



An Inspection of Visa Interviewing

March – August 2014



John Vine CBE QPM

Independent Chief Inspector of Borders and Immigration



An Inspection of Visa Interviewing

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Any enquiries regarding this publication should be sent to us at

Independent Chief Inspector of Borders and Immigration,
5th Floor,
Globe House,
89 Eccleston Square,
London, SW1V 1PN

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Our Purpose

We provide independent scrutiny of the UK's border and immigration functions, to improve their efficiency and effectiveness.

Our Vision

To drive improvement within the UK's border and immigration functions, to ensure they deliver fair, consistent and respectful services.

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Foreword from John Vine CBE QPM

Independent chief inspector of borders and immigration



Interviews for certain types of visas were removed when the Points Based System (PBS) was introduced in 2008. However, subsequent abuse of the system, particularly by students, led to interviews being reintroduced in 2012. My inspection therefore assessed the effectiveness of both video credibility interviews and substantive interviews, conducted either by agency staff in Sheffield or by Entry Clearance Officers at visa posts overseas.

I was pleased to find that the implementation of video credibility interviews had been managed effectively by the Home Office. The installation of video technology in visa application centres in a number of global locations was an impressive feat and I was encouraged to see the Home Office managing a change programme so effectively.

While I found that video credibility interviews were adding value to the decision-making process in high-risk locations such as Abuja and Chennai, I found less evidence that this was the case in low-risk locations such as Shanghai. In my view, the Home Office should consider whether a risk-based approach would deliver increased benefits that would target resources more effectively.

The quality assurance regime operating in Sheffield was too focused on the content and completeness of interview records, improvements needed to be made to make it more qualitative. Better feedback loops between knowledgeable entry clearance staff overseas and Sheffield staff also needed to be introduced to improve interviewing techniques in the Sheffield interviewing hub.

I was pleased to find that substantive interviews conducted at visa posts were adding real value to the decision-making process. This was particularly important for refusal cases that would have been issued with a visa under the previous system.

I have made seven recommendations for improvement.

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

1.1 When introduced in 2008, the Points-based System (PBS) created an objective policy framework which removed Entry Clearance Officers' (ECOs') ability to exercise discretion, thus removing the potential value that interviews could provide in assessing and determining a PBS application. As a result, the credibility of applicants was no longer routinely assessed. However, it was later found that the PBS was open to abuse, particularly by students applying under Tier 4. In order to address this, in July 2012 the Home Office reintroduced interviewing as a means of assessing credibility in order to allow Entry Clearance Officers to refuse applicants where credibility was an issue.

The PBS was open to abuse, particularly by students applying under Tier 4.

1.2 This inspection therefore primarily examined how effective the reintroduction of interviews was for assessing the credibility of students applying under Tier 4 of the PBS. However, it also examined the increasing use of interviews for applicants applying under the general visit category. There are two formats of interview: a video credibility interview (commonly referred to as a VTC interview) and a substantive interview. The former is an initial interview carried out over a web-based link to the visa application centre; this provides an initial assessment of the English language capability and credibility of the applicant and is conducted using pre-set questions for all applicants. The latter, the substantive interview, can be conducted face-to-face, over the phone or over a video link, and the interviewer constructs the questions based upon the evidence provided by the applicant with their application.

The programme had been managed and delivered effectively by the Home Office.

Positive Findings

1.3 The implementation of VTC interviews was a challenging programme of work, which required video conferencing facilities to be established in visa posts throughout the world. It required UKVI to work closely with its chosen commercial partner, in addition to developing internal processes and recruiting staff, in order to meet the Home Secretary's target of completing more than 100,000 interviews during 2013/14. That this target was met and exceeded demonstrated that the programme had been managed and delivered effectively by the Home Office.

1.4 Facilities at the Sheffield interviewing hub were impressive, and we observed efficient workflow processes which ensured that applicants at visa application centres overseas were dealt with effectively. Sheffield staff were positive, motivated and engaged with the interviewing process.

1.5 Our file sampling demonstrated that VTC interviews were adding value in high-risk locations where there were higher numbers of non-genuine students (a quarter of the cases we examined from high-risk posts benefitted directly from this new process).

Our file sampling demonstrated that VTC interviews were adding value in high-risk locations where there were higher numbers of non-genuine students.

- 1.6 In a large majority of cases, staff at Sheffield were correctly identifying whether applicants were credible. They were also generally exploiting the full potential of the VTC interview, when applications originated from a high-risk country, by asking additional questions from the list of set questions when the need arose.
- 1.7 Substantive interviews were also adding value to the visa decision-making process. Our file sample identified 22 out of 110 cases (20%) in which applicants who had met the PBS points requirement were subsequently refused under the Genuine Student Rule following a substantive interview. These applicants would have been issued with a visa under the previous version of PBS.
- 1.8 Interviews had not significantly affected the timeliness with which visa decisions were made (either VTC or substantive) and the Home Office continued to meet its customer service standards in the majority of posts.

Areas for Improvement

- 1.9 One of the predicted benefits of the interviewing project was an expected increase in the refusal rate for Tier 4 student applications. However, we found that this had not been achieved.

- 1.10 In low-risk locations where the majority of visa applications resulted in a visa issue, the VTC added limited value, in our view. For example, in Shanghai we found only one case in our file sample where we considered the VTC to have added value. We therefore questioned whether conducting VTC interviews in 100% of cases represented an efficient use of resources.

In low-risk locations where the majority of visa applications resulted in a visa issue, the VTC added limited value.

- 1.11 An absence of formal feedback mechanisms from visa posts meant that staff in Sheffield had no way of knowing whether they were conducting interviews effectively. Although a quality assessment process was in place at the time of the inspection, it placed too much emphasis on presentation rather than focusing on the quality of the interview. As a result, opportunities to improve the VTC interviewing process were being lost.

- 1.12 The VTC interview itself, while a useful tool, did not give staff the opportunity to ask relevant follow-up questions beyond those that were pre-programmed within the interview template. This meant that in certain instances staff could not fully explore key aspects of the case. The lack of a spell check function within the template also meant that staff spent an unnecessary amount of time checking spelling.

- 1.13 Some ECOs at visa posts were not always utilising substantive interviews when they should have. Tier 4 guidance makes it clear that substantive interviews should be used when an applicant's genuineness needs further testing. We also found cases in which we had concerns over the style or content of the substantive interview, including:

Some ECOs at visa posts were not always utilising substantive interviews when they should have.

- the interview not fully exploring credibility issues;
- inappropriate questions being asked; and
- the interview not being conducted in a professional manner.

1.14 Staff were not always recording the reasons why applicants were being invited to attend interviews at visa posts. The lack of a proper audit trail meant that managers could not be assured that the right applicants were being selected for interview, either by ECOs or by automatic risk profiling.

The lack of a proper audit trail meant that managers could not be assured that the right applicants were being selected for interview

1.15 Capacity and infrastructure issues were affecting performance in Chennai, which meant that the average time to process a Tier 4 visa, when a substantive interview took place, was 31 days. This was 10 days longer than the overall average of the other visa posts we sampled from.

1.16 Staff in Sheffield had not received mandatory training in equality and diversity. This meant that there was a risk of staff being able to identify protected characteristics set out in the 2010 Equality Act.

1.17 We found that in Shanghai short telephone calls that were made in order to confirm certain aspects of an application were being recorded twice, once as a substantive interview and once as a verification check, the latter being their actual purpose. As a result, productivity at this post was being overstated and inaccurate management information was being reported upwards.

2. Summary Of Recommendations

We recommend that the Home Office:

1. re-assesses whether a risk-based approach to video conferencing interviews would deliver increased benefits and target resources more effectively;
2. widens the scope of the quality assurance regime in the Sheffield interview to include an assessment of the quality of the interview itself;
3. improves the level of feedback between front-line ECOs and VTC staff in order to increase the overall efficiency and effectiveness of the VTC process;
4. uses substantive interviews whenever it is appropriate to do so;
5. improves interviewing training so that ECOs are equipped with the skills to conduct interviews effectively;
6. undertakes a trial in which a free text option is added to the VTC transcript so that follow up questions can be asked; and
7. ensures that all staff receive mandatory training in equality and diversity.

3. Investigation Findings – Adequacy Of Guidance And Training

Terms of reference and scope

- 3.1 The terms of reference were to inspect UKVI's administration of visa interviews, with particular emphasis placed upon:
- the efficiency and effectiveness of the video interview process, including the impact on the applicant both in terms of attending the substantive interview and the decision on their application;
 - whether the applicant was given the opportunity to respond to any alleged discrepancies;
 - whether video interviewing was adding value to the end-to-end process;
 - the selection process for substantive interviews and whether this was fair and consistent; and
 - whether decisions took proper account of the content of the substantive interview.

UK Visas & Immigration

- 3.1 UK Visas & Immigration (UKVI) is a directorate of the Home Office with 7,500 staff based across the UK and overseas. It contributes to achieving the Home Office's priorities of securing the border, reducing immigration, cutting crime and protecting the public from terrorism.¹ Part of its remit is to consider applications for visas to enter the UK, including those made by foreign students under Tier 4 of the Points-based System.

Background

- 3.2 Individuals from certain countries outside the European Economic Area (EEA) who are seeking to migrate to the UK must apply for a visa in order to be granted Leave to Enter the UK.² Prior to 2008, Home Office staff had the ability to routinely conduct interviews with all visa applicants to inform the decision-making process.
- 3.3 However, Ministers and Home Office senior management at the time believed that there was '*scope for inconsistency and incorrect decisions. Entry Clearance Officers abroad, Immigration Officers at ports and Home Office caseworkers are often required to assess applicants' intentions, which is necessarily a subjective process. The lack of clarity and objectivity in the system fosters unfounded applications (both intentional and unintentional) and creates burdens for potential applicants, employers and educational institutions and therefore inconsistent decision-making*'.³
- 3.4 The above is an extract contained within a report from 2006 in which the Home Office outlined its intentions to implement a Points-based System (PBS). With the PBS, visas were granted on the condition that applicants met the full requirements of the immigration rules and that they achieved the requisite number of points for the particular PBS route they were applying to.⁴

1 <https://www.gov.uk/government/organisations/uk-visas-and-immigration/about>

2 <https://www.gov.uk/government/collections/immigration-rules>

3 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/272243/6741.pdf

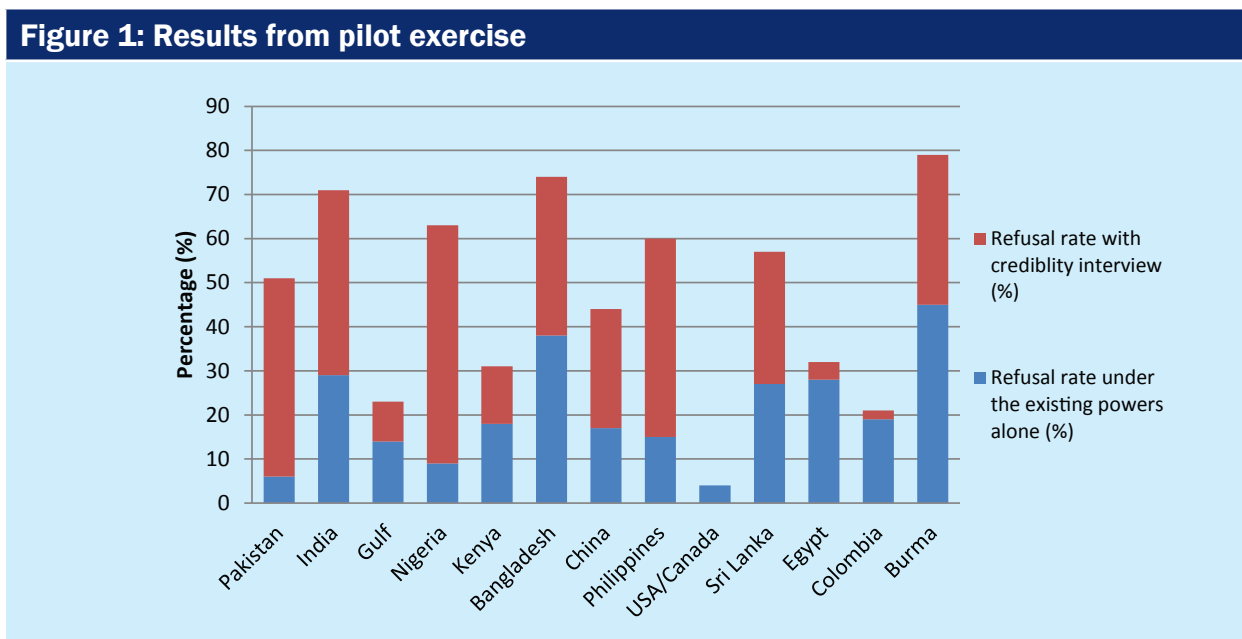
4 https://www.points.homeoffice.gov.uk/gui-migrant-jsf/Help/HelpWindow.faces;jsessionid=A3EF53753AECC3424205F0DB93896473?hlpTextKey=SA_FILTER_405_HELP

3.5 This new initiative, which was implemented in 2008, sought to make the decision-making process more objective because decisions would be primarily based on documentary evidence. Applicants would no longer have their credibility routinely assessed by interview. However, PBS was not applied to other categories of visa, such as family and general visit visas; in these categories, entry clearance staff retained the ability to interview applicants where the need arose.

3.6 It was later found that the PBS was open to abuse, particularly by students applying for a visa via Tier 4 of the PBS. A Home Office report published in December 2010 showed that up to 14% of English language college students, and up to 26% of students at privately funded colleges of further and higher education, were potentially non-compliant with the terms of their visas. This compared to up to 2% of those at university.⁵

It was later found that the PBS was open to abuse, particularly by students applying for a visa via Tier 4 of the PBS.

