



Lessons to learn: The UK Border Agency's handling of complaints and MPs' correspondence

A Thematic Inspection: October 2009 – January 2010

John Vine CBE QPM
Independent Chief Inspector

A decorative graphic at the bottom of the page consists of three thick, blue, curved lines that sweep from the left towards the right, resembling a stylized rainbow or a series of arcs.

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Assistant Chief Inspector:	Mark Voce
Lead Inspector:	Ian Tyldesley
Inspection Officer:	Steve Embrey-Jones
Inspection Officer:	Michelle Lacriarde
Inspection Officer:	Chris Thompson
Research and analysis:	Rachel Pennant
Research and analysis:	Ryan Dee
Research and analysis:	Aalia Shamji

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Foreword

An effective and efficient complaints procedure is essential if people are to have confidence that an organisation listens to concerns and takes appropriate action. It ensures that the organisation understands the impact on individuals of its behaviour and decisions. And crucially, it provides a strong driver for improvement.

The UK Border Agency has yet to provide compelling evidence that it is truly using complaints and issues raised by MPs in correspondence as a real driver to improve its overall service and behaviour. As yet there is no systematic analysis of the reasons behind complaints, and no evidence that, for example, complaints about an issue such as lost documents are used to overhaul procedures and practice across the Agency.

I was pleased to see that progress has been made both in terms of the overall strategy for handling complaints and MPs' correspondence, and in dealing with complaints of serious misconduct. However, I was disappointed that there has not been greater progress in other areas.

In future, I expect the UK Border Agency to maintain the progress it has made in handling serious misconduct complaints and significantly to improve its handling of service and minor misconduct complaints. Most importantly, I expect the Agency to develop a much more dynamic approach to addressing the root cause of complaints and MPs' correspondence. That is the real test for an organisation if it is to convince the public that it is committed to continuous improvement. It is a significant step that the UK Border Agency has yet to make.

John Vine CBE QPM

Executive summary

1. The UK Border Agency has now developed a clear approach to the handling of complaints and correspondence, and has set out a clear strategic direction through its Customer Strategy. However, it has yet to demonstrate that it is learning lessons consistently or is addressing the root cause of complaints. At the time of inspection, management information was not being used consistently to identify trends or to improve service delivery. Information on the volume of complaints received and the outcome of complaints was not published.
2. There has been a significant improvement in the handling of serious misconduct complaints, following the creation of a fully trained Professional Standards Unit. Investigations were carried out thoroughly and performance was consistently in line with the UK Border Agency's targets.
3. The creation of Customer Service Units provides the potential for more consistent recording and tracking of service and minor misconduct complaints. However, the new electronic Complaints Management System has not yet been rolled out across the whole of the UK Border Agency, and it remains unclear to what extent it is compatible with other information technology (IT) systems. This has hampered the development of a unified complaints procedure.
4. Performance for both service and minor misconduct complaints was well below UK Border Agency targets. Audit trails were inconsistent; it was unclear whether complaints were substantiated; there was limited evidence that lessons were being learned; and there was inconsistency in the understanding of what constituted a complaint. Furthermore, there was no active management of complaints that miss UK Border Agency performance targets. Local resolution procedures were not fully understood by staff, and there was only limited evidence that customers had been engaged in the process.
5. The UK Border Agency has introduced new initiatives to improve its service. These include the creation of MP account managers. It has yet to identify clearly how it is gauging the success of these initiatives in improving overall service, and it has yet to develop a clear and simple way for people to communicate with the Agency.

Summary of recommendations

We recommend that the UK Border Agency should:

1. Systematically analyse complaints and MPs' correspondence to identify potential improvements in service.
2. Set clear service standards for each customer service unit.
3. Ensure that any cases that are not resolved within the target period are actively managed and resolved promptly.
4. Publish information on the number of complaints received, the time taken to resolve them and whether the complaints have been upheld.
5. Ensure that there is clear accountability for meeting performance targets.
6. Ensure that the definition of a complaint is understood and applied consistently across the organisation.
7. Ensure that its Complaints Management System is delivered to all areas of the UK Border Agency, in order to ensure consistent recording of data.
8. In each of its responses to a complaint, provide full and accurate information on how individuals can contact the Parliamentary and Health Service Ombudsman or the Prisons and Probation Ombudsman (as appropriate).
9. Introduce efficient and consistent processes for the quality assurance of MPs' correspondence and complaints.
10. Ensure that all complaint files have a clear audit trail, recording the outcome and level of authorisation.
11. Ensure that all staff have a clear understanding of their responsibilities with regard to the referral of complaints wherever racism or discrimination is alleged.
12. As soon as possible conclude arrangements for the referral to the police of complaints that include criminal allegations (by the end of 2010 at the very latest).
13. Ensure that the process of local resolution is used, that it involves the customer directly in the process, and that the guidance is applied consistently throughout the UK Border Agency.
14. Set out clearly to MPs how they can receive information from the UK Border Agency, as well as the standard of service they can expect to receive.
15. Ensure that customers have a single point of entry to the complaints procedure. It should seek regular feedback from its customers in order to assess their satisfaction with the complaints procedure, and should develop clear measures to drive improvement year on year.

Inspection methodology

1. The terms of reference for this thematic inspection were:

To assess the UK Border Agency's performance in delivering its aim of excellent customer service through an inspection of:

a) its handling of complaints; and

b) its handling of correspondence from Members of Parliament.

2. The inspection was carried out against a selection of the Chief Inspector's core criteria,¹ covering the following four themes:
 - high-level outcomes of the business;
 - processes and procedures, including quality of decision-making and consistency of approach;
 - impact on people subject to UK Border Agency services; and
 - management and leadership.
3. A copy of the specific criteria used for this inspection can be found in Annex A.
4. The inspection was conducted in two phases from October 2009 to January 2010.
5. During the initial phase, we assessed policy and procedural documentation, conducted data analysis, sampled complaint files (covering service, minor misconduct and serious misconduct complaints) and sent a survey to all 645 Members of Parliament, of whom 121 (19 per cent) replied.
6. During the second phase, we interviewed 64 members of staff from the UK Border Agency and hosted 20 focus groups and 'drop in' sessions. The people we spoke to had a wide range of backgrounds and experience, and were at various levels of seniority.
7. We visited three of the six Immigration Group regions (North East, Yorkshire and the Humber; North West; London and the South East). We also visited Border Force locations; the Casework Resolution Directorate; Detention Services; and International Group. In addition, we spoke to staff from the Complaints and Correspondence Standards and Performance Directorate.
8. Prior to and during the inspection, we spoke to experts and stakeholders, in order to identify the key principles of complaints handling and to utilise their experience of complaints and correspondence handling in the UK Border Agency. A full list of these people can be found in Annex B.

¹ The core criteria of the Independent Chief Inspector of the UK Border Agency can be found at www.independent.gov.uk/icinspector/inspections/inspection-programmes

Introduction

History

1. The non-statutory Complaints Audit Committee was established in 1994 to improve public confidence in the handling of complaints by the then Immigration and Nationality Directorate (later the Border and Immigration Agency).
2. The committee conducted quarterly audits of complaints and made a series of recommendations to improve the way in which complaints were handled. In its final annual report, the committee acknowledged that the UK Border Agency had accepted the overwhelming majority of its recommendations and that revised structures for handling complaints were being introduced. In particular, a new team of properly trained investigators was set up to handle serious misconduct complaints. The committee noted that some recommendations had been introduced more speedily than others, and that weaknesses remained, particularly in the quality assurance of management information. On 1 July 2008, the remit of the committee passed to the Independent Chief Inspector of the UK Border Agency.

Standards and guidance

3. In February 2009, the Parliamentary and Health Service Ombudsman published *Principles of Good Complaint Handling*.² This set out six key principles, which, we believe, clearly establish the approach needed by the UK Border Agency:
 - Getting it right
 - Being customer focused
 - Being open and accountable
 - Acting fairly and proportionately
 - Putting things right
 - Seeking continuous improvement.

The UK Border Agency's Customer Strategy

4. In April 2009, the UK Border Agency published its *Customer Strategy 2009–2012*, which set out for the first time how it would provide its services, as well as the standards that customers could expect. This led to a significant restructuring of the way in which complaints were managed within the UK Border Agency. A number of commitments were made to improve the complaints procedure, including:
 - analysis of the type of complaints received and identification of trends, so that areas could be targeted for improvement;
 - improved IT to support revised procedures;
 - a framework for reporting performance in meeting targets and a breakdown of performance regionally and nationally;
 - tackling weaknesses in procedures in light of the work of the Complaints Audit Committee and the Independent Chief Inspector of the UK Border Agency;

² Available at: www.ombudsman.org.uk/improving-public-service/ombudsmans-principals/principles-of-good-complaint-handling-full

- managing the process for handling complaints raised through the Office of the Parliamentary and Health Service Ombudsman;
- use of best practice from the former HM Revenue and Customs and UK Visas to improve handling; and
- continuing to move the handling of complaints to regional offices.

Organisational structure

5. The Complaints and Correspondence Standards and Performance Directorate (CCSPD) is the corporate centre for the UK Border Agency's management and handling of complaints and MPs' correspondence. Its role is 'to ensure that the UK Border Agency has an effective complaints system, which is transparent, easy to use and facilitates business improvements resulting in better customer service'.
6. Twelve customer service units have been established to manage and monitor customer complaints – one in each of the six distinct geographical regions and the six non-geographically specific business areas of the UK Border Agency.
7. The Professional Standards Unit was created to manage and investigate complaints of serious misconduct made by members of the public against UK Border Agency staff or contractors.
8. Customer complaints are typically received by the customer service units and then allocated to so-called 'nominated responsible officers' from the relevant operational area of the UK Border Agency.
9. Correspondence from MPs is received by the MPs' Correspondence Section (a team within CCSPD), which then allocates the correspondence to the relevant business area for it to draft a response.

External bodies

10. The Parliamentary and Health Service Ombudsman investigates complaints from members of the public who claim to have suffered injustice because of maladministration by a government department or agency.
11. The Prisons and Probation Ombudsman investigates complaints from people held in immigration removal centres and short-term holding facilities.
12. People are first expected to go through the UK Border Agency's own complaints procedure before contacting the relevant ombudsman. Customers may contact the Prisons and Probation Ombudsman direct, but to reach the Parliamentary and Health Service Ombudsman they need to be referred via an MP.
13. In England and Wales, serious complaints involving 'police-like powers' (typically those used by enforcement teams in the UK Border Agency) and complaints involving Customs functions are investigated by the Independent Police Complaints Commission (IPCC).³

³ In April 2010, the IPCC's remit was extended to cover contracted staff employed by the UK Border Agency to carry out the functions mentioned in this paragraph on its behalf.

14. In Scotland, oversight of serious misconduct complaints is provided by the Police Complaints Commissioner for Scotland.
15. In Northern Ireland, the UK Border Agency is making arrangements for this oversight to be provided by the Police Ombudsman for Northern Ireland.

Types of complaint

16. A complaint is defined by the UK Border Agency as ‘any expression of dissatisfaction about the services provided by or for the UK Border Agency and/or about the professional conduct of UK Border Agency staff, including contractors’.⁴
17. The three main categories of complaint are: service, minor misconduct and serious misconduct:
 - **Service complaints** are related to the service provided or the operational policies operated by the UK Border Agency, and include such things as delays, lost documents or administrative failings. In 2009, the UK Border Agency received 12,038 service complaints.
 - **Minor misconduct** typically involves isolated instances of rudeness and unprofessional conduct that are not serious enough to warrant a formal investigation and that, if substantiated, would not lead to criminal or disciplinary proceedings. In 2009, the UK Border Agency received 773 complaints of minor misconduct.
 - **Serious misconduct** is any unprofessional behaviour which, if substantiated, would lead to disciplinary action. In 2009, the UK Border Agency received 113 complaints of serious misconduct.

MPs’ correspondence

18. MPs typically write to the UK Border Agency on behalf of their constituents, although their correspondence is not confined to this.
19. In 2009, the UK Border Agency received 66,320 letters from MPs, of which 54,759 required a response. The majority of letters that do not require a reply are in connection with another letter from the same MP: in this case, both are answered in the same response. Letters from MPs thanking the UK Border Agency for information received do not routinely elicit a response. A further reason for not replying could be that the correspondence has been transferred to another government department.

⁴ www.ukvisas.gov.uk/en/aboutus/enquiries/complaints

Chapter 1: Management and leadership

- 1.1 We considered in particular the changes that the UK Border Agency has made to its overall handling of complaints – and correspondence – following earlier recommendations from the Complaints Audit Committee (CAC).

Strategic approach

- 1.2 We found that there was a clear approach to handling serious misconduct complaints against UK Border Agency staff and contractors. The decision to create a specialised unit – the Professional Standards Unit (PSU) – has meant that the UK Border Agency is now more consistent in its approach to dealing with cases that are of greatest concern both to individuals and to the Agency itself. We found that PSU staff have undertaken a National Investigative Interviewing Tier 2 course, covering such areas as interviewing techniques, the management of investigations, recording of information and taped interviewing under caution. We also found that PSU staff have attended critical incident training delivered by the National Policing Improvement Agency and internal trainers. We found evidence that the PSU employed these skills in its business, worked closely with police officers and was developing a training programme for staff. We noted that a police officer had been seconded to the team to further develop practices and procedures. This restructuring had provided the UK Border Agency with greater capacity to respond effectively to complaints of serious misconduct.
- 1.3 A different approach had been adopted for complaints of minor misconduct and service delivery – which account for by far the greatest volume of complaints received by the UK Border Agency. Twelve customer service units (CSUs) had been established to handle these complaints – one in each of the six distinct geographical regions, as well as in the six non-geographically specific business areas of the UK Border Agency. These 12 units replaced a single central complaint-handling unit (a full list of the CSUs can be found in Annex C). We detected a clear rationale for this approach – the units are intended to increase the accountability of business areas in resolving complaints. From staff in the CSUs and operational areas we heard that there was a growing belief that the structures would ultimately improve the handling of complaints. In particular, the greater capacity for local liaison and each CSU’s responsibility to monitor the timeliness and quality of responses were cited as factors in support of this view.
- 1.4 However, we found that the UK Border Agency still had a long way to go to meet these aims. In particular, there was a wide variation in the perceived level of significance and importance paid by the operational areas to the task of responding to customer complaints and correspondence. This reflected a focus on meeting targets for operational delivery – such as making decisions about asylum claims. One member of staff in a CSU summed this up:

‘It is difficult to persuade caseworkers that complaint handling is important. They have competing priorities, especially as they have cases to conclude.’

- 1.5 We also found inconsistencies in the way CSUs operated and this was something that affected overall service delivery. The clearest example of this involved the public telephone complaints service: while one region we visited operated the service from 9am to 5pm, this was not the case in all CSUs. This reflected the different approaches to the standard of service that customers could expect – and consequently the different levels of resourcing in each CSU.

- 1.6 Managers acknowledged that not all CSUs had sufficient resources to operate a telephone service, and they had therefore agreed that the units could operate a limited service, according to their capacity. We found it unacceptable that public access to a telephone service should depend entirely on which CSU is being contacted.
- 1.7 We found evidence that customers who want to contact the UK Border Agency to request information or to receive an update on an application do not necessarily know which department or whom to contact. As a result, they often use any telephone number, email or postal address that they have for the UK Border Agency. The newly formed CSUs were still bearing the brunt of this lack of clarity about correspondence channels: many CSUs received considerable volumes of correspondence that clearly did not count as complaints.
- 1.8 One CSU informed us that up to ‘50 per cent of the correspondence received is requests for information and not actual complaints’. One casework team publicised a phone line that allowed customers to check on when their documents were sent out to them. This was a very good initiative on the part of that team. However, as the phone number had been published on the internet, customers used it to get in touch with the UK Border Agency on a wide range of matters. The member of staff we spoke to told us that ‘in the region of one in ten calls’ was related to the actual reason for the line being set up. This caused the team that set it up a considerable amount of additional work, as it attempted to put customers in touch with the correct department.
- 1.9 We found that the name – ‘customer service unit’ – implies that the function of the unit is to provide a general level of customer service, rather than being limited to the management of complaints (which is its actual purpose). One member of staff who worked in a CSU described the potential confusion among customers:

‘The CSU is the new post-box for miscellaneous.’

- 1.10 UK Border Agency staff also found it time consuming and difficult to establish who had responsibility for dealing with a particular issue and how to contact that person. One member of staff who deals with MPs’ correspondence told us:

‘Sometimes we have real problems finding someone in the UK Border Agency to help us. If we have a problem finding someone, imagine how difficult it is for the customer.’

- 1.11 It is important to note that the scope of the inspection did not cover all aspects of the customer service provided by the UK Border Agency. **We limited our inspection to customer service provided in relation to the handling of complaints and MPs’ correspondence.** As a result, we did not undertake a comprehensive inspection of all available channels of communication. However, the information presented above came to light during our inspection and highlighted the absence of a clear customer communication strategy. This had an impact on customers who wished to complain to or correspond with the UK Border Agency, and also on those teams in the UK Border Agency that managed complaints and correspondence. This reflected a wider lack of direction about how people could contact the Agency to complain. Managers have recognised this issue and are developing a new ‘Channel Strategy’ to address it.

One UK Border Agency?

