; the inbox is also managed by the Central Point of Receipt.

35 Immigration Removal Centres, Pre-Departure Accommodation, Short-Term Holding Facilities, Residential Short-Term Holding Facilities and during escort.

36 <https://www.gov.uk/government/publications/handling-complaints-in-immigration-removal-centres>

management surgeries held by IE staff. Detainees at Harmondsworth IRC also had the option of seeking help or advice from a ‘buddy’³⁷ or requesting the ‘buddy’ to raise concerns on their behalf.

Dealing with complaints promptly

- 5.13 The Parliamentary and Health Service Ombudsman’s (PHSO) *Principles of Good Complaint Handling*’ stated that public bodies should:

‘Deal with complaints promptly, avoiding unnecessary delay, and in line with published service standards where appropriate. Resolving problems and complaints as soon as possible is best for both complainants and public bodies.’

- 5.14 This was echoed in the Customer Service Excellence (CSE) criterion *‘Dealing effectively with problems’*, which stated that a complaints procedure should include a commitment to:

‘deal with problems fully and solve them wherever possible within a reasonable time limit.’

Response timescales

- 5.15 In November 2015³⁸ the PHSO found that in 5% of complaints against the Home Office that they upheld, the main reason for the complaint being referred to them was the delay in responding to it.
- 5.16 The UKVI, IE and Border Force websites all stated in relation to complaints that they aimed to provide *‘a full response within 20 days of receipt’*. The target³⁹ for responding to complaints made by immigration detainees was also 20 working days.
- 5.17 The published service standard for responses to minor misconduct and service complaints in relation to UKVI, IE and Border Force was *‘95% to be completed within 20 working days’*.⁴⁰ To that end, Complaints Management Guidance version 7 required all complaints to have been allocated by Central Point of Receipt (CPT) to Border Force Correspondence Team (BFCT) or CSO Responder Hub within 48 hours of receipt. Figure 3 shows overall performance (UKVI, IE and Border Force combined) against the 20 day service standard in relation to service and minor misconduct complaints received in the period January 2014 to September 2015⁴¹.

37 A detainee prepared to help or represent another.

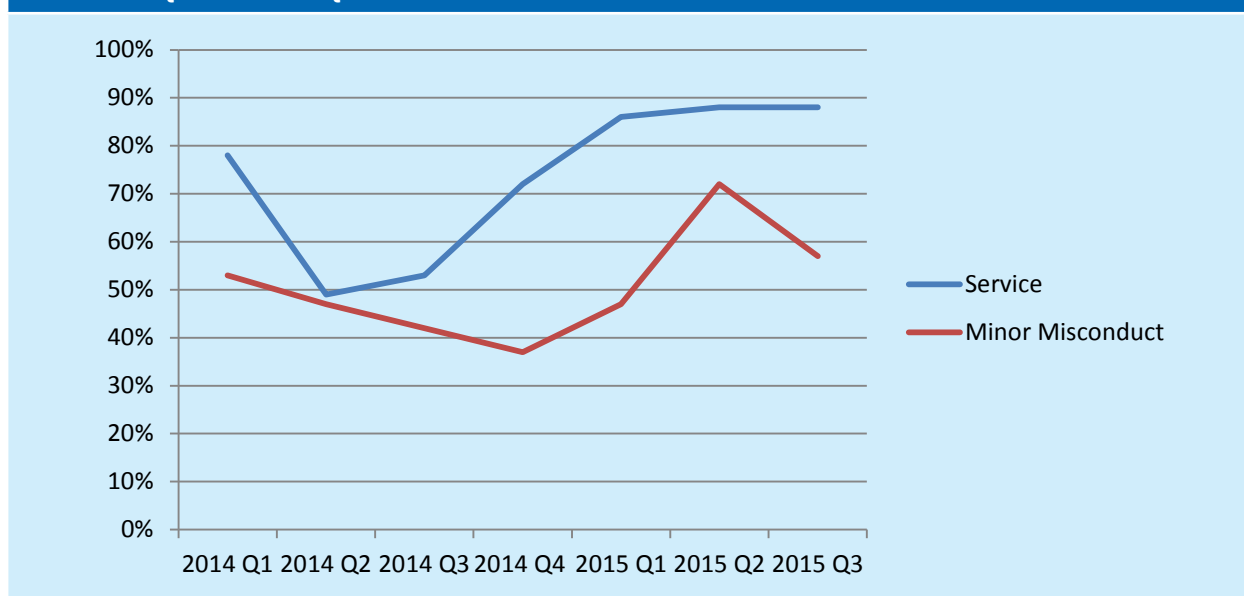
38 <http://www.ombudsman.org.uk/reports-and-consultations/reports/parliamentary/complaints-about-uk-government-departments-and-agencies.-and-some-uk-public-organisations-2014-15/6>

39 Timescales differed in the previous DSO 03/2011 – Service complaints in an IRC had a target of 10 working days after allocation of the complaint. Service complaints within a short term holding facility or while under escort had 15 working days to provide a response. All minor misconduct complaints were to be dealt with within 15 working days of allocation of the complaint.

40 <https://www.gov.uk/government/publications/customer-service-operations-data-august-2015>

41 With effect from Q2 2014 International Group and Detention Services complaints were included in service and minor misconduct complaints numbers.

Figure 3: Service and minor misconduct complaints – performance⁴² against service standard Q1 2014 to Q3 2015⁴³



5.18 The Home Office provided performance data for 2014/15 broken down by directorate. Figure 4 shows performance in relation to service complaints.

Figure 4: Service complaints - performance against service standard in 2014/15 by directorate.

	Service complaints 2014/15			
	Border Force	UKVI	IE	Combined
Number received	4,436	19,872	1,567	25,875
Number of responses within service standard	2,290	12,994	1,129	16,413
Performance	52%	65%	72%	63%

5.19 Figure 5 shows performance in relation to minor misconduct complaints.

Figure 5: Minor misconduct complaints - performance against service standard in 2014/15 by directorate.

	misconduct complaints 2014/15			
	Border Force	UKVI	IE	Combined
Number received	1,223	526	418	2,167
Number of responses within service standard	309	354	294	957
Performance	25%	67%	70%	44%

42 Combined performance in respect of complaints made against UKVI, IE (including complaints made by immigration detainees) and Border Force.

43 <https://www.gov.uk/government/publications/customer-service-operations-data-november-2015>

5.20 Senior managers were keen to stress that there had been an improvement in performance since the beginning of 2015 and provided us with performance data by directorate for May 2015. Figure 6 shows these details.

Figure 6: - Performance against service standard in May 2015 by directorate.

	Border Force	UKVI	IE
Service complaints	83%	89%	96%
Minor misconduct complaints	56%	100%	95%

5.21 In November 2015⁴⁴ the PHSO found that in 5% of complaints against the Home Office they upheld the main reason for the complaint being referred to them was the delay in responding to it.

Border Force Correspondence Team

5.22 We sampled 100⁴⁵ Border Force complaints received between 1 November 2014 and 31 May 2015. We found that 23 of these had received a substantive response within 20 working days. In 68 cases it took the Border Force Correspondence Team (BFCT) more than 20 working days to respond. In the remaining eight cases a substantive response had not yet been sent when we carried out the file sampling. In five cases this was because further information had been requested from the complainant and was awaited, and in three cases the complaint was still being investigated.

