



An inspection of the Hampshire and Isle of Wight Local Immigration Team

September 2011 – January 2012

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Independent Chief Inspector of Borders and Immigration

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Foreword from John Vine CBE QPM



INDEPENDENT CHIEF INSPECTOR OF BORDERS AND IMMIGRATION

Local Immigration Teams are an initiative to deliver immigration functions locally and to foster partnership working with other agencies, such as the Police. The Hampshire & Isle of Wight Local Immigration Team was the first to be established in the UK in 2008.

This inspection was broad ranging but particularly focussed on how effective the LIT was in managing asylum casework and identifying and removing immigration offenders from the UK. I found that it was generally well managed and noted the LIT was exceeding its target for removals, in particular for those most likely to cause harm – this was a good performance. Asylum decisions were also generally made within the 30 day target and performance in this respect was well above the national average.

I was impressed with the way in which work was managed within the LIT. I also noted the professionalism and conduct of the Arrest Team that I observed. However, I was concerned about the accuracy of the intelligence used to support arrest visits and believe the Agency needs to do more to measure the effectiveness of its intelligence. This will help to ensure its resources are used to best effect.

I remain worried about the emphasis that the Agency places on its work to locate and remove absconders from the UK. While the Agency does not treat this work as a high priority, I believe it can and must do more to demonstrate it is dealing with this issue in a more proactive manner.

My greatest concern however relates to the 150,000 plus cases nationally that are sitting within a 'migration refusal pool'. I could not find any clear strategy for dealing with these cases, either in determining the proportion of this growing number of people who were still in the UK illegally and who should be removed, or in setting out clear performance targets to manage and reduce these cases in an organised manner.

A handwritten signature in black ink that reads 'John Vine .'. The signature is written in a cursive, flowing style.

John Vine CBE QPM
Independent Chief Inspector of Borders and Immigration

1. Executive Summary

1. In 2008, the UK Border Agency created Local Immigration Teams (LITs) to undertake as many functions as practicable at a local level in defined areas within regions. The Hampshire & Isle of Wight LIT was the first such LIT to be created and aimed to apprehend and remove those refused asylum, further leave to remain or who were found to be illegal migrants, as well as undertake other functions on a local level such as sponsorship management and asylum caseworking. This inspection focused on the efficiency and effectiveness of the LIT in terms of:
 - caseworking of asylum seekers and immigration offenders;
 - arrest team operations;
 - how effectively the Agency carried out its safeguarding role with regard to children; and
 - its management of correspondence.
2. We found that the Tasking and Co-ordination Group meetings were very effective in setting direction and analysing local results with a view to resource allocation. This contributed to the removals targets being exceeded in 2010 - 11 and in the current year-to-date (2011-12). Within these removal statistics, we found that the LIT was exceeding its targets to remove individuals who were classified as causing highest harm to the UK. We also noted a significant improvement in the take up of assisted voluntary returns in the current financial year (2011-12), accounting for nearly half of all removals within the LIT. While this was a good performance, we noted that other areas of work, considered to be of a lesser priority were not always tackled effectively, most notably those cases within the Migration Refusal Pool, where there was no timescale or plan for their removal.

Within these removal statistics, we found that the LIT was exceeding its targets to remove individuals who were classified as causing highest harm to the UK.
3. In 85% of the asylum cases we examined we found that decisions had been made within the Agency's 30 day timescale, well above the national average of 59%. We also noted that refusal decisions made by the Agency were being upheld by an independent adjudicator in just under two-thirds of the cases that appealed the decision. Although the LIT had undertaken no analysis of either allowed (39%) or dismissed appeals (61%) to either identify best practice or opportunities for improvement, the Agency informed us it had undertaken work nationally to examine the reasons why appeals were allowed, as well as looking at the impact of gender and nationality. This work did not fall within the scope of this inspection, so we are unable to comment further about it. But going forward we will expect to see asylum teams across the Agency using the outcomes of such analysis to drive improvements in asylum decision making.

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4. For those in the Migration Refusal Pool (MRP) (i.e. applicants who had been refused an extension of stay in the UK), 21 of the 44 cases we examined had left the UK, all but one by voluntary departure. However, of greater concern was the serious underestimation by at least two thirds of the number of cases that had been allocated to the LIT (400 to 600 against an actual total of 1,893). We noted that the only target in place at the LIT in relation to these cases was that the number of MRP cases should not increase. We therefore believe the Agency needs much more effective planning in place to deal with this stream of work in order to ensure it removes individuals still in the UK who have no right to be here, while setting out clear performance targets to manage these cases much more effectively.

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5. Although we found some evidence that staff were allocated to the task of locating and detecting absconders, it was clear this work was not a high priority for the LIT. We identified that the Agency's absconder tracing process was not always followed with our greatest concern being that nine absconders (out of 22) had not been circulated onto the PNC as either "wanted" or with a "locate trace" marker. We consider this was a significant failing and an issue the Agency needs to address.
6. We found that the intelligence unit provided comprehensive intelligence (or Intel) packages for the use of the Arrest Team. However, we also noted that these intelligence packages were deemed a success whether or not the individuals actually named in them were encountered or not (i.e. other individuals of immigration interest may have been encountered which would result in the visit being deemed a success). This meant there was little assessment of the effectiveness of the initial information that was received either on a local or national scale. This was primarily as a result of the various IT systems used by the Agency, which allow for analysis of information in isolation but do not facilitate an assessment of the end to end process. We believe such an approach is important because it would allow the Agency to make more effective use of its resources.

We found that the intelligence unit provided comprehensive intelligence (or Intel) packages for the use of the Arrest Team.

7. We found that the quality of the Arrest Team's operational planning was effective and noted the professionalism that the team displayed during both the briefing and the on-site activity stages of the visits we observed. We noted good engagement with all individuals encountered during these operations and saw that people were treated with dignity and respect.

We found that the quality of the Arrest Team's operational planning was effective

8. Although the number of complaints received by the LIT was low, they were handled poorly, with only one of the eight complaints in the previous 12 months being dealt with in the required timescale. This was typically because the focus was on negotiating ownership internally rather than dealing with the substance of the complaint. However, we found that correspondence from MPs was dealt with much more effectively, the target of responding to 95% within 20 days being missed by only 4%. Local MPs also stated that they had a good relationship with the LIT.
9. Despite the lack of a reporting centre we found that reporting at police stations was well managed by the LIT, with effective working relationships with the Police. Our sampling demonstrated that detention was also maintained lawfully and that detention reviews were completed in accordance with both statutory and Agency requirements.

10. The LIT had maintained effective working relationships with local stakeholders. Our file sampling demonstrated a good awareness by staff of their responsibilities relating to children, a finding supported by our interviews with staff. We also noted that one member of staff had received a national award for their work with children.
11. As with previous inspections we again found that the Agency was unable to retrieve a significant number of the files that we requested. In addition, we found that casework records on the Agency's IT caseworking system (CID) were not always complete. This meant it was not possible for us or others to determine the status of some of the cases we examined.

2. Summary of Recommendations

We recommend that the UK Border Agency:

1. Implements a plan to effectively manage all cases within the Migration Refusal Pool, ensuring that in all appropriate cases, individuals:
 - are served with appropriate notification informing them of the requirement to leave the UK; and
 - who have no right to remain in the UK are removed.
2. Takes action to improve its performance in relation to absconder recovery action, ensuring that people who have no right to remain are located and removed from the UK.
3. Demonstrates, through appropriate performance measures, how effective intelligence has been in identifying whether the information provided was productive in preventing and detecting immigration and customs offences.
4. Ensures that asylum support is withdrawn promptly from individuals who are no longer entitled to receive it.
5. Ensures CID data is accurate and improves its information management and file location abilities, so that all relevant documents are readily available.

3. The Inspection

- 3.1 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.
- 3.2 On 20 February 2012, the Home Secretary announced that the Agency and its Border Force directorate would split from 1 March 2012, with the Border Force becoming a separate operational command within the Home Office. The Home Secretary confirmed 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.
- 3.3 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 UK Border Agency and the Border Force, and reports directly to the Home Secretary.

Terms of reference

- 3.4 The terms of reference for this inspection were to assess the efficiency and effectiveness of the Hampshire & Isle of Wight Local Immigration Team and to make recommendations for improvement. To achieve this we used the Chief Inspector's inspection criteria¹, which are grouped under the themes of:
 - Operational Delivery;
 - Safeguarding Individuals; and
 - Continuous Improvement.

Background

Immigration Group

- 3.5 Immigration Group employs just over 7000 members of staff. It deals with applications for temporary and permanent migration, including work, study, visit and family cases, and leads on the Agency's enforcement work. The Immigration Group has staff located in six geographical regions across the UK:
 - London and South East;
 - North West;
 - North East, Yorkshire and Humberside;
 - Scotland and Northern Ireland;
 - Midlands and East; and

¹ See Appendix 1.

- Wales and South West.

Immigration Group London and South East Region

- 3.6 Geographically, the London and South East region covers all London boroughs, Kent, Sussex, Surrey, Oxfordshire, Berkshire, Buckinghamshire and Hampshire and the Isle of Wight. The London and South East region's objectives flow from the UK Border Agency's business plan objectives, which are to:
- secure the border;
 - control migration;
 - reduce costs; and
 - improve customer service.
- 3.7 The region seeks to provide a robust regional immigration service. Apart from leading the Agency's work in key areas such as appeals, travel documentation and MPs correspondence, it has to maintain its productivity with a decreasing budget, reducing from £107 million to £77 million by 2014/15². In the year 2010 – 2011, the London & South East Region recorded the removal of over 24,000 people which represented 60% of the Agency's total removals performance³.

Hampshire & Isle of Wight Local Immigration Team

- 3.8 Enforcement – which includes the apprehension and removal of those refused asylum, further leave to remain, or those who are found to be illegal migrants - remains a vital part of the Agency's work. If not carried out effectively, the Agency is likely to face growing numbers of illegal migrants; increased asylum support costs; loss of public credibility and rising asylum intake. For this reason, the importance of enforcement activity features significantly in the Agency's business plan.
- 3.9 The Agency's Business Plan for 2011-15 states:
- *We will continue to take tough action against those people illegally in the UK. Whether they have overstayed their visa, entered the country illegally or made an unfounded claim for asylum, we will aim to ensure that our decisions are enforced speedily and effectively;*
 - *We will continue to check sponsors, including colleges, to ensure they comply with their obligations;*
 - *We will continue to take action against employers who hire illegal workers;*
 - *Most foreign migrants and visitors obey the law. However we will take strong action against people who break our laws, threaten our national security or who try to profit from illegal immigration;*
 - *We will aim to maintain our performance on the removal and voluntary return of those who are in the UK illegally; and*
 - *We will prioritise enforcement against those who threaten national security, have been convicted of serious crimes or are involved in activities such as drug trafficking and human trafficking.*
- 3.10 In 2008, the Agency created Local Immigration Teams (LITs) to undertake as many functions as practicable at a local level in defined areas within regions. The teams were expected to have a much stronger local role in:

² The London and South East operating budget is being reduced from £107 to £77 million over the next four years: London and South East Business Plan 2011-2015.