- 1.12 The changes made to the complaints-handling process were introduced in what was (at the time) the Border and Immigration Agency (BIA). The creation of the new UK Border Agency – amalgamating BIA, UK Visas and HM Revenue and Customs (HMRC) Detection – brought further challenges in the handling of complaints.
- 1.13 Initially the UK Border Agency operated three different complaints procedures, inherited from the three ‘legacy organisations’ of the BIA, HMRC and UK Visas. Since November 2009, it has sought to apply a single set of complaint procedures across all its offices, and we found evidence of some progress in bringing together processes and procedures.
- 1.14 In particular, we found evidence that skills transfer was taking place, most notably in the investigation of serious misconduct complaints by the PSU. Staff, particularly those from HMRC investigative backgrounds, were proactive in sharing their skills, and were committed to developing the standard of investigations undertaken by the PSU.
- 1.15 We were also pleased to find evidence of good working relationships between staff in the Border Force and International Group CSUs and the central Complaints and Correspondence Standards and Performance Directorate (CCSPD) team. We found that staff participated in regular meetings with other UK Border Agency CSUs and had frequent, constructive engagement with the CCSPD.
- 1.16 However, we found evidence of inconsistencies, particularly in relation to the incompatibility of existing IT systems and the collection of management information.
- 1.17 At one Border Force location – a former HMRC Detection office – we observed inadequate IT systems in place that did not allow staff sufficient access to the computer systems they needed to use in order to manage complaints efficiently and effectively.
- 1.18 The office location was not connected to POISE – the computer network on which the bulk of UK Border Agency activity is based. We found that staff had to access the POISE network using a standalone laptop. We noted that use of this laptop was limited for health and safety reasons – particularly because of the small screen. During our inspection, we advised managers of the availability of equipment (such as docking stations) that would allow a full-size monitor to be connected.
- 1.19 Furthermore, staff who worked in this particular CSU had no access to the Agency’s new Complaints Management System (CMS) – though we were informed that it was due to be delivered to Border Force locations in the ‘immediate future’. We also found that staff working in the CSU had limited access to the Correspondence Tracking System (CTS) used to manage MPs’ correspondence.
- 1.20 We found that International Group did not have any access whatsoever to the new CMS. We were told by CCSPD senior management that plans were in place to deliver this, although there was no clear timeframe for delivery. We discovered that there was an unresolved issue to do with the compatibility of International Group computer systems and CMS.

- 1.21 We uncovered evidence of inconsistency in the collation of management information in the Border Force CSU. A complaint was listed as ‘closed’ if a reply had been sent to the customer and no response had been received by the target date for completion. If the customer subsequently replied to the Border Force CSU on the same issue (but after the target date for completion of the complaint), a new complaint would be opened. This procedural anomaly had the effect of artificially increasing the number of complaints received (and therefore resolved) by the CSU. This was reflected in the information sent to the CCSPD and used to assess overall UK Border Agency performance. We were informed that this practice had ceased following our inspection.
- 1.22 We were disappointed to find that there was no consistent UK Border Agency branding at ports. We found that some, but not all, of the information provided to customers who wanted to make a complaint contained HMRC branding. This included ‘How to complain’ leaflets handed out to customers, as well as posters in passenger arrival halls at seaports and airports.
- 1.23 We were told of a concrete, practical example of this, involving people who complained about being stopped by UK Border Agency staff at the juxtaposed immigration controls in Calais and then again, a few hours later, when they arrived at the port of Dover. While UK Border Agency staff were able to explain why a person might be stopped at both locations, the only written material available contained HMRC branding and out-of-date information.

Conclusions

- 1.24 We were pleased that the UK Border Agency has responded positively to the recommendations of the CAC. The wholesale review of complaints handling and the development of new complaint-handling procedures had delivered some successes (notably in the management of complaints of serious misconduct) and had the potential to deliver a robust framework for the management of complaints throughout the Agency. We were also pleased to find that senior managers demonstrated a realistic awareness of the areas where improvement was needed.
- 1.25 The launch of the Customer Strategy was also a positive development that had had a modest impact on the culture of the UK Border Agency, particularly in the CSUs and the public enquiry offices (PEOs). It set a direction for the UK Border Agency and was a positive statement of intent of the level of customer service it aspired to.
- 1.26 However, we found no evidence of a consistent and strategic overview of the standard of service that each CSU should provide – and, consequently, of the level of resources necessary to deliver it. As a result, customers – whether an MP writing a letter or a private individual submitting a complaint – received an inconsistent level of service.
- 1.27 The UK Border Agency did not have a clear view on how customers should contact it. This created uncertainty for both customers and staff working in CSUs. The complaints procedure was used by customers for a myriad of reasons – from legitimately making a complaint to engaging in general correspondence.

- 1.28 We note the UK Border Agency's awareness of this issue and the work it is undertaking to develop a Channel Strategy that will define the way in which it communicates with its customers and, more importantly, the ways in which its customers can gain access to the area of the UK Border Agency that they require. If its aims are to be met, the Channel Strategy needs to be accompanied by a clear implementation plan and by adequate resources.
- 1.29 We note that the UK Border Agency is aware of and, within limits, encourages different business areas and regions to tailor service delivery to the unique needs of their customers. However, we also believe that it needs to be clear about the parameters within which managers can exercise flexibility. The levels of customer service provided by the CSUs vary considerably, and we believe that customers should be entitled to the same level of service regardless of which business area or region they have complained to. Clear service standards for each CSU would define the level of service that a customer should expect.
- 1.30 Furthermore, the Agency needs to be more rigorous in its approach to monitoring differences in procedures, so that it can identify potential problems and share best practice.
- 1.31 While there has been some progress in aligning the procedures of the former BIA, HMRC and UK Visas, there remain inconsistencies. In particular, the absence of integrated IT systems is hampering development of a unified complaints procedure.

Recommendation

The UK Border Agency should:

- **Set clear service standards for each customer service unit.**

Chapter 2: High-level outcomes of the business

2.1 We assessed:

- how the UK Border Agency was learning from complaints and correspondence to drive continuous improvement;
- the extent to which it was meeting its own targets for responding to complaints and correspondence; and
- the degree of accountability for this within the Agency.

Lessons learned

2.2 In its *Principles of Good Complaint Handling*,⁵ the Parliamentary and Health Service Ombudsman stated:

Good complaint handling is not limited to providing an individual remedy to the complainant: public bodies should ensure that all feedback and lessons learnt from complaints contribute to service improvement.

Learning from complaints is a powerful way of helping to improve public service, enhancing the reputation of a public body and increasing trust among the people who use its service. Public bodies should have systems to record, analyse and report on the learning from complaints. Public bodies should feed that learning back into the system to improve their performance.

- 2.3 Accordingly, we assessed whether there was any evidence that the UK Border Agency was identifying specific lessons from individual complaints. This could mean something as straightforward as reporting back to a member of staff involved in the complaint, or as fundamental as revising an existing policy. While we found consistent evidence of lessons learned being recorded for serious misconduct complaints, there was extremely limited evidence that this was true of minor misconduct and service complaints.
- 2.4 Of the 90 complaint files that we sampled, only 68 indicated clearly whether the complaint had been substantiated, partially substantiated or not substantiated. In the remaining 22, it was not clear from the file whether or not the complaint had been substantiated.
- 2.5 Of those 68 cases, we found that 50 were marked ‘not substantiated’. Table 1 provides further details.

⁵ Available at: www.ombudsman.org.uk/improving-public-service/ombudsmans-principals/principles-of-good-complaint-handling-full

Table 1: Number of cases substantiated, partially substantiated and not substantiated

	Substantiated	Partially substantiated	Not substantiated	Total
Service	8	0	5	13
Minor	5	0	23	28
Serious	1	4	22	27
Total	14	4	50	68

2.6 Table 2 analyses the 68 cases where it was clear whether or not the complaint had been substantiated. It shows in how many of these cases we found evidence that lessons learned had been identified, recorded, acted on and reviewed. We used the following definitions:

- **Identified:** evidence on the file that a member of staff had identified a lesson learned.
- **Recorded:** evidence of a lesson learned being specifically recorded on the file.
- **Acted on:** evidence on the file that the lesson learned had been acted on, for example by informing a manager, changing a policy or updating records.
- **Reviewed:** evidence on the file that the lesson learned had been reviewed at a later date.

Table 2: Number of cases where the evidence on file indicates that lessons learned have been...

	Identified	Recorded	Acted on	Reviewed
Service	3	2	3	0
Minor	1	1	1	0
Serious	14	13	1	1
Total	18	16	5	1

2.7 Table 2 shows that, for our sample of 68 cases:

- not all the service and minor misconduct complaints that were substantiated had recorded a lesson learned; and
- serious misconduct cases that had not been substantiated nevertheless had recorded lessons learned.

2.8 We would have expected to find a lesson learned recorded for every case where a complaint had been substantiated. By substantiating a complaint, the UK Border Agency was acknowledging a fault in service delivery or in conduct towards a customer, and it is therefore likely that there was learning for it to record and act on. By failing to record the action taken on the complaint file, the Agency was unable to demonstrate that it was actively learning from complaints and that it was taking steps to improve its overall level of service and conduct.

- 2.9 Conversely, we were pleased to see that, even in some cases where a complaint of serious misconduct had **not** been substantiated, the UK Border Agency still identified and recorded lessons learned. It may have been that an area for improvement had been identified; just as importantly, it could have been that an area of good practice had been identified – one that the Agency could share across all regions and business areas.
- 2.10 We found that the UK Border Agency was not fully utilising all the available sources of information to identify lessons learned. In particular, it was failing to make adequate use of effective trend analysis.
- 2.11 We were told that quantitative information on complaints was captured by the CCSPD, but we found there to be a lack of meaningful management information generated. A monthly performance-analysis meeting took place at the CCSPD, but the only data routinely received covered just the main categories of complaints (serious misconduct, minor misconduct and service). The data was not broken down systematically into more detailed sub-categories, such as the type of service complaint or the business area that received the complaint. This would be more useful to managers in identifying trends and in deciding what action should be taken to improve service.
- 2.12 We were pleased to see that certain regions and business areas were collecting more detailed information on the source of complaints. However, we found no evidence that the UK Border Agency collected information at the national level to identify whether, for example, complaints were more likely to be received from those making particular types of applications; whether the number of complaints from particular nationalities reflected the volume of contact with the UK Border Agency; or whether complaints indicated any potential discrimination at particular locations or against particular groups of people. Since no information on these aspects was collected, no analysis could take place. Such information would allow the UK Border Agency to assess more clearly whether action needs to be focused on particular activities or locations, and whether information on how to complain needs to be communicated more effectively to certain groups.
- 2.13 Furthermore, even where local management information was collected, it did not routinely find its way to the operational managers who had responsibility for the areas that had attracted complaint. We found that many staff in operational areas did not know how many complaints they had received, what the complaints were about, what the outcome was of the investigation into the complaint, and, most importantly, what they could potentially do to prevent similar complaints arising in the future.
- 2.14 In one port, staff who work directly with customers told us that service complaints from customers were relatively frequent, but that they were rarely told the outcome of the investigation into a complaint. They did not know if the complaint had been upheld, and were therefore not aware of whether they needed to change their behaviour and how they interacted with customers.
- 2.15 We were pleased to find evidence that some local teams were conducting their own customer surveys. For example, PEOs routinely surveyed customers, and all the CSUs we spoke to had undertaken at least one customer survey. However, we found limited evidence that the information generated by these surveys was reaching the central CCSPD, where it could inform the national picture.

- 2.16 Staff in CSUs consistently told us that they had a role to play in analysing trends and evaluating procedures. We were pleased to find many examples of local teams (particularly the CSUs) identifying trends and areas for improvement. These included a team in Sheffield that had identified lost identity documents as the main reason for the payment of compensation to customers, and a team in an immigration removal centre (IRC) that had identified unsatisfactory menus as a principal reason for complaints. In many cases, local action was taken to address such issues: in the Sheffield example, in an attempt to reduce the number of mislaid identity documents, staff were asked to keep only one file open on their desks at a time; in the IRC, the people detained were consulted on what changes they would like to the menus.
- 2.17 However, in many cases staff felt that the limited resources, the embryonic nature of the CSUs and a lack of clear guidance on the procedure for recording and acting on lessons learned inhibited their ability to act.
- 2.18 We found evidence that the two areas that generated the largest volume of complaints were lost or missing documents and service delays. However, while we did find evidence of action being taken to tackle these two key areas at the local level, there was no evidence that they were being addressed across the UK Border Agency as a whole, even though the opportunity existed to share knowledge and good practice and to disseminate it so as to improve the standard of service provided.
- 2.19 We were told by many staff that the new Complaints Management System had limited their ability to record and analyse management information. In one CSU, we found that staff were continuing to maintain the old spreadsheets, even as CMS was being introduced. This meant that they had to enter information onto two separate systems. They felt the need to do this because of the inability of CMS to produce the level of detailed management information they had been accustomed to.
- 2.20 We were made aware of the next phase of development of CMS, in which improvements are due to be made to allow for improved recording and analysis of information.

Performance

- 2.21 The UK Border Agency's performance targets in relation to the handling of complaints and MPs' correspondence were largely time based: it was required to respond to a certain percentage of correspondence within a defined timeframe.
- 2.22 For complaints, the target was based on the number of working days from when the complaint was received by the UK Border Agency to when it was considered to have been resolved and a substantive reply had been sent to the customer.
- 2.23 For MPs' correspondence, the target was based on the number of working days from when the correspondence was received by the UK Border Agency to when a reply was sent to the MP.
- 2.24 The UK Border Agency had other (secondary) targets to support completion of the primary target: for example, to allocate 95 per cent of cases within two days of receipt of the complaint.

2.25 In February 2009, the Agency changed the percentage of complaints cases that had to meet the target for timeliness from 80 per cent to 95 per cent. Thus, in the month of January 2009, the target was to respond to 80 per cent of complaints within the required timeframe, while for the months of February and March the target had risen to 95 per cent. This is significant in the context of this report, as our sampling of complaint files covered the period between January and March 2009, inclusive.

High-level UK Border Agency targets:

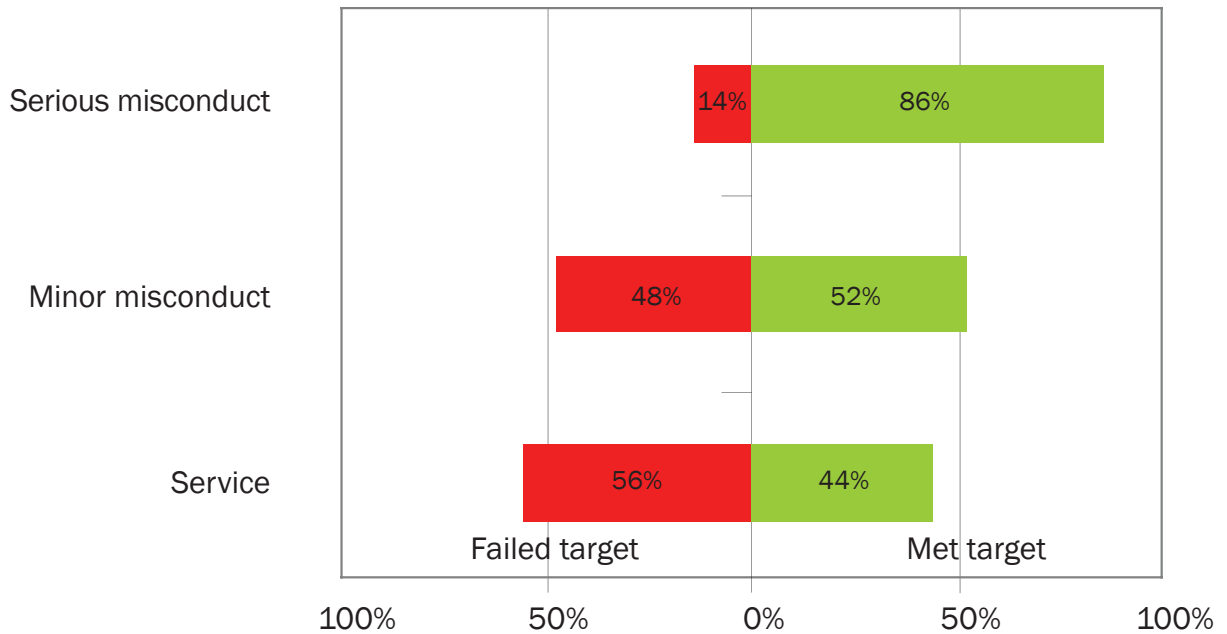
- **Serious misconduct complaints:** to respond to 95 per cent of cases within 12 working weeks (60 working days).
- **Minor misconduct complaints:** to respond to 95 per cent of cases within 15 working days.
- **Service complaints:** to respond to 95 per cent of cases within 20 working days.
- **MPs' correspondence:** to respond to 95 per cent within 20 working days.

2.26 We were pleased to find that the UK Border Agency did not have a target for simply reducing the volume of complaints received. Such a target, as senior managers recognised, would potentially limit the learning opportunities, and might also act as a perverse incentive to restrict customer access to the complaints process.

2.27 We undertook a sample of 90 complaint files from the first quarter of 2009, in order to assess how the UK Border Agency was performing against its targets – and also, given the previous concerns expressed by the Complaints Audit Committee, whether complaints were being recorded accurately. Figure 1 demonstrates that, in our sample, the Agency met target response times in:

- 44 per cent of service complaints;
- 52 per cent of minor misconduct complaints; and
- 86 per cent of serious misconduct complaints.

Figure 1: Complaints from the sample that met or failed to meet the target response time



2.28 Table 3 analyses this information. Of the 90 complaint files that were suitable for analysis, we were disappointed to find that only 60 had the relevant dates recorded on the file. In 30 cases, either the date on which the complaint had been received by the Agency or the date on which the substantive response had been sent was not clearly marked on the complaint file. This meant that, for these complaints, we could not measure performance against the target.

Table 3: Time taken in working days from a complaint being received and a final outcome being sent by the UK Border Agency D

	Number of cases	Average time (working days)	Minimum time (working days)	Maximum time (working days)	% meeting target	Target time (working days)
Service complaint	18	34.8	0	185	44	20
Minor misconduct	21	18.3	3	37	52	15
Serious misconduct	21	58.5	18	153	86	60
Total	60	37.3	0	185	62	–

- 2.29 We were pleased to find that UK Border Agency management information was in line with our analysis. This indicated to us that the Agency was accurately recording management information on its performance against target response times. This is, of course, a minimum requirement of any system of organisational reporting. However, the Agency had previously been criticised by the CAC for its accuracy in this area, and so we were pleased to find that, on the evidence of our limited sample, performance had improved.
- 2.30 We found that the UK Border Agency did report internally on performance against target via its intranet site. However, we were surprised to find no evidence that it reported **publicly** on its performance in a way that would have allowed people to see clearly the number and type of complaints received and the outcome of those complaints.