5.23 In the 23 cases where a substantive response had been provided within 20 working days, the time taken to respond ranged between 11 and 20 working days, with an average of 18 days. In the 68 cases where it took longer than 20 working days to respond, the response time ranged between 21 and 188 working days, with an average of 59 working days.

5.24 Managers and staff told us that processing times were impacted by the high volume of complaints and by the lack of administrative support within BFCT. The latter meant that correspondence officers spent significant amounts of time on administrative tasks. Prior to July 2015, BFCT had also been responsible for dealing with correspondence from MPs, which we were told had sometimes led to backlogs of complaints cases. Staff also told us that, in some circumstances, delays could simply be due to error, such as not noticing at an early stage that further information would be required from the complainant before the complaint could be investigated.

5.25 The pressure on BFCT resources meant there could be a delay between the receipt of a complaint and recording it on the Complaints Management System (CMS) and allocating it to a correspondence officer. From our file sampling we found that on average it took 15 working days from the date of receipt for a complaint to be recorded on CMS. The range was between 4 and 107 working days.

5.26 According to local staff, BFCT was unable to scan all documents onto the CMS system as a result of a lack of administrative staff.⁴⁶ As a result, the team used paper files for complaint handling and only the initial complaint and substantive response were retained on CMS. Other correspondence concerning the complaint and details of any investigation were kept on the paper file. This meant that it was difficult to support the work of the team using resources in other locations because the latter would not have access to the paper files.

44 <http://www.ombudsman.org.uk/reports-and-consultations/reports/parliamentary/complaints-about-uk-government-departments-and-agencies.-and-some-uk-public-organisations-2014-15/6>

45 One complaint received a response within 20 days but was treated as out-of-time so did not deal with the substance of the complaint.

46 The support team consisted of three EOs and one AO based in Dover. All hard post was scanned onto the system, however, the investigation pro-forma and associated correspondence were not uploaded onto CMS as they could contain information which was sensitive and details of officers spoken to.

- 5.27 Where the correspondence officer decided that a contribution from a port was required, or an investigation, they would forward the complaint with an investigation pro-forma to the secretariat of the relevant Border Force Regional Director, asking that the completed pro-forma be returned within nine calendar days. We were told that the secretariat would then task a manager within the region to conduct an investigation and complete the pro-forma. A senior manager within the region or staff within their secretariat would sign off responses before they were sent to BFCT.
- 5.28 Of the 88 Border Force complaints we examined that had been referred for investigation, 44 were returned within the nine calendar days. A Direct Communications Unit (DCU) senior manager told us that, in their experience, the investigation pro-forma was not returned within nine calendar days in around one-third of cases. Border Force staff at ports told us that the nine calendar day deadline did not take sufficient account of the fact that front-line Border Force staff worked a shift pattern. They said that a manager tasked with an investigation might have to wait several days before their shift coincided with or overlapped the shift worked by someone whom they needed to speak to as part of the investigation.
- 5.29 Managers in the BFCT told us that the team had only one performance target, which was to provide a response to all complaints within 20 working days, and that it consistently failed to meet that target by some distance. The BFCT compiled a monthly management information report and narrative that was shared with Border Force senior management, but we were told that the latter had not expressed any concerns about performance against the service standard.

Customer Service Operations

- 5.30 We sampled 104 complaints handled by UKVI's Customer Service Operations. We found that in 64 cases a substantive response had been provided within 20 working days. In these cases, the average time taken to respond was 13 days and the range was 1 to 20 working days. We found that in nine cases it took longer than 20 working days. In these cases, the average time taken to respond was 36 days and the range was 21 to 63 working days. In the remaining 31 cases, we found no evidence that a substantive response had ever been provided to the complainant.
- 5.31 Performance data in respect of complaint handling was extracted from the Complaints Management System (CMS). We asked managers in Customer Service Operations (CSO) how the data was affected by closing minor misconduct cases before they had been investigated and not updating records with response dates or outcomes. They were not able to quantify the impact, but suggested that it was small, due to the relatively low number of minor misconduct complaints as a proportion of the total number of complaints. Based on data provided by the Home Office, between January 2014 and April 2015 there were 21,439 service complaints in relation to UKVI and IE and 944 minor misconduct complaints (4% of the total).

Requesting further information from a complainant

- 5.32 Both the Border Force Correspondence Team (BFCT) and Customer Service Operations (CSO) closed complaint records on the Complaints Management System (CMS) immediately they had requested further information from a complainant.⁴⁷ This was contrary to the guidance, which required them to request the information by a certain date and to close the record only if the information had not been provided by that date. When a complainant responded with the requested information, often on the same day they had been asked for it, it was not possible to reopen the original complaint record so a new record was created. Managers in Customer Service Operations (CSO) were unable to quantify what impact this practice had on data about complaint numbers.

⁴⁷ BFCT assessed all cases prior to uploading onto CMS. In all cases where it was identified at this stage that further information was required, the details were not entered onto CMS but on a local spreadsheet.

Detention complaints

- 5.33 During the period covered by our sample, the handling of complaints from immigration detainees was governed by Detention Services Order 03/2011.⁴⁸ The target for service complaints by immigration detainees was to respond within 10 working days from the allocation of the complaint to a responder. All minor misconduct and other service complaints in relation to short-term holding facilities, and to any period while the detainee was under escort, had a target of 15 working days.
- 5.34 We found that a response had been provided within service standards in 11 of the 35 cases in our file sample. Seven of these were minor misconduct complaints, where the response times ranged from 7 to 15 working days, with an average of 11 working days. Four were service complaints, where the response times ranged from 5 to 10 working days, with an average of nine working days. In a further nine cases, the response had been provided outside of the service standard. Six of these were minor misconduct complaints, where the time taken to respond ranged between 17 and 36 days, with an average of 26 days. The other three were service complaints, where the time taken to provide a response ranged from 13 to 16 working days, with an average of 15 working days. We were unable in seven cases to determine the date on which the response had been provided. In the remaining eight cases, a copy of the response had not been retained on CMS.

Acknowledging complaints

- 5.35 The Parliamentary and Health Service Ombudsman's (PHSO) *Principles of Good Complaint Handling* stated that public bodies should:

'Acknowledge the complaint and tell the complainant how long they can expect to wait to receive a reply. Public bodies should keep the complainant regularly informed about progress and the reasons for any delays, and provide a point of contact throughout the course of the complaint.'

- 5.36 The relevant Section 4.6 of the *Complaints Management Guidance* stated:

'If a complaint cannot be resolved within two working days of receipt by the relevant Responder Hub, it should send a written or email acknowledgement to the customer with contact details of the person who is handling the complaint... If it is likely that the response cannot be sent within the published timescale of 20 working days of receipt by CPR, the acknowledgement letter should tell the customer when they can expect to hear from us.'