³ The Hampshire & Isle of Wight contribution to this total was 420 people.

- working with partners, stakeholders and the community to address concerns on migration and manage the local impacts of immigration;
- participating in local partnership structures;
- supporting local businesses to comply with the rules;
- working effectively in partnership with other local agencies e.g. Local Authorities and Job Centres; and
- exchanging information with other agencies which help the Agency to manage immigration threats and prevent fraudulent access to benefits.

3.11 Work streams included in each LIT depend on the location, facilities and resources available and what is required in each area; but they will all, as a minimum, carry out active stakeholder engagement, enforcement and asylum case working activities and manage immigration offenders.

3.12 The Hampshire & Isle of Wight LIT was the first LIT to be launched by the Agency in December 2008. It replaced the Portsmouth Local Enforcement Office (LEO) which was split between two offices in Portsmouth and Southampton. Primarily involved with removals, it has now taken on extra roles including Sponsor Management and Asylum Caseworking.

Methodology

3.13 A number of stages were completed prior to the on-site inspection which took place in November 2011. The pre-inspection activities included:

- review of the latest relevant policy and guidance;
- review of management and performance information;
- review of documentary and electronic evidence submitted to the inspection team by the Agency;
- a survey of MPs;
- file sampling of:
 - asylum cases;
 - Migration Refusal Pool cases;
 - illegal working, Section 10 worker in breach⁴ and overstayers; and
 - unaccompanied minors cases.

3.14 During the on-site phase of the inspection we undertook focus groups and interviews with 38 members of staff; observation of three arrest team operations, and discussions with stakeholders. On 2 December 2011 the inspection team provided feedback on high level emerging findings to the Agency.

3.15 The inspection identified five recommendations for improvement to operational service delivery in the Hampshire & Isle of Wight LIT. A full summary of recommendations is provided on page six of this report.

⁴ Section 10(1) of the 1999 Act states that a person who is not a British citizen may be removed from the United Kingdom, in accordance with directions given by an immigration officer (IO), if a) having only a limited leave to enter or remain, they do not observe a condition attached to the leave or remain beyond the time limited by the leave; b) they use deception in seeking (whether successfully or not) leave to remain; and c) they belong to the family of a person to whom directions have been given for administrative removal under section 10.

4. Inspection findings – Operational Delivery

Decisions on the entry, stay and removal of people should be taken in accordance with the law and the principles of good administration

- 4.1 A primary function of the LIT is to identify and remove immigration offenders by case management, contact management, gathering intelligence and tasking the Arrest Team to act on the intelligence to locate them. Figure 1 shows the performance of the LIT against its removal targets in 2010/11 and 2011/12.

A primary function of the LIT is to identify and remove immigration offenders

Figure 1: Portsmouth & Isle of Wight removal statistics

	April 2010 – March 2011	April 2011 – November 2011
Target	387	207
Actual	420	225
Target exceeded by	33 (8%)	18 (8%)

- 4.2 Figure 1 shows that the LIT had exceeded its removal targets in 2010-11 and was continuing to do so in the current financial year (up to the time of inspection). The removals for April 2010 – March 2011 consisted of 215 enforced removals and 205 voluntary departures. Both of these mechanisms were important for the LIT to achieve its target number of removals.
- 4.3 In addition to achieving removals, there was a focus on removing those cases that might cause greater harm to the public. These were measured by way of a Harm Agenda Scale used by the Agency to prioritise which cases should be removed first. There were three categories of harm: A, B and C, as detailed in Figure 2:

Figure 2: Harm categories

Harm	Description
A	The most serious, and posed the highest risk to the UK. Terrorists, murderers, rapists, people/drug traffickers and serious persistent criminals would be classified as Harm A.
B	Refers to illegal working, dishonest claims for asylum support, identity fraud and health tourism.
C	This would include immigration offences, document abuse, anti-social behaviour and being a drain on public funds.

- 4.4 As part of the LIT's removal target, there was a target to remove a certain percentage of individuals who were allocated in the top two categories (Harm A and Harm B). In 2010-11, the target was 20% of all removals and in 2011-12, the target was 19%. Figure 3 shows these targets were significantly exceeded.

Figure 3: Harm reduction cases removed		
	April 2010 – March 2011	April 2011 – November 2011
Total number of removals	420	225
Target number of Harm A and B cases	84	48
Actual number of Harm A and B cases	134	96
Target percentage	20%	19%
Percentage of Harm (A + B) cases	32%	38%

- 4.5 The Tasking and Co-ordination Group (TCG) meeting is a weekly meeting led by the LIT Manager. Part of the meeting is to plan the removal of specific individuals in order to meet the targets set. Ensuring that people leave the UK was done via the tasking of the various LIT teams with both targets and specific cases. This tasking process was effective, with clear reporting mechanisms and performance management via the weekly Tasking and Co-ordination Group (TCG) meetings. Limited resources were flexibly deployed across the different business areas. We saw evidence of this from our observation of TCGs and from the minutes of the TCG meetings.
- 4.6 Staff had clearly defined roles and responsibilities with a good level of understanding of how teams interact to deliver targets. They spoke confidently on their business areas in the TCG meetings and during interviews and focus groups.
- 4.7 We identified good practice in the use of local spreadsheets to assist management of cases, eg: identification of highest priority barrier casework. This enabled managers to assess workflow and direct limited resources to cases in order to achieve removals.
- 4.8 There was clear prioritisation of work, however, the impact of this was that lesser priority areas were not always tackled. For example:
- the Agency was not managing cases within the Migration Refusal Pool effectively;
 - cases where there was a lower likelihood of removal were not actioned, such as those where removal of a specific nationality was difficult;
 - a 15 day target to respond to correspondence regarding additional information submitted (known as Further Representations⁵) - this target was not met in six of the 64 failed asylum cases we examined (10%); and
 - timeliness of responses to complaints (only one of the eight complaints received met the 20 working day deadline as set by the Agency).

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⁵ The term given to grounds submitted to the UK Border Agency by those who have already made an unsuccessful asylum claim to remain in the UK, and who ask for their claim to be re-considered.

Assisted Voluntary Returns

- 4.9 Assisted voluntary returns (AVR) refer to a range of programmes that are available to individuals who are in the asylum system or who have no legal reason to remain in the UK and who wish to return home permanently. An applicant is provided with help to return to their home country and AVR offers a dignified and more sustainable return. It has significant advantages for both the applicant and the Agency, but is reliant on the individuals' awareness of the scheme.
- 4.10 There was no Reporting Centre within the Hampshire & Isle of Wight area which would allow the LIT to have more face to face contact with reportees and promote AVR more effectively. However, we found that there was a structured AVR process in place within the LIT that was well understood by staff. This included how and when to communicate the AVR process to applicants.
- 4.11 The AVR process was particularly important as nearly half the removals in the Hampshire & Isle of Wight LIT in 2010/11 were voluntary departures. We noted this was a significant improvement over the previous year, (2009/10), when AVRs made up 17% of removals.
- 4.12 Our file sampling demonstrated that AVR had been promoted in all cases where asylum had been refused. For the Migration Refusal Pool cases, seven of the 42 cases had AVR promoted, although we noted it was not appropriate in all circumstances. A good example of this is set out in the case study at Figure 4.

Figure 4: Case study – a good example of when AVR was not promoted

The applicant:

- applied for a student Entry Clearance in July 2006 and was refused
- subsequently appealed which was allowed and was issued a student visa from June 2007 until 31/10/2009
- submitted an out of time application for Leave to Remain under Tier 4 in April 2010, which was refused with no Right of Appeal
- solicitor requested a reconsideration of case under Article 8 grounds in January 2011, which was duly responded to by the LIT
- was informed in July 2011 that the decision to refuse was maintained and was served with form IS151A⁵ and asked to report weekly
- had their case certified in August 2011 as clearly unfounded and was advised to make all further enquiries with their local LIT office.

Chief Inspector's comments:

- AVR was not promoted and rightly so. The applicant had the means to make their way back to their home country as exemplified in their father offering to reimburse the cost of the Public Expense Removal.

- 4.13 In all cases, the letter issued to the applicant had details of help and advice on returning home via the International Organisation for Migration (IOM)⁷.

⁵ Form IS151A - This informs a person that they are an illegal entrant / immigration offender.

⁷ From April 2011, this function is carried out by the organisation Refugee Action via the Choices Assisted Voluntary Returns Service.

File sampling

- 4.14 This section provides detailed results and analysis of the files we examined as part of our inspection. In total, 218 files were requested, chosen randomly from the cases managed by the LIT. Of the 218 files requested, 174 were sampled by the inspectorate team. Figure 5 sets out the categories examined together with numbers of cases sampled in each category. All cases were from 2010.

Figure 5: Numbers of files sampled in each category

Category	Requested	Sampled	Notes
Asylum refused	70	64	Six were out of scope as the LIT had no involvement in either the decision or the removal process. 20 files could not be retrieved from central storage and so substitutions were made.
Asylum granted	30	3	Only three cases were granted discretionary leave/humanitarian protection/refugee leave during the time period specified.
Migration Refusal Pool	50	45	Four files could not be found, and one was out of scope.
Immigration offenders ⁸	60	54	Two files could not be found on site, and 22 files could not be retrieved from central storage so some substitutions were made.
Minors ⁹	8	8	
Total	218	174	

- 4.15 We were concerned about the Agency's inability to retrieve 46 of the files that we requested (21%). Two files could not be located at the LIT, but a further 44 could not be retrieved from where they were stored off-site, despite efforts being made by the Agency to obtain them. This inability to retrieve files from the off-site storage facilities is clearly not acceptable and needs to be addressed by the Agency. This is an issue that we frequently encounter during inspections and the Chief Inspector, in his annual report for 2010/11, commented "*I continue to experience difficulties in obtaining accurate or timely information from the Agency. There have been occasions where case files cannot be accessed because they are filed incorrectly or, in some cases irretrievably lost. This was a key feature of my inspection of the use of Country of Origin Information (COI)*". We therefore make a similar recommendation on page 21 of this report, in the section on Asylum.

We were concerned about the Agency's inability to retrieve 46 of the files that we requested (21%).

Timeliness

- 4.16 At the time of our inspection, the Agency's target was to make a decision on asylum cases within 30 days of the substantive interview¹⁰. For the Migration Refusal Pool (previously known as Economic and Family Migration) cases, overstayers and illegal entrants, we looked at how the files had been managed and any correspondence involved as the decision had been made prior to the case being allocated to the LIT. For all categories, we looked at whether the person had left the UK and how long this had taken.

⁸ Illegal entrants/Section 10 offenders/ Overstayers/ Workers in Breach of their conditions of stay in the UK.

⁹ A person under the age of 18.

¹⁰ A full asylum interview that covers all the details of the asylum claim.