Serious misconduct complaints

- 2.31 For serious misconduct complaints, we were pleased to find that there had been a significant improvement in performance against the target of resolving 95 per cent of cases within 12 weeks, and that the target was consistently being met.
- 2.32 In our sample of files taken from the period January to March 2009 inclusive, the UK Border Agency responded to 86 per cent of serious misconduct complaints within the target response time. While this was below the target (introduced in February 2009) of responding to 95 per cent of complaints, our sample indicated that the January 2009 target of 80 per cent had been met.
- 2.33 We were pleased to find that the UK Border Agency's performance against target improved even further in the months after the period covered by our sample of files. In October 2009, the Agency provided us with its most recent management information. This indicated that, in the preceding five-month period, it had responded to 100 per cent of serious misconduct complaints within the target response time of 12 weeks.
- 2.34 We found that the complexity of the serious misconduct complaints investigated could vary considerably. We were told that, in simple terms, the more complex the case, the longer the investigation could take. Staff who investigated these complaints expressed the concern that, in some cases, the 12-week timescale was inappropriate, and that a complex investigation should not be limited by adherence to a fixed target.
- 2.35 However, we found that the Agency allocated resources to complex cases of serious misconduct on a pragmatic basis, and we did not find any evidence of such cases being hurried through the investigative process simply in order to meet the 12-week deadline.
- 2.36 We found local managers to be flexible in this respect: they were willing and able either to allocate additional resources to an investigation or, in exceptional circumstances, to allow the investigators additional time to complete their investigation.
- 2.37 We found that, in those rare instances when serious misconduct cases were likely to run over the 12-week target, people were kept informed of the reasons for the delay and were provided with a revised and realistic date by which they could expect a response.

2.38 We noted that people in detention may be required to leave the UK before the investigation into their complaint has been completed. We believe it to be essential that any such case is progressed swiftly – but also as thoroughly as is required. We were pleased, therefore, to find evidence both from our file sample and from interviews with staff that people in detention were interviewed about their complaints as soon as possible, and that an investigation was completed even if the person who made the complaint had left the UK. We noted that an address or contact point was obtained for the individual, so that they could be informed in writing of the outcome of their complaint.

Minor misconduct and service complaints

- 2.39 Our sample of files from January to March 2009 indicated that the UK Border Agency had not achieved its target response time for minor misconduct and service complaints.
- 2.40 In our sample of 90 files, 52 per cent of minor misconduct complaints met the target response time; for service complaints, the figure dropped to 44 per cent. This was significantly below the 80 per cent target that applied in January 2009 and the 95 per cent target that applied from February 2009.
- 2.41 Management information provided to us by the Agency in respect of minor misconduct complaints indicated that, while the volume of complaints whose investigations were completed within the target time increased steadily in 2009, the percentage completed within the target response time was typically around 60 per cent.
- 2.42 In the period from October 2008 to September 2009, we found that, in any given month, there were always two CSUs and two regions that failed to meet minor misconduct targets (although it should be noted that it was not always the same CSUs or regions each month). In the same period, in any given month there were always two CSUs and three regions that failed to meet their service complaint targets (again, it was not always the same CSUs or regions each month).
- 2.43 We did, however, find areas where local CSUs had met or bettered target response times in the period from October 2008 to September 2009. For example, the Immigration Enquiry Bureau CSU met the target for minor misconduct complaints in five non-consecutive months, while the Wales and South West region met its target in three non-consecutive months. As for service complaints, the Criminal Casework Department CSU met its target in seven non-consecutive months and the Scotland and Northern Ireland CSU achieved its target in four non-consecutive months.

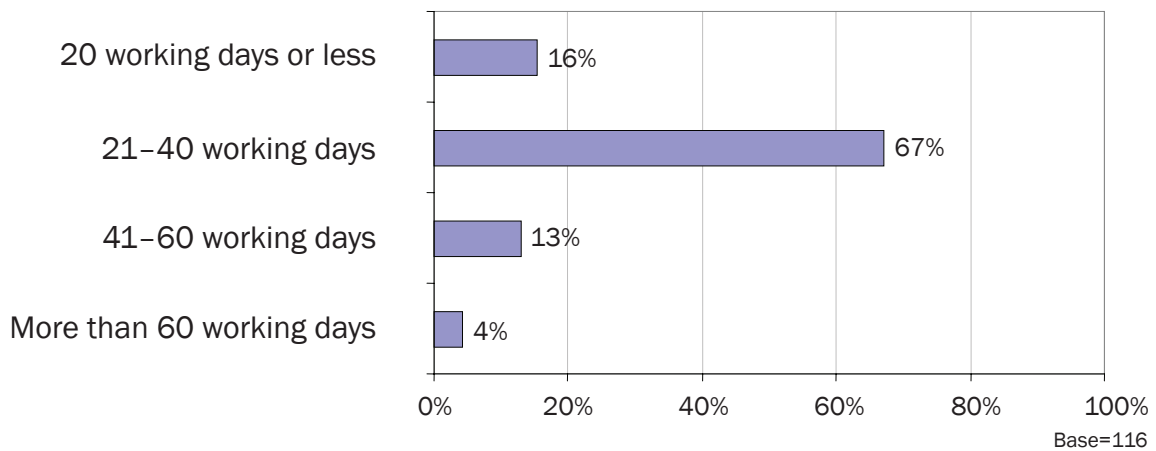
MPs' correspondence

- 2.44 The management information provided to us by the UK Border Agency on MPs' correspondence lacked clarity and, because of inconsistencies in the information we received, we are not confident in quoting actual performance statistics.
- 2.45 We were provided with four management information reports. We noted that they referred to different reporting periods – two reports covered the July 2009 reporting month and two covered August 2009. One report provided year-to-date figures for the financial year, while the others reported on the calendar year. This made it difficult to cross-reference the reports, although we noted that the Agency reported in calendar years for the Cabinet Office and in financial years for the UK Border Agency Board.

- 2.46 Of rather more concern was the fact that, while the reports appeared to be reporting on exactly the same data, the management information was inconsistent. For example:
- The July 2009 performance against the target of 20 working days was given as 74.3 per cent and 74.7 per cent in two different documents.
 - January 2009 to August 2009 performance against target was given as 76.3 per cent, 76.6 per cent and 78.1 per cent in three different documents.
- 2.47 We are confident in stating that the target of responding to 95 per cent of cases within 20 days was not being met, and that actual performance on this measure during the period was in the region of 76–78 per cent. This was in line with the Agency's performance in 2008.
- 2.48 We noted that the 95 per cent target had been set by the Cabinet Office and applied to all government departments. The volume of MPs' correspondence received by the UK Border Agency is significantly higher than in other government departments, and for this reason the Agency has been allowed the longer period of 20 days in which to respond.
- 2.49 We found there to be a lack of consistency in how the Agency responded to MPs' correspondence. In the North West, there was a team dedicated to responding to MPs' correspondence, and it met the performance target. However, we found that other teams, which did not have dedicated staff to respond to MPs' correspondence, typically did not meet the performance target. We found no rationale for the different approaches.
- 2.50 From our survey, we found that MPs' perceptions of how long the UK Border Agency took to respond to their correspondence differed considerably from the Agency's management information. Here we should make it clear that we do not infer from this that the Agency's management information is incorrect or inaccurate; simply the perception of the group receiving the responses did not appear to align with the Agency's management information. We note this for the information of the Agency.
- 2.51 In all, 116 MPs responded to the question: 'In the majority of cases, how long does it take for you to receive a response from the UK Border Agency to your letter?' Only 16 per cent replied that they thought the Agency, in the majority of cases, met the target of responding within 20 working days.

Figure 2: MPs’ perceptions of how long it took, in the majority of cases, to receive a response from the UK Border Agency to a letter

Question: In the majority of cases, how long does it take for you to receive a response from the UK Border Agency to your letter?

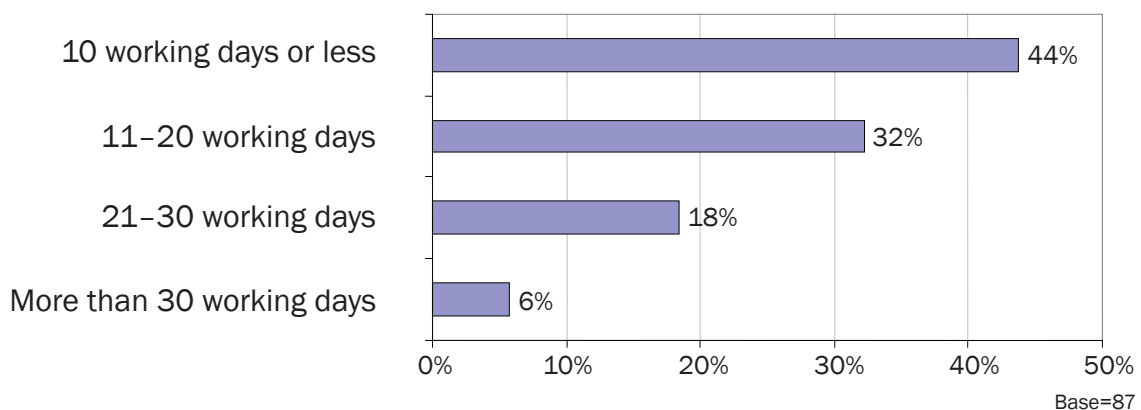


2.52 Thus, from our survey of MPs 84 per cent perceived the UK Border Agency to be failing to respond within the target time of 20 days or less.

2.53 MPs perceived the Agency to be responding considerably better to emails than to written correspondence. In all, 87 MPs responded to the question: ‘In the majority of cases, how long does it take for you to receive a response from the UK Border Agency to your email?’ Some 44 per cent replied that the Agency, in the majority of cases, met the target of responding within 10 working days.

Figure 3: MPs’ perceptions of how long it took, in the majority of cases, to receive a response from the UK Border Agency to an email

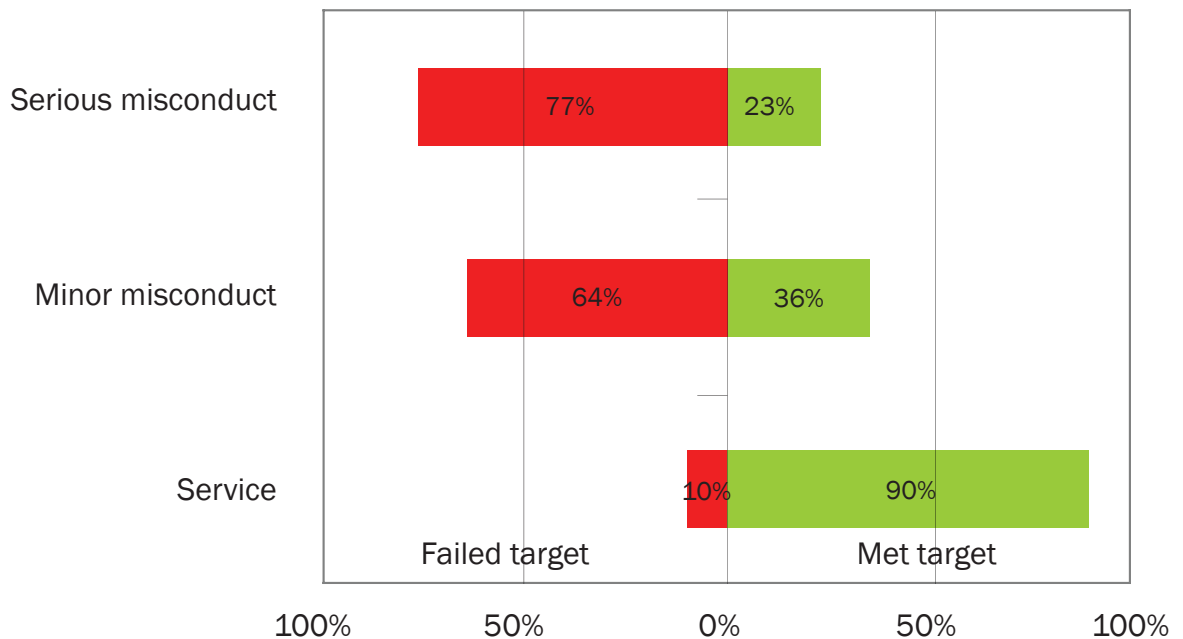
Question: In the majority of cases, how long does it take for you to receive a response from the UK Border Agency to your email?



Acknowledgement and allocation times

- 2.54 The UK Border Agency also had targets for acknowledging complaints and for allocating MPs' correspondence. We found that these targets were not being met.
- 2.55 In respect of complaints, the Agency required an acknowledgement to be sent if the complaint could not be resolved in full within two working days of receipt. This target was contained in the complaints management guidance, but we found no evidence that it was a key performance indicator or that management information was routinely collected for performance against this target.
- 2.56 We were disappointed to find that, of the 90 complaint files assessed, only 54 had the relevant dates recorded on them. In 36 cases, either the date on which the complaint had been received by the Agency or the date on which the acknowledgement had been sent was not clearly marked on the complaint file. This meant that, for these files, we were unable to assess performance against target.

Figure 4: Complaints from our sample that met or failed to meet the target response time for allocation within two working days



- 2.57 Figure 4 demonstrates that, of the files we sampled, target response times for acknowledging complaints within two working days were met in:
 - 23 per cent of serious misconduct complaints;
 - 36 per cent of minor misconduct complaints; and
 - 90 per cent of service complaints.

- 2.58 As for MPs' correspondence, the UK Border Agency had a target of allocating 95 per cent of cases within two working days, and to have less than 10 per cent misallocated.
- 2.59 The Agency received correspondence from MPs in a number of different ways. Correspondence was scanned onto the electronic Correspondence Tracking System (CTS), which was used to manage MPs' correspondence within the Home Office and the UK Border Agency. A central team within the Agency, known as the MPs' Correspondence Section (MPCS), then allocated correspondence to the dedicated response-drafting team, a case owner or the most relevant area of the Agency with the knowledge to respond to the particular content of a letter. As the content of a letter may straddle several different business areas, one business area was nominated as the 'owner' of the response.
- 2.60 Management information provided to us by the Agency indicated that, in the period from January to July 2009, the Agency failed to meet its target of correctly allocating 95 per cent of cases within two working days. Year-to-date figures indicated that 87 per cent of correspondence had been correctly allocated within the target timeframe.
- 2.61 However, the management information indicated that, in the same period, the Agency had met its target of misallocating less than 10 per cent of cases: year-to-date figures indicated that 8 per cent of pieces of correspondence had been misallocated.

Cases where targets are missed

- 2.62 We found some evidence of the proactive management of complaints that had run over the target dates. We found that most CSUs communicate with customers to inform them of the delay and to provide an explanation. However, we did not find any consistent approach to this in the CSUs we spoke to.
- 2.63 In cases of serious misconduct, we found that, in the limited number of cases that exceeded the 12-week target, the UK Border Agency consistently provided the customer with a clear explanation and an update that indicated when the investigation would be concluded.
- 2.64 Disappointingly, we found no evidence of any national oversight of complaint handling where targets were missed, and nor did we find evidence that the Agency set additional targets to make sure that any such complaints were not overlooked. We identified one case where, through administrative error, a complaint had taken 508 days to resolve. We also noted the very poor service provided to people who had complained about delays in the processing of European residency applications: following the reallocation of resources, complaints were simply kept in a box and no attention was paid to meeting the target of responding within 20 days. Furthermore, we found that, contrary to guidance, target dates were being calculated from the date on which someone in a CSU had **read** the complaint, rather than from when the complaint had been received by the Agency. Final responses failed to address the concerns and were difficult to understand.
- 2.65 In the case of MPs' correspondence that missed the target date, we found that the Agency circulated a daily backlog report and situation reports. We were told that 'most units find this information invaluable and helpful'. However, while this did enable managers and units to see where delays had occurred (or were likely to occur), we once again could find no evidence of a systematic approach to the management of cases that missed the target date. We were told that there was 'no analysis of data for cases that fall outside the target to help determine the reasons or look for areas for improvement'.

Understanding of targets

- 2.66 We found very consistent evidence that the majority of staff understood the targets – in terms both of the rationale behind the targets (the need to provide a high level of customer service) and of how their work contributed to meeting those targets.
- 2.67 Front-line staff – those who deal with customers direct – had a limited understanding of the specific targets in relation to complaints. However, we found that staff who work in these areas were very clear in their understanding of the need to refer any complaints they could not resolve to a manager. When we spoke to front-line managers, we found that they understood the complaints procedure, the timescales and their role in the process.

Lack of ownership and accountability

- 2.68 We uncovered a lack of clear ownership and accountability for ensuring that recommendations and lessons learned are acted upon and used to improve procedures across the UK Border Agency.
- 2.69 We found that, while lessons learned and recommendations were recorded in cases of serious misconduct, there still remained a lack of clear ownership and accountability for ensuring that action was taken.
- 2.70 The Policy, Oversight and Best Practice Unit (POBU), a team within the CCSPD, maintained ‘lessons learned’ reports for cases of serious misconduct. These were circulated quarterly to the directors of regions and business areas.
- 2.71 We were pleased to find that POBU had been proactive in engaging with areas of the Agency that were particularly at risk with regard to serious misconduct complaints – notably those relating to the Agency’s enforcement activity and detention of people. This engagement had led to a revision of improved policy and process in a number of areas:
- A number of cases of serious misconduct had occurred following a specific type of incident on enforcement visits. The lessons learned highlighted the fact that staff were unaware of the guidance, and that the existing guidance was ambiguous. As a result, the instructions were revised and clarified for all staff.
 - Serious misconduct complaints identified the fact that some people who were being moved between places of detention had been handcuffed in a way that was inappropriate for the length of journey they were undertaking. Following analysis of the lessons learned, new guidance was introduced to prevent any reoccurrence of this.
- 2.72 We found that POBU was aware of the importance of identifying the specific areas of the Agency that needed to act on the lessons learned and on the recommendations that follow from cases of serious misconduct. POBU had been active in following up cases to check whether actions had been carried out and had established channels of communication to influence this process. We found some evidence that this had yielded positive results, but did not find evidence of a consistent approach and understanding of this in all areas of the Agency.