- 5.37 Neither the Border Force Correspondence Team (BFCT) nor Customer Service Operations (CSO) routinely acknowledged complaints that could not be dealt with within two working days of receipt. However, in 64 (of the 76) Border Force cases in our sample where Border Force had not responded substantively within 20 working days, the complainant had been sent an interim response informing them that the service standard was likely to be breached and why.
- 5.38 These interim responses also acted as acknowledgements, confirming receipt of the complaint and also identifying a point of contact. In all cases, the reason given for the likely delay in responding was a high volume of correspondence. Managers told us that this was the stock reason given when service standards were unlikely to be met, not only when there was a spike in correspondence. BFCT did not routinely issue further updates unless the officer dealing with the complaint went on long-term sick leave, in which case complainants would be informed of the likelihood of further delays.
- 5.39 We saw no evidence from the Complaint Management System (CMS) that Customer Service Operations (CSO) had acknowledged receipt of any of the service complaints about UKVI and IE in our sample, or had notified the complainant that the substantive response might be delayed.

⁴⁸ Detention Services Order 03/2011 – Handling of complaints in immigration removal centres, short term holding facilities, holding rooms and during escort.

In the case of minor misconduct complaints, however, it was the practice of CSO to send an acknowledgement which included a commitment to investigate the complaint and provide a further response if appropriate. CSO then allocated these complaints to a manager within the relevant business area, and immediately closed them on CMS as *'unsubstantiated'*. CSO played no further part in the handling of these complaints.

5.40 Managers in CSO had identified the need to ensure that complainants were kept informed until a complaint had been resolved and the Complaints Improvement Plan included several options for amending processes to ensure that this happened.⁴⁹

5.41 Guidance⁵⁰ for those handling complaints in the detention estate stated that *'the investigating officer should write an acknowledgement to the complainant providing:*

- *Confirming (sic) the name and contact details of the investigating officer*
- *Target date by which the complaint will be concluded;*

Within two working days of receipt.'

5.42 We saw evidence of acknowledgement of the complaint in three out of the 35 Detention Services complaints we sampled.

5.43 In November 2015⁵¹ the PHSO noted:

'Not involving the complainant sufficiently in the complaints process, for example by updating them on progress or seeking their input, was given as the main reason for the complaint in 9% of all our upheld complaints.'

5.44 We reported in our previous inspection of complaint handling:⁵²

'In respect of complaints, the [UK Border] Agency required an acknowledgement to be sent if the complaint could not be resolved in full within two working days of receipt. This target was contained in the complaints management guidance, but we found no evidence that it was a key performance indicator or that management information was routinely collected for performance against this target.'

We saw no evidence that this had changed.

Clear communication

5.45 The Parliamentary Health Service Ombudsman's (PHSO) *Principles of Good Complaint Handling* stated that public bodies should:

'Use language that is easy to understand, and communicate with the complainant in a way that is appropriate to them and their circumstances. For example, public bodies should make arrangements for complainants with special needs or those whose first language is not English.'

5.46 In terms of style, we found that 159 of the 192 responses we sampled were written in plain English⁵³ and in an appropriate tone. Of the 33 others, 19 responses were not written in plain English, and 14 contained either obvious grammatical errors or more than two spelling mistakes.

49 Customer Correspondence Team: Complaints Improvement Plan (version 16/9/15) (DRAFT)

50 Detention Services Order 03/2011.

51 <http://www.ombudsman.org.uk/reports-and-consultations/reports/parliamentary/complaints-about-uk-government-departments-and-agencies-and-some-uk-public-organisations-2014-15/5>

52 http://icinspector.independent.gov.uk/wp-content/uploads/2010/07/Lessons-to-learn_The-UK-Border-Agency's-handling-of-complaints-and-MPs-correspondence.pdf

53 A generic term for communication in English that emphasises clarity, brevity, and the avoidance of technical language, particularly in relation to official government or business communication.

5.47 During visits to the Harmondsworth and Dungavel Immigration Removal Centres (IRC) we found complaint forms⁵⁴ available in different languages. We were told that the forms were provided in 18 languages. Detention Operations told us that although responses were always in English, translation services were available at IRCs if required.

Conclusion

- 5.48 Procedures for making complaints about UKVI, IE or Border Force were 'clear and simple', as expected of public bodies. They were accessible through the UKVI, IE and Border Force websites and in leaflets and posters. For individuals in immigration detention whose first language was not English, explanatory information was available in a range of languages and they were able to write their complaint in their own language. Although all responses were written in English, translation services were available.
- 5.49 From file sampling and transparency data, it was evident that UKVI, IE and Border Force regularly failed in their stated aim of providing a substantive response to a complaint within 20 working days. The 2010 inspection of the handling of complaints and MPs Correspondence had found similar problems with the timeliness of responses.⁵⁵
- 5.50 The closure of complaint records when further information had been requested from the complainant, and when CSO referred minor misconduct complaints for investigation, was wrong in principle. In practice, it affected the accuracy of published performance data, although it was unclear to what extent.
- 5.51 Guidance requiring complaints to be acknowledged and to keep complainants informed of likely difficulties in providing a timely response was largely ignored. Managers in Customer Service Operations (CSO) had already identified room for improvement in this area in a Complaints Improvement Plan which they had drawn up in response to their own sampling of complaint files.
- 5.52 The Border Force Correspondence Team (BFCT) did inform complainants where it was likely the response would not be provided within 20 days, but routinely cited high volumes of complaints as the reason, which was not always true.
- 5.53 Most substantive responses to complaints (over 80% of the cases sampled) were written in plain English and in an appropriate tone. A small proportion (approximately 10%) contained obvious grammatical errors and spelling mistakes that should have been spotted.

Recommendations: The Home Office should:

- Review the stated aim to respond to all complaints within 20 working days and either take steps to ensure that it is achieved in 95% of cases, in line with the published service standard, or revise it to provide complainants with a realistic timescale for a response.
- Ensure that complaints are acknowledged in line with guidance and, where it is likely that the 20 working day target for a substantive response will not be met, that complainants are notified and provided with regular updates until they receive a substantive response.

54 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/454310/Annex_D_DCF.pdf

55 http://icinspector.independent.gov.uk/wp-content/uploads/2010/07/Lessons-to-learn_The-UK-Border-Agency's-handling-of-complaints-and-MPs-correspondence.pdf

6. Acting Fairly and Proportionately

Principles

- 6.1 Under the heading *'Acting fairly and proportionately'*, the Parliamentary and Health Service Ombudsman's (PHSO) *Principles of Good Complaint Handling* stated that public bodies should

'Investigate complaints thoroughly and fairly, basing their decisions on the available facts and evidence, and avoiding undue delay. Public bodies should deal with complaints objectively, fairly and consistently, so that similar circumstances are handled similarly.'

Home Office guidance

- 6.2 Section 4.4 of the *Complaints Management Guidance* stated that:

'Complaints about service should be dealt with entirely by the relevant Responder Hub/Customer Service Unit with responsibility for the work stream being complained about.'

'Minor misconduct complaints must be referred by the relevant Central Point of Receipt to the line manager of the subject of the complaint, or to another relevant manager if the line manager is not available, to resolve through the local resolution process and in line with the discipline policy...'