3.7 In response to these findings, the Home Office conducted a pilot exercise between December 2011 and February 2012. This was designed to determine whether interviewing applicants applying for student visas would support policy changes to tackle abuse of the Tier 4 route. It assessed a sample of over 2,000 student applications across 13 different countries. The results found that up to a fifth of students⁶ who were issued with a visa would have been refused based on their interview. English language ability was cited as a factor in the majority of these cases. The results by country are set out in Figure 1 below:



3.8 The result of this pilot led to the immigration rules being amended in July 2012⁷ to allow Entry Clearance Officers (ECOs) to refuse applicants if they were not satisfied that they were genuine students. This was known as the Genuine Student Rule (GSR).⁸ In all cases where this rule was to be applied, the applicant must have been given the chance to respond to questions at an interview.⁹

Video teleconferencing interviews

3.9 In December 2012, the Home Secretary, referring to the 2011/2012 pilot, announced during a speech to the Policy Exchange Think Tank that:

5 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/257178/overseas-students-report.pdf

6 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115920/occ104.pdf

7 <https://www.gov.uk/government/speeches/student-visa-interviews-and-genuine-student-rule>

8 Paragraph 245ZV(k) of the Immigration Rules

9 <https://www.gov.uk/government/publications/tier-4-interviews-and-genuine-student-rule-gsr-sty02/tier-4-interviews-and-genuine-student-rule-gsr-sty02>

‘The lesson from that pilot was clear – abuse was rife, paper-based checks weren’t working, and interviews, conducted by entry clearance officers with the freedom to use their judgement, work. So I can announce that, from today, we will extend radically the Border Agency’s interviewing programme. Starting with the highest-risk countries, and focusing on the route to Britain that is widely abused, student visas, we will increase the number of interviews to considerably more than 100,000, starting next financial year.’

- 3.10 To achieve this, the Home Office developed a new, technology-led process of interviewing known as Video Conferencing (VTC) interviews. VTC interviews are undertaken by Home Office staff based in a hub in Sheffield. The system is operated by a commercial partner, VFS Global, who link the hub to 93 visa application centres in 42 countries. The current process for applying for a visa where a video interview is conducted is set out in Figure 2.

Figure 2: Visa application process where a video credibility interview is conducted

1. The applicant completes an online application form and makes an appointment to attend a visa application centre (VAC).
2. During the appointment at the VAC, applicants are required to pay the required fee, submit their application form and their biometric information, and sit a 10 minute video teleconferencing interview.
3. The video teleconferencing interviews are conducted via video link with a Home Office interviewer based in Sheffield. This interviewer receives limited information about the applicant prior to the interview.
4. The interviewer asks four set questions in English focused on the student’s chosen course of study and reasons for studying in the UK.
5. The transcript of the interview is sent by secure e-mail to the relevant overseas post with a unique number to identify the application record. The interviewer appends the transcript to state whether they have concerns about English language ability, the credibility of the applicant or both.
6. The full visa application is then sent to the relevant overseas post. The overseas post will then link the video transcript to the appropriate record on Proviso.
7. An ECO assesses the visa application and can call the applicant for a more substantive interview if they are concerned with any aspect of the application, including the responses given at the video teleconferencing interview.
8. The decision to grant or refuse the application is made by the ECO.

- 3.11 The Home Office had conducted over 102,000 VTC interviews with Tier 4 applicants by January 2014.¹⁰ During 2014 the VTC interview programme expanded to include non-Tier 4 applicants, namely visit visa applicants and UK-based sponsors.

- 3.12 Interviews for visit visa applicants are conducted in English-speaking countries such as Nigeria. Home Office staff ask a set of pre-determined questions designed to assess whether the applicant will adhere to the requirements of their visa. Interviews with UK-based sponsors are conducted by telephone when an overseas post deems there to be a risk. This type of interview also follows a set template designed to assess the legitimacy of the sponsor.

¹⁰ Data received internally from Home Office.

Substantive interviews

- 3.13 When ECOs have concerns from the VTC or their own concerns about the legitimacy of an application, they have the ability to hold substantive interviews. These differ from VTC interviews, as the ECO is able to set their own questions to address specific areas of concern that they may have after considering all the evidence in the application. Substantive interviews for students applying under Tier 4 of PBS are known as GSR interviews.
- 3.14 Between April 2013 and March 2014, the Home Office had conducted over 54,000 substantive interviews; just under 45,000 of these were for non-Tier 4 applicants.¹¹ Figure 3 shows a breakdown of categories for which substantive interviews have been conducted during this period.

Figure 3: Number of substantive interviews conducted, by visa category, between April 2013 and March 2014

Visa Category	Number of Substantive Interviews
EEA Family Permits	346
Family Visit	15,469
Other Non-settlement	343
Other Visitor	25,471
PBS Tier 1	1,120
PBS Tier 2	179
PBS Tier 4	9,690
PBS Tier 5	552
Settlement	1,355
Student	3
Transit	64
Work permit	4
Total	54,596

- 3.15 Face-to-face substantive interviews take place at the visa post, in specially designed interview booths. However, applicants can also be interviewed via video link from a VAC or via telephone.

Methodology

- 3.16 The Chief Inspector's inspection criteria¹² (set out in Appendix 2) were used to assess the efficiency and effectiveness of UKVI's handling of visa interviews under the themes of:
- Operational Delivery;
 - Safeguarding Individuals; and
 - Continuous Improvement.
- 3.17 We visited five sites as part of this inspection: Sheffield, Abuja, Lagos, Chennai and Shanghai. A number of stages were completed prior to the on-site phase of the inspection, including:
- a pre-inspection visit to the UKVI interviewing hub in Sheffield;

¹¹ Data received internally from Home Office

¹² All criteria of the Independent Chief Inspector of the UK Border Agency can be found at: <http://icinspector.independent.gov.uk/wp-content/uploads/2010/03/Inspection-Criteria.pdf>

- an examination of management and performance information provided by UKVI;
- stakeholder meetings with UKCISA¹³ and the Association of Colleges;¹⁴
- a survey of educational establishments; and
- a survey of Entry Clearance Officers.

3.18 As part of the inspection, we analysed 398 case files selected randomly from a range of file types, broken down by four of the sites we visited in addition to two further sites – Bangkok and Moscow. We sampled files both prior to the on-site phase of the inspection and whilst on site – Figure 4 refers.

Figure 4: Table showing the type and number of files sampled

File Type	Number of Files Sampled
Tier 4 cases in which no interview had taken place	2
Tier 4 cases in which only a VTC interview had taken place	167
Tier 4 cases in which only a substantive interview had taken place	5
Tier 4 cases in which both a VTC and a substantive interview had taken place	102
Visit* cases in which no interview had taken place	69
Visit cases in which only a substantive interview had taken place	53
Total	398

*Visit files consisted of family visit and general visit cases.

3.19 The on-site phase of the inspection took place on the following dates:

- 17-18 June 2014 – Sheffield Interviewing Hub;
- 30 June - 3 July 2014 – Shanghai Visa Post;
- 30 June - 2 July – Lagos Visa Post;
- 3 July - 4 July 2014 – Abuja Visa Post; and
- 7-10 July – Chennai Visa Post.

3.20 At each of the four locations we held a range of focus groups and interviews with UKVI staff and observed staff undertaking interviews, both via video link and face to face. While on site, we met the following stakeholders:

- The British Council;
- UK Trade & Investment (Shanghai only); and
- The British High Commission/Deputy High Commission.

3.21 On 12 August 2014, the inspection team provided feedback on emerging findings to UKVI. The inspection identified seven recommendations to improve the efficiency and effectiveness of visa interviews carried out by UKVI. A full summary of recommendations is provided on page six of this report.

3.22 This report was submitted to the Home Secretary on 15 October 2014.

13 <http://www.ukcisa.org.uk/>

14 <http://www.aoc.co.uk/>

4. Inspection Findings – Operational Delivery

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

Resources should be allocated to support operational delivery and achieve value for money

- 4.1 This chapter contains an assessment of the interviewing project, with a focus on high-level outcomes. It also examines the effectiveness and appropriate use of both VTC and substantive interviews. While this section focuses primarily on Tier 4 (student) cases, it also examines the effectiveness of substantive interviews for applicants wishing to visit the UK.

Assessment of the interviewing project

- 4.2 Video Teleconferencing interviews were a new development for the Home Office. They required new premises, new staff and a new technological infrastructure provided by a commercial partner to be implemented in locations across the world. Worldwide roll-out of the use of the technology began in April 2013. The total cost of the initial set-up during 2013/14 was £5.829m, with ongoing projected costs forecast to be £2.292m for 2014/15.
- 4.3 We found that the roll-out of VTC interviews had been managed well. Posts considered to be high-risk were connected first, with a phased roll-out to remaining posts being completed by the end of June 2013. This was a formidable achievement in collaboration with a commercial partner, given the scale of the change.
-
- We found that the roll-out of VTC interviews had been managed well.*
-
- 4.4 VTCs were used primarily for Tier 4 applicants; therefore staff employed at Sheffield were predominantly sourced from a recruitment agency. This was due to the seasonable fluctuations experienced in the number of student applications. Despite this, we found that staff were engaged and committed to achieving success.
- 4.5 UKVI had met the Home Secretary's target of completing '*considerably more than 100,000 interviews*' during the financial year April 2013/14, completing 112,357 VTCs during this period; this represented approximately 52% of T4 applicants being interviewed, measured against an overall figure of 215,259. Over the course of the year, the number of VTC interviews progressed steadily, as set out in Figure 5.

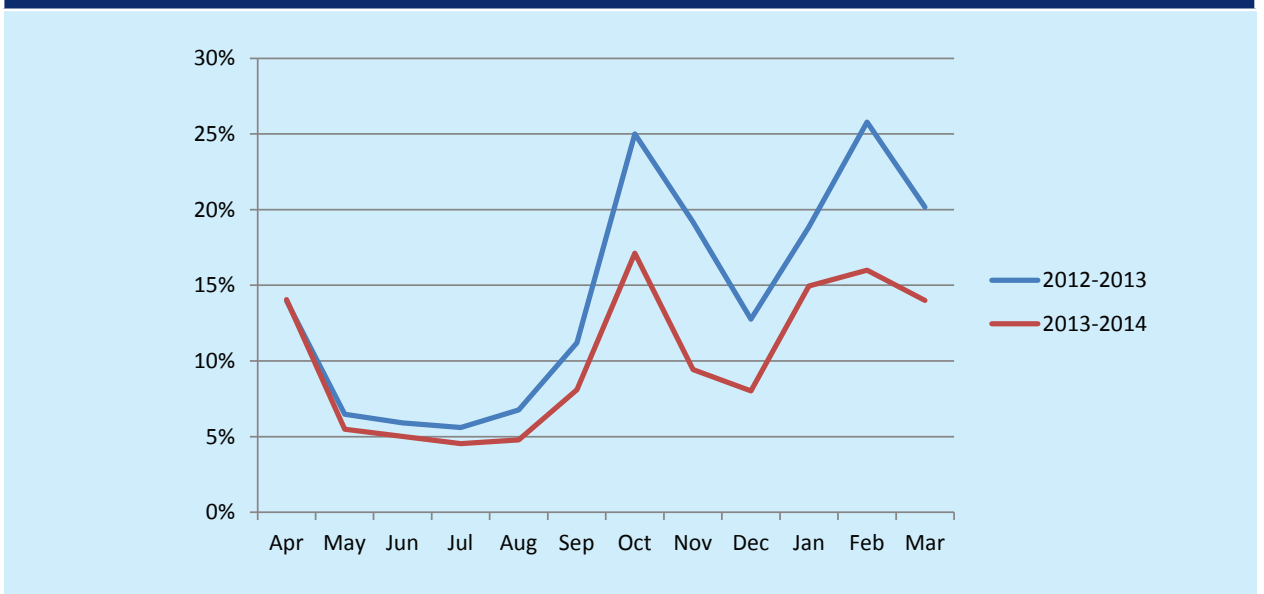
Figure 5: Percentage of Tier 4 applicants receiving a VTC interview



Overall impact of interviews

4.6 An internal options paper drafted in 2012 set out six options for the implementation of the interviewing programme. A listed benefit in all six options was an ‘increase in refusal rate from 11% to 13%’. We examined whether this projected benefit had been realised. We found that it was not achieved, as the refusal rate for Tier 4 applicants decreased slightly between April 2012 and March 2014. Overall, the average refusal rate for the period April 2012 to March 2013 was 10%; this decreased to 7% between April 2013 and March 2014. Figure 6 shows the comparison between the two periods.

Figure 6: Comparison of refusal rate of Tier 4 applications in 2012-2013 and 2013-2014

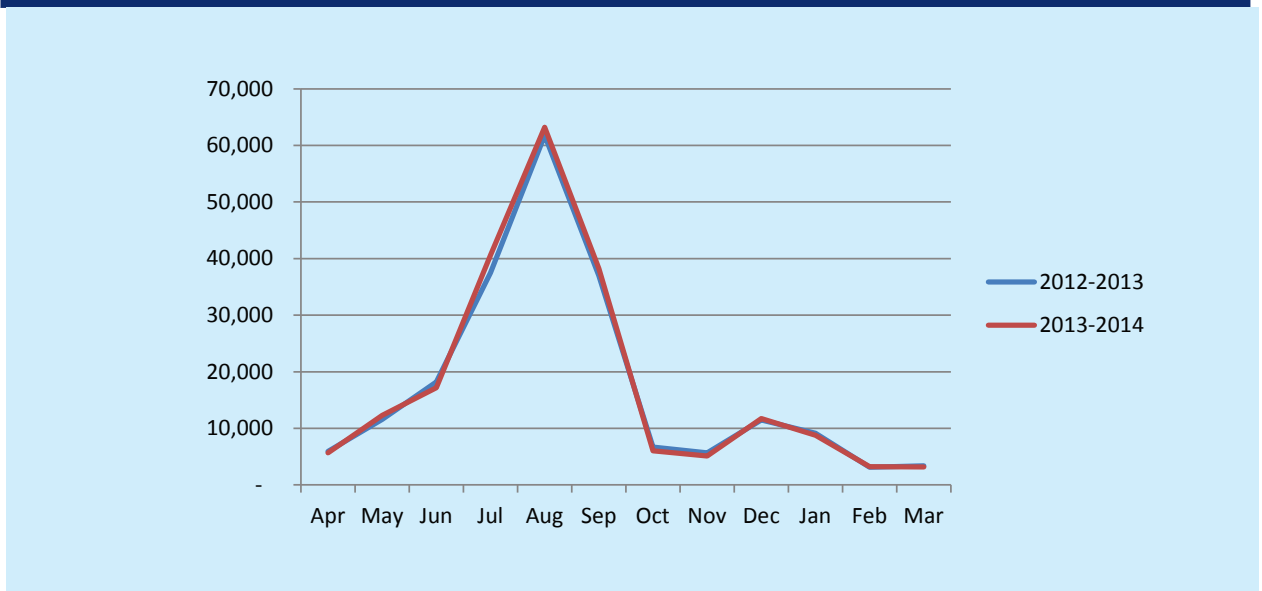


4.7 The graph shows that the trend was consistent across both periods. However, the actual number of refusals has decreased since interviews were introduced. The Home Office stated that, although the initial aim of increasing refusals had not been met, they felt that better decisions were being made and that the credibility interviews had worked as a deterrent for non-genuine students. A senior manager stated that the number of applications had fallen over the same period and that ‘the applications were now of a higher quality.’