- 2.73 We were told by a senior manager in the PSU that working relationships with other areas of the Agency were positive and productive, but that ultimately 'the PSU did not have the power to enforce recommendations'. We did not find evidence that this had resulted in any recommendations not being implemented, but we note the potential for this to arise.
- 2.74 We found no evidence of clear and consistent ownership of lessons learned and recommendations from cases of minor misconduct or service complaints.
- 2.75 We found that pockets of good practice did exist, as well as evidence that local CSUs had used lessons learned to improve the existing procedure. However, this was very limited and was not replicated at an organisational level to improve procedures across the Agency.
- 2.76 We noted that CMS had a 'next steps' screen that allowed staff to detail issues that require further attention, including lessons learned. The Agency's guidance stated that the CCSPD was responsible for 'identifying national or cross-cutting issues' and 'identifying action owners and keeping a lessons-learned log of these issues'. As CMS had not been delivered to all CSUs at the time of our inspection, we were not able to inspect this facility.
- 2.77 Prior to the introduction of CMS, the UK Border Agency's guidance required each CSU to manage its own lessons-learned log. This placed the onus on CSUs to record, manage, allocate and review implementation of lessons learned in their region or business area. We did not find any evidence in those CSUs we inspected that this had taken place at the time the guidance applied. We did further note that, while the guidance required CSUs to record lessons learned, it provided no instruction or guidance on how this might be done. We were pleased to find that the new guidance defined the process for learning lessons in a way that should be more straightforward for those involved, particularly in the CSUs.
- 2.78 We heard that the CSUs met together quarterly. These meetings were used positively and we found evidence of good practice being shared. However, although all CSUs were invited to every meeting, we found that the most appropriate staff in some CSUs were not always aware of the meetings, and this therefore limited their effectiveness in ensuring a consistent approach across the Agency.
- 2.79 We also found a lack of clear ownership and accountability for meeting the performance targets. While CCSPD owned the performance targets, collated management information and reported on performance against target, the majority of CCSPD staff were not directly responsible for responding to customers, and therefore for meeting performance targets.
- 2.80 The director of the CCSPD told us that accountability for meeting targets was shared between the CCSPD and the business areas and regions, and that staff in the CCSPD supported the actions of the business areas and regions.

- 2.81 At a local level, we found some evidence of conflicting targets. Regional directors were responsible for the performance of the CSU in their region, as well as for the operational teams (which had other delivery targets to meet). The CSU referred a complaint to a nominated responsible officer (NRO) in an operational area, and that person was expected to respond to it. However, we found some evidence to suggest that operational teams were more focused on delivery of their own operational and performance targets than on responding to complaints. We were told, however, that the level of co-operation from operational teams had improved. We found evidence that more resources were dedicated to responding to complaints and MPs' correspondence in some regions and business areas than in others. In general, we found that business areas responded with more urgency to MPs' correspondence than to complaints.
- 2.82 Furthermore, while the directors of business areas and regions were informed of their performance against target via regular communications from the CCSPD, we found no evidence that they were consistently held accountable for performance against those targets.

Conclusions

Performance

- 2.83 We were pleased to find clear understanding by staff of the targets they were working towards. The UK Border Agency has demonstrated significant progress in responding to complaints of serious misconduct and was consistently meeting its target of responding to these within 12 weeks. Given the nature of these complaints, it was right for the Agency to prioritise the handling of them, and we expect this performance to be maintained. However, the Agency was failing to meet its key performance targets for service and minor misconduct complaints and for responding to MPs' correspondence. While performance was improving, there is still a long road ahead for the Agency. It is unacceptable that approximately 40 per cent of service and 30 per cent of minor misconduct complainants did not receive a response within the UK Border Agency's own target timeframe. The level of performance indicates that the Agency needs to do much more to really embed the importance of responding to complaints promptly and to address individuals' concerns.
- 2.84 We were also concerned at the lack of active management of cases where target dates were missed, especially for service and minor misconduct complaints, despite the fact that every month a backlog report was sent to directors and to CSUs. We are concerned at the potential for a customer's complaint that has already exceeded the target timeframe to be perceived as of lower priority than cases where the Agency can still meet the performance target.
- 2.85 Furthermore, customers who do not receive a response within the Agency's own timeframe are more likely to write to an MP or ombudsman in order to expedite their complaint. This 'complaints circle' generates more work for the Agency and illustrates the principle of complaint handling promoted by the Parliamentary and Health Service Ombudsman: getting it right.

Publishing performance information

- 2.86 We were pleased to find that the UK Border Agency published performance targets on its public-facing website and in other literature. It is important that customers should be aware of the timeframe in which they can expect a response. However, we were disappointed that the Agency did not publish its actual performance statistics alongside the targets it aspires to. We believe this would help demonstrate the integrity of the complaints process and enable people to see clearly how and whether the Agency is improving.

Lessons learned

- 2.87 We strongly believe in the value of identifying and acting on lessons learned from complaints. By doing so, any organisation will improve its service delivery to customers and derive more value from the significant resources it has committed to the complaints-handling process. If the UK Border Agency is to deliver on the statement made in its Customer Strategy that it ‘takes complaints seriously’ then it must have a clear and consistent process for the management of lessons learned from complaints.
- 2.88 To this end, we were very pleased to find that the Agency had recorded lessons learned from complaints of serious misconduct, even where the complaint had not been substantiated. This is a positive model for the Agency to develop further.
- 2.89 Conversely, we were very disappointed that lessons learned were not being consistently recorded for service and minor misconduct complaints. Whether or not action was taken was unclear from the case files, and without such evidence the Agency cannot demonstrate that it has captured the learning and is acting on it. Although there are instances of information and best practice being shared, there was no co-ordinated and consistent mechanism to identify lessons and improve procedures across the Agency. We do not see why the process that has been developed for cases of serious misconduct cannot be extended to all other complaints.

Analysis of trends

- 2.90 The UK Border Agency has yet to put in place consistent and meaningful analysis of the information generated by complaints. There has been some limited development within CSUs, and managers indicated a clear awareness of the need to do more, particularly given the opportunities presented by the roll-out of CMS and the more consistent capture of data.
- 2.91 We do believe that analysis is becoming increasingly important for the Agency. In particular, although some local information was captured, there was no national picture of whether complaints were received primarily from particular groups of people or whether they were made at particular locations. This type of analysis would enable the Agency to identify whether certain groups of people were underrepresented, whether complaints suggest any potential discrimination at particular locations or against particular groups of people, and whether it needed to do more to inform people of its complaints procedure.
- 2.92 Significantly, we noted that the Agency had already identified delays and lost or missing documents as responsible for generating the largest volume of service complaints. While we found that local efforts to address these issues had enjoyed some success, we were very disappointed to find no substantial evidence that the Agency was taking the necessary strategic action to eliminate or reduce the root cause of these complaints.
- 2.93 We felt that the Agency was focusing more on the management of complaints than on actually addressing their root cause. Furthermore, this lack of emphasis on the root cause demonstrated that the Agency has not entirely embraced the concept of using complaints seriously as a means of improving the service it provides to its customers.

Management information

- 2.94 We were pleased that our analysis of complaint files supported the accuracy of the UK Border Agency's management information. This was indicative of the considerable progress that the Agency has made in this area, following the very robust criticism of the accuracy of its management information made by the Complaints Audit Committee in 2008.
- 2.95 However, we were very concerned at the lack of clarity and consistency in the management information relating to MPs' correspondence. The Agency clearly reported in considerable detail on its performance in this area, and we are concerned that significant management decisions are being made on the basis of inconsistent management information. We believe the management information should be absolutely clear about what it is reporting on, and that all information should be consistent across the various reports. If there is a reason for the inconsistency, or if there is a need to present information differently, this should be made absolutely clear to whoever has access to the report.
- 2.96 We have noted the exceptional volume of correspondence received from MPs overall by the Agency, compared to other government departments. This does mean that greater resources are required to respond, and we are aware of the pressures on those resources to meet other delivery commitments. This makes it imperative for the Agency to make significant progress with its strategy of reducing the volume of MPs' correspondence.
- 2.97 We would strongly encourage the Agency to focus its efforts on addressing the root cause of why MPs choose to write in such volumes to the Agency, rather than simply dedicating resources to improving the efficiency of the process of responding to the correspondence.

Accountability

- 2.98 It is important for the UK Border Agency to have clear accountability in respect of meeting performance targets and for it to take forward any lessons learned. At the time of inspection, the CCSPD owned, and was ultimately accountable for, the performance targets, although responsibility for resolving each complaint rested with the operational areas of the business. We found no evidence that this joint approach in itself either prevented the Agency from meeting its performance targets or facilitated improved performance. However, there is a risk that, without specific accountability for meeting targets, operational managers may perceive complaint handling as a lesser priority.
- 2.99 We noted that some measures were in place to mitigate this risk: the integration of CSUs into operational areas and the inclusion by the UK Border Agency Board of performance on complaints in its monthly assessment of overall performance. In future, it is important for the Agency to ensure that performance in respect of complaints is monitored closely and consistently; that it remains a key performance indicator for the Agency's overall effectiveness; and that it is not overlooked amidst competing operational demands.
- 2.100 In respect of lessons learned, there is a lack of clear accountability. In part, this reflects the limited evidence that lessons are learned and put into practice. However, even where the Agency had performed well – in serious misconduct complaints – there were no formal mechanisms to ensure that recommendations were acted upon. In future, the Agency needs to be clear who has responsibility for driving forward any particular recommendations or lessons learned. Without this, there is a risk that the Agency will fail to change its approach or procedures sufficiently to improve service delivery significantly.

Recommendation

The UK Border Agency should:

- **Systematically analyse complaints and MPs' correspondence to identify potential improvements in service.**
- **Ensure that any cases that are not resolved within the target period are actively managed and resolved promptly.**
- **Publish information on the number of complaints received, the time taken to resolve them and whether the complaints have been upheld.**
- **Ensure that there is clear accountability for meeting performance targets.**

Chapter 3: Processes and procedures, including quality of decision-making and consistency of approach

3.1 We considered in particular:

- how the UK Border Agency defined a complaint;
- how the UK Border Agency quality assured responses to complaints and MPs' correspondence;
- how complaints were recorded and tracked;
- whether complaints were handled appropriately and consistently; and
- how complainants were informed about avenues of appeal.

Definition of a complaint

3.2 It is important for any organisation to be clear about what constitutes a complaint. This is particularly relevant for an organisation that has many different types of interaction with customers and (as we have identified in the preceding chapters) needs to collect accurate information on the number and type of complaints, in order to drive service improvement.

3.3 We were pleased that the UK Border Agency had defined a complaint and had set this out in guidance.

The UK Border Agency definition of a complaint:

'...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'.

Who can use the complaints process?

Members of the public or their representatives. Internal staff and contractors may not use this procedure, as separate procedures are in place for the management and investigation of internal complaints.

What can customers complain about?

All aspects of the UK Border Agency's service delivery and the professional conduct of its staff. This includes complaints about the conduct and efficiency of those contracted to act on behalf of the Agency.

What cannot be complained about?

Issues for which there are other remedies, policies or procedures in place, such as Freedom of Information requests, requests under the Data Protection Act or the UK Border Agency's Human Resources policies.

The complaints system is not intended to provide a remedy for those who are dissatisfied with the actual decision in their case or to deal with complaints about legislation or policy.

3.4 However, in practice, we found inconsistency in the interpretation and application of the definition of a complaint.

3.5 We found that verbal expressions of dissatisfaction in reporting centres, PEOs and Border Force locations were being resolved proactively, but were not recorded as complaints, as a strict interpretation of the guidance would require.

- 3.6 We found there to be significant scope for individual discretion in deciding what constitutes a complaint. This was particularly apparent in the more dynamic areas, such as reporting centres and PEOs. In the case of verbal exchanges, the guidance was clear – any expression of dissatisfaction was a complaint, and should therefore be recorded as such. We found that staff typically resolved the ‘expression of dissatisfaction’ on the spot and did not record it as a complaint. Through observation and interviews with staff, we found examples where issues raised by customers had been resolved promptly:
- A person in detention expressed dissatisfaction at the temperature in the centre. The heating levels were adjusted and the problem resolved. It was not, however, recorded as a complaint.
 - Customers in a PEO expressed dissatisfaction that seats in the waiting area were uncomfortable. Plans were put in place to change the seating, but this was not recorded as a formal complaint.
 - Customers in a reporting centre expressed dissatisfaction with the service and information they had received from other parts of the UK Border Agency. The reporting centre staff explained the decisions that had been taken by other Agency staff to the customers. The problem was resolved but not recorded as a complaint.
- 3.7 We found that, in Border Force locations, agreement had been reached with the CCSPD that only the number of complaints made by customers needed to be recorded, rather than all the details of the complaints. The rationale behind this was to allow prompt resolution of a problem and minimise disruption to other customers, since, if a member of staff is managing a complaint, they are unable to undertake duties on passport control.
- 3.8 We found that if a vehicle had been damaged at a Border Force location during a search for Customs purposes, the customer was entitled to submit a claim for compensation. Customers were routinely advised to contact the CSU in order to pursue this potential compensation claim via an established procedure. We found that the CSU recorded all such requests for compensation as a complaint. While we understand that damage to a vehicle would inevitably result in a customer expressing a degree of dissatisfaction, we think the guidance is being applied too rigidly and do not feel that the correspondence is a complaint as such.
- 3.9 Of the complaint files we sampled, we were of the clear view that 15 should not have been classified as a complaint, even though they may have met the strict definition of a complaint under the guidance produced by the Agency. Of the 15 cases we identified, all but one were in fact treated as a complaint.
- 3.10 We were pleased to find that the one case the UK Border Agency did not treat as a complaint had had the guidance applied correctly. This case involved a customer who had written in with a complaint about the service provided by an airline. In this instance, the Agency responded promptly, correctly advising the customer to contact the airline direct. The Agency maintained a complaint file as a record of the correspondence with the customer.

- 3.11 The other 14 complaint files that we felt were not actual complaints were typically requests for information, or else general correspondence between a customer and the Agency. We found there was typically a theme of dissatisfaction in the correspondence originally received that appeared to lead the Agency to categorise it as a complaint. This dissatisfaction was for such reasons as:
- the customer being unable to obtain a response to a question previously addressed to the UK Border Agency; or
 - the customer wanting an acknowledgement that the Agency had received their travel documents.
- 3.12 Two particular examples highlight this issue:
- The Agency complaint file included the customer's initial letter, which began: 'This is not a complaint.' Despite the customer emphasising that no complaint was being made, the Agency nevertheless put the letter through its complaints process. The customer simply wanted to make helpful observations about their experience at a port and was not asking for any specific information, nor indeed making a complaint.
 - The Agency had cancelled a customer's appointment because of the unavailability of a computer system. The customer simply wanted to make a new appointment and was requesting information on how to go about it. The customer made the decision to use the complaints process because they were unsure of the most appropriate way of contacting the right department in the Agency.
- 3.13 We found that the inclusion of such general correspondence in the complaints process had the potential to skew the management information available to the UK Border Agency – and therefore present a distorted view of the actual number of dissatisfied customers.
- 3.14 Furthermore, the Agency could have potentially made more efficient use of its resources by responding to a customer with the information required, rather than initiating the complaints process.
- 3.15 We found evidence to suggest that customers of the Casework Resolution Directorate (CRD) used the complaints process to glean information rather than to make a specific complaint. While some customers certainly did express dissatisfaction with the service provided by the Agency in resolving their cases and in providing them with information, we found evidence that other customers – aware of the requirement for the Agency to respond to service complaint letters within 20 days – used the complaints process to find out how their application was proceeding. These customers were frustrated at being unable to get information about their application and so submitted a letter of complaint to the Casework Resolution Directorate CSU. This typically resulted in a response being sent out to the customer within 20 days. It was otherwise common for regular correspondence to take much longer than 20 days to receive a response.

'People know that if they mention the word complaint, we are obliged to treat it as a complaint and provide a response in 20 days, even if it is just a request for information.'

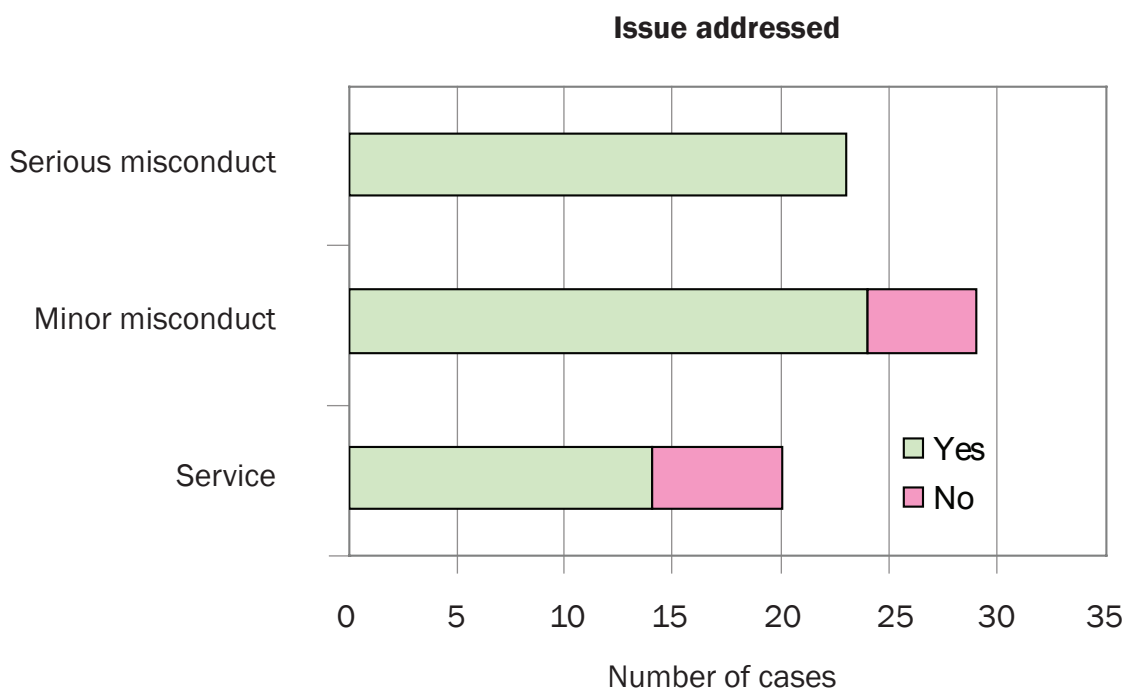
- 3.16 A member of staff suggested that the CRD might benefit from a dedicated team of people responding to correspondence, since the caseworkers were unable to respond to all correspondence and requests for information. Within the CRD, we found a good level of understanding of the complaints cycle and an awareness that unanswered correspondence had the potential to lead to a complaint or a letter to an MP later in the process. Staff were aware that this would generate an increased workload and that it was a more effective use of time to respond to the original request for information.
- 3.17 However, while we were pleased to find an awareness of this process, we did not find evidence that sufficient resources were in place to act on this awareness efficiently and effectively. As a result, caseworkers were often unable to respond to requests for information, as they had either cases to resolve or existing complaints to respond to. Their inability to respond proactively to requests for information had the potential to increase their workload in later months.