Border Force

Service complaints

- 6.3 We were told by managers in the Border Force Correspondence Team (BFCT) that all but a small number of service complaints were investigated. This involved forwarding an investigation pro-forma to the relevant port for completion and return. Complaints concerning queuing times at immigration control were excluded from this if the queuing time had been less than one hour, and in these cases standard lines were used in the response.
- 6.4 In 38 of the 47 Border Force service complaints we sampled, the relevant business area had been asked to investigate⁵⁶ the issues raised and to return a completed pro-forma detailing the checks completed and any further action taken as a result of the complaint. In all 38 cases, a correspondence officer in the BFCT retained ownership of the complaint and composed the substantive response based on the completed pro-forma. The response indicated what had been done to investigate the complaint and whether or not the complaint was upheld. We found copies of the pro-forma attached to the paper files. However, there were no pro-formas or records of internal correspondence retained on the Complaints Management System (CMS).
- 6.5 In 33 of the 38 cases we found that the investigation had been thorough and fair, and that all reasonable lines of enquiry had been pursued. In a further three cases, we found that some obvious steps to investigate the complaint, such as referring to the incident book or liaising with the port operator, had not been taken, but this had not been questioned by the correspondence officer.

⁵⁶ Of the nine BF service complaints not investigated, 7 were answered directly by the Border Force Correspondence Team and in the remaining 2, whilst the complaints had been referred to the business; it was not clear from the paper file or CMS whether an investigation had been carried out or not.

We were told by managers that a correspondence officer could refer a complaint back to a port for further enquiries, but that this was rare as all responses from ports were signed off at a senior level. In two cases, we were not able to establish from the paper file or the Complaints Management System (CMS) record what action had been taken to investigate the complaint.

Minor misconduct complaints

- 6.6 Of the 53 Border Force minor misconduct complaints sampled, 50 had been referred for investigation to the secretariat of the Regional Director responsible for the member of staff concerned.⁵⁷ In 28 of the 50 complaints, there was evidence that the investigating officer had followed all reasonable lines of enquiry, and the investigation was therefore thorough and fair. Figure 7 illustrates such a case.

Figure 7: Case study: Thorough and fair investigation of minor misconduct complaint

- On 1 January 2015, the complainant submitted a complaint of rude behaviour by a Border Force Officer (BFO) at passport control.
- On 10 January 2015, an acknowledgement of the complaint was sent informing the complainant that a response might not be provided within 20 days.
- On 16 January 2015, the Border Force Correspondence Team referred the complaint for investigation.
- On 19 January 2015, a manager responded to the Border Force Correspondence Team after interviewing the subject of the complaint and other officers on duty at the time and after consulting the passport control incident log.
- On 30 January 2015, a response was sent to the complainant partially upholding the complaint and apologising.

Chief Inspector's comments:

There was clear evidence in this case that the complaint was investigated thoroughly and fairly. As a result, a clear and detailed response was provided to the complainant explaining why the complaint had been partially upheld.

- 6.7 In nine cases we found that the investigation was not thorough, because not all reasonable steps had been taken to identify the subject of the complaint. For example, where the complaint concerned an officer working on a passport control desk a simple check of Home Office systems would identify the officer in question. However, complainants were instead asked, sometimes weeks after the alleged incident, to provide a description of the officer concerned or their epaulette number. Where the complainant was able to provide a description but it was not good enough to identify the officer, the complainant was informed that the complaint had not been upheld as it had not been possible to identify the officer concerned. We were told by managers in Border Force that it was not considered proportionate to conduct a check of Home Office systems to identify the officer in the case of complaints of minor misconduct.
- 6.8 We found in five cases that the investigation had not been conducted objectively, as the investigation pro-forma had been completed by the officer who was the subject of the complaint. This was either not noticed or not challenged by the BFCT in any of these cases before informing the complainant that the complaint had not been upheld.
- 6.9 In a further four cases we found the language used by the investigating officer in the completing the investigation pro-forma, for example *'entirely refuting the allegations'*, raised questions about whether

⁵⁷ Of the four remaining complaints, an investigation was not applicable in two, as one was deemed out-of-time and the second needed further details from the complainant before proceeding. A further complaint was treated as a complaint of serious misconduct and was therefore out of scope. The remaining complaint followed a previous response from BF, and a further investigation was not required.

they had approached the investigation objectively. In four cases we were unable to establish what steps had been taken to investigate the complaints.

6.10 Figure 8 provides an example of a complaint investigation which was not thorough and fair.

Figure 8: Case study: Minor misconduct complaint - not thoroughly and fairly investigated

- On 23 March 2015, the complainant submitted a complaint of rude and inappropriate comments by a Border Force Officer at passport control;
- On 8 April 2015, the Border Force Correspondence Team requested that the complainant provide details of the airport terminal, a copy of the stamp placed in the passport and a description of the officer concerned;
- On 15 April 2015, the complainant provided the information requested;
- On 30 April 2015 further information was requested from the complainant, who did not reply;
- On 7 June 2015 a reminder was sent to the complainant by BFCT;
- On 8 June the complainant replied but only provided the same information provided on 15 April;
- On 28 June Border Force staff at Heathrow wrote to BFCT saying that it was not possible to identify the officer involved;
- On 2 July 2015, a response was sent to the complainant stating that as it had not been possible to identify the Border Force officer from the description provided and, as a result, the complaint was not upheld.

Chief Inspector's comments:

The complaint of misconduct in this case was not thoroughly investigated. There were two obvious lines of enquiry that could have been pursued to identify the officer concerned: a check of Home Office IT systems, and a check of the landing card completed by the passenger on arrival.

UKVI and IE

Service complaints

- 6.11 Forty-seven of the 71 UKVI and IE service complaints in our sample had been referred to the relevant business area for investigation. Of the other 24 complaints, in 19 cases we were unable to determine from the record whether or not the complaint had been referred for investigation. In five cases it was clear from the record that a decision had been taken not to refer the complaint for investigation. In two five of these cases it would have been reasonable to expect an investigation.
- 6.12 Of the 47 investigations, we were able to determine from the records that 15 had been thorough and fair. Most of the complaints concerned UKVI Visa Operations and had been referred to the relevant visa section to investigate and, in most cases, to respond directly to the complainant. In 24 cases we were able to discern from correspondence on Home Office systems that the complaint had been investigated, but no details were recorded on CMS and we were unable to determine what had actually been done. In a further eight cases, although there was no detail on CMS, we found details of what had been done on the Home Office casework system used by Entry Clearance Officers when deciding visa applications. In these eight cases the investigation into the complaint had not been as thorough as the complainant might reasonably have expected.

Minor misconduct complaints

- 6.13 Guidance required that minor misconduct complaints were investigated by the line manager of the subject of the complaint. Of the 33 UKVI and IE minor misconduct complaints in our sample, we found evidence that 13 had been investigated. Details of these investigations were not recorded on the Complaints Management System (CMS), and in seven cases there were no other records to help us determine whether the investigation had been thorough and fair. However, in six of the 13 cases we were able to examine a copy of the letter sent to the complainant in response to their complaint. Based on these letters, four of the 13 investigations appeared to have been thorough and fair, while two did not. Figure 9 illustrates a complaint of misconduct that was investigated thoroughly.

Figure 9: Case study: Thorough and fair investigation of minor misconduct complaint.

- On 9 March 2015, the complainant submitted a complaint concerning unprofessional behaviour by a member of staff on a UKVI helpline who had allegedly laughed at the complainant when he had called for advice.
- On 2 April 2015, the complainant was asked to provide the telephone number from which the call to the helpline had been made.
- On 9 April 2015, the complainant provided the telephone number as requested.
- On 17 April 2015, Customer Service Operations (CSO) referred the complaint to a manager at the helpline to investigate.
- On 12 May 2015, the helpline manager responded to CSO after investigating the complaint. To investigate the complaint the helpline manager had traced the telephone call and obtained and listened to a recording. This had confirmed that the member of staff had acted unprofessionally as alleged in the complaint. The manager had issued a reminder to the member of staff about the need to act professionally.
- On 15 May 2015, a response was sent to the complainant upholding the complaint and apologising for the behaviour of the member of staff concerned.