The Home Office stated that, although the initial aim of increasing refusals had not been met, they felt that better decisions were being made.

4.8 However, we found that the number of applications made during this period showed a slight increase of 2%, from a total of 211,406 applications in 2012-2013 to 215,259 in 2013-2014. Figure 7 shows that the numbers of applications received is almost identical in each month of the given period.

Figure 7: Comparison of number of Tier 4 applications received in 2012-2013 and 2013-2014

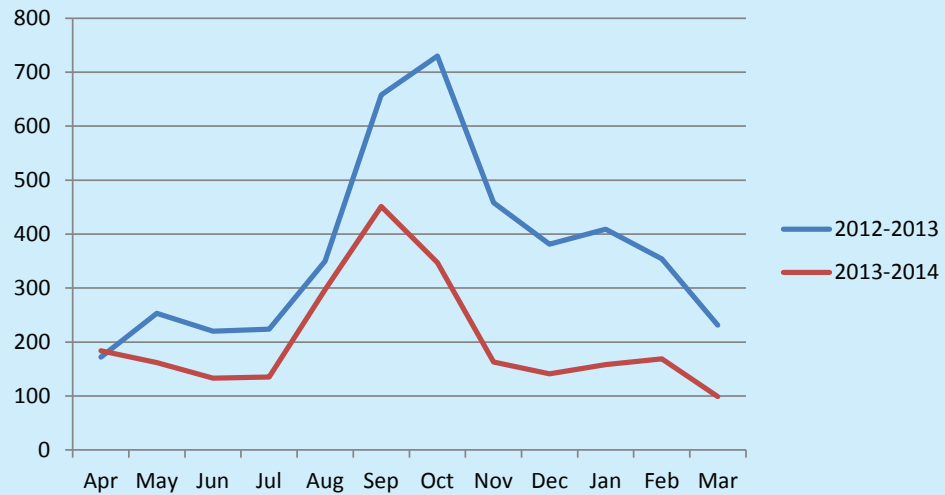


4.9 In addition to refusal rates, we also examined the number of cases where an Administrative Review was conducted. An applicant who disagrees with a refusal decision can request an Administrative Review, where the decision is reconsidered by an Entry Clearance Manager.¹⁵ If better decisions were being made, this should have resulted in fewer decisions being overturned during the Administrative Review process. However, the data did not reflect this, as the average number of Administrative Review overturns remained almost unchanged with 18% in 2012-2013 and 17% in 2013-2014. The same pattern was reflected when ECMs conducted internal decision-quality reviews, with 10% of cases being overturned in both periods.

4.10 However, we noted that the number of Administrative Reviews received relating to T4 decisions where the application was made in a VTC participating location reduced from 4,440 in 2012/13 to 2,439 in 2013/14, a reduction of 45%; Figure 8 refers. This could indicate that the strength of refusals since the introduction of interviews is higher, deterring applicants from requesting an Administrative Review because the likelihood of success is lower.

15 <https://www.gov.uk/ask-for-a-visa-administrative-review>

Figure 8: Comparison of number of administrative reviews received in 2012-2013 and 2013-2014



Video teleconferencing interviews (VTC)

4.11 Our file sample examined the conduct of VTC interviews, their outcome and the overall impact they had on the final decision by an ECO when considering to issue or refuse a visa. To accomplish this, we examined whether:

- additional questions were asked during the VTC interview;
- concerns with English language ability or credibility were correctly identified;
- ECOs identified credibility concerns when the Sheffield interviewer had not;
- the VTC interview added value to the decision-making process; and
- a quality assurance regime existed to monitor the effectiveness of the VTC interview.

4.12 Each of these considerations is reported separately below.

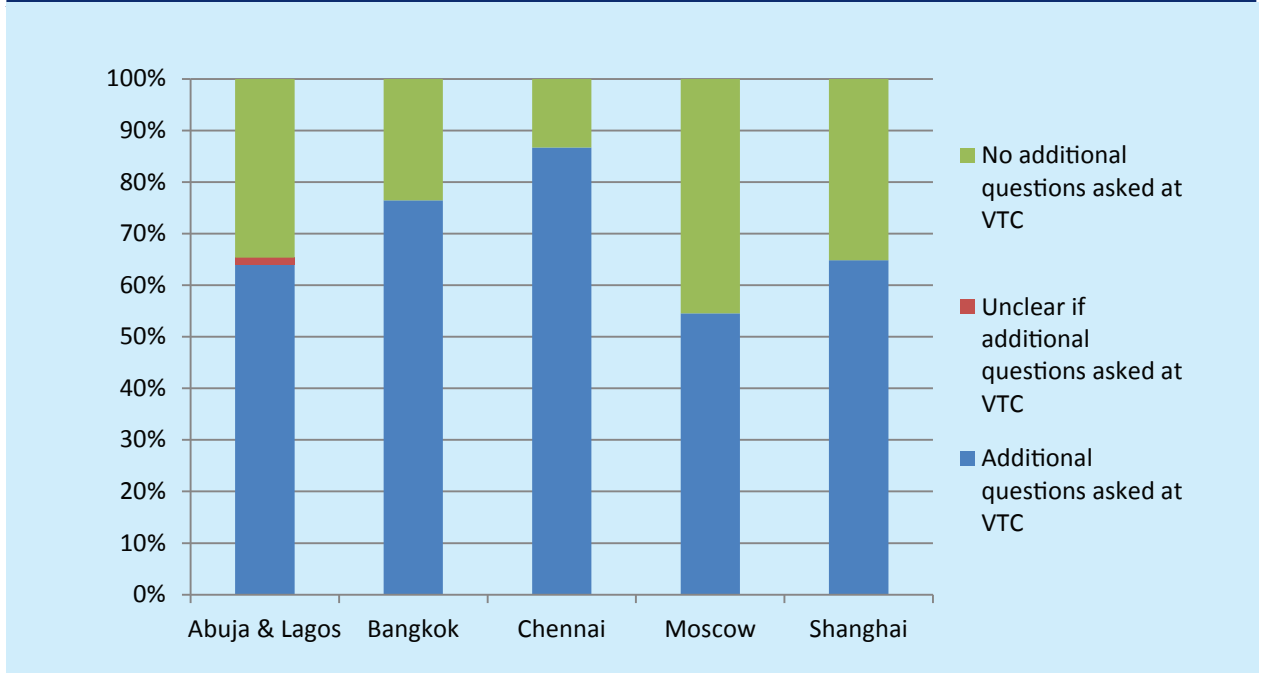
Additional questions asked during the VTC interview

4.13 A standard VTC interview contained four questions, which should have been asked of all applicants. The questions were mandatory to ensure that all applicants received the same opportunity to satisfy the interviewer that they were both credible and had sufficient English language capability.

4.14 In instances where the interviewer was not satisfied that an applicant had understood these four questions, or considered that they had been coached to provide specific answers to mandatory questions, the interviewer could ask additional questions. These additional questions were taken from a series of set questions, with the interviewer being free to select which questions they used.

4.15 We examined how often additional questions had been asked at the VTC interview and Figure 9 shows the breakdown in the each of the locations we sampled.

Figure 9: Were additional questions asked at VTC?



Note – The sample for Lagos only contained one case where a VTC had been conducted, therefore, the figure has been merged with Abuja.

4.16 This illustrates that, in almost all locations, over half of all applicants were subjected to additional questions at the VTC. In one case from Abuja, it was unclear whether additional questions had been asked because, although the notes on the electronic file record for the applicant stated that a VTC had been conducted, the interview transcript had not been added to the record.

4.17 The rate of additional questioning was higher for applicants from posts considered to be a higher immigration risk. For cases originating in Chennai, 87% (78 out of 90) of applicants were asked additional questions.

The rate of additional questioning was higher for applicants from posts considered to be a higher immigration risk.

4.18 However, in areas considered low-risk, for example Shanghai, where the overall visa issue rate for Tier 4 applications in 2013/14 was 99%, the rate of additional questions was higher than expected (65%). We considered that the value offered by VTC interviews in such locations was negligible, and we refer to this in greater detail later in this chapter.

4.19 The Home Office had begun to take an improved approach to VTC interviews in some cases. For example, for applications originating from Dhaka in Bangladesh, where we previously reported¹⁶ about the lack of perceived value of the VTC by ECOs, the Home Office had developed a specific set of questions aside from the initial mandatory four. The additional questions had been developed in collaboration with the local RALON¹⁷ team in Dhaka who provided information about specific risks in this location. This was good practice and we consider that the Home Office should examine how this model could be expanded to other high-risk locations.

The Home Office had begun to take an improved approach to VTC interviews in some cases.

4.20 We also found that questions could be tailored if Tier 4 applicants were applying for a visa to attend

¹⁶ An Inspection of the Dhaka Visa Section - <http://icinspector.independent.gov.uk/wp-content/uploads/2013/12/An-Inspection-of-the-Dhaka-Visa-Section.pdf> - published in December 2013

¹⁷ Risk And Liaison Overseas Network

a course at a specific educational institution. The Sponsor Management Unit (SMU), based in Sheffield, which oversees the issue of sponsor licences enabling institutions to accept Tier 4 students, had its own intelligence and information about certain institutions. We found that SMU had used this information to work with the Sheffield Interview Hub to generate set questions for applicants applying to attend specific institutions. The decision to use the questions was taken out of the hands of the VTC interviewer, because the system linked the applicant to the institution and generated the questions automatically. This was good practice and an effective use of the interview process.

Were credibility concerns correctly identified?

4.21 We examined the number of cases where concerns had been raised by the VTC interviewer in our file sample. Of the 269 cases where a VTC had been conducted, concerns had been raised in 48 cases (18%) - Figure 10 refers.

Figure 10: Concerns raised during the VTC interview

Concern	Number of cases from sample	% of total sample where VTC had been conducted
Credibility only	32	12%
English language only	8	3%
Both credibility and English language	8	3%

4.22 When broken down by post, the data showed that Chennai, a high-risk post, accounted for 38% of the cases where concerns had been raised at the VTC. There were no concerns recorded for any of the cases from Moscow, a low-risk post. This indicates that concerns were being identified in the correct places and were commensurate with the risks posed by applicants applying to those posts.

4.23 However, we also found some cases where, although the VTC interviewer had not raised any concerns, we believed that they should have. Out of 200 cases in which no concerns were raised by the VTC interviewer, we felt that they should have raised concerns in 18 cases (9%). Sixteen related to credibility only, one to English language ability and in one we had concerns about both. Figure 11 provides details of a case in which we consider that concerns should have been raised at the VTC stage.

However, we also found some cases where, although the VTC interviewer had not raised any concerns, we believed that they should have.

Figure 11: Case study – VTC interviewer should have raised concerns

In the VTC interview:

- Answers to the mandatory questions in the VTC were vague, for example:

Interviewer: How will this course help you with your future plans?

Applicant: Mmm, exactly, I believe I yes I believe I can quite a lot of specific knowledge from this course [sic].

- Only three additional questions were asked, regarding the applicant’s previous English language education and family in the UK. The interviewer did not probe vague answers sufficiently. No concerns were raised.
- The applicant was subsequently issued a visa.

UKVI comments

UKVI accepted that more probing questions would have been needed to fully test credibility and it may therefore have been appropriate to conduct a further substantive interview in this case.

Chief Inspector's comments

Based on the responses given at the VTC interview, concerns should have been raised about this applicant, which would have resulted in the visa post scheduling a substantive interview.

- 4.24 ECOs had also identified credibility concerns with VTC interview transcripts (40 out of 200 cases – 20%), even though none had been raised by the VTC interviewer; Figure 12 refers.

Figure 12: Cases where concerns were identified by the ECO but had not been identified at the VTC

Type of Case	Number of Cases from Sample	% of total sample where VTC had been conducted
Issued	11	4%
Refused	21	10.5%
Administrative Review	8	3%

- 4.25 Figure 13 details a case where no concerns were identified by the Sheffield interviewer but the ECO identified their own concerns from the VTC transcript.

Figure 13: Case study – ECO identifying their own concerns from the VTC transcript

- The applicant provided unconvincing answers at the VTC interview and only one follow-up question was asked. The case was marked by the Sheffield interviewer as having no concerns.
- The ECO noted that they had their own concerns with the VTC transcript and the lack of probing questions. The applicant received a substantive interview via telephone. They performed poorly at the interview and the case was refused.

Chief Inspector's comments

This case was correctly refused. Even though the Sheffield interviewer should have asked more follow-up questions and marked this case as having concerns, the VTC transcript provided an important piece of evidence to the ECO who made the decision.

- 4.26 We report on the quality assurance regime and feedback process for the VTC interviews later in this chapter. However, we consider that there are opportunities within both of these areas to improve the quality of the VTC interview, particularly the identification of credibility concerns.

Did the VTC add value to the decision-making process?

- 4.27 We believe that the VTC added value to the visa application process in all cases because it provided an opportunity for UKVI to verify the identity of the applicant and test their English language ability. However, we also examined the impact that the VTC made to the final decision. When considering this, we looked at the overall issue rates for each post alongside the issue rates specifically

for Tier 4 applications. Figure 14 shows the issue rates for the period 2013/14 for each of the posts we visited.

Figure 14: Issue rates for the period April 2013 - March 2014

Overseas Post	Overall Issue Rate	Issue Rate for Tier 4 Applications
Abuja	70%	82%
Bangkok	94%	97%
Chennai	89%	76%
Moscow	96%	91%
Shanghai	99%	99%

4.28 This shows that in low-risk posts such as Bangkok, Moscow and Shanghai, the issue rate for Tier 4 applications is very high. In our view, the value added by the VTC was limited in these posts, due to the minimal number of cases being refused under language or credibility grounds. This view is supported by the data produced from our file sample, which is set out below.