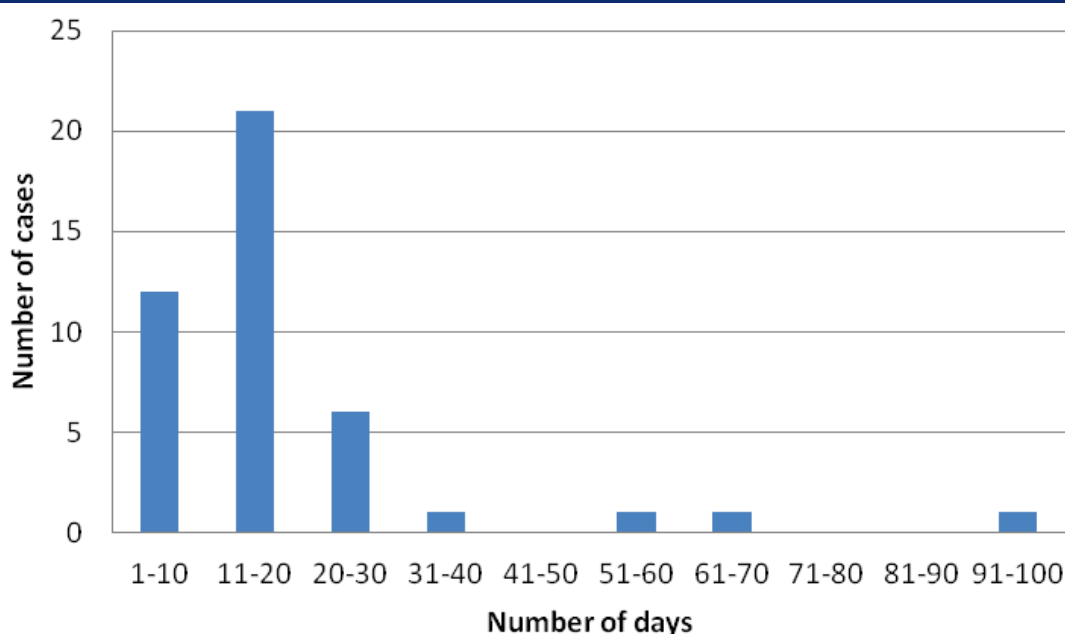
Asylum

- 4.17 Of the 44 files where the decision was made at the LIT, we found that the decision was made within the 30 day timescale on 40 occasions. This showed that decisions were made within timescales in 91% of the cases we sampled. Figures published by the Agency relating to the period March 2010 to February 2011 show that the national average was 59%, demonstrating that the performance of the LIT was better than the performance across the Agency as a whole.
- This showed that decisions were made within timescales in 91% of the cases we sampled.*
- 4.18 We found that there was no backlog of asylum cases and that current asylum decisions were being made within the 30 day timescale in the majority of cases we examined. Managers were examining workflow to better control case allocation in order to ensure that decisions were made in time. This contrasted favourably with the Chief Inspector's report *Asylum: Getting the Balance Right?* where we raised concerns regarding a build up of asylum cases due to targets not being met.
- 4.19 Of the 44 cases where the decision made by the LIT was to refuse asylum, 31 applicants lodged an appeal against the decision to an independent Immigration Adjudicator. Of these 31, 12 of the appeals were allowed and 19 were dismissed. This meant that the Immigration Adjudicator confirmed that the LIT had made the correct decision in 61% of the cases. Without examining each appeal individually, it was not possible to identify why 39% of the appeals were allowed, but we noted allowed appeals were not being routinely examined within the LIT to determine why its refusal decisions were being overturned.
- 4.20 Although appeal analysis was not being undertaken within the LIT, the Agency informed us it had undertaken work nationally to examine the reasons why appeals were allowed, as well as looking at the impact of gender and nationality. It added that a number of detailed recommendations were subsequently made to drive improvements in decision quality. This work did not fall within the scope of this inspection, so we are unable to comment further about it. But going forward we will expect to see asylum teams across the Agency using the outcomes of such appeal analysis to drive improvements in asylum decision making. This is essential to help identify improvement opportunities and embed a culture of continuous improvement. It is also a key indicator of the effectiveness of asylum decision making.
- 4.21 Of the three cases where the decision had been made to grant discretionary leave/humanitarian leave/humanitarian protection, one, where the decision had been taken elsewhere, missed the decision target of 30 days by seven days. Of the two cases where the decision had been made at the LIT, one was well within the decision target date (nine days), and one took 126 days for a decision to be reached. This case had been referred to the Special Cases Directorate (SCD) the day after the substantive asylum interview (28/10/10), but a decision to grant was not made by a Senior Caseworker until 03/03/11. However, notes on the Agency's computer records show that this case was monitored frequently by the LIT case owner.
- 4.22 Of the 64 asylum refused cases that we reviewed, 44 decisions to refuse asylum had been made at the LIT, with the remaining 20 decisions being made elsewhere in the Agency. Figure 6 shows the breakdown of asylum decisions.

Figure 6: Asylum decisions

	Decisions in time	Decisions out of time	Notes
Decisions made at LIT	39	5	2 Disputed nationality 1 Awaiting report from external organisation (no decision had been made at time of sampling) 2 Referred to be certified ¹¹
Decisions made elsewhere	17	3	

4.23 Figure 7 shows the length of time it took to make the asylum decision at the LIT.

Figure 7: Asylum refusal decisions times

4.24 For those 44 asylum refusal decisions made at the LIT, the decisions were generally made very quickly. Of the five cases that did not meet the target, two had to be referred for certification (see footnote 11) of the asylum claim and three were disputed nationality cases where the asylum decision could not be made until the nationality of the asylum applicant had been resolved. In terms of cases concluded, we found that of the 67 decisions made, three had been granted leave to remain in the UK. Of the 64 cases refused asylum, nine had been removed, 13 had their appeals allowed, which left 39 cases still awaiting removal. This shows an overall conclusion rate of 34% for the cases we examined, although we cannot compare this with national targets as they are measured over a range of time periods which we did not cover as part of this inspection. Figure 8 shows the reasons why removal had not taken place in these 39 cases.

¹¹ Section 94 of the Nationality, Immigration and Asylum Act 2002 gave the Agency the ability to 'Certify' an asylum or human rights claim as clearly unfounded in two sets of circumstances: i) Where the country in which the applicant is entitled to reside appears on the Non Suspensive Appeal (NSA) list – a list of countries where claims are deemed as bound to fail; ii) Where the facts of the case lead the decision maker to believe the case to be clearly unfounded – this is known as case by case certification.

Figure 8: Asylum refused not removed from UK

Reason	Number
Absconder	9
Nationality pilot ¹²	7
Awaiting Travel Document	6
Further representations (see footnote 5)	6
Reason not evident	6
Other	3
Outstanding Appeal	2
Total	39

- 4.25 We found good examples of the LIT actively managing cases to achieve removal effectively, for instance the case study in Figure 9, below:

Figure 9: Case study – active management of a case

The applicant:

- arrived in UK on their own passport with a valid visit visa
- claimed asylum at an Asylum Screening Unit
- had their asylum claim certified as having no foundation and they could be removed.

The LIT:

- dealt with a CID-generated incorrect barrier to removal (it gave a right of appeal)
- resolved further representation and a last minute claim for a Judicial Review
- argued successfully that asylum support should not be ceased even though it should have been as they wanted to detain the applicant on reporting
- successfully removed the failed asylum seeker.

Chief Inspector's comments:

- this is an example of the LIT actively managing a case to achieve the effective removal of a failed asylum seeker.

- 4.26 However, we also found that CID had not been completed in eight asylum cases refused by the LIT and therefore we were concerned as to the quality of the case information available both within the LIT and to a new caseowner should, for instance, a person move address and the caseworking would therefore be taken on by another LIT. We consider that the Agency needs to ensure appropriate records are maintained so that cases can be managed effectively across the organisation.

¹² The nationality pilot is currently centrally approving removal of only specific cases that meet certain criteria.

We recommend that the UK Border Agency:

- ensures CID data is accurate and improves its information management and file location abilities, so that all relevant documents are readily available.

Migration Refusal Pool

4.27 The Migration Refusal Pool (MRP) consists of those cases where an application has been made in the UK to remain as, for example, a student, and has been refused. Applicants are given notice that they must leave the UK within 28 days. Following the decision to refuse the application, but while the applicant is still in the UK, cases are referred to as Work In Progress (WIP). There are various types of case categories within this WIP, including individuals who:

- have been refused and should leave the UK, but have not done so;
- may have applied for leave in another category;
- have outstanding appeals or other legal barriers; or
- have left the UK voluntarily by a route not captured by E-borders.

4.28 During our inspection LIT staff provided us with contradictory information about the number of cases actually in their MRP WIP. The number of cases they told us they were responsible for numbered between 400 to around 600 cases. They were unsure how many of these individuals might have left the UK already because not all departures would have been captured. We requested the latest figures¹³ for the MRP WIP, both nationally for the Agency as a whole and for the LIT covering the period shown in Figure 10.

Figure 10: MRP WIP 17 October – 12 December 2011

	17th Oct	24th Oct	31st Oct	7th Nov	14th Nov	21st Nov	28th Nov	5th Dec	12th Dec
National	153,821	155,514	156,451	156,815	157,131	157,628	158,731	158,789	159,313
Change	n/a	+1,693	+937	+364	+316	+497	+1,103	+58	+524
Hants & IoW LIT	1,810	1,835	1,882	1,891	1,871	1,868	1,882	1,889	1,893
Change	n/a	+25	+47	+9	-20	-3	+14	+7	+4
% of National	1.2%	1.2%	1.2%	1.2%	1.2%	1.2%	1.2%	1.2%	1.2%

Note: Management information provided by the Agency.

4.29 This shows that the MRP WIP for the Hampshire & Isle of Wight LIT was holding steady, at 1.2% of the national total, which itself was increasing week-by-week. We noted that the figures that the LIT were responsible for were over three times higher than the staff believed them to be. As a result we found that staff within the LIT were unaware of the scale of their responsibility in relation to these cases.

¹³ The figures are only as accurate as the information contained on CID. The Migration Refusal report captures all in-country GCID (excluding Travel Documents) cases initially refused on CID since 15th December 2008. All associated case types have been reviewed in order to provide each applicant with their current overall immigration status within the UK. It does not capture applicants who have initially been granted leave (which has now expired) and subsequently overstayed, Failed Asylum Seekers or Illegal Entrants (unless they have a G-CID application refused). The Migration Refusal report may include some applicants who have left the UK of their own accord but have not been captured by Semaphore. These figures now exclude all EU/EEA nationals, and only include those that have a 'person status' of 'actionable' i.e. do not have any outstanding decisions, appeals or extant leave and are therefore Appeals Right Exhausted.

4.30 Staff told us there were no national targets for these cases, other than the guidance the Agency had issued stating that the WIP should not increase. We were also told that approximately 40% of the individuals (cases) held in the live WIP at the LIT had not been served the forms informing them of the requirement to leave the UK. The Agency subsequently told us that targets for this work within the LIT were included within individual's personal objectives.