Chief Inspector's comments:

The UKVI manager in this case went to some effort to investigate the complaint thoroughly and fairly. As a result, the complaint was upheld and an appropriate remedy, an apology, was provided.

- 6.14 Some staff in Customer Service Operations (CSO) told us that they did not record correspondence concerning the investigation of complaints on CMS, but retained it in a shared folder on the Home Office network. Managers in CSO told us that they were not aware of the existence of such a folder and that staff had been instructed to record all relevant information on CMS.
- 6.15 Of the other 20 cases in our sample of 33 UKVI and IE minor misconduct complaints, notes on the casework system used by Entry Clearance Officers indicated that one complainant had no longer wished to pursue their complaint. Meanwhile, in 19 cases we could not determine whether an investigation had taken place, or whether the complainant had ever received a substantive response. In 15 of these cases, CSO had sent an acknowledgement letter to the complainant stating: *'our policy is to investigate all complaints alleging misconduct. I can confirm that your complaint is being investigated and will be acted upon through the appropriate internal channels and, once completed, we will provide feedback where appropriate.'* The complaints had then been referred to the relevant business areas and closed on CMS as *'unsubstantiated'*.
- 6.16 Managers in CSO had identified the need for improved recording of complaint handling action in a *Complaints Improvement Plan* setting out ten separate areas for improvement. As part of this Plan, UKVI had produced an Operating Mandate in August 2015 setting standards for the consistent recording of the handling of complaints.

Detention

6.17 Section 3 (i) of Detention Services Order 03/2011⁵⁸ stated:

'DS CSU will allocate complaints to the most appropriate individual to investigate and will monitor progress of investigations.

'...Investigators will be notified at the time a complaint is allocated to them of the timescale within which an investigation should be concluded and the matter resolved.'

6.18 Section 4 stated:

'Investigating officers should therefore act as quickly as possible once a complaint has been allocated... to make contact with the detainee. They should keep the complainant updated throughout the investigation as to progress and ensure that it is completed within the deadline set...as far as is reasonably possible.'

6.19 In our file sample of 15 service complaints made by immigration detainees, we found 12 that had been investigated. The responses to the complainants contained details of the investigations and how the conclusions had been reached. No other material relevant to the investigation, such as copies of notebooks, was retained on CMS. We were told that these were retained locally by the Immigration Removal Centre (IRC) service provider. In the other three cases we could not determine from CMS whether the complaints had been investigated.

6.20 Of the 20 minor misconduct complaints made by immigration detainees in our sample, we found five where there was no response attached to CMS. In the other 15 cases, we saw from the response to the detainee that the complaint had been investigated. In four of these cases, based on the detailed responses, it appeared that the investigation had been thorough and fair. In the remaining eleven cases, the lack of detail in the response letter, and on CMS, meant that we were unable to determine if the investigation had been thorough and fair.

Conclusion

6.21 The inspection found differences between the complaints handling models operated by the Border Force Correspondence Team (BFCT) and by Customer Service Operations (CSO) when handling complaints made about UKVI and IE. BFCT retained ownership of a complaint until a substantive response had been provided. They were responsible for commissioning any investigation, receiving the results via a pro-forma, and ensuring that details of investigations were retained on the complaint file. In most cases, it was possible to determine from the record whether the complaint had been thoroughly and fairly investigated and whether the response was consistent with the investigation findings.

6.22 File sampling indicated that most Border Force service complaints were investigated thoroughly and fairly. However, some minor misconduct cases were not, as Border Force was failing to pursue all reasonable lines of enquiry to identify the subject(s) of the complaint. Border Force was also misleading complainants by responding that it had not been possible to identify the officer(s) concerned, when the truth was that a decision had been taken not to check systems that would provide this information on grounds of proportionality. In the circumstances, it was unreasonable of Border Force to ask the complainant, sometimes after a period of weeks, to provide a physical description of the officer(s).

6.23 In the case of both service and minor misconduct complaints about UKVI and IE, poor record-keeping on CMS meant that it was often difficult to determine whether complaints had been investigated, what had been done during any investigation, or even whether the complainant had

⁵⁸ New guidance, Detention Service Order 03/2015, was issued in August 2015.

received a response. This was compounded by the transfer of ownership of minor misconduct complaints, and many service complaints, from the Customer Service Operations (CSO) to the relevant business areas without CSO following up to establish what, if anything, had been done to resolve the complaint.

- 6.24 From copies of the responses retained on the Complaints Management System (CMS), it was possible to see that most service and minor misconduct complaints made by immigration detainees were investigated; however, it was often not possible to determine whether the investigation had been thorough and fair because the response lacked detail.

Recommendations: The Home Office should:

- Ensure that the Complaints Management System (CMS) is used to track the full history of a complaint from receipt to resolution, keeping the CMS record open until a substantive response has been provided to the complainant, recording accurately the details of any investigation and its findings, and retaining a copy of the original complaint and the response on the system.
- Ensure that a thorough and fair investigation is conducted of all minor misconduct complaints, taking all reasonable steps, including checks against Home Office systems and records, to identify the subject of the complaint where this is in doubt.

7. MPs' Correspondence

MP Account Management Teams

- 7.1 MP Account Management Teams handled immigration-related correspondence^{59 60} from Members of Parliament⁶¹ acting on behalf of their constituents.
- 7.2 According to the Home Office website,⁶² MP Account Management Teams were *'exclusively for the use of Members of Parliament, Members of Parliament of the European Parliament and their staff.'* The website states that the MP Account Management Teams can, *inter alia:*
- *'answer specific immigration enquiries arising from constituents' individual cases;*
 - *provide written confirmation of a call; and*
 - *provide help if a constituent is detained and liable for removal.'*
- 7.3 The MP Account Management Teams were split into two regions; MP Account Management Operations North and MP Account Management Operations South. Under this structure there were six teams (five in the North and one in the South), each covering a geographical area. Each team was managed by an SEO.
- 7.4 In the first half of 2015, the MP Account Management Teams received 8,129 letters and 8,156 emails⁶³ from MPs or their staff. In addition, they received around 320⁶⁴ telephone calls per week. The teams encouraged MPs and their staff to use their telephone support service in order to reduce the volume of written correspondence.

MP Account Managers

- 7.5 According to the Home Office website, the MP Account Manager (MPAM) role was established in 2009 'to provide a more personal service to MPs on their immigration matters.' All MPs had a dedicated MP Account Manager. The website stated that MPAM services included:
- *'handling more complex or compelling immigration cases, including those sent to the Minister's Private Office;*
 - *arranging visits with MPs or their caseworkers;*
 - *organising regional MP caseworker events.'*
- 7.6 MPAMs had *'the authority to act on behalf of the Minister and escalate cases to Director level to ensure the business responds to concerns in a timely manner.'*⁶⁵ A Standard Operating Procedure *'MP Cases Follow*

59 This correspondence is received by means of telephone, email and letter (including Ministerial Correspondence).

60 Prior to 1 July 2015 Border Force Correspondence Team dealt with MPs' correspondence concerning Border Force.

61 These teams also deal with correspondence from Members of the European Parliament, Members of the Scottish Parliament and Members of the Welsh Assembly. This correspondence is not accounted for separately.