VTCs in low-risk posts

4.29 In Shanghai, a post with a 99% issue rate for Tier 4 student, only eight refusal cases were available for sampling because the number of refusals in Shanghai was so low. Of these eight cases:

- five fell for refusal anyway because the applicants did not meet the necessary points threshold;
- one was refused because the applicant had used deception;
- one was refused because the applicant had not provided the relevant certificate for immunisation against tuberculosis; and
- one was refused because the applicant would have exceeded the maximum time in the UK for studying courses below degree level (three years).

4.30 Therefore, in all of the refusal cases that we examined from Shanghai, applicants would have been refused regardless of whether a VTC had been conducted or not. This meant that the VTC offered no value in these cases.

In all of the refusal cases that we examined from Shanghai, applicants would have been refused regardless of whether a VTC had been conducted or not.

4.31 We also examined two cases that had been subject to Administrative Review in Shanghai. In these cases, both applicants had been refused for failing to achieve the points threshold; therefore, the VTC added no value to these decisions.

4.32 We found one case where the VTC interviewer had not raised any concerns but the ECO identified their own concerns in the transcript. These concerns then led to the Genuine Student Rule being used as a factor within the refusal notice. In our view, despite the VTC interviewer not raising concerns in this case, the VTC added value to the decision, as it was used by the ECO as evidence that the applicant was not a genuine student.

4.33 When we examined VTC cases where visas were issued, we found that it was difficult to determine the value that the VTC added because Proviso notes did not always make reference to the VTC. This meant that it was impossible to determine how the ECO had used the VTC in their decision. However, in seven cases from Shanghai it was clear that the VTC added no value. Figure 15 is an example of such a case.

Figure 15: Case study – Lack of value of VTC in case where visa was issued

- The VTC interviewer raised concerns regarding English language. The applicant had answered some questions but not understood others.
- The applicant was applying to attend a course which included pre-sessional English language.
- The applicant was invited to attend a face-to-face substantive interview to test their English language. Fourteen questions were asked, eight of which were closed questions that were answered with Yes or No. Remaining questions were similar to those asked at the VTC and required only short answers, e.g. What is the name of the University? How long is the course? All questions were answered.

UKVI comments

More questions to test the English language could have been asked, however the ECO was satisfied on the basis of the questions asked. The applicant was attending Coventry University, a Higher Education Establishment, which can make its own English assessment. It is for the sponsor to determine, based on their expertise, whether the applicant is suitable to undertake the course.

Chief Inspector's comments

Some answers at the VTC were adequately answered and the ECO should have taken account of the course including pre-sessional English.

The ECO noted on the Proviso record that English was 'OK' in the VTC.

The response from UKVI indicates that a university's assessment is more important than the VTC assessment of English language.

The VTC and substantive interview added little or no value in this case.

- 4.34 In the case study above, the applicant's home address as stated on the visa application form was approximately 300 miles from the Shanghai Visa Post. In view of the lack of value that this substantive interview provided, we feel this journey was disproportionate. Had UKVI conducted a more detailed interview, this would not have been the case.
- 4.35 In relation to the 15 refused cases sampled from Moscow, concerns were noted at the VTC stage in 10 cases. However, the VTC added no value in any of these cases, because the applicants were refused for failing to meet the required points threshold for Tier 4.
- 4.36 We also examined four Moscow cases where a request for Administrative Review had been submitted. VTC concerns had only been raised in one case, which was refused under General Grounds, therefore it had added value.
- 4.37 We sampled 18 refusal cases from Bangkok. The VTC raised concerns in eight of these cases, and in all eight cases the applicant was refused under paragraph 245ZV(k) of the Immigration Rules, because they failed to satisfy the ECO that they were a genuine student. Therefore, the VTC added value in all eight cases.
- 4.38 There were no Administrative Review cases from Bangkok that were available for sampling, as none were received by the Post that met the criteria for our file sample.

4.39 A considerable amount of resource was being utilised to deliver 100% coverage of VTC interviews, both in the UK and overseas. Based on the high issue rate and the results from our file sample, we believe that VTC interviews were adding very little value to low-risk posts, such as Shanghai.

Based on the high issue rate and the results from our file sample, we believe that VTC interviews were adding very little value to low-risk posts, such as Shanghai.

VTCs in high-risk posts

4.40 The data for higher-risk posts showed that the VTC process was more effective in these locations. For example, in Abuja, of the 33 cases examined where the application was refused, concerns were raised at the VTC stage in six cases. In two of these cases, the points threshold was not met, but in the remaining four cases, applicants were refused under the Genuine Student Rule with the VTC adding value to the decisions made.

The data for higher-risk posts showed that the VTC process was more effective in these locations.

4.41 We also examined 13 Abuja cases that had been subject to Administrative Review. Of these, three had concerns raised at the VTC, with two being refused under the Genuine Student Rule. The remaining case fell for refusal for failing to achieve the required points. Figure 16 shows a case study for one of these cases where the VTC did add value.

Figure 16: Case study – Added value of a VTC for Abuja case

The applicant:

- had met the required points threshold for PBS, but had been refused under the Genuine Student Rule, because the VTC interview identified concerns regarding their credibility (the answers provided were short and focused on one specific aspect of the application, namely their age);
- subsequently received a substantive telephone interview to address the concerns raised at the VTC; their answers remained vague and they were unable to explain any details about the proposed course (discrepancies also existed between the documentary evidence provided and the answers given at interview); and
- was refused on credibility grounds; a subsequent Administrative Review conducted by the ECM upheld this decision.

Chief Inspector's comments

This case clearly demonstrated how the VTC can be used to good effect. It prompted the ECO in Abuja to investigate credibility further. Without the VTC interview the applicant would have been granted a visa because they had met the points threshold.

4.42 We identified four VTC interviews which did add value to the decision in Abuja, even though the interviewer had not raised any concerns. This was because the ECO identified their own concerns from the VTC transcripts, which led to refusal under paragraph 245ZV(k).

4.43 In Chennai, another high-risk post, concerns were raised in seven out of 35 refusal cases (20%). Two of these cases were refused under the Genuine Student Rule and were linked to concerns raised at the VTC. However, the remaining five were refused on grounds that would have been apparent even without a VTC, because:

- three were refused for deceptions/false representations;

- one was refused for failing to achieve the points threshold; and
- one was refused after being identified as part of criminal activity.

4.44 In the 20 cases we examined from Chennai where the applicant had submitted a request for an Administrative Review, six had concerns raised at VTC. Of these, three failed to achieve the relevant points threshold and would have been refused regardless of the VTC. In the three remaining cases, all were refused under the Genuine Student Rule, meaning the VTC had added value in all three cases.

4.45 As with Abuja, we found cases where the ECO highlighted concerns with the VTC despite none being highlighted by the interviewer. In Chennai, nine cases met this criterion, where a refusal under 245ZV(k) was applied. The VTC added value in all of these cases.

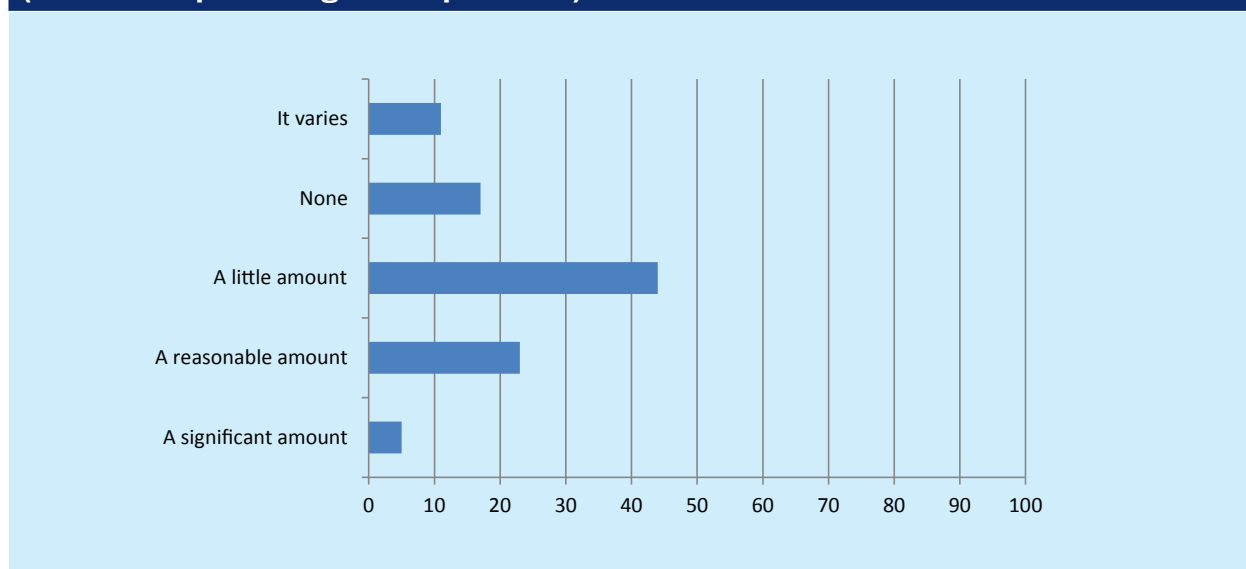
4.46 Figure 17 below summarises the number of cases where we felt that value had been added for refusal or administrative review cases. It identifies that less value was added for lower risk posts.

Figure 17: Table showing the number of cases where the VTC added value

Overseas post	Total number of cases	Number of cases where the VTC added value	Percentage
Bangkok	18	10	56%
Chennai	55	14	25%
Abuja & Lagos	47	10	22%
Shanghai	10	1	10%
Moscow	19	1	5%
Total	149	36	24%

4.47 The value added by the VTC interviews was also highlighted in the ECO survey that we conducted, the full results of which are analysed in Chapter 6 of this report. The survey included a question asking how much weight an ECO placed on the VTC when making their decision. Figure 18 shows the different responses that were provided to this question.

Figure 18: How much weight do ECOs place on the VTC when making a decision – (shown as a percentage of respondents)



- 4.48 The chart shows that 29% of the respondents considered that the VTC process added a reasonable or significant amount of value to the decision-making process. However, 61% of respondents stated that the VTC added little or no weight to their final decision. This was concerning, given the findings we made in our Dhaka report in 2013, where the level of staff buy in was low.
- 4.49 From the results of our survey, it appears that the level of engagement with VTCs amongst Entry Clearance Officers is still low, which could work negatively against the impact or value that the VTC had on the overall process. Whilst the result of the survey appears negative overall, we received a more balanced opinion during focus groups with staff in the locations we visited. Staff in Chennai and Shanghai were broadly positive about the VTCs, demonstrating a good understanding about why they were being conducted. However, staff in Shanghai considered that in many cases the VTC was unnecessary for the majority of their applicants because of the low-risk nature of the post.
- 4.50 In Abuja, the response from staff about the VTCs was mainly negative. They expressed concerns that the fixed questions embedded within the template did not allow VTC interviewing officers to properly assess credibility. Accordingly, they placed little weight upon the VTC interview. Overall, we found that the current Home Office policy of interviewing every Tier 4 applicant at the point of application was not as effective as it could be. There was scope to reduce the number of VTCs conducted in some locations, particularly where risks were very low.
- 4.51 The Home Office indicated that consideration was being given to adopting a risk-based approach, using VTCs to target higher-risk locations. The Independent Chief Inspector considers that, as the range of visa categories where applicants will be subject to a VTC increases, a targeted approach will help the Home Office to use its resources effectively.

Staff in Chennai and Shanghai were broadly positive about the VTCs, demonstrating a good understanding about why they were being conducted.

In Abuja, the response from staff about the VTCs was mainly negative.

We recommend that the Home Office:

Re-assesses whether a risk-based approach to video conferencing interviews would deliver increased benefits and target resources more effectively.

Quality assurance

- 4.52 Quality assurance of VTC interviews was carried out by a team of quality assessors based at the Sheffield Interview Hub. This team were responsible for analysing the interview transcripts and recording the outcomes against a set of quality indicators on a spreadsheet. Each member of staff had their own spreadsheet, so they could view their own performance at any time.
- 4.53 After initial training, staff had all their interview transcripts checked for quality. Once they met the required standard, the percentage of transcripts checked was reduced. If a member of staff failed to achieve the relevant standard, they were offered more training and mentoring. The assurance examined the quality of the transcript against 15 different criteria such as:
- was the correct date entered?
 - was the correct reference number entered?
 - were all mandatory questions asked? and
 - whether any typographical errors were made.

4.54 The result of each quality assurance was then updated onto a master spreadsheet to show whether an interviewer had passed or failed the quality assessment. Some of the quality indicators carried more weight than others; for example, if all mandatory questions were not asked during an interview, this would result in an automatic fail, regardless of the assessment of the remaining indicators.

4.55 Staff received verbal feedback from the quality assessor or their line manager about the outcome of the quality assurance check. We found that the process was administered effectively and all staff were aware of the quality regime in place.

4.56 However, we were concerned that the quality assurance activity only measured content and completeness of the interview transcript – it did not examine the quality of the interview itself. For example, if an interviewer asked the mandatory questions, no assessment was made as to whether they made the right choice or not in asking additional questions. There was also no assessment of the conduct of the interviewer.

We were concerned that the quality assurance activity only measured content and completeness of the interview transcript – it did not examine the quality of the interview itself.

4.57 Part of the reason for this was that the only record of the interview was a typed record – there was no video or audio that could be examined after the interview had been completed. As a result, a fundamental element of the interview was not being assessed. We were told that, to overcome this issue, quality assessors ‘floor walked’ and listened into interviews, although this was unlikely to occur during busy times. We felt that the lack of assessment of the interview itself, as opposed to just the record of the interview, was an area that should be improved.

4.58 Staff were concerned about the impact that making mistakes had on their performance reviews. As a result, we observed them spending additional time at the end of each interview focusing on typographical errors, making corrections or minor amendments prior to submitting it. This frequently extended the interviewing process, risking a loss of efficiency.

Staff were concerned about the impact that making mistakes had on their performance reviews.

4.59 Sheffield staff stated that the situation could largely be resolved by the introduction of a spell-checking tool built into the template. The current system meant that staff were cutting and pasting the responses into an online spell-checker prior to submitting the document. UKVI should consider implementing this functionality into the template.

4.60 We found that there was no routine mechanism for ECOs at visa posts overseas to provide feedback to the Hub about the VTC interview process. While there had been ad hoc visits by ECOs to the Hub, which VTC staff considered useful, these visits were intermittent and had not occurred with enough frequency to meaningfully improve interviewing performance.

We found that there was no routine mechanism for ECOs at visa posts overseas to provide feedback to the Hub about the VTC interview process.