Quality of responses to complaints

3.18 Our sampling of 90 complaint files addressed a number of quality issues. We found that, of the cases we sampled (and where an outcome had been communicated to the customer (72 cases out of the 90)), the UK Border Agency’s response addressed the issue or issues raised by the customer in:

- 23 out of 23 serious misconduct complaints;
- 24 out of 29 minor misconduct complaints; and
- 14 out of 20 service complaints.

Figure 5: Number of cases where the issue of the complaint either was or was not addressed

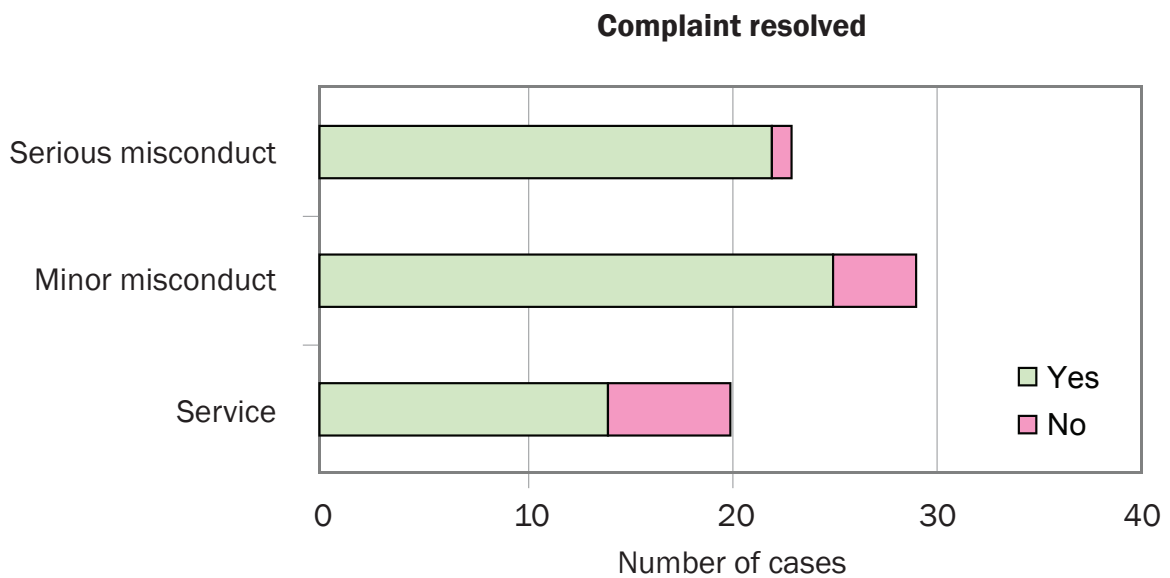


3.19 We found that, of the cases we sampled, the UK Border Agency response resolved the complaint in:

- 22 out of 23 serious misconduct complaints;
- 25 out of 29 minor misconduct complaints; and
- 14 out of 20 service complaints.

3.20 ‘Resolved’ meant that we found evidence that the Agency had concluded its investigation into a complaint and either had or had not substantiated it.

Figure 6: Number of cases where the complaint was or was not resolved



3.21 We reviewed the files for evidence of how the customer felt about the outcome of the complaint (even though this is not a requirement of the UK Border Agency’s guidance). We did not find significant evidence that the Agency established whether or not the customer was satisfied with the eventual outcome of the complaint. Significantly, we found no evidence that the Agency was seeking to establish what customers who complained of serious misconduct felt about the outcome of their complaint.

3.22 Table 4 shows how customers felt about the outcome of their complaint, based on the evidence available. It should be noted that the total is 72, since an outcome was communicated to the customer in only 72 of the cases we sampled.

Table 4: How customers felt about the outcome of their complaint

	Satisfied with the outcome	Not satisfied with the outcome	Not clear what the customer thought	Total
Service	1	1	18	20
Minor	4	4	21	29
Serious	0	0	23	23
Total	5	5	62	72

- 3.23 We also found the quality assurance of responses to complaints to be inconsistent, although not as protracted as the process for MPs' correspondence.
- 3.24 In the case of serious misconduct complaints, we found evidence that all files and final outcomes were being quality assured by a senior manager. However, this was not always clearly identified on the case file.
- 3.25 We found that some teams undertook customer surveys of customers who had complained, or had plans in place to contact customers who had made a complaint. We found that teams had completed internal quality assurance of files, although not on a systematic basis: managers 'dip-sampled' complaint files.
- 3.26 However, these local initiatives were not always recorded on the case file and did not form part of a consistent approach to quality assurance. We found very little evidence of any consistent or co-ordinated quality-assurance process for complaint handling.
- 3.27 We found that the Performance and Assurance Unit (PAU), a team within the CCSPD, performed a quality-assurance function and had a programme in place to complete the quality assurance of complaint files across the UK Border Agency on the basis of risk-assessment.

Recording and tracking complaints

- 3.28 The UK Border Agency used electronic systems to record and track MPs' correspondence and complaints. These systems allowed key correspondence to be digitally scanned, and facilitated the allocation and management of the correspondence, as well as the subsequent production of management information.
- 3.29 All categories of complaints were entered onto CMS, a new system that was being introduced by the Agency at the time of our inspection. CMS is a professional complaints management system that has been customised for the Agency and is not used by other Home Office departments. During our inspection, we were mindful of the fact that CMS was a new system, that staff were not completely familiar with it, and that not all areas of the Agency had been provided with access to it.
- 3.30 MPs' correspondence was entered onto CTS. This system was used by other areas of the Home Office to manage correspondence from MPs.

Complaints Management System

- 3.31 We were pleased to find that CMS had begun to be delivered to CSUs. It had been developed in response to criticisms from the Complaints Audit Committee about the unsatisfactory way in which the UK Border Agency managed complaints and had formed part of the wider changes in handling complaints. We found that the Agency expected the introduction of CMS to significantly improve the way it managed complaints, and there was an early indication that it had the potential to deliver these anticipated benefits.
- 3.32 We found it an improvement on the standalone spreadsheets that CSUs had previously been using to manage complaints. It had the potential to deliver improved and more consistent management information. We were also pleased to find that it had the ability to record lessons learned and recommendations and to track their progress.
- 3.33 We heard that the roll-out of the new CMS was welcomed by staff. Staff who worked in the CSUs particularly valued its tracking tools, which allowed them to see progress on a complaint, and also the relative user-friendliness of the system. Comments made by staff included:

‘I’m quite excited about CMS. We can all access it at the same time; it’s paperless and easy to use.’

‘It’s harder for things to slip through the net.’

- 3.34 However, we found that it was not providing all the necessary management information, that the delivery of training was unsatisfactory and that Border Force and International Group were not included in the first phase of deployment of the new system.
- 3.35 We found that CMS was not providing staff with the level of reporting and management information that they required. The management information available to staff was basic and did not permit them to complete a detailed analysis of the information – for example by type, location or date. This limited the ability of the Agency to conduct any meaningful analysis of trends. A member of staff told us:

‘The core reports [on CMS] do not provide us with what we need for the business.’

- 3.36 In some CSUs, staff were continuing to use their old complaints-management spreadsheet during the introduction of CMS. We noted the risk-management aspect of this, as staff were protecting important information and ensuring that, in the event of CMS not functioning correctly, they had the information they needed to continue effectively managing complaints. We did find, however, that this required significant duplication of effort.
- 3.37 In one CSU we found that staff had taken the decision not to continue with their old management system from the day CMS was introduced there. They had subsequently come to regret that decision, since CMS was unable to provide them with the level of management information they required.

- 3.38 All CSU staff had received training on CMS, as this was clearly essential to their work. Outside the CSUs, we found that the number of people trained depended on managerial discretion. This meant that, in some areas, only two users from each team were trained in its use, and they were then expected to train other users as required – but not all of them were confident about training others. If trained users were absent, it meant that a team did not necessarily have suitably trained staff available to operate the system (although we noted the availability of a helpline for staff experiencing difficulties).
- 3.39 We found that CMS had not been rolled out to Border Force or International Group, and that staff in these areas of the UK Border Agency were required to use existing spreadsheets to manage complaints. In the case of Border Force, we found that the information technology required to manage complaints had taken a retrograde step: prior to the creation of the UK Border Agency, Customs staff had access to the HMRC complaints system (Enterprise Complaints and Correspondence System), but this was no longer available to staff working in the Border Force CSU. Furthermore, since they did not have access to CMS, they were without both their former system and the new Agency system for managing complaints. We found staff had themselves created spreadsheets to manage complaints, and that this had had a negative impact on their ability to manage the complaints process efficiently and effectively.
- 3.40 We found that the UK Border Agency was operating a phased approach to the delivery of CMS. Phase 1 involved the delivery of CMS, with a limited range of reporting tools, to locations other than Border Force and International Group. Phase 2 involved the delivery of more sophisticated reporting tools to all locations, including Border Force and International Group. While we were provided with a high-level schedule for the phased deployment of CMS, we found no evidence of detailed project planning for phase 2 of the deployment and the roll-out to Border Force and International Group. Furthermore, at the time of our inspection, it was not clear whether CMS would be able to run on International Group IT systems.
- 3.41 UK Border Agency IT systems were being reviewed and consolidated as part of the Integrity project. We found that CMS was designed as an interim complaints management system, pending the introduction of the unifying Integrity system. We were pleased to find that CMS had been designed in such a way as to allow it to be integrated with any new IT platform the Agency might use. We noted the positive decision to deliver CMS, given the uncertainty and lack of clarity about when the Integrity project would be complete. We were told by staff that CMS was ‘a temporary stop-gap until the launch of Integrity’ and ‘theoretically here to tide us over until Integrity is up and running’.

Audit trails

- 3.42 We found that audit trails in complaint files were inconsistent. Serious misconduct files were thorough and well documented; minor misconduct and service complaint files were less consistent.

- 3.43 From the file sampling we found that serious misconduct files contained clear actions, minutes and next steps. Every file we sampled contained a pro-forma detailing what documents needed to be in the file, and in every case those documents were present. We found the files to be consistent, well documented and easy to follow. Interviews and transcripts were clearly marked and protective markings were appropriate for the content. It was clear what actions had been taken at any point in time, and also what actions remained outstanding. We found that in all cases the (usually handwritten) minutes were dated and bore a legible signature. There were 12 cases where it was not clear whether a senior manager in the PSU had completed a quality review of the final outcome letter or other contents of the file. However, once we spoke to staff we felt confident that such a review had in fact occurred in each case.
- 3.44 We found that minor misconduct and service complaint files were not maintained to the same standards.
- 3.45 We did find some isolated examples of good practice, in which service or minor misconduct complaint files were well maintained and easy to follow, with clear and concise audit trails. However, overall these files were inconsistent in the way they were compiled and there were several instances of poor file maintenance. For example, of the 59 files sampled, we found:
- 38 files where handwritten minutes were either unsigned or the signature illegible; and
 - 42 files where there was no clear audit trail to understand how the final decision had been reached.

Allocation of cases

- 3.46 Letters of complaint were typically received by the CSU direct from customers. If the customer sent the complaint to another area of the UK Border Agency, the complaint was then re-routed internally to the relevant CSU:
- If it was a serious misconduct complaint, the CSU would forward it to the PSU.
 - If it was a service or minor misconduct complaint, the CSU would forward it to a nominated responsible officer.
- 3.47 The NRO was the main point of contact within each distinct business area. They had the responsibility to ensure that the customer received a response and that the complaint was resolved within the target timeframe.
- 3.48 Correspondence from MPs was received by the MPs' Correspondence Section, a team within CCSPD. The MPCS allocated the correspondence to the relevant business area for it to draft a response.

Nominated responsible officers

- 3.49 We found inconsistency in the number and level of seniority of NROs. The Agency guidance stated that NROs were required, and made their function clear. However, it did not specify how many were required or at what level of seniority; this was left to the discretion of directors.

- 3.50 As a result, we found that the number and seniority of NROs varied significantly from region to region. In one region we found 108 NROs. It was difficult for that particular CSU to manage this number of NROs: it was hard to know which NRO was responsible for which particular business area, and also the CSU was not kept informed of staff movements. We noted that this location had plans to reduce the number of NROs and increase their seniority.
- 3.51 At another location we found a very limited number of NROs. We were told by one that 'lots of business areas do not have dedicated complaints officers; they have other work to do'. We found that the lack of NROs made it difficult for the CSU to find people willing to take ownership of complaints, and this made the allocation process more complicated.
- 3.52 There was no maintenance of up-to-date lists of NROs, and we found consistent evidence at other locations that CSUs found it difficult to keep track of them.
- 3.53 Having too many or too few NROs, or poorly maintained records of them, has the potential to increase the time taken to allocate a complaint, and therefore to reduce the amount of time available to the UK Border Agency if it is to respond within the target timeframe.
- 3.54 We found an expectation within the CCSPD that NROs would be a relatively senior manager, of senior executive officer or grade 7 level; but in practice the level of seniority ranged from executive officer to grade 7 level. We found no evidence that the complaints process had been compromised by this, but noted the inconsistency between teams and regions.
- 3.55 Although CSUs could allocate a complaint to the NRO using CMS, the system was not configured so that an NRO was automatically notified that they had a complaint requiring action. The CSU therefore had to make contact with the NRO by some other means, typically email. This had the potential to delay the allocation process, although one area had countered this by giving NROs a performance target to check CMS on a regular basis. We noted that the facility to automatically notify NROs was being considered as part of phase 2 of the CMS deployment.
- 3.56 The MPCs had introduced a resolution process that reduced the time taken to allocate MPs' correspondence. Prior to the introduction of this process, business areas were reluctant to accept ownership of MPs' letters, especially if the content of the letter required input from more than one business area. In such cases, the MPCs would allocate ownership to one business area for it to co-ordinate a response. We found that, since the introduction of the resolution process, if the relevant business areas were unable to agree responsibility for drafting a response, then a senior manager in the MPCs would make a final decision that was imposed on the relevant unit with no right of appeal.
- 3.57 MPCs staff felt they were isolated from the process of responding to MPs' correspondence, as they were only responsible for allocating the correspondence within a target timeframe of two days. We have already noted that the performance target was not met; however, we acknowledge the upward trend in performance against this target.

Consistent and appropriate handling of cases

Complaints of racism

- 3.58 Any specific allegation of racism or discrimination had to be referred to the PSU, and only CSUs or the Command and Control Unit (the UK Border Agency lead on the management of critical incidents) could refer a potential case to the PSU. The UK Border Agency had published guidance for CSUs on the circumstances that merited referral to the PSU.
- 3.59 We found strong evidence that, where overt or direct racism featured in a complaint, the case was correctly referred to the PSU, and that staff in the CSUs were confident that the process for referral was clear. Within the PSU, there was a clear mechanism, recommended by the Independent Police Complaints Commission (IPCC), for assessing complaints of racism, and all staff in the PSU understood and applied the formula.
- 3.60 However, where racism featured in a complaint, but fell short of overt or direct racist comment, the referral of cases to the PSU appeared inconsistent.
- 3.61 Some staff we spoke to in CSUs would, if they were uncertain, refer all cases to the PSU; others said they would make a 'judgement call' and might not refer to the PSU. It should be made clear that we found no consistent evidence that cases of racism were not being referred to the PSU; however, we did find a level of uncertainty among staff, and, given the importance of the issue, this needs to be addressed.

Independent oversight and working with the police

- 3.62 The Complaints Audit Committee made repeated recommendations that the UK Border Agency should draw up a protocol with the police for the referral of complaints that include criminal allegations. Matters of alleged criminality are the responsibility of the police and are not for the UK Border Agency to investigate. The protocol would formalise the procedure for the Agency to refer to the police, as well as the procedures to be employed by the police when referring back to the Agency.
- 3.63 We found that procedures for the referral to the police of cases that include criminal allegations had not yet been finalised, despite this being a priority recommendation from the CAC.
- 3.64 The PSU had developed a good working relationship with police forces, although staff did say that some forces responded to enquiries more rapidly than others. A seconded police officer was working within the team, and this had facilitated referrals to the police.
- 3.65 The Agency engaged at the senior management level with the IPCC, the Police Complaints Commissioner for Scotland (PCCS) and the Police Ombudsman for Northern Ireland. We found that, in broad terms, the Agency wanted to ensure that these independent bodies had oversight of the police-like powers and Customs functions being carried out by the Agency.
- 3.66 We also found that the PCCS and the IPCC had a constructive working relationship with the Agency, including quarterly meetings and reciprocal training and awareness sessions. Protocols and legislation for the memorandum of understanding that is to govern the referral of cases to both the bodies were said by all parties to be 'imminent'. The IPCC had also initiated yearly meetings with the Agency's oversight bodies to discuss findings and to ensure that the Agency received consistent messages from these organisations.

3.67 UK Border Agency work is a relatively small part of IPCC business. Up to, but not including, February 2010, the IPCC had received 17 referrals and nine appeals related to Agency cases since oversight began in 2008. By comparison, the IPCC received 2,445 referrals and 4,634 appeals relating to the police in 2008/09.

Inconsistent references to the Independent Chief Inspector or ombudsmen

- 3.68 Customers who are not satisfied with the UK Border Agency response to their complaint have recourse to external bodies that can provide an independent review. A customer who has followed the UK Border Agency's complaints procedure and been provided with a final outcome letter, may, if they believe the Agency has acted improperly, unfairly or has provided poor service, ask an MP to refer the case to the Parliamentary and Health Service Ombudsman. It should be noted that there is an expectation that customers will have followed the Agency's complaints procedure, but there is no explicit requirement for them to have done so.
- 3.69 Equally, customers who are (or were) in detention may refer their complaint to the Prisons and Probation Ombudsman if they are not satisfied with the UK Border Agency's response to their complaint. There is no requirement for them to refer via an MP – but again, there is an expectation that they will have followed the Agency's complaints procedure.
- 3.70 Prior to contacting the Parliamentary and Health Service Ombudsman or the Prisons and Probation Ombudsman, the customer may request a CSU to review the process followed.
- 3.71 When the Agency sends its final outcome letter to the customer, it has a responsibility to inform the customer of these external bodies and the services they can provide.
- 3.72 The Agency's complaints management guidance states that: 'the right to a review should be signposted in any written response to complaints'. However, of the files we sampled, we found that the customer was informed of appeal routes or next steps in only 26 of the 71 cases where it was recorded what information had been provided to the customer. In all, 37 files did not contain any reference to appeal routes or next steps; in eight cases the file was not clear if the information had been provided or not. In one service complaint case the information was not recorded.