62 <https://informationformps.homeoffice.gov.uk/contact/customer-service-operations-teams>

63 <https://www.gov.uk/government/publications/customer-service-operations-data-august-2015>

64 CSO weekly performance report: MPs and Official Correspondence 03 August 2015.

65 UKVI MP Correspondence – Conversions Standard Operating Procedures (SOPS) 6 January 2014.

Up' was introduced in August 2015 with a 'bring forward' process to provide assurance to Directors and Ministers that commitments given to MPs were followed up.

- 7.7 The 'bring forward' process set a date by which the responder was required to update the MP with an outcome. Senior Managers in Customer Service Operations (CSO) told us they had been given the authority to require business areas to take action to resolve a particular case where a commitment had been given to an MP. We were told that while MPs' correspondence was high on the agenda at Director level, this was not always so at more junior levels within business areas. Therefore, the authority to require action to be taken had been helpful.
- 7.8 The website provided contact details for MPAMs in London and the South East, Midlands and East of England, North West, North East and Yorkshire and the Humber, Scotland and Northern Ireland, and Wales and South West.
- 7.9 We were told by CSO senior managers that in June 2015, as part of a restructure, the MPAMs had been co-located with the MP Account Management Teams, with an expanded role that included providing guidance to MP Account Management Team staff and assistance with quality assurance of responses to MPs' correspondence. Complex cases or cases where the MP had expressed dissatisfaction with the level of service could be referred to the MPAMs to expedite.⁶⁶
- 7.10 The purpose of the MP Account Management Teams was to provide '*a quick, accurate and customer-focused service to MPs and their offices.*'⁶⁷ To that end, as well as overseeing correspondence MPAMs acted as the senior caseworker for complex cases and MPs' correspondence sent directly to Ministers.
- 7.11 We were told that regional events were organised where MPs and their staff could meet representatives from Home Office business areas identified as generating high volumes of correspondence. MPAMs and MP Account Management Team members also visited MPs offices to discuss individual cases and provide immediate responses, avoiding the need for formal correspondence. One senior manager told us that they would like to be more proactive in briefing MPs' and their staff about forthcoming policy changes, in order for them to be better prepared to deal with issues raised by their constituents and thereby to reduce correspondence.
- 7.12 In some regions, MP Account Management Team members had been identified as the single point of contact for particular MPs offices to deal with routine issues. This had been especially effective in building relationships with newly-elected MPs following the General Election in May 2015.
- 7.13 At the end of July 2015, Customer Service Operations (CSO) implemented a new Operating Model to deliver, *inter alia*:
- faster and more streamlined interaction with MPs, delivered through greater outreach and by encouraging MPs to send fewer hard copy letters and instead make more use of email and telephone calls; and
 - efficiency savings of 28%.
- 7.14 A senior manager told us that, following the restructure, resources were '*very tight*' and that the greatest risk to performance was that the number of letters and emails received would be greater than had been forecast.⁶⁸

66 UKVI MP Correspondence – Conversions Standard Operating Procedures (SOPS) 6 January 2014.

67 UKVI MP Correspondence Operating Mandate 11 August 2015

68 Letters and emails.

Correspondence handling

- 7.15 During the inspection, we observed staff in the Central Point of Receipt (CPR)⁶⁹ responsible for the recording and allocation of correspondence from MPs. Written correspondence, including emails, received at the CPR was recorded and scanned onto the Correspondence Tracking System (CTS) before being allocated to an MP Account Management Team. Written correspondence received directly by an MP Account Management Team was sent to the CPR to be recorded, scanned and allocated.
- 7.16 CTS automatically generated a target completion date⁷⁰ of 14 days from the date of receipt for letters and 15 days for emails. UKVI's MP Correspondence Operating Mandate, dated 11 August 2015, required correspondence to be allocated to an MP Account Management Team within two working days of receipt.
- 7.17 The efficiency savings from CSO's new Operating Model were predicated in part on the roll-out of a replacement for the CTS, named Hercule. We were told by a senior manager that the new system would enable the CPR to work more efficiently, but would not benefit the MP Account Management Teams. In October 2015, we were told that Hercule had been delayed due to issues with its functionality, and that a new date for roll out had not been set.
- 7.18 We also observed the work of staff in MP Account Management Teams. We observed the triaging of new cases to identify 'quick wins', high-profile issues or correspondence requiring special handling. Following an initial assessment, cases were allocated to a team member for a response. Where possible, the team member would produce the response simply by referring to Home Office systems. In more complex cases, the relevant business area would be consulted. The responders in the MP Account Management Teams retained ownership of the case throughout, and maintained a 'bring forward' system to keep track of cases where contributions had been sought from the business.
- 7.19 Managers and staff in MP Account Management Teams told us that responders aimed to respond by the most efficient method. For example, subject to the MP's office being content, updates on constituents' cases were often provided by telephone, even if the request had been received in a formal letter.
- 7.20 A senior manager told us that over 90% of responses provided by MP Account Management Teams were now by telephone or email. We were also told that 80% of enquiries were received by telephone or email, due to the success of MP Account Managers in encouraging MPs to move away from a formal letter as their default choice. The Home Office provided us with data showing the proportion of formal correspondence that had been answered by informal means. In the week ending 10 July 2015, for example, 312 formal letters had been received, 198 of which had been answered by email, by telephone or face-to-face.
- 7.21 Each MP Account Management Team operated a telephone enquiry line and many of the calls received could be resolved immediately. We observed Team members dealing efficiently and effectively with such calls during the inspection.

Quality assurance

- 7.22 In our 2010 report about the UK Border Agency's handling of complaints and MPs' correspondence we recommended that the Home Office *'Introduce efficient and consistent processes for the quality assurance of MPs' correspondence'*.
- 7.23 MP Account Management Team members told us that that managers quality assured 100% of responses from new staff. For more experienced staff, all letters requiring a Minister's or Director's sign-off were quality assured, and other responses were dip-sampled only. We observed this process

⁶⁹ All written immigration-related correspondence is received by the Central Point of Receipt, a team within CSO based in Lunar House, Croydon.

⁷⁰ This function will be carried out by the MPAM teams once the Hercule system is introduced.

during the inspection. The MP Account Manager (MPAM) also assisted in this quality assurance work. A record was kept of spelling or grammatical errors and the quality of each responder's work was tracked on a weekly basis. Letters with errors were given back to the responder to redraft.

- 7.24 In addition to quality assurance by the HEO manager and MPAM, the Correspondence Quality Team⁷¹ (CQT) did a further check on letters requiring Ministerial or Director-level sign-off. CQT also conducted a 10% dip sample of other letters. Letters were assessed against UKVI's 'MPs' Correspondence Style Guide⁷² dated 7 October 2014.
- 7.25 Each MP Account Management Team manager received performance data based on CQT quality checks. This data also formed part of the CSO pack reviewed on a monthly basis by senior managers in UKVI. Their expectation was that 90% of the responses assessed by CQT would be error-free. The performance for April 2014 to May 2015 is at Figure 10.