4.61 Feedback was particularly important, in our view, in instances where an ECO had identified concerns in the VTC transcript, but the Sheffield interviewer had not. Providing feedback in such cases would have:

- improved the level of communication between ECOs and VTC interviewers; and
- helped to improve VTC interviewers’ understanding about assessing credibility.

Conclusion

4.62 The VTC interview was introduced initially to tackle abuse of the Tier 4 Student visa route. However, since September 2013, the VTC hub has started to increase the range of visa categories to include Family Visit and General Visitor applications. Family Visit VTC interviews were predominantly telephone interviews of sponsors in the UK. However, in countries where English was widely spoken, the VTC was being expanded to applicants in the other categories.

4.63 In expanding the use of VTC interviews, the Home Office needs to enhance the quality assurance regime to include qualitative elements of the actual interview itself. It also needs to improve the level of feedback between front-line ECOs and VTC staff to ensure that improvement opportunities are identified and acted upon in order to improve the overall efficiency and effectiveness of the VTC process.

In expanding the use of VTC interviews, the Home Office needs to enhance the quality assurance regime to include qualitative elements of the actual interview itself.

We recommend that the Home Office:

- Widens the scope of the quality assurance regime in the Sheffield Interview Hub to include an assessment of the quality of the interview itself; and
- Improves the level of feedback between front-line ECOs and VTC staff to increase the overall efficiency and effectiveness of the VTC process.

Substantive interviews

4.64 Substantive interviews play a crucial role in the visa decision-making process, allowing ECOs to obtain key information about an applicant. This evidence, used alongside documentary material submitted with an application, is then used by the ECO to make a decision based on all the evidence they have gathered together. The overriding consideration for an ECO making a decision on a visa application is whether they believe that an applicant is travelling for the purpose stated and does intend to return to their country of origin when their visa expires.

Substantive interviews play a crucial role in the visa decision-making process, allowing ECOs to obtain key information about an applicant.

4.65 This section focuses on a number of aspects of substantive interviews, including their impact on the timeliness of either issuing or refusing a visa. Other aspects include whether:

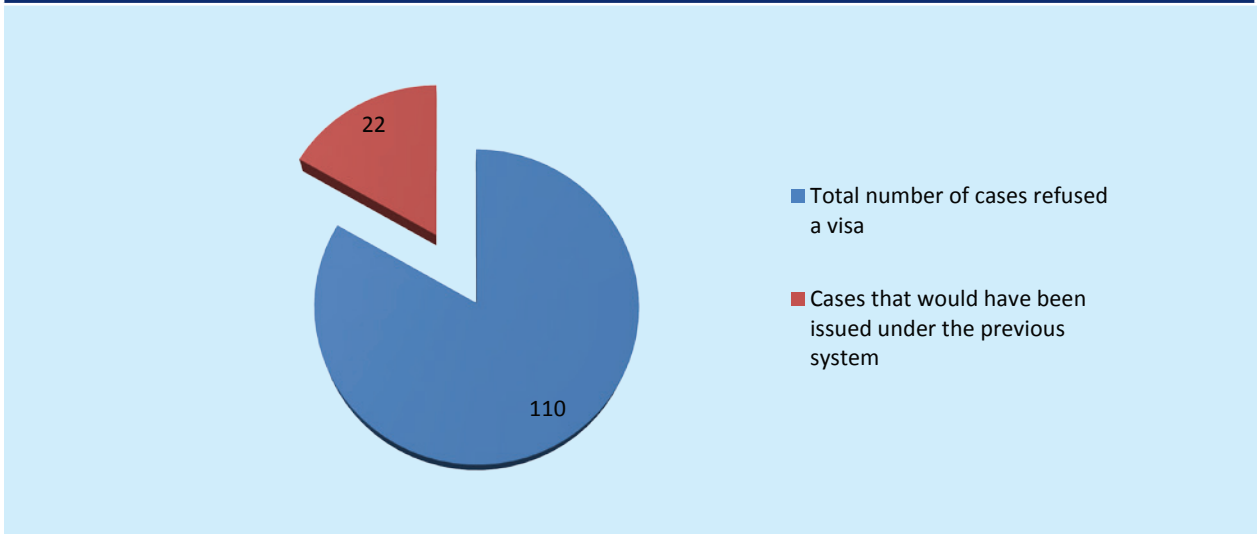
- they were adding value to the visa decision-making process;
- the reasons for using them were clearly recorded;
- they should have been used in cases where they did not take place; and
- they were being conducted effectively and professionally.

Value of substantive interviews

4.66 We found that substantive interviews were adding value to the decision-making process. From our sample of 110 cases in which a Tier 4 Student visa was correctly refused, we found 22 cases (20%) where the applicant had met the PBS points requirement and had been interviewed substantively. Before the introduction of GSR policy to Tier 4 these applicants would have been granted a visa. Figure 19 details this.

We found that substantive interviews were adding value to the decision-making process.

Figure 19: Number of cases that would have been issued with a visa before the introduction of the GSR policy



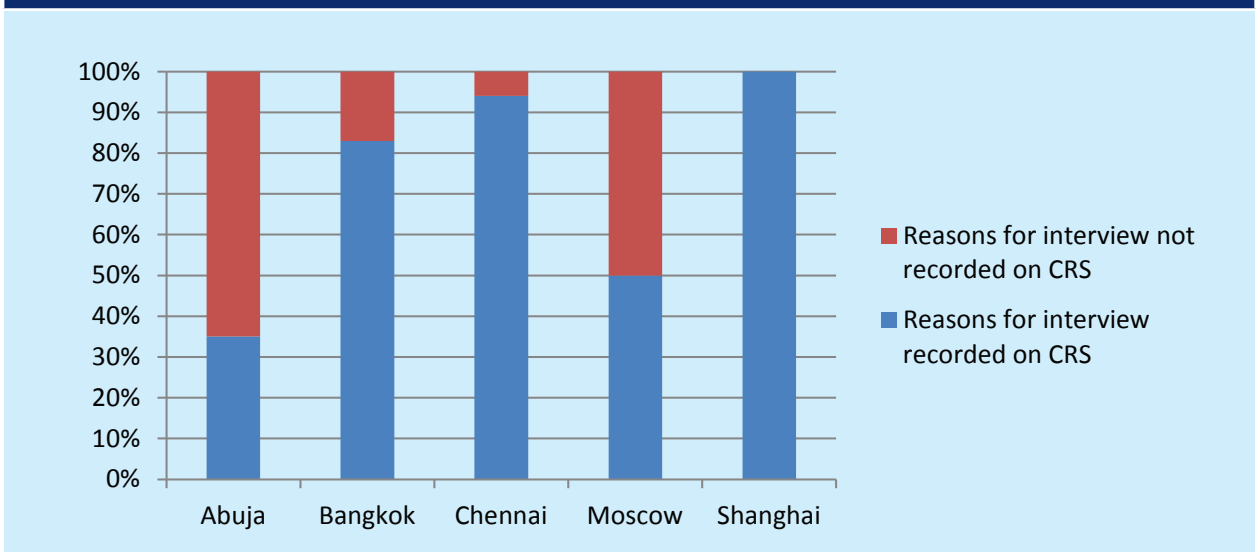
Recording the reason for interview

4.67 Substantive interviews can be scheduled in a number of ways and by different types of staff. These include:

- automatic scheduling as a result of meeting the criteria set out in a local risk profile;
- scheduling by an ECO because of concerns they have identified; and
- scheduling as a result of a request by RALON.

4.68 We examined a total of 107 Tier 4 student cases in which a substantive interview had taken place. In 29 of these cases (27%), it was not clear why the applicant had been invited to attend an interview. Figure 20 shows this information broken down by post.

Figure 20: Percentage of cases where the reasons for scheduling a substantive interview was clear/unclear



4.69 We were particularly concerned about the poor record keeping in Abuja. In 24 of the 37 cases we sampled (65%), we could not ascertain why an interview had been conducted. However, in Chennai,

Bangkok and Shanghai we found that reasons for the substantive interview were recorded in the majority of cases.¹⁸

- 4.70 Due to the cost and potential impact on applicants who sometimes have to travel significant distances to attend a visa post for a substantive interview, it is important that these interviews are being used appropriately. Records should be updated and contain clear justification as to why an interview was deemed necessary in each instance.

Records should be updated and contain clear justification as to why an interview was deemed necessary in each instance.

Appropriate use of substantive interviews

- 4.71 We also found a number of cases where a substantive interview was not conducted, but in our view should have been, in order to allow the ECO to make a sustainable decision. UKVI guidance states that:

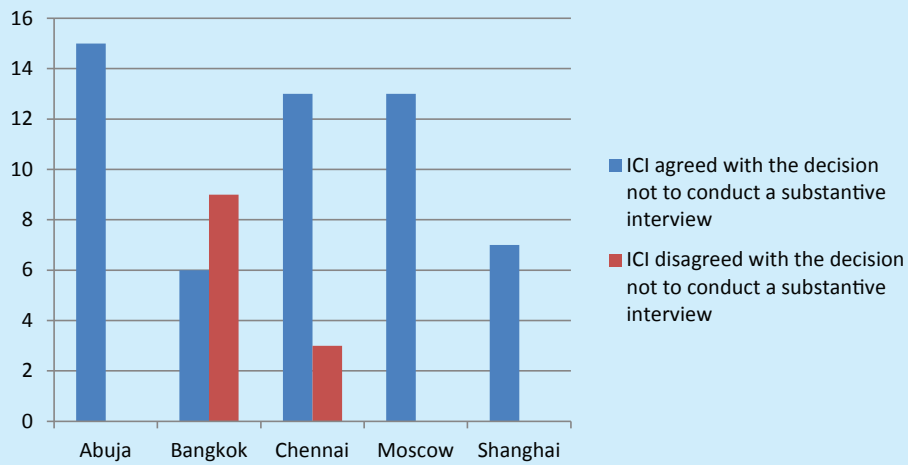
We also found a number of cases where a substantive interview was not conducted, but in our view should have been.

The credibility interview record (VTC) may provide sufficient evidence to enable a credibility refusal without the requirement for a further GSR interview. But where the ECO considers that, following the credibility interview and other available evidence, the genuineness of the application needs to be tested through a more detailed GSR interview, then they should continue to conduct one.

- 4.72 The above excerpt makes it clear that ECOs should conduct a substantive interview when they have concerns about the credibility of an applicant. While it is possible to refuse the case based purely on the VTC interview, for example in the case of English language ability, it would not normally be good practice to refuse on credibility grounds, because in most instances applicants have not been given the opportunity to respond to any potential discrepancies.
- 4.73 We examined 67 refusal cases where a substantive interview was not conducted. In 12 of these cases (18%) we disagreed with the decision not to conduct a substantive interview, because:
- the VTC interview did not contain enough information to justify a refusal under the Genuine Student Rule; or
 - there were other aspects of the case that required further exploration.
- 4.74 Figure 21 provides a breakdown by post of refused cases where we either agreed or disagreed with the decision not to schedule a substantive interview.

¹⁸ The sample for Moscow contained only two cases with a substantive interview.

Figure 21: Refused cases where we agreed/disagreed with the decision not to conduct a substantive interview



4.75 Where we disagreed with the decision not to conduct a substantive interview, we were concerned that refusal reasons were less robust and in some cases were unreasonable. Figures 22 and 23 provide details of two such cases where a substantive interview should have been conducted by the ECO in order to make the correct decision.

Figure 22: Case study – Failure to conduct a substantive interview leading to a flawed decision.

The applicant:

- was refused based on the answers they gave at their VTC interview without being given the opportunity to attend a substantive interview – the refusal notice highlighting a number of discrepancies in the applicant’s responses at the VTC, including the fact that they had a daughter in India; and
- applied for an Administrative Review, stating that there were communication problems and that they had been misquoted (e.g. they did not have a daughter and couldn’t understand the interviewer’s accent); the administrative reviewer upheld the decision to refuse.

UKVI comments

The ECO should not have made a decision on this case without conducting a substantive interview.

Although the ECO would not have known of the misquotation and problems with the interviewer’s accent when the decision to refuse was made, the VAF does clearly state that the applicant is single with no dependent children.

We have therefore overturned the decision to refuse this application and will be contacting the applicant to discuss the way forward.

Chief Inspector’s comments

This case clearly demonstrates the importance of conducting a substantive interview as it allows applicants to respond to any potential discrepancies in their case. It was also disappointing that the Administrative Review failed to identify the poor decision-making in this case.

The Home Office must ensure that interviews are used appropriately at visa posts.

Figure 23: Case study – Failure to conduct a substantive interview leading to a flawed decision.

- A VTC interview was conducted and the interviewing officer concluded that there were no points in the interview where the applicant appeared to lack credibility. The applicant was not invited to attend a substantive interview and was subsequently refused under the Genuine Student Rule.
- The ECO concluded that the applicant had little knowledge of their future study plans, adding that the fact that they had applied for a foundation course rather than A-levels completely undermined their credibility. This decision was upheld by the ECM.

UKVI comments

It is accepted that the applicant should have been invited to attend a substantive interview and that a mistake was made.

Chief Inspector’s comments

This is another example where an applicant was disadvantaged by the failure of UKVI staff to conduct a substantive interview.

4.76 In some instances, we found that ECOs were not always able to invite applicants to attend substantive interviews because of the pressure to meet decision-making targets. This resulted in incorrect decisions being made, such as the example set out in figures 22 and 23. At Chennai we were told by staff that; *‘If we can’t interview but would like to, we refuse it’.*

In some instances, we found that ECOs were not always able to invite applicants to attend substantive interviews because of the pressure to meet decision-making targets.

4.77 Whilst it is important that posts issue decisions in a timely fashion, it is equally, if not more, important that staff are properly utilising interviews to make the correct decision first time. At other sites we were encouraged to find that staff felt they had both the time and resources to conduct a substantive interview, whenever they felt that one was required.

We recommend that the Home Office:

Uses substantive interviews whenever it is appropriate to do so.

Conduct of substantive interviews

4.78 We examined 107 Tier 4 cases in which a substantive interview had been conducted and found many good examples of them being conducted effectively by ECOs. Figure 24 details one such case.

Figure 24: Case study – Interview used effectively to establish key facts.