Table 5: Whether the customer was informed of appeal routes or next steps

	Satisfied with the outcome	Not satisfied with the outcome	Not clear what the customer thought	Total
Service	1	1	18	20
Minor	4	4	21	29
Serious	0	0	23	23
Total	5	5	62	72

3.73 We also found inconsistent references to the Independent Chief Inspector (ICI) of the UK Border Agency: some letters implied that customers might be able to appeal direct to the ICI, or that the ICI was a legitimate route of appeal for the customer. This is incorrect: the function of the ICI is to provide oversight of the Agency complaints process, not of individual complaints.

Local resolution

3.74 The Complaints Audit Committee developed a process for the informal resolution of minor misconduct complaints, and this was introduced by the UK Border Agency in 2008. The purpose of the informal resolution process was to streamline the management of minor misconduct complaints by avoiding the need for a lengthy formal investigation. The CAC stated that it was essential for the customer to agree to the process, and also that the Agency should formulate an action plan to resolve the issue to the satisfaction of the customer. The CAC concluded that the roll-out in 2008 had not been a great success due to a lack of understanding of, and a weak commitment to, the principles of informal resolution. The CAC was particularly critical of the lack of involvement of customers and the lack of adherence to the procedures by managers.

3.75 We found that the Agency had renamed informal resolution 'local resolution' and had set out the guidance to be followed by staff.

3.76 From our file sample it was not clear if and when 'local resolution' had been applied during an investigation. We found that the complaints guidance stated (in the section 'File management and complaint storage procedures') that 'all paperwork relating to a minor misconduct complaint must be kept securely at all times. On completion, all paperwork must be sent to CCSPD... When the files have been audited, PAU will return them to General Registry for storage.' During our sampling of files, we certainly found evidence of paperwork being retained. But we also found that it was inconsistent and typically lacked a clear audit trail of the investigation. Furthermore, we found no clear guidance or instructions for managers regarding exactly what information or paperwork should be retained as part of the case file.

3.77 We found the Agency keen to learn lessons from local resolution. As the guidance stated: 'many minor misconduct cases will result in feedback or training for the individual staff member concerned. Some cases may additionally indicate points for wider learning or consideration within the Agency.' However, we found no clear guidance as to how the learning might be captured and applied, nor any evidence that this took place.

3.78 We found that the Agency guidance did not make it a requirement to involve customers in the investigation, other than informing them of the outcome. There was no requirement to seek their agreement for investigation of the complaint using local resolution, nor a requirement to communicate with them during the investigation. However, reference was made in the guidance to the benefits of talking to the customer.

Internal complaints

3.79 While the PSU was responsible for managing and investigating external complaints of serious misconduct, a separate unit – the UK Border Agency's Security and Anti-Corruption Unit (SACU) – was responsible for investigating allegations of corruption.

- 3.80 We found that the PSU and SACU were in separate parts of the UK Border Agency, and that there was the potential for investigations of serious misconduct and corruption to overlap without the units' knowledge, or for them to fail to share valuable information with one another. However, we found no evidence that this had happened. We were pleased to see liaison between the two units and to find that progress had been made in developing the potential for closer working in the sphere of internal complaints and investigations.
- 3.81 We found clear evidence of close working at the operational and middle management levels between SACU and the PSU, and an awareness and understanding of their respective roles. We found the informal relationship to be functioning relatively effectively at present, but both the PSU and SACU felt that more formal close working was required. We also found that senior managers were aware of and understood the need to develop a more formal relationship between these areas of the Agency. However, we found no evidence that this had progressed.

MPs' correspondence

- 3.82 We considered, in particular, the arrangements for the quality assurance of responses to MPs and the arrangements to record and track responses.

Quality assurance of responses to MPs

- 3.83 The UK Border Agency had two categories of MPs' correspondence:
- **Ministerial** – if the correspondence was addressed to a government minister or the chief executive officer (CEO) of the Agency. This required a response from the minister or the CEO.
 - **Official reply** – if the correspondence was addressed to the Agency direct. The response could come from any official within the Agency with delegated authority from a director.
- 3.84 We found that the guidance required 'official reply' letters to be quality assured within the team that drafted them. In the case of 'ministerial' replies, a further quality-assurance check would take place in the CEO's office. We found that a further quality-assurance check would also take place once letters had been signed but before they were sent to the MP. This final check did not alter the content of the letter, but was used to score the correspondence.
- 3.85 Our survey that was sent to MPs addressed the issue of the quality of the UK Border Agency's responses. Of those who responded:
- just over half were, in the majority of cases, given the name of the person or department dealing with their correspondence;
 - only 22 per cent felt that, in the majority of cases, they were kept updated by the Agency if there was a delay in responding;
 - some 86 per cent felt that, in the majority of cases, the Agency's response was clear and easy to understand;
 - some 66 per cent felt that, in the majority of cases, the Agency answered their original question; and
 - as many were dissatisfied as were satisfied with the overall quality of the Agency's response.

Figure 7: Responses from MPs when asked if, in the majority of cases, the UK Border Agency provided the name of the person or department dealing with their correspondence

Question: In the majority of cases, are you provided with the name of the person or department in the UK Border Agency dealing with your correspondence?

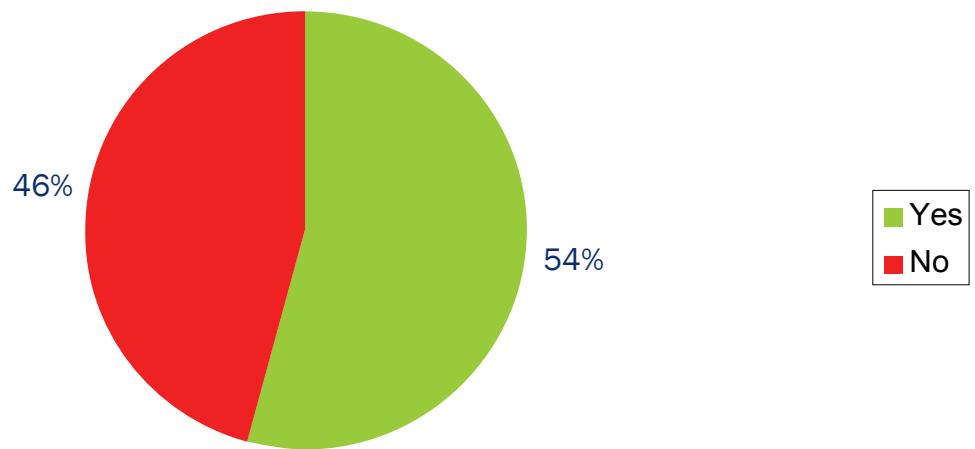


Figure 8: Responses from MPs when asked if, in the majority of cases where there was a delay in response, they were kept informed of progress

Question: In the majority of cases, where there is a delay in response, are you kept informed of progress?

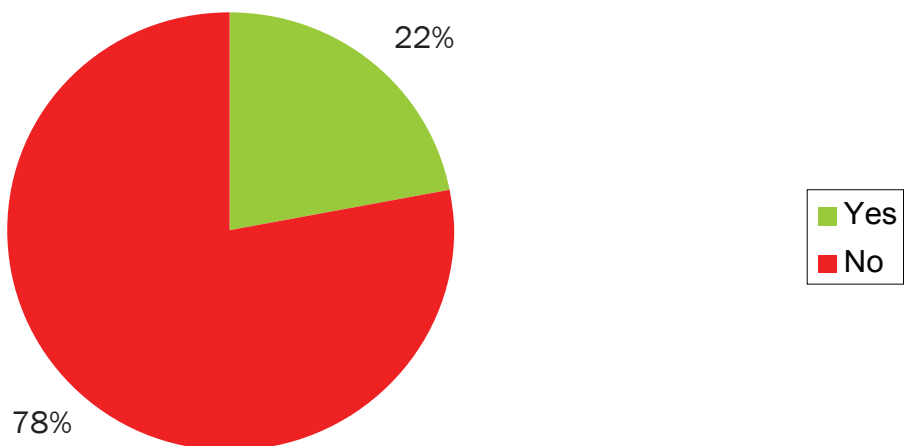


Figure 9: Responses from MPs when asked if, in the majority of cases, the UK Border Agency response was clear and easy to understand

Question: In the majority of cases, are responses clear and easy to understand?

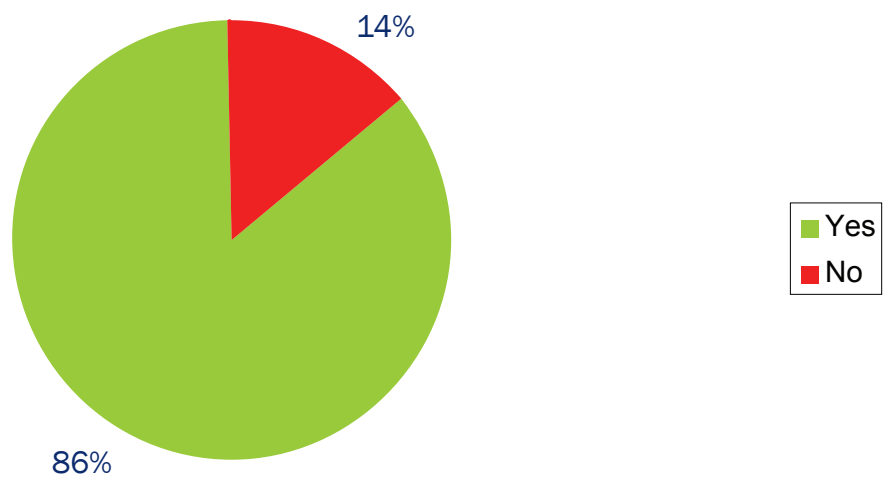


Figure 10: Responses from MPs when asked if, in the majority of cases, the UK Border Agency response answered their specific question

Question: In the majority of cases, do the responses answer your specific question(s)?

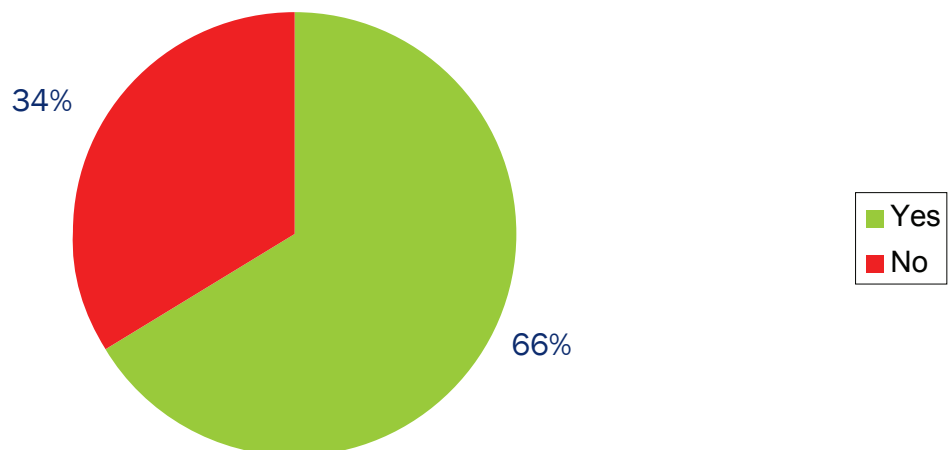
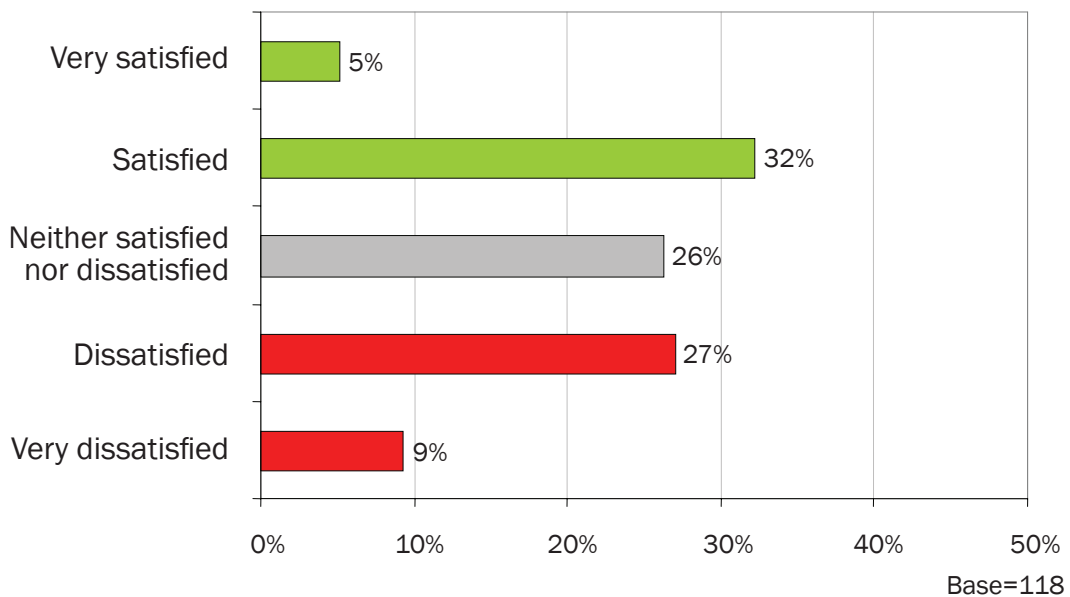


Figure 11: Responses from MPs when asked if they were satisfied with the overall quality of responses from the UK Border Agency

Question: How satisfied are you with the overall quality of responses?



- 3.86 We found that the quality-assurance procedures used by the UK Border Agency for MPs' correspondence were protracted and inconsistent.
- 3.87 We found that if an MP sent a hard-copy letter in the post, the UK Border Agency response was subject to a detailed and potentially protracted process of quality assurance. However, if an MP sent an email, the quality-assurance procedures applied to a hard-copy letter were **not** applied, and the email response was sent with no significant delay.
- 3.88 In one region we found that a response to an MP's written letter could pass through eight pairs of hands before it was sent out to the MP. These included the drafter of the response, their line management chain, the regional director, staff within the MP Liaison Unit (MPLU) and staff in the chief executive's office.
- 3.89 While we found little consistency across the various sites we visited in terms of how many people, or at what level of seniority, would undertake the quality assurance of correspondence, we did find strong evidence at each location that the process was extensive and time consuming.
- 3.90 We found it was common practice for the director of a region or business area to sign off letters to MPs, even if the letter had been quality assured by a grade 7 senior manager – the CCSPD did not define the grade of manager required to sign off a response to an MP's letter.

- 3.91 We found that the chief executive's office had its own quality-assurance team to provide feedback to drafters and also to compile management information on the type and frequency of errors. This information was sent to directors.
- 3.92 We found that the MPLU ran an initiative under the title 'Getting it Write', the purpose of which was to improve both the quality assurance and the quality of written responses to MPs' correspondence. The initiative assessed the skills of those involved in MPs' correspondence and provided training for those who needed it.

Information technology and MPs' correspondence

- 3.93 We found evidence that IT issues were hindering the efficiency of staff working on MPs' correspondence – in particular, the incompatibility of two UK Border Agency computer platforms and the slow performance of CTS.
- 3.94 We discovered that staff working on MPs' correspondence were required to use two different computer platforms – called POISE and Indigo. Both platforms could run on the same computer but were incompatible with one another. We found that staff were required to use some programs that were stored on one platform and then switch to using programs that were stored on the other platform. This switching caused staff considerable problems. One member of staff told us that 'navigating the IT adds at least 45 minutes to the time it takes me to write a letter', and nearly everybody we spoke to who used CTS said it was slow and time consuming.
- 3.95 As an illustration of the problems that the two platforms caused: as information could not be copied and pasted between Indigo and POISE, we found that staff were in the baffling position of having to email themselves. Using the same computer, they would send an email from their POISE account to their Indigo account (or vice versa) with whatever information they needed – typically minutes from one system's database that were required to complete the task in hand.
- 3.96 We found that CTS performed slowly and frustrated users, many of whom mentioned the delays it caused in producing letters. We also learned that the number of users on CTS affected its performance. It was used by approximately 2,500 staff in the core Home Office and around 1,000 in the UK Border Agency. Given that it was initially developed for use by just 500 users, the impairment of its efficiency was understandable. We learned that CTS was developed for the Home Office and was not a bespoke product, unlike CMS.
- 3.97 We found that CTS required different levels of authority for the allocating and sending of responses. Much of this was administrative work completed by the junior grade of administrative assistant, as the actual responses had been drafted by caseworkers and were being processed on CTS by the administrative assistants. We found evidence at one location that, because the administrative assistants needed different levels of access to allocate and then respond, they had two different user profiles. They allocated the correspondence using one profile, and subsequently issued a response with another. We did not find evidence that this process was widespread, nor that it had any significant impact on the integrity of the process.

- 3.98 We heard that the Agency was about to reduce the volume of old data stored on CTS, in order to improve its speed. This involved 400 cases from 2006 and earlier being deleted from the system. We were pleased to find that the Agency had communicated its plans to users, so that they were able to save old cases to local systems if they felt they still needed access to the information. We learned that the data cleansing was an annual exercise, designed to improve the speed and efficiency of CTS.
- 3.99 We found that CTS provided users with relevant management information. This management information was routinely circulated to staff and was used to direct and improve performance, for example via backlog reports.

Conclusions

- 3.100 While the UK Border Agency had defined what a complaint was, we were concerned that this definition was neither consistently applied nor well understood throughout the Agency. This ambiguity in the fundamental definition had the potential to skew the management information that was available to the Agency, which could in turn hinder effective trend analysis and the strategic allocation of resources.
- 3.101 We believe it is essential that the Agency has a consistent understanding, interpretation and application of the definition of a complaint. It is for the Agency to consider whether to focus on the current definition and ensure that it is fully understood, or review other potential definitions, such as those used by other similar law enforcement or public service organisations that may be more effective.
- 3.102 We do not think there is any one easy definition the Agency could apply, and nor are we saying that the Agency must change its current definition. But it must have a clear and considered view of what it wants to derive from the complaints process, and in particular what management information it wants to record, how it will use that management information to improve the analysis of trends and how it will ensure that maximum organisational learning is derived from the complaints process. Once the Agency has answers to those questions, it must ensure that its staff understand the definition and apply it consistently.
- 3.103 That general correspondence seeking information was treated as a complaint not only distorted the management information available, but also created unnecessary work for the Agency. While the complaints process has checks and defined procedures in place to ensure that a complaint is, by and large, addressed and responded to, it is clearly inefficient for general correspondence (such as the example we found that clearly stated ‘This is not a complaint’) to be routed through the complaints process.
- 3.104 This is equally true of correspondence received from MPs. Often MPs do not want a detailed letter containing a full immigration case history – they simply require a clear and succinct response to their concerns.
- 3.105 We very much hope that the anticipated Channel Strategy will provide a solution to this problem. The UK Border Agency must ensure that correspondence is removed from the complaints process, and this will require a clear route by which customers can engage and correspond with the Agency. Customers will also need to have confidence that the Agency will resource this and will respond to their correspondence – otherwise they will continue to use the complaints process as a means of corresponding with the Agency.