Figure 10: - Performance against CQT quality target April 2014 – May 2015.

Month	Performance
April 2014	36%
May 2014	48%
June 2014	59%
July 2014	71%
August 2014	72%
September 2014	81%
October 2014	78%
November 2014	81%
December 2014	78%
January 2015	88%
February 2015	92%
March 2015	92%
April 2015	86%
May 2015	92%

- 7.26 Managers in MP Account Management Teams told us that even minor errors, such as incorrect spacing, would count as a failure in the CQT quality check. They suggested that the threshold was set too high and that this, if not managed carefully, could adversely impact team morale. Senior managers in CSO thought the checks had been an important factor in improving performance.

File sample

- 7.27 We sampled 30 MPs' correspondence cases. In 11 of these 30 cases, a letter had been received from an MP; in 17 cases an email; and in two cases the MP had used the telephone enquiry line. We looked at the quality of the 26 responses sent by letter (13) or email (13) and assessed whether:

71 A team in Customer Service Operations with responsibility for assuring the quality of correspondence formal correspondence sent to MPs.

72 General principles applying to the drafting of responses to all MPs' Correspondence for UKVI, Immigration Enforcement and Border Force, covering style, structure, spelling, grammar, customer focus, factual accuracy and correct allocation.

- the response addressed all issues raised in the correspondence;
- the response was factually accurate;
- correct grammar and spelling had been used; and
- an appropriate tone had been used.

7.28 We found no issues with the quality of any of the responses we examined.

MP satisfaction

7.29 CSO conducted annual online surveys of MPs to gauge their satisfaction with the MP Account Manager service. We were shown the responses to the surveys conducted in September 2014⁷³ and in October 2015. In September 2014 there were 149 responses to the survey, as follows:

MP Correspondence Team

- 95% of respondents strongly agreed or tended to agree that it was easy to contact the MP Correspondence Team
- 85% of respondents strongly agreed or tended to agree that they were given the information they needed;
- 90% of respondents strongly agreed or tended to agree that the information received was accurate and easy to understand;
- 68% of respondents strongly agreed or tended to agree that they were provided with the information needed to provide a complete answer to their constituent;
- 95% of respondents strongly agreed or tended to agree that the MP Correspondence Team was helpful and polite;
- 96% of respondents strongly agreed or tended to agree that they were always treated with respect.

Opinion of the MP Correspondence Team

- 72% of respondents answered that they would speak highly of the service to colleagues.

Account Manager (MPAM)

- 85% of respondents strongly agreed or tended to agree that it was easy to contact their MPAM;
- 87% of respondents strongly agreed or tended to agree that their MPAM gave them the information they needed;
- 79% of respondents strongly agreed or tended to agree that they received the information needed to provide a complete answer to their constituent;
- 94% of respondents strongly agreed or tended to agree that the MPAM was helpful and polite;
- 95% of respondents strongly agreed or tended to agree that they were always treated with respect by the MPAM.

⁷³ This survey was conducted prior to the formation of the MP Account Management Teams in April 2015, so separate questions were asked about the MP Account Managers and the MP Correspondence Teams.

Opinion of the MP Account Manager Service

- 77% of respondents would speak highly of the service to colleagues.

Written correspondence, telephone calls and emails

- 88% of respondents strongly agreed or tended to agree that they were satisfied with the options available for making enquiries;
- 60% of respondents strongly agreed or tended to agree that they were satisfied with the time taken by the MP Correspondence Team to answer enquiries;
- 62% of respondents strongly agreed or tended to agree that they were satisfied with the time taken by the MPAM to answer enquiries;
- 91% of respondents strongly agreed or tended to agree that response to enquiries were written in a courteous tone.

Overall satisfaction

- 84% of respondents strongly agreed or tended to agree that they were satisfied with the service provided.

7.30 Some additional questions were asked in the October 2015 survey concerning methods of communication. There were 137 responses, of which 88% said that their preferred method of contacting the MP Account Management Team was by telephone or email, and 82% said that their preferred method of receiving a response was by email. The responses showed that:

Making enquiries

- 99% of respondents strongly agreed or tended to agree that they were satisfied with the options available to make enquiries;
- 99% of respondents strongly agreed or tended to agree that it was easy to contact the MP Account Management Team;
- 97% of respondents strongly agreed or tended to agree that the MP Account Management Team was helpful and polite;
- 99% of respondents strongly agreed or tended to agree that they were treated with respect.

Responses from the MP Account Management Team

- 88% of respondents strongly agreed or tended to agree that they received the information they needed to provide the constituent with a complete answer;
- 92% of respondents strongly agreed or tended to agree that the information received was accurate;
- 92% of respondents strongly agreed or tended to agree that written information received was easy to understand;
- 91% of respondents strongly agreed or tended to agree that the written information received was free of spelling, grammar and punctuation errors;
- 98% of respondents strongly agreed or tended to agree that responses were communicated in a courteous tone.

Face-to-face meetings

- 78% of respondents had had a face-to-face meeting with their MP Account Management Team;
- 91% of respondents strongly agreed or tended to agree that they were able to gain a better understanding of how the immigration system worked;
- 97% of respondents strongly agreed or tended to agree that they were able to gain a better understanding of how the MP Account Management Team operated;
- 64% of respondents strongly agreed or tended to agree that the knowledge gained meant they were able to resolve more immigration enquiries from constituents without contacting the MP Account Management Team;
- 43% of respondents strongly agreed or tended to agree that the MP Account Management Team resolved enquiries on the spot without the need for correspondence to be sent.

Opinion of the MP Account Manager Service

- 85% of respondents would speak highly of the service to colleagues.

Overall satisfaction

- 87% of respondents strongly agreed or tended to agree that they were satisfied with the time taken to answer enquiries;
- 91% of respondents strongly agreed or tended to agree that they were satisfied with the service provided by the MP Account Management Team.

7.31 We conducted our own online survey as part of the inspection. Sixteen of the 650 MPs surveyed responded, as follows:

- All 16 said that responses to MPs' correspondence were clear and easy to understand;
- 13 said that responses dealt appropriately with all issues raised in the correspondence. One respondent said 'occasionally some of the points made are not answered fully' and another said, that responses did not state '*likely timescales for resolution*';
- 11 said that responses offered an appropriate and proportionate remedy when the correspondence highlighted a failing on the part of the Home Office;
- 14 said that the MP Account Manager provided an efficient, effective and helpful service;
- 14 were satisfied with the service received when calling the enquiry line. One respondent said it was mostly helpful, but thought it '*would be helpful to be able to be put through to the caseworker in some circumstances*'.

Performance against service standards

7.32 The UKVI *MP Correspondence Operating Mandate* stated that: '*The Cabinet Office deadline is that we respond to 95% of MPs' Correspondence within 20 working days.*' Although this service standard encompassed all types of enquiry, Customer Service Operations (CSO) aimed to respond to emails within 15 working days and to telephone calls within 10 working days, if the latter could not be resolved immediately. Managers told us that the introduction of these shorter internal timescales had led to a marked improvement in performance against the 20 working day target. This was reflected in the performance data we were shown covering Q4 2013 to Q2 2015. Figure 11 refers.