- The applicant was applying to study actuarial science.
- The standard of their responses to the initial VTC questions led to the interviewing officer asking a large number of follow-up questions to satisfy themselves that they had no concerns over the applicant’s credibility or English language ability.
- The visa post noted that the applicant’s previous leave as a student had been curtailed. The applicant was invited to attend an interview at the post and submit any relevant documents.
- At the substantive interview, the ECO established that the applicant had asked their university to suspend their studies for medical reasons.
- The ECO was satisfied by the applicant’s responses and the documentary evidence that was submitted at the interview and a visa was issued.

Chief Inspector’s comments

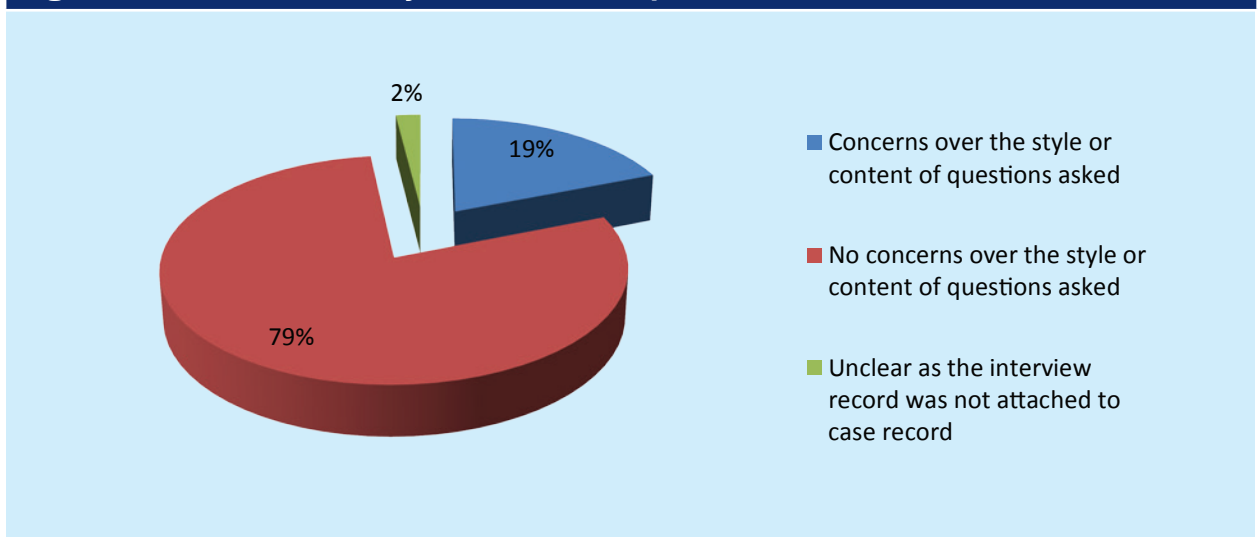
This was an excellent example of the interview system working well. The interview was focused and questions were asked in a sensitive manner; CRS notes contained a full audit trail, including a detailed consideration of the case. The ECO was able to use a short interview to allay any concerns surrounding the applicant’s credibility.

4.79 However, we did find room for improvement in some cases. For example, in 20 of these cases (19%) we identified concerns with the style or content of questions that were asked. Our concerns included that:

- the interview did not fully explore credibility issues;
- inappropriate questions were asked; and
- the interview was not being conducted in a professional manner.

4.80 Our findings in this area are set out in Figure 25.

Figure 25: Concerns over style or content of questions asked at substantive interview



4.81 Figure 26 shows the same information broken down by post.

Figure 26: Table showing the number and percentage of cases where ICI had concerns over the style or content of questions asked at substantive interview

Post	Concerns over the style and content of questions	No concerns over the style and content of questions
Abuja	12 (34%)	23 (66%)
Bangkok	2 (33%)	4 (67%)
Chennai	5 (10%)	45 (90%)
Moscow	0 (0%)	2 (100%)
Shanghai	1 (8%)	11 (92%)

4.82 In 15 of the cases where we had concerns, we considered that credibility issues had not been adequately explored at the interview. This represented 14% of the total number of cases in which an interview took place. Out of these cases, we considered that the ultimate decision to refuse a visa was unreasonable in four cases. Figure 27 details such a case.

Figure 27: Case study – Interview not fully exploring credibility

- In 2013 the applicant had two applications for a Tier 4 visa refused. On both occasions they planned to study for a Level 5 qualification in IT. In 2014 they applied for a Tier 4 visa in order to study a Level 4 qualification in IT at a different academic institution. At their substantive interview, they stated that they changed institutions because it enabled them to study a Level 4 qualification, which would only take 15 months.
- Their application was refused under paragraph 245 ZV(k), as the ECO was not satisfied they were a genuine student because:
 - > they stated the applicant had claimed to be able to complete a Level 5 qualification in 15 months, when this would take three years;
 - > they had not shown why the course would benefit them when they already claimed to be running their own business; and
 - > their bank statements did not demonstrate that their claimed income from their business.

UKVI comments:

The ECO could have asked a question about maintenance within the interview, however, this was deemed unnecessary given that the applicant had made one statement on his form regarding income but had not provided the documentary evidence to corroborate this statement.

The ECO referred to the incorrect institution and qualification in the refusal notice. This appears to be human error and we will reissue the refusal notice with the correct college being referred to and the correct course level.

Chief Inspector’s comments

The applicant clearly stated that the Level 4 qualification would only take 15 months and this was why they had decided not to pursue the Level 5 qualification. This ground for refusal was therefore incorrect.

The ECO did not use the substantive interview to explore either of the two remaining grounds for refusal.

This was disappointing, because as I highlighted in my Dhaka report, these interviews should be used to give applicants the chance to respond to all the concerns an ECO has regarding the credibility of their application.

- 4.83 At each of the overseas locations we visited, we spoke to ECOs with varying levels of experience. Some had been in post for many years and felt comfortable completing interviews. However, others considered themselves to be inexperienced and many of these newer staff expressed concerns that they had no previous interviewing experience. They added that the three week ECO training course contained only a half-day session dedicated to interviewing, followed by one practice mock interview.
- 4.84 Other staff told us that they received the majority of training ‘on the job’. Whilst this method of learning can be valuable to staff, there is a risk that key lessons may not be learnt or that staff can develop bad habits. We believe that many of the issues identified in this report concerning interview techniques can be resolved through a greater emphasis on learning and development.

Many of the issues identified in this report concerning interview techniques can be resolved through a greater emphasis on learning and development.

We recommend that the Home Office:

Improves interviewing training so that ECOs are equipped with the skills to conduct interviews effectively.

English language

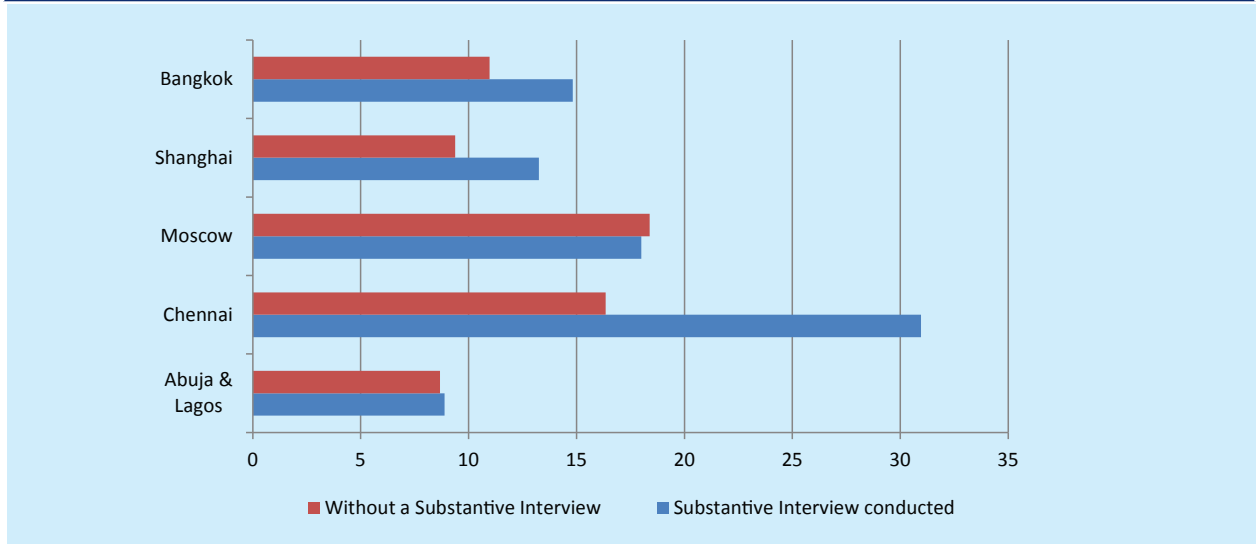
- 4.85 Our inspection of Dhaka found cases in which inappropriate questions were asked at substantive interviews by ECOs to test English language, for example asking complex questions about exchange rates to test an applicant whose language had been formally tested as ‘limited’. We found no evidence of this issue during this inspection, with staff demonstrating strong knowledge of the Tier 4 guidance that related to English language.
- 4.86 Staff exercised pragmatism when conducting interviews with applicants who were studying pre-sessional English courses. Staff in focus groups all understood that the purpose of these courses was to allow applicants to improve their English language skills.

Impact of interviews on timeliness of decision-making

- 4.87 At the time of the inspection, all overseas posts had service standards setting out how long it would take to make a decision. The service standards were:
- 90% of non-settlement applications within 3 weeks, 98% within 6 weeks and 100% within 12 weeks of the application date; and
 - 95% of settlement applications within 12 weeks of the application date and 100% within 24 weeks of the application date.
- 4.88 UKVI confirmed that ‘If any applicant is requested to attend an interview, across all routes, service standards/targets for applications to be resolved are not altered from those set out above’. We therefore examined whether interviews had an impact on the time taken to process visas and found that the introduction of the VTC Interviews for Tier 4 students had not created any delays.

4.89 We also examined whether conducting substantive interviews had caused any significant delays. Within our file sample of Tier 4 visa applications, 107 applicants had a substantive interview, which on average took 21 days to process (date of application to date of decision). Where a substantive interview did not take place, the average time to make a decision was 13 days. The average number of days taken to process a visa application by post is presented in Figure 28.

Figure 28: Average number of days taken to process a visa application by post



*Note: Calculation of days is based on calendar days, not working days.

4.90 Overall, we found that UKVI processed visas in a timely manner and substantive interviews were not causing significant delays. However, we were concerned to find that in Chennai, capacity problems were having a negative impact on decision-making times.

Overall, we found that UKVI processed visas in a timely manner and substantive interviews were not causing significant delays.

4.91 We also found that the interviewing facilities at Chennai were inadequate, as they lacked individual booths. This limited the number of interviews that could take place due to acoustic problems, namely that conversations could be overheard in neighbouring booths, the waiting room and an adjacent part of the office. This situation presented problems for both the applicant and the interviewing officer. We were told that this issue would be resolved when an increased use of video conferencing technology was introduced between the post and the VAC.

Substantive interviews for other visa categories

4.92 Although the primary focus of this inspection was the use of interviews for Tier 4 applicants, we also examined the use of interviews in applications for general and family visit visas. To achieve this we sampled 122 cases whilst on site, broken down as follows;

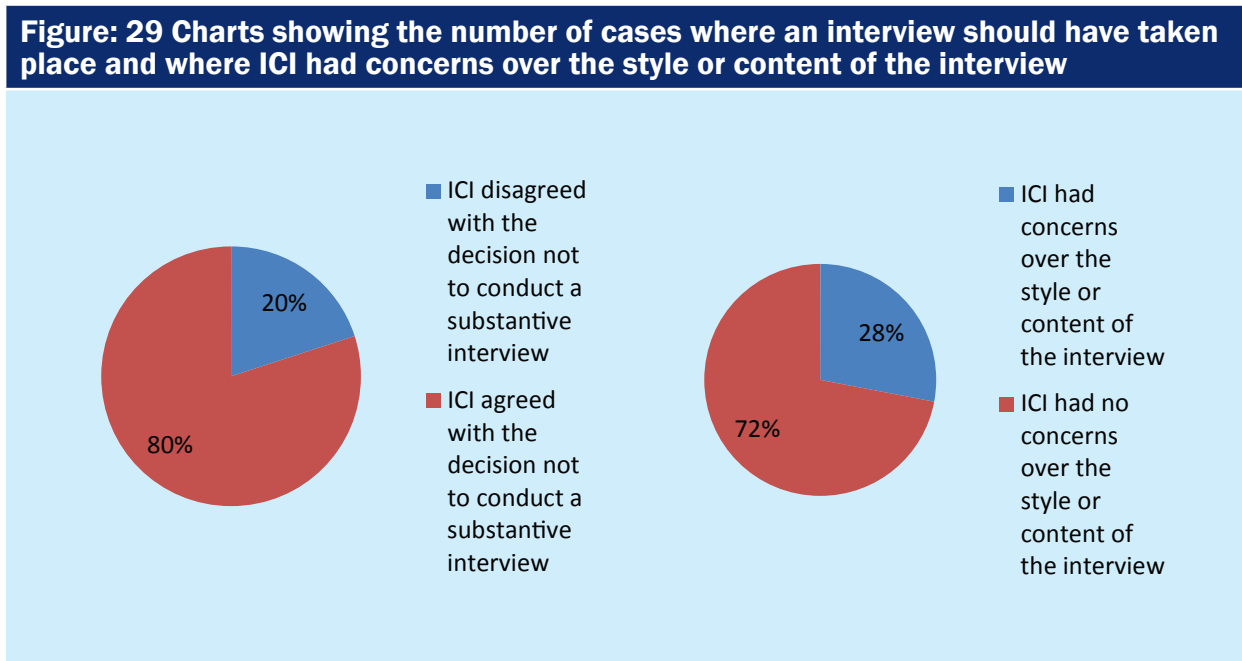
- 59 Family Visit cases (30 issues and 29 refusals); and
- 63 Other Visit cases (31 issues and 32 refusals).

4.93 In 35 cases the application for a visa was refused without an interview. We disagreed with the decision not to conduct an interview in seven out of these cases (20%). This was similar to the equivalent figure of 18% for Tier 4 cases set out in paragraph 4.73.