4.31 Given our concern about the quality of the information available to the LIT, we cannot see how it was possible for the LIT to manage these case numbers effectively, especially as targets sat within individual's personal objectives, which provided no effective upward reporting system. This issue is a national problem. We believe the Agency needs to be much more pro-active in providing a clear strategic direction for its staff to follow in dealing with the MRP cases. This should stop the already significant backlog from increasing and ensure that steps are taken to reduce it over time.

we cannot see how it was possible for the LIT to manage these case numbers effectively, especially as targets sat within individual's personal objectives, which provided no effective upward reporting system.

We recommend that the UK Border Agency:

- implements a plan to effectively manage all cases within the Migration Refusal Pool, ensuring that in all appropriate cases, individuals:
- are served with appropriate notification informing them of the requirement to leave the UK; and
- who have no right to remain in the UK are removed.

Migration Refusal Pool – File sampling

4.32 Of the 50 files we requested, we received 46, although two of these were out of scope, therefore 44 case files were analysed. Of the 44 cases we examined, 21 (48%) had left the UK. One was an enforced removal and the other 20 were voluntary departures.

4.33 Figure 11 provides details about the remaining 23 cases (52%), where removal had not taken place.

Figure 11: Migration Refusal Pool cases still in UK

Reason	Number	Notes
Other	7	These included consideration outside of the rules, previous deception, additional application to Managed Migration Team, Discretionary Leave granted, prison sentence being served.
Further Representations	6	
Absconder	4	All cases had an action taken by the LIT relating to their classification as an absconder.
Appeal	2	
Reason not evident	2	
Awaiting Travel Document	1	
Compassionate	1	Requested an extension of stay to attend a religious retreat.
Total	23	

- 4.34 We identified some issues during the transition periods where the decision on a case had been made elsewhere, but correspondence was being received by the LIT, for example, the case study in Figure 12.

Figure 12: Case study – Delays during transition period

The applicant:

- first entered the UK in October 2006 with a visit visa valid until April 2007
- remained in the UK following that with no legitimate leave
- applied for leave to remain in the UK in November 2009 indefinitely as the dependant relative of someone settled here
- was refused leave to remain on 25/05/10 with 28 days to leave the UK
- had the decision reconsidered at their solicitor's request on 27/07/10.

The LIT:

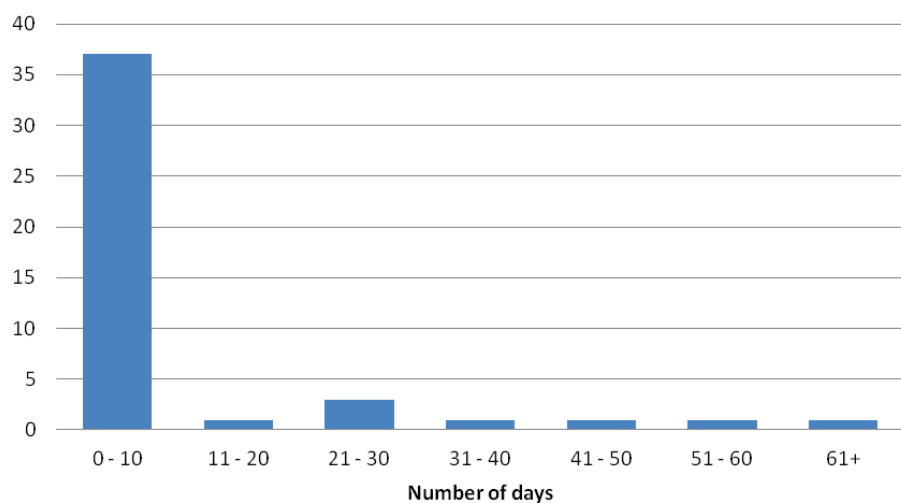
- sent a letter to the applicant on 17/09/10 informing them to leave within 28 days, but the letter was returned as not collected
- started enforcement action by sending a letter out to the applicant on 16/03/11, some six months later
- received a letter of complaint from the solicitors on 28/6/11 – this had in fact been received initially by the original caseowner one week before
- caseworker recorded a note on CID dated 24/08/11 stating they were not sure whether the complaint letter had been dealt with by the original case owner. It was therefore resent to the original case owner
- received the same complaint letter on 16/09/11. The LIT again contacted the original case owner and was advised to forward the letter to the settlement team in Liverpool as these decisions were now made centrally (on 25/11/11 there was a note on CID that the settlement team in Liverpool had still not received the letter)
- was advised by a Senior Caseworker on 20/12/11 to make a fresh decision on the case.

Chief Inspector's comments:

- this is an example of how delays can occur in a case. There was a six month delay between the letter to the applicant being returned as "not collected" and enforcement action being initiated
- in addition, a letter received by both the original case owner and the LIT was not actioned for at least five months. It is not clear from CID whether it was ever answered as advice was subsequently given to make a fresh decision on the case
- the Agency needs to manage this process much more effectively to ensure that the decision on a person's case is made quickly and efficiently, and that correspondence is dealt with effectively.

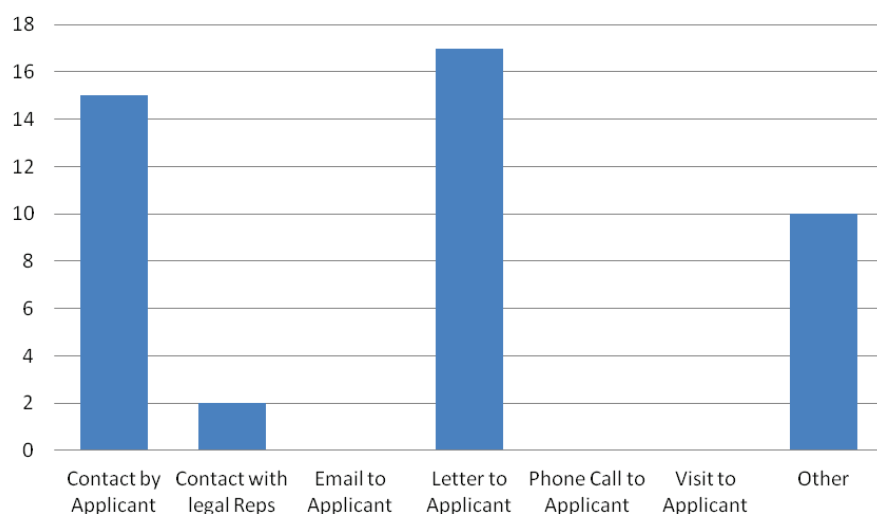
- 4.35 As part of our file sampling, we looked at how long it had taken for the LIT to take the first action after being allocated the case. We found that the case history on CID was not always clear, and in some cases CID showed that the LIT had taken action prior to being formally allocated the case. This may have been due to the way that the LIT had been finding and drawing its cases from the central store prior to the formal allocation of the case. We took this time period to be 0 for our calculations. Figure 13 shows the time taken for the LIT to take the first action.

Figure 13: Time taken for first LIT action



4.36 We found that the first LIT action was generally quick, although we noted that in just over a quarter of the cases this action was instigated by the applicant. Figure 14 refers.

Figure 14: Type of first action



4.37 We noted that four of the cases had representations from an MP. Three responses were made within the 20 day target set by the Agency, with the final response being made on the 21st day.

4.38 We found that the LIT had effective contact management with the MRP cases that we examined, generally via reporting. It had a clear structure for the frequency of reporting, and the TCG had made arrangements for people to be detained when attending a reporting event.

4.39 However, as previously described, we had significant concerns about the management of the Migration Refusal Pool, including:

- the LIT being unaware of the total number of MRP cases it was responsible for;
- inaccurate information on the CID database regarding case ownership; and

- the Agency's plan for effectively managing this work.

Persons liable to administrative removal (Immigration Offenders)

- 4.40 Administrative removal refers to individuals who are liable to be removed from the UK under section 10 of the Immigration & Asylum Act 1999¹⁴. This includes individuals that have:
- overstayed their leave to enter or remain in the UK;
 - breached a condition of leave to enter or remain (eg. working in breach); or
 - sought or obtained leave to remain by deception (eg. illegal entrants who can also be referred to as Section 10 offenders).
- 4.41 We examined 54 files in this category: 30 illegal entrants or Section 10 offenders, 22 workers in breach, and two where there was both a working in breach and a Section 10 offence.
- 4.42 Of the 54 cases, 40 had been removed from the UK, 37 with a passport and three with an emergency travel document. Of the 14 cases that were still in the UK, nine were absconders, one was awaiting a travel document, one had claimed asylum, and in the other three it was not possible to tell from the file or CID what had happened to the case. One may have outstanding Further Representations, but these related to a claim made in April 2011, and there did not appear to be any further actions on this case. The last actions on the other two cases were made in July 2010 and September 2010, with no further actions recorded on CID.
- 4.43 We found some good practice in identifying if a person could be removed from the UK at carrier expense¹⁵ as set out in the case study at Figure 15.

Figure 15: Case study – Carrier's expense removal

The applicant:

- was encountered working and held a valid and current student visa, but had never studied at college
- was considered as an illegal entrant using verbal deception
- was detained and removed at carrier expense as the stub of an inbound ticket for his UK arrival date was found in his possession.

Chief Inspector's comments:

- by searching for and finding this evidence, travel costs associated with the removal were borne by the carrier rather than the Agency.

General findings for the overall file sample

- 4.44 We found that all the decisions we saw were made in accordance with the law. We also saw evidence of a focus of resources on the areas of highest impact so that the key targets for removals (Harm A and B cases), and asylum decisions were met. However, this had an impact on lower priority work, particularly MRP cases, in addition to delays in dealing with complaints and further representation.

We found that all the decisions we saw were made in accordance with the law

¹⁴ <http://www.legislation.gov.uk/ukpga/1999/33/contents>.

¹⁵ If the inbound carrier (i.e. airlines or ferry companies) can be identified, the carrier is responsible for their removal costs under Paragraph 9 of Schedule 2 to the 1971 Act.

- 4.45 We also found there were problems with the way in which records were maintained on CID. For example, there were 10 cases where it was not possible for us to tell from CID the status of the case and what actions were being taken. We have made a recommendation on this issue earlier in the report.

Customs and immigration offences should be prevented, detected, investigated and, where appropriate, prosecuted.

