



Home Office

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

An Inspection of Family Visitor visa applications

August – December 2014

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

The Home Office is pleased that the Independent Chief Inspector (ICI) found no evidence that the removal of the full right of appeal from family visitor applicants has led to a reduction in decision quality across the ten posts sampled. We welcome the finding that UKVI has successfully implemented a training programme aimed at improving the quality of decisions and refusal notices, leading to significant improvements in decision quality, particularly at those visa sections that have been subject to critical inspection in the past.

The Home Office is pleased that the ICI found the visa sections inspected to be meeting their customer standards overall, and that staff felt that performance targets were attainable.

We welcome the ICI's findings in relation to risk, particularly that Entry Clearance staff have a good appreciation of risk, were using risk profiles to inform decision making, and that relationships between UKVI and Risk and Liaison Overseas Network (RALON) staff were productive, with Entry Clearance staff making frequent use of RALON's expertise to assist with particular cases.

We are also grateful to the ICI for highlighting potential areas for improvement, including the need for greater consistency in decision-making, something we are already taking steps to address.

We welcome his findings that our procedures for document verification, review of decisions and reconsideration requests could benefit from greater clarity and guidance. We are already taking steps to address these points.

The Home Office accepts six recommendations in full, and one in part.

1. Ensure that in visa cases relevant supporting documents are retained or notes made to enable a full audit trail of decisions

1.1 Accepted

We agree that it is important to clearly record the reasons why entry clearance is granted or refused, and we do this by maintaining adequate notes across our systems, and in some specific cases, retaining documentation.

We take a proportionate, risk based approach, and consider that notes detailing the evidence seen and why the applicant meets the rules is sufficient for low risk applications.

The ICI found that sufficient evidence was retained in the majority of refusal cases sampled, but that the percentage varied significantly across the regions. In the three posts mentioned as having the largest number of cases where this was identified as an issue, Entry Clearance staff have been reminded of the need to be compliant with operational instructions to ensure that sufficient notes are kept across our systems to provide a full audit trail.

We continue to investigate scanning solutions to retain electronic versions of documents where necessary. We have to balance our internal auditing requirements and those of the ICI and other bodies with our responsibilities to comply with data protection legislation – we have to ensure that we keep any documents that we retain secure. Our intention is therefore to only keep the minimum documents required.

We are also reviewing how we want our customers to supply evidence to us in support of their applications. This is a complex area, and we want to make the application process simpler whilst retaining the integrity of the immigration control.

2. Ensure that visa decisions are made consistently and fairly against the correct criteria at all posts

2.1 Accepted

We agree that decisions should be made consistently and fairly against the correct criteria across all posts, and we are pleased that the ICI has noted improvements in decision quality since the Dhaka (2013), Africa thematic (2012) and Amman (2011) inspections. The move to fewer but larger decision making centres is helping us to improve in this area.

Action has already been taken in response to the specific areas of concern identified by the ICI. Refresher training has been provided in relation to the linking of applications, and the use of lack of previous travel as a ground for refusal has been addressed.

Globally, a Decision Quality Framework is being developed to assist us in ensuring consistent decision quality across the visa network. It will also provide clarity to the process of quality assuring decisions against key criteria and the ability to better analyse decision quality against a clear set of performance indicators. In addition to the Entry Clearance Manager (ECM) reviews conducted against this framework, it is planned that further reviews will be conducted by a team in the UK to provide an independent and routine level of sampling.

3. Ensure that refusal notices show clear and balanced consideration has been given to both positive and negative evidence in reaching the decision to refuse

3.1 Accepted in part

We are pleased that the ICI has noted improvements in the structure of refusal notices. We accepted during the inspection that some of the refusal notices sampled did not meet our high standards, and have held refresher training sessions and given 1:1 training where needed.

An absence of reference to the consideration of positive evidence in the refusal notice is one of the key areas the ICI has highlighted. While we accept that refusal notices should show a balanced consideration of the application, including reference to positive evidence, we do not think that the *detail* of positive evidence needs to be included. Our customers who are refused need to see which areas of the application do not meet the rules, to enable them to prepare any subsequent application that they choose to make. As a result, more emphasis is placed on clearly explaining this.

We have recently moved to a structure for refusal notices that aims to clearly set out:

- How we make our decisions
- What information/evidence we have taken into consideration with that decision
- How we have reached the decision that the Rules are not met
- What parts of the Rules are not met

We use bullet points, short paragraphs and direct links to the relevant paragraph of the Rules to make the decision easier for the customer to understand. Customers who are refused need clarity on what they might need to do with any future applications in order to satisfy us that the Rules are met, and we believe that repeating positive information from the application that has limited relevance to the reasons for refusal is both confusing and inefficient, leading to poorer customer service.

4. Clarify its policy on reconsideration requests, and issue clear guidance to both staff and applicants, setting out whether such requests will be dealt with, and if not, what course is available to applicants whose application has been refused

4.1 Accepted

We accept that clarifying our policy on handling reconsideration requests would assist both staff and applicants. We are reviewing our practices in this area, and will issue fresh instructions to our staff and update guidance on our website.

5. Prioritise the training of all staff carrying out and managing additional verification checks, to ensure they understand and work to agreed standards, and produce written central guidance to support them in this work

5.1 Accepted

We accept that staff training in enrichment should be a priority. Since the inspection, we have issued Standard Operating Procedures, and a programme of work on standardising enrichment activity is underway which will include guidance to staff on how and when enrichment should take place.

6. Develop and implement standard assurance mechanisms to ensure that:

- **local decision-making practices are consistent with UKVI policy and guidance; and**
- **ECM reviews are being carried out in all cases where mandated**

6.1 Accepted

We accept that local decision-making practices must be consistent with UKVI policy and guidance, and are reviewing our strategy in this area. We are specifically considering how we ensure that the Entry Clearance Manager review to risk strategy is properly implemented in all regions, and will issue new guidance to posts.

7. Review the online form to ensure that it guides visa applicants to provide unambiguous and sufficiently detailed information about their family and financial circumstances to enable Entry Clearance staff to reach an informed decision

7.1 Accepted

We accept that the online application form should be designed in a way that assists visa applicants in providing the information required by us to make a decision. A new online application Service for China Visit Visas was introduced last year, and feedback from customers so far has been extremely positive. The roadmap for future rollout of the service is in development. In the meantime, we are planning a review of all existing application forms.