4.94 We also examined 53 cases in which a substantive interview was conducted, in order to assess whether

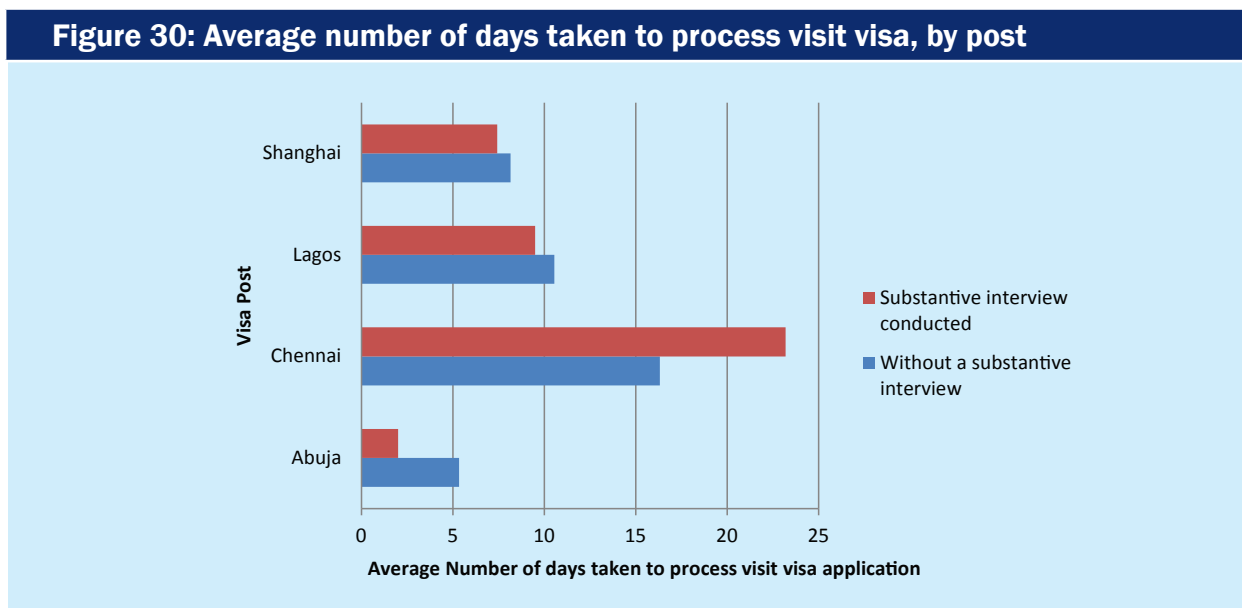
they were conducted properly to fully explore credibility issues. As with our Tier 4 sample, we identified similar concerns over the style or content of the interview in 15 of these cases (28%). In nine of those 15 cases, we considered that credibility issues had not been sufficiently explored by the interviewing officer.

4.95 Figure 29 shows the number of cases where we believed that an interview should have taken place and where we had concerns over the style or content of the interview.



4.96 We analysed the impact of substantive interviews on decision timeliness in relation to these visa categories. We again found that substantive interviews did not impact negatively on the time taken to make a decision. Indeed, in three out of the four locations, the time taken to make a decision was actually reduced when a substantive interview was conducted. This is set out in Figure 30.

Substantive interviews did not impact negatively on the time taken to make a decision.



*Note: Calculation of days is based on calendar days, not working days

4.97 We observed some good practice when applicants were called in for a substantive interview. For example, applicants in Shanghai and Abuja were issued with a visa on the same day as their substantive interview when ECOs were satisfied about their credibility. This meant that they were compensated for the inconvenience of attending an interview at the post. We were told that Chennai was planning to implement the same system. This practice put the interests of the visa applicant at the forefront and demonstrated a commitment to customer service by UKVI staff.

We observed some good practice when applicants were called in for a substantive interview.

Complaints

4.98 Although we requested details of all complaints made to UKVI relating to both VTC and substantive interviews, UKVI informed us that it had only received one complaint in relation to a substantive interview, which was deemed to be unsubstantiated with no further action being taken. Staff and managers whom we interviewed during the on-site phase of the inspection stated that it was extremely rare to receive complaints relating to the conduct of interviews.

5. Inspection Findings – Safeguarding Individuals

All individuals should be treated with dignity and respect and without discrimination in accordance with the law.

All border and immigration functions should be carried out with regard to the need to safeguard and promote the welfare of children.

- 5.1 This chapter examines the diversity training received by staff at the Sheffield Interviewing Hub and our observations at Sheffield and at the visa posts we inspected overseas.

Diversity training for agency staff

- 5.2 Section 149 of The Equality Act 2010¹⁹ makes it a statutory requirement for the public sector to give due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

- 5.3 To meet this requirement, the Home Office has introduced mandatory equality and diversity training for all new entrants into the department. This training consists of an online training course on the Civil Service Learning website,²⁰ a resource that is available to all staff employed in the Home Office who have an official Home Office e-mail address.

- 5.4 The Equality Act 2010 defines what are termed as ‘protected characteristics’ that a public body cannot use to discriminate against individuals. The full list of characteristics is:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;

¹⁹ <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

²⁰ <https://civilservicelearning.civilservice.gov.uk/>

- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

5.5 Staff at the Interview Hub in Sheffield interview members of the public (or their UK sponsors) who are applying for visas to come to the UK. Applicants could have any of the characteristics listed in the Equality Act. It was therefore disappointing to find that staff employed at the Interview Hub, who are predominantly agency staff on short-term contracts, had not received the mandatory training on equality and diversity. During interviews and focus groups, staff informed us that equality and diversity was mentioned during induction but that formal training had not taken place. This was confirmed by managers.

5.6 Whilst some mandatory training does not apply to short-term agency staff, the Home Office Learning and Commissioning Team confirmed that equality and diversity training should be delivered to all staff, regardless of the length of contract. The lack of training meant that staff were occasionally faced with difficult situations in which they did not know how to react. We were provided with one such example in a focus group, where a member of staff had interviewed an applicant with an Islamic head-dress and they were unsure whether they should have asked the applicant to remove it.

Equality and diversity training should be delivered to all staff, regardless of the length of contract.

5.7 As a result, the Home Office was failing to meet its own mandatory requirements. It should therefore ensure that all new and existing staff receive mandatory training in equality and diversity.

We recommend that the Home Office:

Ensures that all staff receive mandatory training in equality and diversity.

Observations of interviews

5.8 We observed 20 VTC interviews in Sheffield and 20 substantive interviews at the overseas visa posts we inspected. We found that in each instance staff conducted the interviews professionally, politely and respectfully.

Staff conducted the interviews professionally, politely and respectfully.

5.9 During our observations at the Sheffield Interviewing Hub, we found that the video and sound connection was of a high quality. However, we were told that in some global locations the local infrastructure meant that connectivity was adversely affected at certain times. When such instances occurred, UKVI had a contingency process to conduct the credibility interview over the telephone from the visa post. This meant that the risk of an applicant failing to have a credibility interview was low.

5.10 During our observations of interviews, staff provided suggestions for improvement. For example, staff at Chennai informed us that during the course of the day they performed interviews across a range of different categories. As a result they had to change focus from one category of PBS to another, some of which were highly technical. One example provided related to conducting a Family Visit interview followed by a T1 entrepreneur, in which the interviewer would need knowledge of interpreting complex business and financial information. They suggested that if they were they able to conduct the same type of interview throughout the day, it would improve their performance.

- 5.11 We believe that if posts analyse the range of categories for which interviews are being conducted, it may provide an opportunity to plan interviews more effectively so that the above issue can be avoided.
- 5.12 However, the most common suggestion from staff was that a free text field should be added to the VTC template. We were told during both observations and in focus groups that the restrictive nature of the VTC template meant that obvious follow-up questions could not be asked when the need arose. We were given one example in which, at the VTC interview, the applicant was asked if they had overstayed their visa. The applicant had replied 'Yes'. However, the interviewer was not able to ask any follow-up questions to determine the reasons for this. Although this is an extreme example, it nevertheless highlights how the VTC interview could be improved with only a minor amendment.
- 5.13 We understand that UKVI would not want to compromise the efficiency of the VTC process by making it more like a full interview. However, we believe that a limited free text field would significantly improve the VTC without sacrificing the speed at which the interview takes place. This would not only add value to the VTC but also increase staff engagement with the process.

The most common suggestion from staff was that a free text field should be added to the VTC template.

We recommend that the Home Office:

Undertakes a trial in which a free text option is added to the VTC transcript so that follow-up questions can be asked.

6. Inspection Findings – Continuous Improvement

Risks to operational delivery should be identified, monitored and mitigated.

The implementation of policies and processes should support the efficient and effective delivery of border and immigration functions.

- 6.1 This chapter assesses the way in which UKVI records interviews, together with sections in which we examine the responses we received to our surveys from stakeholders and entry clearance staff.

Performance reporting

- 6.2 On 21 June 2013, the Home Office published instructions for overseas visa posts to record data on the number of interviews that had been conducted. The instruction, known as OPI 425,²¹ mandated overseas visa posts to record certain data on a spreadsheet to *'enable us to provide accurate reporting to ministers and inform our future interviewing strategy.'*
- 6.3 This instruction was being followed at all of the locations we inspected. The statistics were then collated centrally for upward reporting to senior managers in the Home Office and to ministers.
- 6.4 However, we found that the interpretation of what constituted an interview was inconsistent across the locations we inspected, which in turn affected the accuracy of the data that was being submitted. Senior Managers in the Home Office confirmed that an 'interview' was either a VTC interview conducted in Sheffield, or an in-depth substantive interview carried out by an overseas visa post. The in-depth interview could be conducted face-to-face or by telephone and should explore all areas of concern held by an Entry Clearance Officer.
- 6.5 However, in Shanghai, as well as the in-depth interviews, short telephone calls were also used to clarify certain details, for example, an employment status check for an applicant applying for a family visit. These checks, which are more commonly referred to as verification checks, were not new and have been conducted for a number of years already. However, Shanghai recorded these verification checks twice, once as a verification check and once as a substantive interview (in June 2014, 46% of telephone calls to clarify employment details were recorded in this way).
- 6.6 This meant that Shanghai was providing inaccurate information about the number of substantive interviews that had been conducted. We raised this matter when we met with senior UKVI officials and they stated that they would investigate and address it.

21 OPI – Operational Policy Instructions

Stakeholder & ECO staff survey results

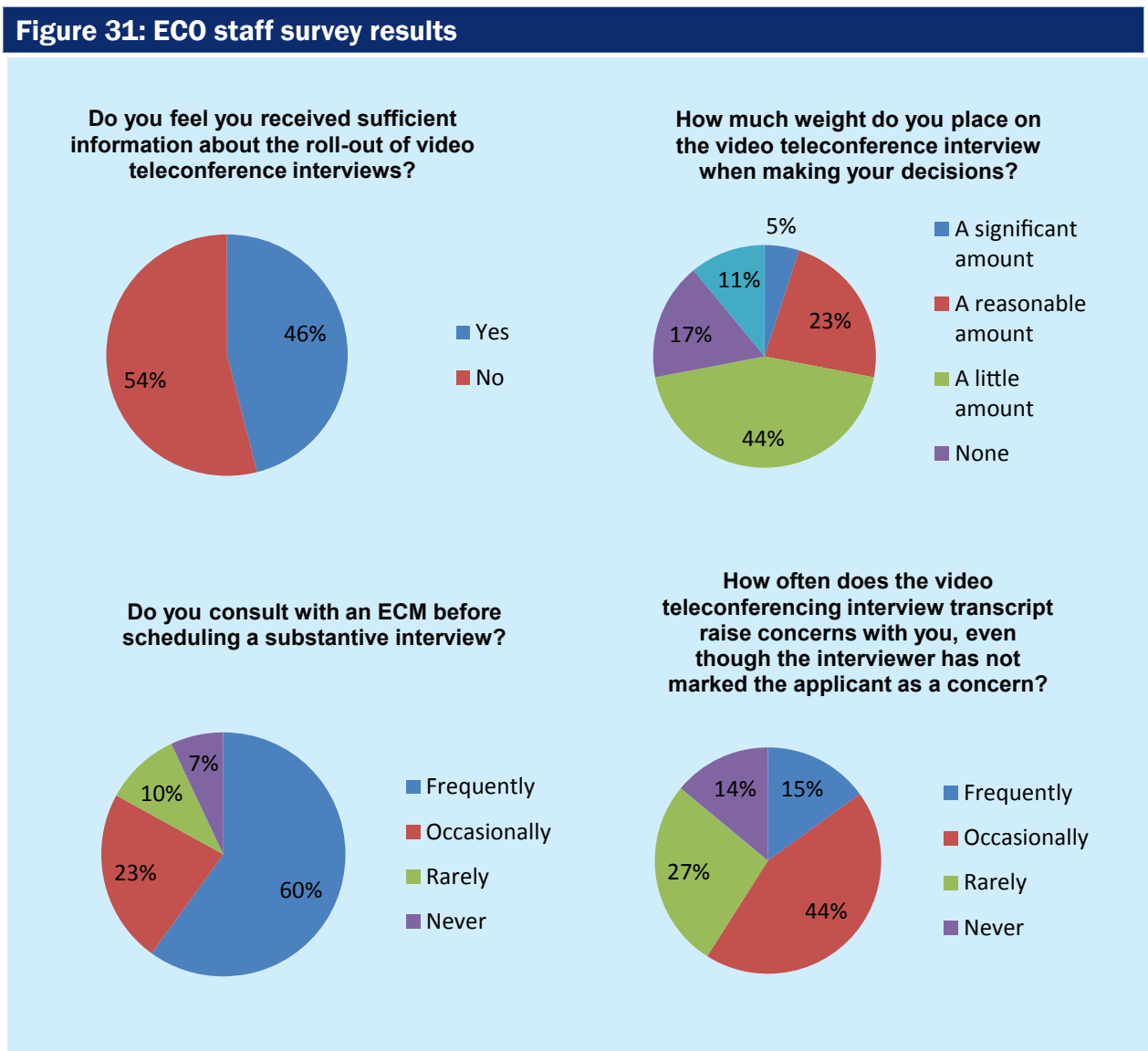
6.7 Due to the global nature of UKVI visa operations, we created surveys for both stakeholders and ECOs to complete. This allowed us to gather views from a significant number of individuals and organisations. The surveys focused on a number of key themes, including:

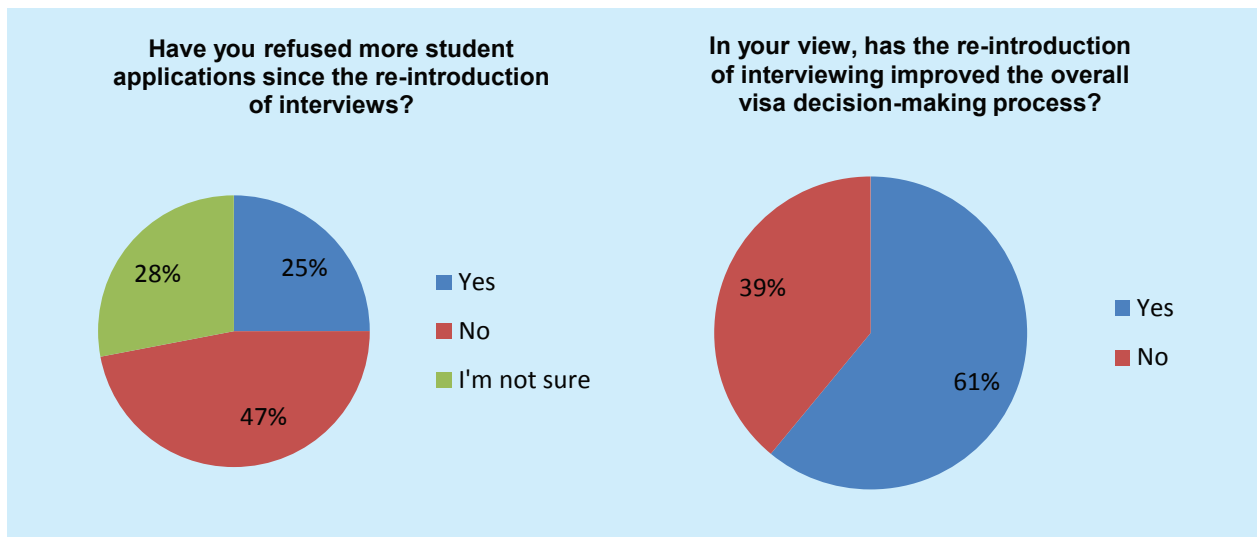
- levels of communication between UKVI and staff and stakeholders;
- the impact of interviews on decision-making quality; and
- the usefulness of interviews in identifying fraudulent claims.