The intelligence unit

- 4.46 The role of the intelligence team is to analyse incoming information and convert it into usable intelligence. Information could arrive, for example, in the form of anonymous allegations from members of the public, information from other government departments or from other areas of the Agency. The intelligence team analyse this incoming information, prioritise it so that cases of the highest potential harm (such as those involving children or trafficking) are allocated the highest priority, and produce 'Intel packages'. These packages could contain the name, address or other details relating to suspected immigration offenders, or people who are liable to detention. These packages would then be passed to other teams, including the arrest team, who use them to prepare arrest team operations.
- 4.47 The distribution of packages was effectively managed at the Tasking and Co-ordination Group meeting (which is explained in more detail in Chapter 6). With regard to the use of intelligence:
- the intelligence team presented the packages for the following week;
 - any issues and potential problems were discussed and resolved;
 - a decision was made on which packages would be actioned by the Arrest teams;
 - any rejected packages were considered in the wider context, for instance, the age and validity of the information received; and
 - the results of the previous weeks' operations were reported showing a positive cycle of feedback.
- 4.48 Figure 16 shows the statistics for the Hampshire & Isle of Wight LIT as gathered from the National Operations Database (NOD):

Figure 16: Hampshire & Isle of Wight Statistics from NOD

	01/10/09 – 30/09/10	01/10/10 – 30/09/11
Total no. of arrest team operations conducted	304	328
No. of people encountered	1046	920
No. of people arrested	230	210

- 4.49 The way in which the TCG operated showed that there was a satisfactory flow of information coming into the Intelligence unit, which was responsible for converting this information into intelligence packages. The TCG then tasked and allocated resources which led to arrests.

Assessment of intelligence

- 4.50 We found that some aspects of intelligence were measured and saw evidence of this in a locally compiled spreadsheet that captured whether an arrest was made as a result of the arrest team operation. However, we found that the intelligence package was deemed a success whether or not the arrested person (or persons) was named in it or not. This meant the intelligence package could list any number of names, but still be considered a success if none of those people were encountered or arrested.
- 4.51 We believe that measures of success should go further and include an assessment of the end to end process from the receipt of intelligence to the final outcome of any encounters, rather than looking at each stage in isolation. For example, we consider analysis should be undertaken to determine whether the named individuals on the Intel package were actually encountered – this would help the Agency to make an informed assessment of the quality and reliability of the original information being provided.
- 4.52 Currently, the various IT systems used by the Agency allow for analysis of information in isolation but do not facilitate an assessment of this end to end process. For example, intelligence may be recorded on one database (Athena), details of arrest team operations on another (NOD) and case history details on another (CID).
- 4.53 This leads to a lack of readily available information on which managers are able to make decisions regarding the allocation of resources. Analysis of management information on the end to end process might allow the Agency to make more effective use of resources. For example, focussing resources on the types of intelligence that are more likely to lead to a successful removal of immigration offenders from the UK. This may indicate that external sources, other law enforcement agencies or Agency teams provide intelligence that is more likely to lead to a removal than other types of intelligence.
- 4.54 It was therefore impossible for us to assess the quality of intelligence, productivity or resourcing. One manager told us, “*We want to do more analysis of our results and use the information to make decisions on what jobs we do in the future.*”
- 4.55 In the Chief Inspector’s report: *Preventing and detecting immigration and customs offences: A thematic inspection of how the UK Border Agency receives and uses intelligence*, he made the recommendation, “*that the UK Border Agency demonstrates how effective intelligence has been in preventing and detecting immigration and customs offences through appropriate performance measures*”. This was accepted by the Agency which stated that new operational performance measures would be reported to the UK Border Agency Board on a quarterly basis beginning in May 2011. This would provide evidence of how intelligence activity contributed to operational performance, including the prevention and detection of immigration and customs offences. This was not happening in the Hampshire and IoW LIT at the time of our inspection - we therefore repeat our earlier recommendation.

We recommend that the UK Border Agency:

- demonstrates, through appropriate performance measures, how effective intelligence has been in identifying whether the information provided was productive in preventing and detecting immigration and customs offences.

Absconders

- 4.56 An absconder is defined as “*an individual who has breached conditions placed upon them by the Agency and whose current whereabouts are unknown*”. It is part of the role of the LIT to identify and take steps to recover absconders in order that they can either regularise their stay within the UK, or remove them from the country. We found that there was a clear process for dealing with absconders, which included:
- CID checks to identify whether there was any reason for the non-compliance;
 - contact by telephone of the person and/or their legal representative (if they have one);

- a compliance visit;
- absconder referral to an authorising officer;
- referral to the National Absconder Tracing Team (NATT); and
- placing the individual on the Police National Computer (by NATT) with either a “wanted” marker for high harm or removal cases, or a “locate trace” marker for non-removable cases.

4.57 We found evidence from our file sampling that some resources were allocated to locating and detecting absconders, including sending letters and visits to last known home addresses. Figure 17 shows the actions taken on the known absconders from our file sampling analysis.

Figure 17: Absconder statistics				
	Asylum refused	MRP	Immigration offenders	Totals
File sample size	65	46	60	171
Number of absconders	9	4	9	22
Letters sent	8	3	5	16
Home visit	3	0	1	4
Telephone call	1	0	0	1
Added to PNC	3	3	7	13

4.58 We found that while absconders were not ignored, it was clear they were not a high priority for the LIT. Not all the steps in the absconder tracing process had been recorded on CID, and it was not clear how these cases were factored into the work of the LIT. We also noted that only 13 out of 22 absconders (60%) had been added to the PNC as either “wanted” or with a “locate trace” marker. This was an important omission, because the Agency failed to take positive action to ensure the Police were notified of those individuals who had failed to comply with its instructions. As a result, should any of these individuals come into contact with the Police, there was less likelihood that the Agency would be contacted to instigate removal action in appropriate cases.

We found that while absconders were not ignored, it was clear they were not a high priority for the LIT.

4.59 Our LIT inspection findings mirrored to some extent our inspection findings at Heathrow Terminal 3¹⁶. In this report we again stated that the Agency and Border Force needed to take much more proactive action to demonstrate their commitment to tackling absconders who typically have no right to remain in the UK.

We recommend that the UK Border Agency:

- takes action to improve its performance in relation to absconder recovery action, ensuring that people who have no right to remain are located and removed from the UK.

4.60 We find that at the time of our inspection, a request had been made to a central analysis team to provide the following information on behalf of the South East region:

- *How do we locate absconders? Where?*
- *How can we improve our tracing methods?*
- *Where have absconders been during their period of absconding?*

¹⁶ <http://icinspector.independent.gov.uk/wp-content/uploads/2012/02/Inspection-of-Border-Control-Operations-at-Terminal-3-Heathrow-Airport1.pdf>

- Which nationalities are most likely to abscond?
- At what point in the process are subjects most likely to abscond?

4.61 This information was based on names provided by the South East LITs of Failed Asylum Seekers who had been recorded as absconders in the last 12 months. We were told that these names were to be manually cross referenced across CID, NOD and Athena. We consider this was a positive initiative taken by the LIT in order to identify whether changes were required to its processes to reduce the rate of absconding.

Notice of Potential Liability

4.62 When an employer is found to have employed an individual illegally, they will be served with a Notification of Potential Liability (NOPL) notice. The Civil Penalty Compliance Team (CPCT) will then investigate the alleged offence and determine whether or not a civil penalty is to be issued. If, after the investigation, it is decided that no offence has been committed, a Notice of No Liability (NONL) will be served on the employer and no further action will be taken. In the event that a civil penalty is to be issued, a Notice of Liability (NOL) will be produced and served on the employer.

4.63 The employer has 28 days to object and/or appeal against the penalty which will be considered by the CPCT. However, if the penalty still stands, the employer is then required to pay the civil penalty. Figure 18 shows the national and regional statistics for the period 1st April to 30th November 2011.

Figure 18: Civil Penalty Statistics 01/04/11 – 30/11/11

	National	L&SE Region	Hampshire & Isle of Wight LIT
Referrals to CPCT	1154	369	25
NOLs + Warning Letters issued	906	283	22
Conversion rate of NOPL to NOL	78%	77%	88%

4.64 These figures show that the conversion rate for a Notice of Potential Liability into an actual Notice of Liability was both higher than the regional and national average, but due to the file sample period, it was too early to comment on the actual financial recovery.

4.65 However, as reported in “*An Inspection of the Civil Penalties Compliance Team*” report published in November 2010, we noted that there was no direct feedback to the LIT on how many of their NOPLs actually resulted in a penalty being paid. It was also unclear whether there was a target for this conversion of NOPLs to actual money received.

4.66 Whilst we understand that it is difficult for the LIT to influence the collection of penalties, we were concerned that this information was not passed back to them despite them being the source of the information on which the penalty was based. However, we noted that there was good engagement with CPCT in Manchester. For example:

- the Arrest Team had a Single Point of Contact for NOPLs;
- CPCT provided training locally to the LIT team;
- the Officer in Charge was notified of the outcome of the NOPL referral; and
- the illegal working bulletin (including lessons learned) issued by CPCT was circulated to Arrest Team staff.

Complaints procedures should be in accordance with the recognised principles of complaints handling.

- 4.67 Although only eight complaints had been made to the LIT, we noted that there was poor performance in responding to these complaints. We found only one of these complaints had been dealt with in the required timescale set by the Agency (i.e. 95% receiving a full response within 20 working days).
- 4.68 We noted that there had been some progress since the Chief Inspector published his report *“Lessons to learn: The UK Border Agency’s handling of complaints and MPs’ correspondence”* in July 2010. We noted that there were now clear service standards for each customer service unit (Recommendation 2), and that there was a single point of entry to the complaints procedure with a single telephone number (Recommendation 15).
- 4.69 The LIT had recognised that ownership of complaints was an issue, especially for complaints they received that were reliant on information from another unit within the Agency. In these cases we saw evidence that the focus was on negotiating ownership internally rather than dealing with the substance of the complaint and responding appropriately to the complainant within the timescales. This was unacceptable as complainants have a right to a full response within 20 working days.
- 4.70 This indicated that the Agency still has some way to go in addressing recommendation 5 of our Complaints inspection report in establishing clear accountability for meeting performance targets.

MPs’ correspondence

- 4.71 The Agency had set a target to respond to 95% of letters or e-mails from MPs within 20 days. The LIT informed us that, at the time of inspection, it was achieving a 91% success rate against this target.
- 4.72 From our file sampling, we found evidence of only four representations from MPs. Of the four received, only one exceeded the target by a single day.
- 4.73 We contacted all 18 Members of Parliament representing the Hampshire and IoW constituencies for their views on the work of the LIT. Seven MPs responded by way of an on-line survey.
- 4.74 All of the MPs who responded said that they had contacted the Agency by letter. In November 2011, the Agency was meeting its target in 86% of cases for that year. From our survey, three of the seven MPs stated that they contacted the Agency more than 50 times a year. Five of the seven said that the response to a letter took between 31-40 days, with the other two stating a shorter time period. Three out of seven stated that they received a response to e-mails within 20 days, and another three within 21-30 days.
- 4.75 All stated that the responses from the Agency were clear and easy to understand and the majority said that their specific questions and concerns were answered. Five out of the seven said they were satisfied or very satisfied with the overall quality of the responses, but two said they were dissatisfied, although they did not expand on the reasons for this.

4.76 One MP stated how they contacted the LIT for advice and that in 90% of the cases, received a substantive reply from the LIT which was satisfactory for the constituent without further contact with the Agency. The same MP also stated that the local team had been extremely helpful, including holding meetings with them to establish a constructive and supportive relationship. They felt that the value of having an immediate central contact with whom to discuss any area of immigration could not be overestimated; and the ability to get a rapid response to an urgent enquiry had enabled their office to provide a better service to their constituent.