- 3.106 We were encouraged by what we saw of the new CMS. It was relatively well received by staff and we were particularly pleased to see that it had the capacity to record actions and lessons learned. As a word of caution, we note that these functions will need to be used effectively and consistently in order fully to realise the benefits of the new system.
- 3.107 We look forward to seeing the improved functionality of CMS realised, and expect it to provide the Agency with the type of management information that can be used for effective trend analysis.
- 3.108 We were very concerned that Border Force and International Group did not have access to CMS. We have noted the plans for roll-out of CMS to these areas, but note with considerable concern that there are potential barriers to the successful deployment of CMS to International Group. The Agency requires a fully integrated system if it is to manage complaints effectively and efficiently, and a unified system could act as a catalyst to bring together the different parts of the Agency. It is important, therefore, that any barriers to providing CMS to the entire Agency, including International Group, are overcome.
- 3.109 We found CTS to be an inefficient system. Even though it allowed the Agency to manage MPs' correspondence adequately enough, it was quite simply too slow. This problem was further compounded by the use of multiple IT platforms that required members of staff to email themselves in order to complete what should be straightforward tasks. We noted, however, that the imminent removal of old cases should improve the efficiency of CTS, and we would encourage the Agency and the wider Home Office to see if anything else can be done to improve its functionality.
- 3.110 The administrative processes of CTS should be reviewed to make it simpler for staff to process MPs' correspondence. In particular, levels of authority should be reviewed, in order to ensure that there is no perception of 'duplicity', with a single user having two separate user identities.
- 3.111 The evidence we found was inconclusive regarding the quality of responses issued by the Agency.
- 3.112 On the one hand, we were pleased at the relatively high levels of customer satisfaction with the responses received – our survey showed that 86 per cent of MPs thought the Agency response clear and easy to understand, while the Agency's own survey indicated that around 70 per cent of customers thought the same of responses to complaints.
- 3.113 On the other hand, we found that as many MPs were dissatisfied with the overall quality of response as were satisfied, and we found very little evidence that the Agency made any consistent efforts to establish what customers thought of the outcome of complaints.
- 3.114 We feel there is still considerable room for improvement in the quality of responses issued by the Agency, and we look forward to seeing this realised.
- 3.115 We understood the historical need to ensure that correspondence to all customers, including MPs, was of the highest standard. However, we felt the Agency had, in parts, reacted somewhat disproportionately to previous criticisms of the quality of its responses. In particular, we were aware that it was concerns raised by MPs about the quality of correspondence from the Agency that resulted in such rigorous quality assurance. However, we are of the opinion that it is excessive and an inefficient use of time for a piece of correspondence to pass through eight pairs of hands before it is deemed to be of sufficient quality for submission to the customer.

- 3.116 We were concerned at the lack of consistency in how the quality-assurance process for MPs' correspondence was managed at various sites, although one constant was that only senior managers (typically at director level) routinely sign off letters to MPs. We felt the responsibility would be more suited to a grade 7 management level; this would have the effect of improving response times and increasing accountability.
- 3.117 We were surprised to find no rationale for subjecting emails and hard-copy letters from MPs to different quality-assurance procedures, especially when much of the information contained within was the same. We do, however, commend the efficiency of the Agency in responding to emails from MPs.
- 3.118 While we saw evidence of initiatives to improve the quality of responses to MPs' correspondence, there was a marked absence of any consistent or concerted initiatives with regard to responses to service or minor misconduct complaints. We found the quality-assurance process employed for complaints of serious misconduct to be comprehensive and adequate (although the process could be audited more clearly on complaint files).
- 3.119 We felt the complaints process was let down by a lack of clear and specific guidance on the role and function of NROs. We found consistent evidence that the Agency spent a lot of time looking internally for the most appropriate person to take forward both MPs' correspondence and complaints. This had the potential to limit the Agency's ability to meet performance targets and to provide a satisfactory level of service to its customers.
- 3.120 There is a need for the Agency to consolidate the number of NROs and to ensure that their contact details are both accurately maintained and accessible. Given the introduction of CMS, it has become even more important for staff in CSUs to know who the correct NROs are, in order to allow for the efficient transfer and allocation of complaints within the different parts of the Agency.
- 3.121 We were impressed by the resolution process introduced to impose decisions on units that disputed ownership of a response to correspondence from an MP. There is more scope for such effective decision-making within the field of customer service.
- 3.122 We noted with some concern that only slightly more than half of the MPs in our survey were routinely provided with the name of the person or department dealing with their correspondence. The Agency needs to be more confident in communicating with customers, with all members of staff taking responsibility for their work and being prepared to be held accountable.
- 3.123 We were disappointed to find incorrect, inappropriate or inconsistent reference to our own function, and to that of the Parliamentary and Health Service Ombudsman and the Prisons and Probation Ombudsman, in the final outcome letters sent out to customers by the Agency. More importantly, not all customers were provided with full information about their right to a review of their complaint.
- 3.124 The case files we saw of serious misconduct complaints were professional and thorough. Audit trails were clear, although it was not always apparent if quality assurance had taken place. However, the case files of other types of complaint, with some infrequent exceptions, were inconsistent and inadequate. There was no clear guidance as to what standards were expected in terms of file maintenance, and we found great inconsistency in the quality of the files we examined.

- 3.125 We believe it is important to maintain a clear audit trail in all files. Without this, it is difficult to extract the organisational learning from a complaint – if it is not clear what happened during an investigation, it is rarely clear what needs to be done differently next time. If the basics of file management are not done right, then the Agency does not know what has happened and, more importantly, has no chance of knowing what it needs to do differently in the future.
- 3.126 Given that people in detention are typically more at risk and vulnerable to complaints of potential serious misconduct, it was reassuring to find that Detention Services were aware of the procedures for referral of cases to the PSU. However, we found less conclusive evidence that other areas of the Agency were as aware of the processes for referral. It may be that communication between the PSU and the newly created CSUs is not as well developed or effective as it could be, and the Agency may need to take steps to address this.
- 3.127 We also look forward to seeing the UK Border Agency develop a more formal relationship between the PSU and SACU, in order to ensure that the Agency reduces its vulnerability to allegations of serious misconduct, whether they are made by customers, or internally by staff or contractors. The Agency will need to ensure that this important work does not become sidelined due to the many competing pressures on those people undertaking it.
- 3.128 We were satisfied that the Agency had adequate procedures in place for the referral of complaints of overt or direct racism or discrimination. We were also satisfied that these were understood and were being followed by staff. However, if racist behaviour was not overt or direct, there was a lack of consistent understanding. We found no evidence that potentially racist behaviour was not consistently being reported to the PSU, but we did believe the risk to be present. Given the lack of any clear and consistent understanding, we are therefore unable to say with confidence that all potential complaints of racism are being referred to the PSU.
- 3.129 We were pleased at the positive working relationship the UK Border Agency – and most notably the PSU – enjoys with the police. However, we were very disappointed that the Agency had not yet formalised arrangements for the referral of cases that include criminal allegations, despite the clear recommendations made by the Complaints Audit Committee. These arrangements have been described by the Agency as ‘imminent’ for longer than we consider reasonable, and action should be taken to conclude them as soon as possible.
- 3.130 We found that the process of local resolution was not being utilised efficiently or effectively. It was not well understood by staff, and nor did the Agency appear to have a consistent understanding of the aims or benefits of the process. Of most concern to us was the lack of involvement of the customer in the process of local resolution. This led us to conclude that the process had been designed for the benefit of the Agency rather than the customer, who had been all but removed from the entire process.
- 3.131 Given that the CAC had been critical of the lack of involvement of customers and the lack of adherence to the procedures by managers, we can only conclude that, since the CAC voiced its criticisms, the Agency has made extremely limited progress, if indeed any.
- 3.132 The Agency must ensure that local resolution is used in a manner that will both reduce bureaucracy and ensure that the organisational learning is captured. The Agency must learn the lessons from complaints, and the current procedures for local resolution are limiting the potential for this to happen.

Recommendation

The UK Border Agency should:

- **Ensure that the definition of a complaint is understood and applied consistently across the organisation.**
- **Ensure that its Complaints Management System is delivered to all areas of the UK Border Agency, in order to ensure consistent recording of data.**
- **In each of its responses to a complaint, provide full and accurate information on how individuals can contact the Parliamentary and Health Service Ombudsman or the Prisons and Probation Ombudsman (as appropriate).**
- **Introduce efficient and consistent processes for the quality assurance of MPs' correspondence and complaints.**
- **Ensure that all complaint files have a clear audit trail, recording the outcome and level of authorisation.**
- **Ensure that all staff have a clear understanding of their responsibilities with regard to the referral of complaints wherever racism or discrimination is alleged.**
- **As soon as possible conclude arrangements for the referral to the police of complaints that include criminal allegations (by the end of 2010 at the very latest).**
- **Ensure that the process of local resolution is used, that it involves the customer directly in the process, and that the guidance is applied consistently throughout the UK Border Agency.**

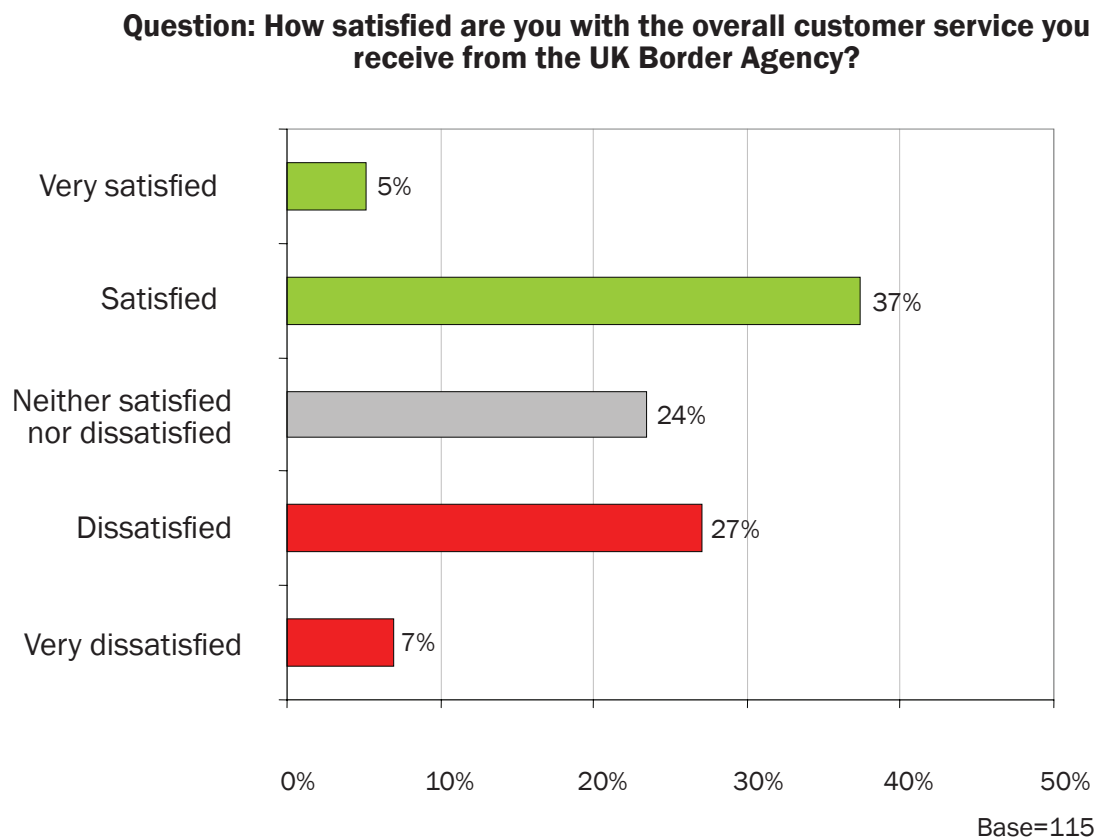
Chapter 4: Impact on people subject to UK Border Agency services

- 4.1 During the inspection, we looked at the impact that UK Border Agency services had on two key groups of customers: MPs and customers who want to make a complaint. For MPs we looked at the impact that Agency initiatives have had on them. For people who had made (or who wanted to make) a complaint, we focused on the accessibility of the complaints procedure.

Service to MPs

- 4.2 Of the 115 MPs who responded to the question about customer service in our survey, 42 per cent were either satisfied or very satisfied with the overall customer service received from the UK Border Agency. However, 34 per cent were dissatisfied or very dissatisfied with the customer service received.

Figure 12: Responses from MPs when asked how satisfied they were with the overall level of customer service provided by the UK Border Agency



4.3 We found that the Agency had introduced four key services to enable MPs to make enquiries and receive information in a timely manner. These services were only available to MPs or their staff:

- MPs' enquiry line (MPEL);
- MPs' email service;
- MPs' correspondence tracker; and
- MP account manager programme.

4.4 Our survey of MPs revealed various levels of awareness and use of these services, as shown in Table 6.

Table 6: Responses from MPs when asked which UK Border Agency services they were aware of or had used

Question: Which of the following services provided by the UK Border Agency are you aware of or have used?

	Not aware of or used	Aware of but not used	Used
MPs' enquiry line	2%	7%	92%
MPs' email service	31%	17%	52%
MP account manager programme	50%	14%	36%
MPs' correspondence tracker	47%	22%	31%

(Base=118)

MPs' enquiry line

- 4.5 This was previously known as the MPs' hotline; an enhanced service was introduced in June 2009. The purpose of the enquiry line was to provide a dedicated call centre to deal with routine enquiries, and refer more complex enquiries to MP account managers. The service received 27,355 enquiries in 2009 and resolved approximately 80 per cent of the calls it dealt with, the remainder being referred to an MP account manager.
- 4.6 We found that, of those MPs who responded to our survey, all but 2 per cent were aware of the enquiry line and 92 per cent had used it.
- 4.7 MPs viewed the quality of service provided to them by the enquiry line as inconsistent. Comments made included:

‘It is only able to offer very limited and general answers.’

‘The enquiry line is very good and refers to the Account Managers if it is a complex case.’

‘It is generally helpful; some [staff] are much more helpful than others.’

‘Calls to the enquiry line which are then passed to the Account Manager do not get acknowledged and have to be chased up regularly.’

- 4.8 Referrals made by the enquiry line to account managers were particularly problematic for MPs: they told us that they regularly had to chase up a response from the Agency. A number of MPs also made reference to the inconsistent level of customer service provided by staff operating the helpline, and to the fact that some were extremely helpful while others were not. Some MPs also commented that information provided by the enquiry line was inaccurate or inconsistent with information provided by the Agency at a later date.
- 4.9 We found that staff who operated the enquiry line were focused on resolving calls within the target timeframe of five minutes. However, staff were dissatisfied because they believed their role had been devalued. They said they were not informed about the outcome of cases they referred to MP account managers, and that they regularly had to deal with MPs who were frustrated at not having had a response from the MP account manager.
- 4.10 A senior manager in the UK Border Agency referred to the enquiry line as being ‘the gateway’, and said the Agency had to educate MPs to use it as the first port of call with the Agency.

MPs’ email service

- 4.11 An email service had been available to MPs since 2004. Prior to 2009, staff from the MPs’ enquiry line were responsible for replying to emails, but now MP account managers have assumed this role.
- 4.12 We found that the UK Border Agency had a target timeframe of 10 working days for replying to an email from an MP, as opposed to the 20-day target for hard-copy correspondence.
- 4.13 Of those MPs who responded to our survey, just over half had used the email service, while almost a third were unaware of the service.
- 4.14 Comments made by MPs or their staff about the email service included:

‘I always try and use email.’

‘I have always been extremely impressed with the correspondence received by email.’

‘When I have used the email service I don’t seem to get an acknowledgement back.’

MPs' correspondence tracker

- 4.15 The internet-based correspondence tracker was launched in August 2009. It allowed MPs to use a constituent's unique reference number to trace the status of correspondence sent by the MP to the UK Border Agency in the preceding six months. The Agency protected the constituent's privacy by not including names on the system.
- 4.16 Among the MPs who responded to our survey, this was the least used service – used by just under a third of them. Almost half were not aware of its existence. We found that the tracker received approximately 60 hits per day and was being promoted to MPs by the Agency through, for example, events hosted at the House of Commons.
- 4.17 Of those MPs who responded to our survey, only one made a comment specific to the correspondence tracker. That MP found the tracker to be unreliable and doubted the accuracy of the information provided, particularly in relation to the date on which a piece of correspondence was posted.

MP account managers

- 4.18 The UK Border Agency rolled out the regionally based MP account manager programme in June 2009. The account manager was intended to be accessible to all MPs in a region, and was also expected to be proactive in engaging with MPs. This engagement was designed to provide a better service to MPs and to reduce the need for MPs to write to the Agency seeking information. The role supported the MP enquiry line, as account managers provided a more personal service to MPs with complex enquiries.
- 4.19 We found that this had produced some benefits for MPs. In particular, one MP account manager had:
- taken swift action to deal with the significant concerns of an MP that delays in issuing visas may have led to the cancellation of a local festival;
 - produced a 'frequently asked questions' document to inform MPs of an impending issue, thus obviating the need for MPs to write to the Agency; and
 - invited MPs and their staff to UK Border Agency buildings to see the work that was being done by staff. This had helped to inform MPs about how the Agency worked and had promoted greater understanding of the processes involved in responding to their enquiries.
- 4.20 However, we found that the Agency had focused on those MPs who wrote most frequently and, as a result, only a third of MPs who responded to our survey had used the service. Half were simply not aware that account managers existed. We noted also that there was no information about the account manager role on the UK Border Agency website, despite the fact that the correspondence tracker provided information to MPs on how to contact the Agency. One MP informed us that the MP enquiry line had been unwilling to provide the contact details of the MP account manager.
- 4.21 Overall the experience of MPs was mixed. Comments included:

‘The MP account managers, when they ring back at all, provide inaccurate information.’