Staff survey

6.8 This was distributed to 50 visa posts and was directed at approximately 400 ECOs. We received 168 completed responses, providing a response rate of 42%. The full results are set out in Figure 31.

Figure 31: ECO staff survey results





- 6.9 Although the majority of staff (61%) felt that the reintroduction of interviewing had improved the overall visa decision-making process, opportunities remained for UKVI to enhance the benefits further by increasing staff engagement with the VTC process. This could be done by:
- increasing communication with ECOs, highlighting the benefits of interviews; and
 - listening to and acting upon staff suggestions to improve the interview process.

Stakeholder survey

- 6.10 Our stakeholder survey received 49 responses, the majority of which were from educational establishments (public colleges, private colleges and universities). The overall tone of the responses to the survey was largely negative and can be summarised as follows:

The overall tone of the responses to the survey was largely negative

- 77% of respondents stated that they had not been consulted prior to the introduction of VTC interviews; and
 - 87% did not believe the introduction of interviews had improved decision-making by the Home Office.
- 6.11 Despite these concerns, we also received a number of constructive comments from stakeholders. They included:
- *My concerns have mostly been addressed after visiting the Interview Hub with the Premium Customer Service Team, and I was glad to see that there have clearly been huge resources poured into this scheme.*
 - *We attended UKVI sessions in Sheffield and were taken to the Hub where credibility interviews are delivered. It was an interesting process and we were able to use the system to talk to an ECO to get a feel for quality of sound etc.*
 - *We are happy that the interviews haven't had the impact on timing (i.e the length to assess a case) that the sector initially thought might be the case.*
- 6.12 The overwhelming concern from comments provided by stakeholders related to subjectivity from ECOs when refusing applicants. When one stakeholder was asked if they had any further comments on interviews they stated:

‘Whilst I support the notion of interviewing students as part of an overall assessment process to enter or remain in the UK, I have substantial reservations over both the decision-making of UKVI Officers, the application of the General Student Rule and the ability to seek review of any decision that is deemed incorrect (sic).’

- 6.13 This statement captures the view of many of the respondents to our survey. Whilst decision quality at visa posts was largely out of the scope of this inspection, it is apparent that UKVI faced a significant challenge in balancing the Home Office’s desire to prevent bogus students from entering the UK with the need to convince stakeholders that applicants were being subjected to fair decision-making.

UKVI faced a significant challenge in balancing the Home Office’s desire to prevent bogus students from entering the UK with the need to convince stakeholders that applicants were being subjected to fair decision-making.

Appendix 1: Role & Remit Of The Chief Inspector

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

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

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

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

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

Appendix 2: Inspection Framework And Core Criteria

The criteria used in this inspection were taken from the Independent Chief Inspector's Core Inspection Criteria. These are shown in Figure 32.

Figure 32: Inspection criteria used when inspecting UKVI's administration of visa interviews.

Operational Delivery

1. Decisions on the entry, stay and removal of individuals should be taken in accordance with the law and the principles of good administration.
3. Resources should be allocated to support operational delivery and achieve value for money.

Safeguarding individuals

5. All individuals should be treated with dignity and respect and without discrimination in accordance with the law.
7. All border and immigration functions should be carried out with regard to the need to safeguard and promote the welfare of children.

Continuous Improvement

9. The implementation of policies and processes should support the efficient and effective delivery of border and immigration functions.
10. Risks to operational delivery should be identified, monitored and mitigated.

Appendix 3: Glossary

Term	Description
B	
Biometrics	All customers are now routinely required to provide ten-digit finger scans and a digital photograph when applying for a United Kingdom visa. There are some minor exceptions to this rule, e.g. Heads of State and children aged under five.
Border Force	Following the separation of Border Force and the UK Border Agency on 1 March 2012, Border Force became a Home Office operational command responsible for immigration and customs, including UK passport controls in France and Belgium.
C	
Casework	The Home Office term for the decision-making process used to resolve applications (for example, applications for asylum or British citizenship).
Complaint	Defined by the Home Office 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’.
Credibility Interview	A short interview with a visa applicant, conducted using Video Tele-Conferencing technology, to assess the applicant’s credibility and, in some cases, English language ability.
Customer	An individual using the services of UK Visas & Immigration.
D	
Director	A senior Home Office manager, typically responsible for a directorate, region or operational business area.
E	
e-Learning	Computer-based training courses.
Entry Clearance	A person requires Leave to Enter the United Kingdom if they are neither a British nor Commonwealth citizen with the right of abode, nor a person who is entitled to enter or remain in the United Kingdom by virtue of the provisions of the 2006 European Economic Area Regulations. Entry Clearance takes the form of a visa (for visa nationals) or an entry certificate (for non-visa nationals).

	<p>These documents are taken as evidence of the holder's eligibility for entry into the United Kingdom and, accordingly, accepted as 'Entry Clearances' within the meaning of the Immigration Act 1971. The United Kingdom Government decides which countries' citizens are, or are not, visa nationals. Non-visa nationals also require Entry Clearance if they seek to enter the United Kingdom for purposes other than to visit and/or for longer than six months.</p> <p>More detailed information about Entry Clearance can be found on the UK Border Agency website: http://ukba.homeoffice.gov.uk/</p> <p>The Immigration Rules state that a customer making an application for an entry clearance as a visitor must be outside the United Kingdom and Islands at the time of their application and must apply to a Visa Section designated by the Secretary of State to accept applications for Entry Clearance for that purpose and from that category of applicant.</p>
Entry Clearance Assistant	Supports the visa application process.
Entry Clearance Manager	Manages the visa application process within a visa section.
Entry Clearance Officer	Processes visa applications and makes the decision whether to grant or refuse Entry Clearance.
Equality Act 2010	<p>The Equality Act 2010 is an Act of Parliament of the United Kingdom. The Act bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society. It covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. They are:</p> <ul style="list-style-type: none"> • age • disability • gender reassignment • marriage and civil partnership • pregnancy and maternity • race • religion or belief • sex • sexual orientation <p>The public sector Equality Duty, s.149 of the Equality Act, requires public bodies to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees.</p> <p>The Act consolidates the range of Acts and Regulations which formed the basis of anti-discrimination law in the UK. These were, primarily, the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995 and three major statutory instruments protecting</p>

	discrimination in employment on grounds of religion or belief, sexual orientation and age.
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 Home Office to enter or remain, nor do they require a document confirming their free movement status.</p>
European Economic Area (EEA) nationals	Also known as European Economic Area (EEA) citizens. A full list of EEA countries is given on the .GOV website. All EEA nationals enjoy free movement rights within the EEA. They may come to the United Kingdom and reside here in accordance with the Immigration (European Economic Area) Regulations 2006. This means that they are not subject to the Immigration Rules. This is also extended to nationals of Switzerland, which is not part of the EEA.
G	
Genuine Student Rule (GSR)	Introduced to the Immigration Rules in July 2013 under Paragraph 245ZV(k), this Rule makes it necessary for an applicant to satisfy an Entry Clearance Office that they are a genuine student.
H	
Home Office	The Home Office is the lead government department for immigration and passports, drugs policy, crime, counter-terrorism and police.
I	
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 Border and Immigration Functions. The Chief Inspector is independent of the Home Office and reports directly to the Home Secretary.
Independent Monitor and legislation	<p>The legislation which established the role of the Independent Monitor for Entry Clearance Refusals without the Right of Appeal was set out in section 23 of the Immigration and Asylum Act 1999 and amended by paragraph 27 of schedule 7 of the Nationality, Immigration & Asylum Act 2002 and Statutory Instrument 2008/310 regarding the points-based system (from April 2008).</p> <p>Section 23 of the Immigration and Asylum Act 1999, as amended by section 4(2) of the Immigration, Asylum and Nationality Act 2006, stipulates:</p>

	<ul style="list-style-type: none"> • The Secretary of State must appoint a person to monitor, in such a manner as the Secretary of State may determine, refusals of entry clearance in cases where, as a result of section 88A of the Nationality, Immigration & Asylum Act 2002 (c.41)(entry clearance: non-family visitors and students), an appeal under section 82(1) of that Act may be brought only on the grounds referred to in section 84(1) (b) and (c) of that Act (racial discrimination and human rights). • The Secretary of State may not appoint a member of his staff. • The Secretary of State must lay a copy of any report made to him under subsection (3) before each House of Parliament. <p>Although the legislation and the Independent Monitor’s formal title refer to ‘no right of appeal’, all customers have limited rights of appeal on human rights and race relations grounds. Parliament decides which categories of visa customers should not have full rights of appeal; the Home Office’s role is to implement the laws set by Parliament and as interpreted by Government policies</p> <p>John Vine, the Independent Chief Inspector of Borders and Immigration, was appointed to this role by the Home Secretary on 26 April 2009, effectively bringing this work within his remit.</p>
L	
Locally engaged staff	Staff recruited directly by the British Embassy or High Commission in the country where they are employed.
M	
O	
Other Visitor	Visitor cases that only attract limited appeal rights.
P	
Paragraph 320 (7a) – deception rules	From 29 February 2008, under Paragraph 320 (7A) of the immigration rules, an applicant must be refused Entry Clearance if false representations or documents are used, or material facts not disclosed, whether or not the false representations or documents are material to the application, and whether or not the deception is with the applicant’s knowledge.
Points-based system (PBS)	<p>On 29 February 2008, a new immigration system was launched to ensure that only those with the right skills or the right contribution can come to the United Kingdom to work or study. The points-based system was designed to enable the Home Office to control migration more effectively, tackle abuse and identify the most talented workers. The system:</p> <ul style="list-style-type: none"> • combines more than 80 previous work and study routes to the United Kingdom into five tiers; and

	<ul style="list-style-type: none"> awards points according to workers' skills, to reflect their aptitude, experience and age and also the demand for those skills in any given sector. <p>Employers and education providers play a crucial part in making sure that the points-based system is not abused. They must apply for a licence to sponsor migrants and bring them into the United Kingdom, and meet a number of duties while they are sponsoring migrants.</p>
Post	See 'visa section'.
Proviso	The database used by overseas visa posts as the audit trail of entry clearance applications. It records all details of an entry clearance application from the date of application through to the decision and any post-decision correspondence.
R	
Regional Director	Senior manager responsible for one of the six Immigration Group regions.
Risk and Liaison Overseas Network (RALON)	An amalgamation of the former Airline Liaison Officer Network and Overseas Risk Assessment Unit Network. RALON has responsibility for identifying threats to the UK border, preventing inadequately documented passengers from reaching UK shores, providing risk assessment to the Home Office visa issuing regime and supporting criminal investigations against individuals and organisations which cause harm to the UK.
Risk profile	An outline that determines the relative potential harm to the UK of a visa applicant / travelling passenger, based on characteristics of an individual when compared to existing evidence of adverse activity either in the UK or overseas.
S	
Sponsor Management Unit	The unit which administers the procedure to ensure that sponsors comply with their duties when sponsoring migrants under the points-based system.
T	
Third-country national	A person who is neither a British citizen nor a Commonwealth citizen with the right of abode, nor a person who is entitled to enter or remain in the United Kingdom by virtue of the provisions of the 2006 European Economic Area Regulations. Third-country nationals therefore require Leave to Enter the United Kingdom.
U	
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 Visa and Immigration (UKVI)	<p>The department of the Home Office responsible for immigration casework and overseas immigration operations.</p> <p>UKVI is a legacy organisation of the former UK Border Agency which was broken up by the Home Secretary on 26 March 2013 and its functions returned under the direct control of the Home Office. Since 1 April 2013 the UK Border Agency ceased to exist.</p>
V	
Video Tele-Conferencing (VTC)	The technology used to conduct credibility interviews of visa applicants at the point of application.
Visa Application Centre (VAC)	The point of contact for overseas visa nationals to submit their application for a visa to enter the UK. VACs are operated by commercial partners under contract to the Home Office.
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; or • 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.
Visa section	Home Office department that manages UK visa operation services. Home Office visa posts are located in a variety of locations around the world.

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Assistant Chief Inspector:	Garry Cullen
Lead Inspector:	Timothy Reichardt
Inspector:	Cliff Buckley
Inspection Officer:	Edward Pitchforth
	Steve Embrey-Jones
	Michael Townson
	Remmy Ahebwa
	Fozia Begum
	Louise Richards
Inspection Support:	Akua Brew-Abekah

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