We noted that this was a good level of engagement with the local MPs and that the LIT was delivering a local service that answered queries at the earliest opportunity.

4.77 We noted that this was a good level of engagement with the local MPs and that the LIT was delivering a local service that answered queries at the earliest opportunity.

5. Inspection Findings – Safeguarding Individuals

All people should be treated with respect and without discrimination except where the law permits difference of treatment

- 5.1 We found that there was very good evidence of people being treated with dignity and respect. These included:
- good engagement with all individuals encountered during arrest team operations; good quality correspondence on files; and
 - considerate treatment of people whilst reporting.

Reporting

- 5.2 Reporting is a requirement placed on individuals to ensure there is regular contact with the Agency. It can also allow for the regulation of asylum support funds; requests for information and updates on progress of their cases; the promotion of assisted voluntary return schemes and of unassisted voluntary departure.
- 5.3 The Agency has a duty of care to those people who report. Within its guidance¹⁷, it states that the Agency needs to be aware of the reportee's potential vulnerabilities and afford them professionalism, courtesy and respect.
- 5.4 The Hampshire & Isle of Wight LIT does not have its own reporting centre, so all reporting events take place at police stations. We observed a reporting session at Southampton Central Police Station where approximately 100 people report each week. There was a clearly organised process for identifying those who reported and those that did not. Staff were clear that it was important to establish contact with the individual reporting and be professional. One member of staff told us, *"There is no room to be rude to reportees, but neither is there room to be over-familiar; both are examples of unprofessional behaviour"*.
- 5.5 Consideration was given to individual circumstances, for instance, if a person with a young child was supposed to report weekly, the reporting could be changed to monthly.
- 5.6 There are significant advantages for the Agency to maintain contact with reportees via the reporting process. Voluntary return can be encouraged, case management (such as updating an address) can be done quickly, and arrangements can be made for detaining an individual at the time they report in order to remove them, if appropriate. Absconders can also be identified at an early opportunity.

¹⁷ <http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/enforcement/>

- 5.7 We found that, despite the lack of a reporting centre, reporting at police stations was well managed either directly by Agency staff, or remotely where there was no Agency presence. For these remote locations, the police recorded the attendees and provided records regularly of those who did and did not report.

Decisions to detain people must be lawful.

- | | |
|--|---|
| <p>5.8 Every detained person should be provided with written reasons for their detention at the time of their initial detention, and thereafter monthly. Further regular reviews have also been set by the Agency. At the time of inspection, these reviews were after 24 hours detention, 7, 14 and 21 days, and then monthly.</p> | <p><i>We observed from our file sampling of 26 detention reviews that they were completed in accordance with both the statutory and Agency requirements and to a high standard.</i></p> |
| <p>5.9 We observed from our file sampling of 26 detention reviews that they were completed in accordance with both the statutory and Agency requirements and to a high standard.</p> | |
| <p>5.10 We found that the detention reviews were authorised at the correct level and were clearly completed with regard to the individual circumstances of the detainee. Staff were also mindful of the need for efficient use of the limited detention space available and that recommendations were made for temporary release in appropriate cases. We found that people were not detained where there was no imminent prospect of removal. This meant that detention space was utilised effectively for higher priority cases. Some examples of effective detention management are shown in Figure 19.</p> | |

Figure 19: Examples of effective detention management

"I am content for detention to be maintained pending a quick resolution of the outstanding application"

"If JR (Judicial Review) is not being expedited, please can we release from detention"

"We can no longer detain this person if we cannot obtain the ETD (Emergency travel Document¹⁸). Please make arrangements to release"

- 5.11 There was positive interaction with the police with regard to detention in Police cells. Detaining immigration offenders in police cells is costly for the Agency with a charge of £300 per 24 hours or part thereof. In addition, there is often premium demand on cell accommodation at weekends by both the police and the Agency. From the files we examined, we saw that there was communication with the police regarding those detained in police cells in order to make efficient use of what was expensive detention space for the Agency.

¹⁸ An Emergency Travel Document is a travel document for enforced removal, issued by a high commission, embassy or consulate. It must be used for removal when a person does not have a passport or cannot be removed on other documentation available to the Agency.

Enforcement powers should be carried out in accordance with the law and by members of staff authorised for that purpose.

Hampshire and IoW Arrest Team

- 5.12 Arrest teams use police-like powers to fulfil their duties. Specially trained (or ‘designated’) officers exercise powers of arrest, and associated powers of entry, search and seizure. Arrest-trained officers may also use force whilst exercising their power, providing it is both reasonable and necessary.

Pre-operation checks and briefings

- 5.13 We observed the Arrest Team from the time they met in the office to the end of their shift. The team consisted of six officers and three operations were planned, all in different areas of the county.
- 5.14 We had sight of the intelligence reports that contained the immigration histories, addresses and other information known to the Agency or Police of the people who were the focus of the operations. This information was used by the Officer in Charge (OIC) to plan the observed arrest operations. We found there was a clear audit trail authorised at the correct level and that all appropriate checks had been made.
- 5.15 The briefing for the first visit took place at the office to all members of the arrest team. The OIC had prepared a briefing document (the ‘operational order’) and presented this to the team. The briefing communicated all relevant information to the staff including:
- the name, immigration status and address of the potential offender;
 - details of the reconnaissance visit that had been made previously;
 - effective risk assessment of the individuals named – there was information regarding previous evidence of violence against the police by one of the residents;
 - the powers of arrest for the visit – a warrant was held; and
 - allocation of specific duties and radio identifications.
- 5.16 The briefings for the latter two visits took place at police stations. These were equally thorough and covered all of the information included above.

At the Premises

- 5.17 Entry to the premises in all three visits was in accordance with the guidance:
- the warrant was explained clearly;
 - the intention of the operation was also explained; and
 - there was clear communication between the team members and from the OIC.
- 5.18 During the course of all three visits, we noted very effective risk assessment:
- the Police attended the first visit where there was a person at the premises with history of violence towards the police;

- a dynamic risk assessment took place on entry to all three premises; and
- proportionality was considered by the OIC in terms of which members of the team were required to enter the premises.

- 5.19 At the third visit, a full reconnaissance assessment could not be made as there were closed gates at the front of the premises, although an aerial shot had been obtained from the internet. On the gates being opened, the woman who had opened the front door began to close it. Officers acted quickly to observe all parts of the property in case anyone attempted to escape, and communicated their findings quickly and clearly to the OIC.
- 5.20 We observed officers conducting brief status interviews with the people in each of the premises in order to establish their identity and nationality. Officers verified the information provided to them by calling a communications officer who had remained in the office. The checks were completed against Agency databases and the results promptly relayed back to the arrest team.
- 5.21 The decision-making process was efficient and accurate, and allowed the officers to gather sufficient information to make an informed decision on the immigration status of anyone referred. However, they established that none of the people encountered were named on the Intel packages, nor were any of those individuals encountered suspected of any immigration offences, which meant that no arrests were made. This raised the question of the quality of the intelligence in each of these visits. In each case, the intelligence came from a different source, but no comprehensive assessment of this intelligence was available Agency-wide.
- 5.22 We noted that significant resource and time was expended on these three arrest operations with no positive results being realised. We commented earlier about the importance of analysing and determining the value of intelligence to help ensure resource is used effectively.
- 5.23 We saw that people were treated with dignity and respect at all times, with:
- clear explanations being provided to everyone encountered, with confirmation that they understood;
 - consideration being given to the circumstances – in all cases, the named offender was not present, which meant explaining to the residents why members of the Agency had visited the address; and
 - a professional approach being displayed at all times, including requesting to search the premises and in obtaining documentation for those present at the addresses.

*We saw that
people were
treated with
dignity and
respect at all times*

Documentation

- 5.24 We observed that the Premises Search Book (PSB) was correctly opened and that pocket notebooks were used throughout from the initial briefing to the conclusion of the visits. The PSB contained a full and thorough audit trail of the operation.

Debrief

- 5.25 Although there were no arrests from any of the three arrest visits that we observed, we found a well structured debrief session was held to discuss any issues that the arrest visits raised. We noted that all members of the team were invited to contribute.

Functions should be carried out having regard to the need to safeguard and promote the welfare of children.

- 5.26 We noted effective joint working with Social Services and Barnardos. There were four ‘Safeguarding Children’ Boards in Hampshire, and the LIT was an active member on each. Meetings were held every three months which were attended by Social Services, Barnardos and a representative from the LIT. However, while we noted that the relationship with the the Portsmouth Safeguarding Children Board (PSCB) appeared to be working well, a joint working protocol had yet to be signed off by the PSCB.
- 5.27 We noted from our file sampling and interviews with staff that Social Services were always notified in the case of an Unaccompanied Asylum Seeking Child, but the file sample did not always record whether the Safeguarding Children Board had been informed. Staff were clear on what to do if Social Services could not be contacted out of hours. Referral in these situations would be made to Barnardos, the Red Cross or the Salvation Army.
- 5.28 Enforcement Instructions and Guidance stated that:
- *if a child is unexpectedly encountered all reasonable steps must be taken to ascertain their identity and who has parental responsibility for them. The information they provide must be checked against Home Office records to check the details provided are accurate and their immigration status is verified;*
 - *if the child’s identity and who has parental responsibility for them are not satisfactorily established, further checks are needed. This may be accomplished by contacting the local authority children’s services departments, social services and/or local police; and*
 - *whenever there are any child protection concerns the circumstances must be referred to the police and local services immediately. The welfare of the child must be ensured before any other form of action is taken.*
- 5.29 We found evidence that staff were aware of this guidance when children were encountered on enforcement operations. This was covered in the briefing for the arrest team operations we observed and in interviews with those on the minor’s team¹⁹.
- 5.30 We saw evidence from the Red Cross regarding one sensitive case where the child may have been assaulted en route to the UK. The LIT was praised by the Red Cross for “the efficient way in which we [the Red Cross] were advised and helped to deal with the case”. The e-mail also stated: “This case called for some fine judgement on our part [the Red Cross], having regard for the law, and our humanitarian concern for the service user. Our relationship with you and your staff helped to convince us that we had taken the right course of action”.
- 5.31 We also received a letter from the Portsmouth Safeguarding Children Board²⁰ confirming that representatives from the Agency had attended a third of the Board meetings, although they were expected to attend them all. The PSCB have recently written to all partner agencies to review their representation on the Board. They concluded their response with the statement: “We would wish to stress that Portsmouth Safeguarding Children Board values the participation in the work of the Board and we very much hope, given the local needs, that the Agency will be able to maintain appropriate representation in the future”.

¹⁹ A team within the LIT who specialised in interactions with those under 18, including being trained to interview children.

²⁰ The Portsmouth Safeguarding Children Board was established by the Government to ensure that organisations work together to safeguard children and promote their welfare.