Figure 11: Performance against the 20 working day service standard in relation to replies to MPs' letters and emails

Period	MPs' letters	MPs' emails
Q4 2013	74%	83%
Q1 2014	74%	89%
Q2 2014	77%	87%
Q3 2014	90%	97%
Q4 2014	96%	100%
Q1 2015	97%	100%
Q2 2015	98%	100%

File sampling

- 7.33 We sampled 30 Correspondence Tracking System (CTS) records relating to correspondence from MPs: 11 letters, 17 emails, and 2 telephone enquiries that could not be answered immediately.
- 7.34 In all 30 cases a response had been provided within 20 working days. In 18 cases, the response had been provided within 10 working days. Staff and managers told us that targets were consistently met, although some were concerned about their ability to sustain this level of performance in light of headcount reductions.
- 7.35 Our file sampling also looked at how effectively CTS was being used to record and track the handling of MPs' correspondence. We found that the original correspondence or a record of the telephone enquiry had been attached to the CTS record in all 30 cases. In 25 cases a copy of the written response had been attached to the CTS record. In the other five cases, including the two provided by telephone, the correspondence had not been attached but the details had been recorded.

Learning from MPs' correspondence

- 7.36 In our previous report concerning MPs' correspondence⁷⁴ we recommended that UKBA should '*systematically analyse complaints and MPs' correspondence to identify potential improvements in service.*' Due to the limited capability of CTS to generate management information, responders completed a survey on closure of a CTS record. This provided data that was used to produce a monthly trend analysis. Managers told us that this was a useful tool to identify '*business areas which are running into difficulty.*'
- 7.37 We asked senior managers about plans to enhance the learning from MPs' correspondence. We were told that the MP Account Management Teams had valuable insights into what MPs thought about the services and operations of the Home Office directorates and there was a need to create an appetite within the business to accept feedback about what MPs were saying.

Conclusion

- 7.38 The quality and timeliness of responses provided to MPs had improved significantly since this area was inspected in 2010. From August 2014, performance had consistently met or exceeded the published service standards, which managers attributed to the introduction by Customer Service Operations (CSO) in 2014 of internal timescales for responses to emails and telephone calls that were shorter than the published 20 working days service standard. Drafting guidance for staff and a system of rigorous quality checks had also made a difference to the quality of responses.

⁷⁴ http://icsinspector.independent.gov.uk/wp-content/uploads/2010/07/Lessons-to-learn_The-UK-Border-Agency's-handling-of-complaints-and-MPs-correspondence.pdf

- 7.39 Surveys conducted by CSO showed that in 2014 MPs and their staff were highly satisfied with the services provided by MP Account Management Teams, and that the satisfaction levels had increased in 2015. Although only 16 MPs responded to our survey, the responses received were consistent with the CSO survey results.
- 7.40 Staff involved in responding to MPs were committed to providing a professional service and were clear about what managers expected from them in terms of standards and performance. There was evidence of innovation, with managers focused on smarter ways of working and on providing a more efficient service with the resources available.

Recommendation

Recommendation: The Home Office should:

In order to ensure compliance with guidance, greater consistency, and better quality assurance, retain ownership of complaints and responsibility for providing a substantive response within an appropriately resourced, dedicated correspondence team, which is empowered to require contributions from the relevant business area where necessary.

Annex 1: Role & Remit of the Chief Inspector

The role of the Independent Chief Inspector (‘the Chief Inspector’) of the UK Border Agency (the Agency) was established by the UK Borders Act 2007 to examine and report on the efficiency and effectiveness of the Agency. In 2009, the Independent Chief Inspector’s remit was extended to include customs functions and contractors.

On 26 April 2009, the Independent Chief Inspector was also appointed to the statutory role of independent Monitor for Entry Clearance Refusals without the Right of Appeal as set out in section 23 of the Immigration and Asylum Act 1999, as amended by section 4(2) of the Immigration, Asylum and Nationality Act 2006.

On 20 February 2012, the Home Secretary announced that Border Force would be taken out of the Agency to become a separate operational command within the Home Office. The Home Secretary confirmed that this change would not affect the Chief Inspector’s statutory responsibilities and that he would continue to be responsible for inspecting the operations of both the Agency and the Border Force.

On 22 March 2012, the Chief Inspector of the UK Border Agency’s title changed to become the Independent Chief Inspector of Borders and Immigration. His statutory responsibilities remain the same. The Chief Inspector is independent of the Home Office and the Border Force, and reports directly to the Home Secretary.

On 26 March 2013 the Home Secretary announced that the UK Border Agency was to be broken up and brought back into the Home Office, reporting directly to Ministers, under a new package of reforms. The Independent Chief Inspector will continue to inspect the UK’s border and immigration functions, as well as contractors employed by the Home Office to deliver any of these functions. Under the new arrangements, the UK Visas and Immigrations department (UKVI) was introduced under the direction of a Director General.

Annex 2: Inspection Criteria

The criteria used in this inspection were taken from the Independent Chief Inspector's Inspection Criteria, revised and updated in August 2013. Figure 24 refers.

Figure 24: Inspection criteria used for this inspection
Operational Delivery
Complaints procedures should operate in accordance with the recognised principles of complaints handling.
Resources should be allocated to support operational delivery and achieve value for money.
Safeguarding Individuals
All individuals should be treated with dignity and respect and without discrimination in accordance with the law.
Personal data of individuals should be treated and stored securely in accordance with the relevant legislation and regulations.
Continuous Improvement
The implementation of policy and processes should support the efficient and effective delivery of border and immigration functions.
Risks to operational delivery should be identified, monitored and mitigated.

Annex 3: Glossary

Term	Description
A	
Assistant Director	Senior manager within the UK Visas and Immigration equivalent to a Civil Service Grade 7.
B	
Border Force	Border Force is a Home Office Directorate. It is responsible for securing the border and promoting national prosperity by facilitating the legitimate movement of individuals and goods, whilst preventing those who would cause harm from entering the UK.
Border Force Correspondence Team (BFCT)	Team responsible for handling service and minor misconduct complaints against Border Force.
C	
Central Correspondence Team (CCT)	Team responsible for handling service and minor misconduct complaints against UKVI and Immigration Enforcement.
Complaint	Defined by the Home Office as <i>'any expression of dissatisfaction that needs a response about the service we provide, or about the conduct of our staff'</i> .
Complaints Management System (CMS)	IT system used for the recording and handling of complaints.
Correspondence Tracking System (CTS)	IT system used for the recording and handling of correspondence from MPs.
Customer Service Excellence	The Government's customer service standard, replaced the Charter Mark initiative.
D	
Director	Senior manager, in UKVI, Immigration Enforcement or Border Force, typically responsible for a directorate or region.
H	
Home Office	The Home Office is the lead government department for immigration and passports, drugs policy, crime, counter-terrorism and police.

I	
Immigration Enforcement	Immigration Enforcement is a Home Office Directorate. It is responsible for preventing abuse, tracking immigration offenders and increasing compliance with immigration law.
M	
MP Account Managers (MPAM)	UKVI middle managers whose role is to provide a personal service to MPs on immigration issues. The service includes handling complex correspondence, arranging visits with MPs and organising regional MP caseworker events.
MP Account Management Team	UKVI Team responsible for responding to correspondence from MPs.
U	
UK Visas and Immigration (UKVI)	UKVI is a Home Office Directorate responsible for the temporary and permanent migration, nationality casework and asylum,

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