5.32 There was a strong awareness of trafficking issues amongst staff, and one of the files we saw showed that a child had been referred to the Trafficking Unit.

5.33 One of the Assistant Immigration Officers had received a national award for 'Exceeding Customer Expectation' for her work with children. This was as a result of members of the public writing regarding her conduct during enforcement visits.

There was a strong awareness of trafficking issues amongst staff

5.34 A Removals Pilot had been introduced working with other EU countries to safely remove a limited number of unaccompanied children from a specific nationality. This would include temporary accommodation and onward travel to the family home, plus a longer term assistance programme.

5.35 There was some lack of clarity regarding the role of the Family Returns Panel²¹. This may be due to the panel only being appointed from March 2011, with a developing role. Some staff were not clear on its role and function, the level of authority and the extent of its remit, however suitable families were being referred and removals were proceeding.

Personal data should be treated and stored securely in accordance with the relevant legislation and regulations.

5.36 We found that there was effective use of a passport bank in the LIT where all passports were stored centrally for security purposes and easy retrieval. From our examination of 174 files, we found only one passport on a file.

5.37 We had serious concerns regarding the Agency's ability to retrieve files we had called for as part of our file sampling. All but two of the files that were stored on site in Portsmouth were located, but there were delays in retrieving some of the files that were stored off site, and 44 had not been provided by the time our file sampling was completed. This is unacceptable and is a recurring theme from other inspections.

We had serious concerns regarding the Agency's ability to retrieve files we had called for as part of our file sampling

5.38 We noted that the Agency's file retention policy stated that port and enforcement files should be retained for seven years and Home Office files for five years. The Agency should therefore have been able to retrieve the files we requested within the agreed timescale of a maximum of four days.

5.39 We were concerned that electronic information on CID was not always complete, and there were 10 cases where it was not possible to clearly follow the steps taken in a case, particularly where the case had been handled by a number of units. This would make it impossible for someone accessing these records to accurately identify what was happening in each individual's case. The Agency needs to ensure that CID is fully completed in all cases.

²¹ An independent body who advise on whether a return plan for a family proposed by the Agency is an appropriate method of return and which sufficiently considers the safeguarding and welfare needs of the children. The panel may advise that amendments are made to the return plan in order to achieve this. The panel has an independent chair and a pool of 10 members who have experience of safeguarding and medical expertise.

6. Inspection Findings - Continuous Improvement

The implementation of policies should be continuously monitored and evaluated to assess the impact on service users and associated costs.

Asylum support

- 6.1
- There are targets for ceasing asylum support. Applicants are entitled to receive asylum support for a prescribed period after they have been notified of the decision on their asylum application or after the day on which their appeal is dismissed. This gives applicants the opportunity to make arrangements for additional accommodation and support or to make arrangements for their departure from the UK. For support purposes, an applicant ceases to be an asylum seeker after the prescribed period ends. The prescribed periods are:
- 28 days after the decision to accept the asylum claim or the appeal is allowed (30 days if the decision is served by post); and

• 21 days in any other case.

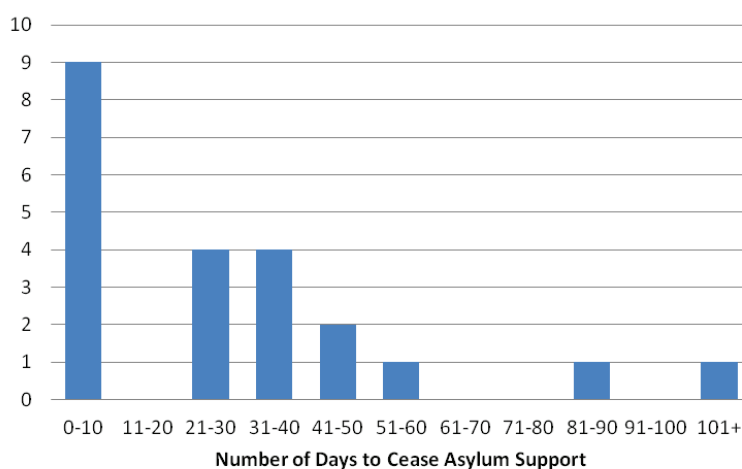
- 6.2
- Evidence from our file sampling showed targets for the timely termination of asylum support were not being met. From the 64 asylum files we examined, 42 received no support, while 22 either were or had been in receipt of support. Figure 20 shows the numbers on support:

Evidence from our file sampling showed targets for the timely termination of asylum support were not being met

Figure 20: Numbers on asylum support	
Number on both subsistence and accommodation support	14
Number on subsistence support only	8
Number on accommodation support only	0
Number with no support	42

- 6.3
- Of the 22 cases, 13 were ceased within the correct timescales, whereas nine did not meet the target timescales. In one case, the support was ceased on the day the decision was served, but the longest took 128 days to cease. The average time was 55 days. It was explained to us that eight of the nine cases that did not meet the target were prior to the implementation of a weekly notification system. We were told that measures have now been put in place to address this issue. Figure 21 shows the time it took to cease asylum support.

Figure 21: Time taken to cease asylum support



- 6.4 We noted that the Agency incurred additional costs of nearly £10,000 for the nine cases where it failed to meet the prescribed periods for cessation of support (subsistence at £36.62 per week and accommodation at £16.39 per day). We were told that an evaluation of the asylum support process had taken place and there were plans to transfer this work to LIT ownership in the near future. However, we believe the Agency needs to ensure that, whatever its administration process is, support is ceased in accordance with its rules. This will ensure that costs are only incurred when absolutely necessary and ensure public money is spent efficiently.

We recommend that the UK Border Agency:

- ensures that asylum support is withdrawn promptly from individuals who are no longer entitled to receive it.

Reporting

- 6.5 As described in Chapter 5, the LIT does not have its own Reporting Centre. It therefore relies on staff from the LIT attending the majority of reporting sessions at Police Stations, with the remaining reporting sessions being managed by the police. The Agency told us that it considered it was better for a reportee to be seen by a member of its staff so that case information can be exchanged, adding “We try to be sensible about the number we send to police stations. We try to send as many reportees as possible to stations where we have a presence”.
- 6.6 There was a policy on the frequency of reporting based on nationality, documentation and whether charter removal flights were available. An audit of reporting took place during the summer of 2011 on a case by case basis. We were told the aim was to decrease the number of people going to police stations. This was achieved, with reporting activity reduced by 50%. We were told that this resulted in benefits to individual reportees, a reduced presence in police stations, and cost savings to the Agency.

The Tasking and Co-ordination process

- 6.7 The Tasking and Co-ordination Group meeting is a weekly meeting led by the LIT Manager. We attended two of these meetings and saw the minutes of the previous year’s meetings. The TCG clearly covered the continuous evaluation of workload, priorities and resources.

6.8 All areas of the office were represented and those that attended were clear regarding the information that was expected from them. Covered in the TCG were:

- operational priorities;
- operational results across all areas of the office;
- tasking across all areas of the office;
- cases in detention;
- savings;
- families; and
- internal staffing bids.

6.9 As the individual areas of the office all reported at the TCG meeting, it was possible for the LIT manager to ensure that each team was meeting their targets. Where there was a shortfall, or problems had been encountered, this was discussed. During the TCG meeting we attended, there was a question over the quality of the information being received regarding certain restaurants, as individuals of immigration interest were not being encountered. The Intel team were tasked with looking at the information sources to see whether there was an issue with its quality. We noted that while this was happening at a local level, there were concerns this was not being done on a wider/ national scale.

6.10 We recognise the positive impact meetings of this type had on the productivity of the LIT and viewed the structure of the TCG as good practice.

We recognise the positive impact meetings of this type had on the productivity of the LIT and viewed the structure of the TCG as good practice

6.11 We were told that there used to be a regular LIT Leaders forum where good practice could be shared, but that these were no longer taking place. We consider the Agency should examine whether such a forum should be repeated, or alternative measures should be adopted, to help ensure that best practice is exchanged across LITs to improve their efficiency and effectiveness.

Risks to the efficiency and effectiveness of the Agency should be identified, monitored and mitigated.

Migration Refusal Pool

6.12 We did not consider that the Agency had effectively mitigated risks that it was exposed to, either nationally or locally in relation to the cases included within the Migration Refusal Pool. It had not developed a clear strategic plan for dealing with these cases, management information in relation to this issue was insufficient and performance targets were at best immature. We believe the Agency needs to review the risks and rewards that this work involves and implement a clear plan to ensure that the increasing backlog of cases is managed effectively and reduced.

We did not consider that the Agency had effectively mitigated risks that it was exposed to, either nationally or locally in relation to the cases included within the Migration Refusal Pool

Absconders

- 6.13 As reported previously we believe a much stronger focus needs to be adopted by the Agency in-country to ensure its tackles the issue of absconders more effectively. We consider it is especially important for it to identify those actions it can take initially which do not necessarily incur significant resource costs, for example ensuring all absconders are circulated on the PNC.

we believe a much stronger focus needs to be adopted by the Agency in-country to ensure its tackles the issue of absconders more effectively

Haslar Immigration Removals Centre

- 6.14 By negotiation directly with Haslar Immigration Removals Centre, a Friday late night opening once a month had been arranged so that evening arrest team visits could take place. This was particularly effective for restaurant visits which are often only staffed in the evening. This also reduced the burden on, and cost of, police cells where it can be difficult for the police to assist with enforcement visits and/or provide cell accommodation on a Friday night. Although Haslar can accept only low risk males, we were told these would be the majority of the arrest team encounters and arrests. We believe this was good evidence of acting proactively to deliver improved outcomes, i.e. facilitating visits to restaurants in the evening.

Appendix 1

Inspection Framework and Criteria

The criteria used in this inspection were taken from the Independent Chief Inspector's Inspection Criteria. Figure 22 refers.

Figure 22: Inspection Criteria used when inspecting the Hampshire & Isle of Wight Local Immigration Team

Operational Delivery

1. Decisions on the entry, stay and removal of people should be taken in accordance with the law and the principles of good administration.
2. Customs and immigration offences should be prevented, detected, investigated and, where appropriate, prosecuted.
3. Complaints procedures should be in accordance with the recognised principles of complaint handling.

Safeguarding Individuals

4. All people should be treated with respect and without discrimination except where the law permits difference of treatment.
5. Decisions to detain people must be lawful.
6. Enforcement powers should be carried out in accordance with the law and by members of staff authorised for that purpose.
7. Functions should be carried out having regard to the need to safeguard and promote the welfare of children.
8. Personal data should be treated and stored securely in accordance with the relevant legislation and regulations.

Continuous Improvement

9. The implementation of policies should be continuously monitored and evaluated to assess the impact on service users and associated costs.
10. Risks to the efficiency and effectiveness of the Agency should be identified, monitored and mitigated.

Appendix 2

List of Stakeholders

During the inspection, we contacted and consulted with a wide variety of stakeholders. The stakeholders are as follows:

- Members of Parliament for Hampshire and the Isle of Wight
- Portsmouth Safeguarding Children's Board
- South East Strategic Partnership for Migration (SESPM)
- Refugee Council
- Asylum Support Team (Kent)
- Portsmouth Registry Office

Appendix 3

Glossary

Term	Description
A	
Absconder	A term used by the Agency to describe a person who the Agency has lost contact with, who has breached reporting restrictions or bail conditions and/or who they are unable to make contact with via their last known address.
Administrative Removal	The process by which foreign nationals with no entitlement to remain in the UK are removed.
Agency	Refers to the UK Border Agency.
Arrest Team	A team of UK Border Agency arrest-trained officers who conduct operational visits with the intention of arresting people liable to detention or suspected of an immigration offence.
Assistant Immigration Officer (AIO)	A grade equivalent to an administrative officer. Supports immigration officers in carrying out administrative and operational tasks.
Assisted Voluntary Return (AVR)	The generic term for the three voluntary return programmes provided by the International Organisation for Migration. One is for anyone who has been in the asylum system at any stage – applying, appealing, refused – (VARRP); one is for families with children whether they have applied for asylum or not (AVRFC); and a third is for irregular migrants – who have overstayed their visas or have been smuggled or trafficked into the country (AVRIM). Under all three programmes IOM arranges flights and onward transportation to the home doorstep but under the schemes for asylum seekers, families and young people IOM also delivers Reintegration Assistance in the country of return.
Asylum	Asylum is protection given by a country to someone who is fleeing persecution in their own country. It is given under the 1951 United Nations Convention Relating to the Status of Refugees. To be recognised as a refugee, there must be a well-founded fear of persecution in your home country.
Asylum Screening Unit	The asylum screening unit is a centre run by the UK Border Agency where a person is registered as an asylum applicant and begins the process of applying for asylum.

Asylum Support	Destitute asylum seekers are entitled to claim subsistence level support and accommodation whilst they have an asylum claim outstanding. Support is provided under section 95 of the Immigration and Nationality Act 1999.
Athena	Database used to record and manage intelligence.
C	
Casework Information Database (CID)	The Case Work Information Database is an administrative tool, used by the UK Border Agency to perform case working tasks and record decisions.
Chief Executive Officer	Senior civil servant at the head of the UK Border Agency.
Chief Immigration Officer	Senior grade above Immigration Officer (equivalent to Higher Executive Officer)
Civil Penalty	A requirement to pay money that can be imposed for an offence without the need for a court conviction.
Civil Penalty Compliance Team (CPCT)	A specialist UK Border Agency unit that provides administrative support to the Civil Penalty Scheme.
Complaint	Defined by the UK Border Agency as ‘any expression of dissatisfaction about the services provided by or for the UK Border Agency and/or about the professional conduct of UK Border Agency staff including contractors’.
Contact Management	This term refers to the process of maintaining contact with a person who is not in detention, pending the conclusion of their case.
Customer	Defined by the UK Border Agency as anyone who uses the services of the Agency, including people seeking to enter the United Kingdom, people in detention and MPs.
D	
Data Protection Act 1998 (DPA)	The Data Protection Act requires anyone who handles personal information to comply with a number of important principles. It also gives individuals rights over their personal information.
Director	Senior UK Border Agency manager, typically responsible for a directorate, region or operational business area.
E	
Economic & Family Migration (EFM)	Applications for further leave to remain in the UK in specific categories. Those who have been refused leave to remain are now referred to as the Migration Refusal Pool (MRP).
Enforcement	A UK Border Agency term used to refer to all activity that takes place within the UK to enforce the immigration rules. In addition to the work done by arrest teams, this includes areas such as asylum, citizenship, detention and removal.
Enforcement Action / Operation	Action taken within the UK (as opposed to being undertaken at the border) by trained Agency staff to locate and process suspect or known immigration offenders.

Enforcement Instructions and Guidance (EIG)	Guidance and information for officers dealing with enforcement immigration matters within the United Kingdom.
European Economic Area (EEA)	<p>The European Economic Area (EEA) was established on 1 January 1994 following an agreement between the member states of the European Free Trade Association (EFTA) and the European Community, later the European Union (EU).</p> <p>All European Economic Area (EEA) nationals enjoy free movement rights in the EEA. This means that they are not subject to the Immigration Rules and may come to the United Kingdom and reside here in accordance with the 2006 Regulations. They do not require permission from the UK Border Agency to enter or remain, nor do they require a document confirming their free movement status.</p>
F	
Family Returns Panel	An independent body who advise on whether a return plan for a family proposed by the Agency is an appropriate method of return and which sufficiently considers the safeguarding and welfare needs of the children. The panel may advise that amendments are made to the plan in order to achieve this. The panel has an independent chair and a pool of 10 members who have experience of safeguarding and medical expertise.
Further Submissions or Representations	The term given to grounds submitted to the UK Border Agency by those who have already made an unsuccessful claim to remain in the UK, and who ask for their claim to be re-considered.
H	
Harm Agenda	The scale against which the UK Border Agency prioritises which cases should be removed first, putting more resources into removing those who may cause more harm to the public such as foreign national prisoners.
Home Office	The Home Office is the lead government department for immigration and passports, drugs policy, crime, counter-terrorism and police.
I	
Illegal worker	A person in the UL who is not entitled to work, or has exceeded any limitation placed on their work.
Immigration Group	The directorate within the UK Border Agency which is responsible for asylum, enforcement and compliance and nationality.
Immigration Offenders	Someone who has broken the laws to do with immigration, for example by entering or staying in the country illegally.
Immigration Officer (IO)	Immigration Officers are employees of the UK Border Agency, appointed by the Home Secretary, whose powers are conferred by the Immigration Act 1971 and who also act in accordance with Immigration Rules. They have the power of arrest and detention conferred on them by the Immigration Act 1971, when both at ports and inland.

Independent Chief Inspector of Borders and Immigration	The role of the Independent Chief Inspector of Borders and Immigration was established by the UK Borders Act 2007 to examine the efficiency and effectiveness of the UK Border Agency. The Chief Inspector is independent of the UK Border Agency and the Border Force and reports directly to the Home Secretary.
Intelligence	The information that is gathered by the Agency and recorded, assessed and developed into a format that can be used by the Agency,
Intelligence Unit	A team that collates and disseminates intelligence, usually for LIT arrest teams.
International Group	The overseas arm of the UK Border Agency, responsible for running visa operations in 135 countries. Formerly known as UK Visas.
L	
Local Immigration Team (LIT)	A LIT is a local team undertaking as many functions as practicable at a local level within an Immigration Group region. They focus on enforcement work and community engagement, although the functions of LITs can vary between regions.
M	
Migration Refusal Pool	A group of people who have had leave to remain in the UK refused and have 28 days to leave the country.
N	
National Operations Database (NOD)	Database used to record all enforcement operations undertaken by the UK Border Agency.
Notice of Liability (NOL)	In the event that a civil penalty is to be issued, a Notice of Liability (NOL) will be produced and served on the employer.
Notice of No Liability (NONL)	Following an investigation, if it is deemed that no offence has been committed, a Notice of No Liability (NONL) will be served on the employer and no further action taken.
Notice of Potential Liability (NOPL)	Where UK Border Agency officers are successful in encountering illegal migrant workers, a 'Notice of Potential Liability' (NOPL) must be completed and issued to the employer or representative of the company.
O	
Officer In Charge (OIC)	Officer who has overall control of the arrest team, must be of at least Immigration Officer grade.
Overstayer	A person who illegally remains in a country after the period of their permitted leave has expired.
P	
Portsmouth Safeguarding Children Board (PSCB)	One of the Local Safeguarding Children Boards established by the government to ensure that organisations work together to safeguard children and promote their welfare.
Premises Search Book (PSB)	A detailed document that must be completed for every visit. It contains details of all the people on the premises and the actions taken by the arrest team.

R	
Race Relations Act 1976	An Act of Parliament established to prevent discrimination on the grounds of race.
Race Relations (Amendment) Act 2000	The Race Relations (Amendment) Act 2000 was an Act to extend further the application of the Race Relations Act 1976 to the Police and other public authorities; to amend the exemption under that Act for acts done for the purpose of safeguarding national security; and for connected purposes. Section 19D sets out exceptions from section 19B for certain acts in immigration and nationality cases. Section 19B does not make it unlawful for a relevant person to discriminate against another person on grounds of nationality or ethnic or national origins in carrying out immigration and nationality functions.
Regional Director	Senior manager responsible for one of the six Immigration Group regions.
Removal	The process by which a person or person(s) voluntarily, through assistance or through enforcement by UK Border Agency staff, physically leaves the UK after a failed asylum application.
Reporting	A form of contact management where a person reports in person to a Reporting Centre or Police Station to maintain contact with the Agency.
Reporting Centre	UK Border Agency office where people who are liable to detention by the Agency (for example, failed asylum seekers) are required to report on a regular basis.
S	
Section 10	Section 10(1) of the 1999 Act states that a person who is not a British citizen may be removed from the United Kingdom, in accordance with directions given by an immigration officer (IO), if a) having only a limited leave to enter or remain, they do not observe a condition attached to the leave or remain beyond the time limited by the leave b) they use deception in seeking (whether successfully or not) leave to remain. c) they belong to the family of a person to whom directions have been given for administrative removal under section 10.
T	
Tasking and coordination group (TCG)	A system to prioritise threats, set objectives and plan resources and action at all levels of the organisation. In essence, a business process supported by intelligence.
U	
Unaccompanied Minor	A child under the age of 18 who does not have a parent or legal guardian in the UK.
United Kingdom and Islands	The United Kingdom is made up of England, Scotland, Wales and Northern Ireland. The Channel Islands and the Isle of Man are not part of the United Kingdom. The geographical term 'British Isles' covers the United Kingdom, all of Ireland, the Channel Islands and the Isle of Man.

United Kingdom Border Agency (the Agency)	The agency of the Home Office which, following the separation of Border Force on 1 March 2012, is responsible for immigration casework, in-country enforcement and removals activity, the immigration detention estate and overseas immigration operations. The UK Border Agency has been a full executive agency of the Home Office since April 2009.
V	
Visa Nationals	<p>Visa nationals are those who require a visa for every entry to the United Kingdom. A visa national is a national of a country listed on the UK Border Agency website (Appendix 1 of the Immigration Rules). Some visa nationals may pass through the United Kingdom on the way to another country without a visa, but in some circumstances they will require a direct airside visa or visitor in transit visa. Visa nationals must obtain Entry clearance before travelling to the United Kingdom unless they are:</p> <ul style="list-style-type: none"> • returning residents; • those who have been given permission to stay in the United Kingdom and, after temporarily leaving the United Kingdom, return within the duration of that permission to stay; • school children resident in a European Union member state who are on an organised school trip from a general education school and accompanied by a teacher.
W	
Working in Breach (WIB)	Working in the UK, whether paid or unpaid, when you do not have the permission to do so, or are working beyond your permitted hours or in a job that your leave in the UK does not allow you to do.
Work in Progress (WIP)	The file store for cases that have not yet been concluded by the Agency.

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