‘The MP account manager programme is very disappointing, with a poor rate of call-back when a case has been referred [from the enquiry line].’

‘Big improvement in response time and quality since [the MP account manager] took up post.’

‘The MP account manager programme has improved the service received in terms of a common-sense approach being taken, but this service is clearly stretched.’

Engagement with MPs

- 4.22 We did not find evidence of a clear plan for how the UK Border Agency should engage and communicate with MPs.
- 4.23 An MP account manager described the role as ‘less formal’: an MP who wanted an update should contact the account manager. However, we found that other managers in the Agency, often working in the same region as MP account managers, had responsibility for replying to formal correspondence from MPs. This other method of communication was to be used if the MP wanted a formal response from the Agency, for example on a matter of policy or to discuss a case that had been handled incorrectly. We also found that the Casework Resolution Directorate had its own nominated staff to deal directly with MPs.
- 4.24 We did not find a clear and consistent understanding of the MP account manager role among the UK Border Agency staff we spoke to. This was particularly apparent among two key groups of Agency staff who engaged with MPs: staff who drafted responses to MPs’ correspondence and staff who worked on the MP enquiry line. An MP who responded to our survey made the following observation:

‘In our experience there have been too many recent changes in the way MPs’ enquiries are dealt with... it’s not absolutely clear who we should contact.’

Measuring the success of the initiatives

- 4.25 We found no evidence of clear strategic aims or benefits measurement of the four initiatives, although there were individual examples of good customer service.
- 4.26 We found that the UK Border Agency had a desire to reduce the volume of correspondence received from MPs, and that this was the core rationale behind the initiatives. Since the Agency received 54,723 letters in 2009 (a figure that is expected to reach 60,000 in 2010), this required the Agency to dedicate considerable resources to managing and replying to the correspondence. The initiatives were therefore intended to redirect MPs to more cost-effective and efficient methods of communication with the Agency, with improved levels of customer service for MPs and cost savings for the Agency.

- 4.27 We found that Agency staff made frequent informal reference to the cost of responding to an MP's letter. We were told that it cost the Agency between £200 and £400 to respond to each letter, and that this figure took account of the length of time a letter spent in the Agency from receipt to reply, including how many pairs of hands it passed through. We found no evidence that this figure had been properly validated or accurately costed; however, a senior manager told us that the figure was not less than £200 and that work was ongoing to provide a more accurate figure.
- 4.28 We found that the original aim of the MP account manager role was to reduce by 30 per cent the overall volume of correspondence received from MPs. This aim had clearly not been met, as correspondence had **increased** by 10,000 since the introduction of the role.
- 4.29 We noted that, among the 20 MPs who corresponded most frequently with the Agency, the reduction in correspondence had ranged from 5.7 per cent to 40.3 per cent, with an overall average decrease of 18 per cent. However, it was not possible to say whether this drop in correspondence levels could be attributed directly to the introduction of MP account managers.
- 4.30 We found that there was a lack of clear and tangible benefits identified for all the initiatives, and the MP account manager role in particular. An MP account manager told us that the role was to 'improve service and make a cost saving'; however, the same account manager was unable to tell us what cost saving was expected.
- 4.31 We were told by an MP account manager:

'We [MP account managers] are a resource, we spend money; we need to stop being an expense and start being an investment. We need to deliver benefits. There is a risk the MP account manager role could become vulnerable as it is difficult to identify tangible benefits.'

- 4.32 We found some evidence that the MP account managers had improved the relationship between the UK Border Agency and MPs, but we noted that the move was targeted at those MPs who corresponded most frequently with the Agency. We also found that increased communication from the account manager had the potential to increase correspondence – whether by written letter or other, more efficient methods, such as email or telephone.
- 4.33 One senior manager believed that the MP account manager role was indeed 'working as a customer service initiative; but as an initiative to reduce the levels of correspondence, the jury is out'.
- 4.34 We noted that the Agency was due to undertake an internal review of the MP account manager role during 2010.

Accessibility of the UK Border Agency complaints process

- 4.35 We were pleased that the UK Border Agency had undertaken surveys to assess whether people saw the complaints process as accessible. Two surveys were carried out, the results of which are shown below.

4.36 In the first, rather more customers found it easy to complain than did not. However, in the second survey, which included serious misconduct complaints, slightly more reported that it was not easy to complain. In both surveys, approximately half of customers found information on the complaints process from the internet. The second major source of information was the Agency's own Immigration Enquiry Bureau.

Table 7: Results of the UK Border Agency customer surveys

Date of complaint	March to May 2008		June to September 2008	
Question	Yes	No	Yes	No
Did you find it easy to complain?	60%	40 %	46%	54 %
How did you find out how to complain?	March to May 2008		June to September 2008	
web	51%		49%	
leaflet	2 %		2%	
Immigration Enquiry Bureau	30%		35%	
poster	3%		3%	
other	14%		11%	

4.37 We did not find any clear plans for the Agency to conduct such surveys at regular intervals in the future, nor of any aims to increase the level of satisfaction by particular percentages year on year.

4.38 In the public-facing areas we visited, we found limited availability of up-to-date information about the complaints procedure. For example:

- At a seaport we found numerous 'How to complain' posters on display, but these were branded HMRC and did not refer to the UK Border Agency.
- At an airport we found leaflets that were directing customers to send complaints to an out-of-date address in Croydon, not the correct CSU.
- Staff in a PEO told us that the literature they had for customers who wanted to complain had run out.

- 4.39 In the immigration removal centres we visited, we were pleased to find that information on how to complain had been translated into the 10 most common languages spoken by the people being detained. We were informed that this was common practice throughout the UK Border Agency's detention estate. We also found that the Agency guidance stated 'complaints will be accepted in English and Welsh only' but that 'the one exception to this is in the detention centres. Complaints are accepted in other languages and translation costs are met either by the Agency or the Detention Contractor.' However, although the initial complaint was translated for the benefit of Agency staff dealing with the complaint, we were surprised to find that the guidance continued to state that 'replies are only sent in English'. We were pleased to find evidence suggesting that, in one immigration removal centre at least, Agency responses were routinely translated into the original language of the complaint, so that the customer might understand the response.
- 4.40 We also noted the recent report from Her Majesty's Chief Inspector of Prisons following an unannounced inspection of Yarl's Wood. It highlighted the fact that:
- instructions by complaint boxes were confusing and indicated that formal complaints were restricted to legal and immigration issues. This was likely to deter detainees from complaining formally about other matters. The range of different complaint routes and methods of handling (UKBA, centre managers, minor complaints) risked causing confusion.⁶
- 4.41 However, there were also examples of particular parts of the Agency demonstrating a clear commitment to making the complaints process accessible. This was particularly evident in PEOs, where work was continuing to achieve accreditation under the government standard of Customer Service Excellence. Examples of good practice included the following:
- Customer feedback forms were consistently used and effectively promoted, and there was strong evidence that the results were acted upon.
 - A commitment to providing accurate information to customers by such innovative methods as text messaging. We found that this had been used to advise customers that a particular service was not available – the text message therefore saved the customer a journey to the Agency office and allowed them to book another appointment.
 - A commitment to obtaining customer feedback through the use of the 'three Cs': compliments, comments and complaints. We found that PEOs routinely gathered information on these areas, published it and acted on it. We noted the ability of the PEOs to capture compliments and the positive motivational effect on staff when they were informed of a compliment about them, and also the manner in which the PEOs shared the information and improved service delivery as a result.
- 4.42 Customer surveys have also been carried out in other parts of the Agency, including the Casework Resolution Directorate and Border Force. We also noted that, on the question of translation, HM Chief Inspectorate of Prisons had found on its unannounced inspection of the Yarl's Wood Immigration Removal Centre that information about how to complain was available in 8–10 languages in all units (although not in the family care suite), and our own interviews with staff confirmed that this was the aim across removal centres. However, we did not find a consistent approach to whether information should be available in other languages at other Agency sites.

⁶ HM Inspectorate of Prisons. 2010. *Report on an unannounced full follow-up inspection of Yarl's Wood Immigration Removal Centre: 9–13 November 2009 by HM Chief Inspector of Prisons.*

4.43 We also found that efforts had been made within Yarl's Wood to make the complaints procedure more accessible to children, by placing complaints boxes at a lower level in the centre's school and youth club and by promoting the complaints process in a way that could be more easily understood by children.

Availability of telephone enquiry lines

4.44 We found that the availability of CSU telephone enquiry lines varied significantly between regions and business areas. The purpose of these enquiry lines was to provide customers with further information about the complaints process. Customers were also able to make a complaint via the enquiry line.

4.45 The most common source of information for customers about the complaints process was the internet. However, on the Agency's public-facing internet site for complaints⁷ the contact details for CSUs were inconsistent. For the 12 CSUs, at the time of our inspection, we found that:

- there were no details whatsoever for three CSUs (Immigration Enquiry Bureau, Criminal Casework Directorate and International Group);
- five published a telephone enquiry line number;
- seven published an email address; and
- four published a phone, email, fax and postal address.

4.46 The provision of a limited phone service was approved by the Agency because of resource constraints within a particular CSU. Information provided by the Agency stated that it would be acceptable as an interim solution to have 'CSUs operate limited service according to capacity'.

4.47 Under the previous Border and Immigration Agency complaints process, a central complaint telephone number was in operation. However, this was restricted to telling customers to write in and was not supported by an IT infrastructure. This service was suspended, as it was not supported by a clear process and did not afford customers contact with the team responsible for responding to the complaint, only a central team.

4.48 The Agency was in the process of reviewing the possibility of providing a central phone line. When asked what needed to be improved quickly, a senior manager told us: 'having a single point of entry for phone and email would improve customer service' and 'ultimately there will be one contact number for customers'.

Conclusions

4.49 We were pleased to see that the UK Border Agency was taking its relationship with MPs seriously and had committed significant resources to it. However, we were very concerned at the lack of a clear and consistent strategic aim for the four main initiatives: MP account managers, the MPs' enquiry line, the MPs' correspondence tracker and the MPs' email service.

⁷ www.ukba.homeoffice.gov.uk/contact/contactspage/complaints

- 4.50 The lack of a defined strategy meant there was also an absence of any clearly defined outcomes. Having no outcome by which to assess success made any tangible benefits measurement of the initiatives – and particularly the new account manager role – extremely difficult. The Agency did not know if the initiatives were having an impact or not. While there was some suggestion that the MP account manager role had been able to improve levels of the customer service provided to those MPs who engaged most frequently with the Agency, there was very little tangible evidence to support it. The volume of correspondence from MPs had increased, although we note that it was very difficult to attribute this directly to the initiatives. It is entirely possible that, as relationships with MPs improve, so there will be an initial increase in correspondence as the Agency becomes more accessible. The point is that the Agency simply does not know.
- 4.51 In our opinion, the Agency had not decided whether the principal aim of the initiatives was to reduce the levels of correspondence received from MPs (and therefore make a considerable cost saving) or to provide an increased level of customer service to MPs (where a decrease in the levels of written correspondence was a favourable by-product). This lack of a clear focus diluted the potential impact and meant that it was impossible to assess the effectiveness, or otherwise, of the initiatives.
- 4.52 There was some evidence that MPs were not receiving a consistent level of service from the MP account managers, particularly in terms of the length of time taken to respond. This was potentially indicative of the demands already placed on their limited resources. We also noted the potential merit of combining the customer service functions of the MP account manager and CSU into one unit. However, the Agency should ensure that it takes a uniform approach and that sufficient resources are committed to provide a consistent level of service to all MPs.
- 4.53 Furthermore, we felt the Agency was potentially addressing the symptoms of a problem rather than the root cause. The most productive way of reducing the levels of correspondence received from MPs would be to tackle the issues that give rise to that correspondence. We saw no evidence that the Agency was systematically assessing the reasons why MPs were writing in such volumes or considering what changes in practice or reallocation of resources would have the most significant effect.
- 4.54 We noted that the MP account manager role was a recent development, and that this could account for the relatively low levels of awareness of it among both MPs and Agency staff. However, communication clearly was an issue and we were concerned at the very limited awareness of some staff who directly engage with MPs via written correspondence. Furthermore, the apparent reluctance of some staff to provide the contact details of account managers, and the fact that these details were not available on the website created by the Agency solely for MPs, suggested the absence of an effective communications plan. This reluctance on the part of Agency staff to provide contact details was found in other areas of the Agency and was not in keeping with the aims of its Customer Strategy.
- 4.55 We felt that it was good customer service to provide MPs with the type of initiatives available. However, having a range of options that were not well understood was a problem that was succinctly summarised by one MP, who wrote:

‘Recent customer service developments seem promising, but they need to be followed through and sustained.’

- 4.56 We were pleased at the proactive work being done by the UK Border Agency to make its complaints process more accessible to customers. This included the provision of information about the complaints process and the opportunity to make a complaint. Overall, we felt that it was relatively easy for customers to make a complaint.
- 4.57 The work undertaken in the detention estate to increase the access of those most at risk was commendable, most notably with regard to young people.
- 4.58 However, we fully support the recommendations made by Her Majesty's Chief Inspector of Prisons:⁸

'[The UK Border Agency], with centre managers, should review the complaints system to ensure a simple, consistent and unified process.'

'Any system for applications or requests should be properly defined and launched, and it should be made clear that this does not prevent detainees complaining about any aspect of their care or treatment.'

- 4.59 We were pleased at the work being done by PEOs towards Customer Service Excellence accreditation. We hope that the wider UK Border Agency will continue to pursue Customer Service Excellence accreditation in the future.
- 4.60 However, we felt the Agency could still do a considerable amount more to improve the accessibility of its complaint procedures to all customers. The Agency's own data indicated that only around half of those customers who actually succeeded in making a complaint found it easy to complain – this is simply not good enough. The limited accessibility may well have prevented other customers from making a complaint.
- 4.61 We believe that the multiple communications channels were confusing to the customer. That CSUs were unable to provide a consistent level of service to customers was of considerable concern to us. The problem was highlighted by the inconsistent availability of telephone numbers from CSUs. We felt that all customers should have access to a telephone number and email address, and have noted the Agency's desire to reach a point where customers have a single access point of entry for phone and email. We look forward to seeing the outcome of the work being done in this area and believe this to be an essential reform to drive improvement.
- 4.62 Customers want a central point of contact, and then the subsequent ability to engage with the team or individual responding to their complaint. As we have already noted, the Agency's unwillingness to provide contact numbers is a barrier to this. It should have the confidence to provide contact details in order to encourage participation in the complaints process. This would demonstrate its integrity and transparency and is especially pertinent in cases of minor misconduct that could be resolved by local resolution. The Agency now has the infrastructure in place and we believe it could cope with such levels of engagement with its customers.

⁸ HM Inspectorate of Prisons. 2010. *Report on an unannounced full follow-up inspection of Yarl's Wood Immigration Removal Centre: 9–13 November 2009 by HM Chief Inspector of Prisons.*

- 4.63 The UK Border Agency must be proactive in ensuring that customers have access, via the provision of accurate and up-to-date information, to the complaints process at the time of their interaction with the Agency. All information should contain the correct name of the Agency and the correct contact details – it was not satisfactory that in some areas this was not the case. In ports we found posters that were outdated, poorly placed or lacking in accurate information, and the internet provided customers with confusing or inconsistent information.
- 4.64 It should be noted that we did feel that the culture of responding promptly to customer complaints in operational areas was a key strength of the Agency, but we were concerned that many of these interactions were not captured by the Agency and so the potential for learning was lost.
- 4.65 We were pleased that the Agency guidance allowed people in detention to make complaints in their own language, as normally complaints were only accepted in English or Welsh. This encouraged the participation of people in detention in the complaints process. However, it was a nonsense that the Agency guidance then stipulated that Agency replies ‘are only sent in English’, a language the person who made the complaint may well not understand. We were therefore pleased to find that this guidance was not being followed in one immigration removal centre we visited; this IRC demonstrated a desire to provide a good level of customer service by translating the Agency’s response into the language of the person who had made the original complaint.
- 4.66 We would encourage the UK Border Agency to undertake an analysis of which nationalities or groups of customers participate in the complaints process, and especially if any are underrepresented. This would apply to all customers, not solely people in detention.
- 4.67 It was striking that during our inspection we found very limited awareness of the value of customer compliments. Other than the effective work of the PEOs in this area, there were only limited ad hoc references made to customer compliments, and we did not find any evidence that the Agency knew how to capture them or how to use them to motivate staff or share good practice. As we have stressed the importance of lessons learned, so it is important for the Agency to realise that it can also learn from the things it is doing right.
- 4.68 We found there were only inconsistent and isolated attempts to establish whether the customer was satisfied with their interaction with the Agency. We believe the Agency should take steps to ensure that the customer is at least satisfied with the process – if not necessarily the outcome. More consistent use of exit surveys, customer surveys and other such measures would improve engagement with customers and would also have the potential to reduce the number of complaints received (provided action is taken on the results). They are a proactive way of assessing customer satisfaction and would allow the Agency to take corrective action before a complaint is made. Equally, where good practice is identified, this could be shared within the Agency. We would encourage the UK Border Agency to make wider and more consistent use of these tools. Again, it would need to ensure that it knows what information it wants to collect from customers and how it would make most effective use of that information.

Recommendation

The UK Border Agency should:

- **Set out clearly to MPs how they can receive information from the UK Border Agency, as well as the standard of service they can expect to receive.**
- **Ensure that customers have a single point of entry to the complaints procedure. It should seek regular feedback from its customers in order to assess their satisfaction with the complaints procedure, and should develop clear measures to drive improvement year on year.**

Annex A: Inspection criteria

The following criteria were used as the basis for the inspection. The inspection criteria were tailored for the inspection and were based on the core criteria of the Independent Chief Inspector.

Section 1 – High-level outcomes of the business

General criterion:

The UK Border Agency reviews and evaluates information so that improvement can be made.

Specific criterion:

The UK Border Agency evaluates its processes for handling customer complaints and MPs' correspondence to improve effectiveness and public confidence in the Agency.

Section 2 – Processes and procedures, including quality of decision-making and consistency of approach

General criterion:

Customer complaints about UK Border Agency staff (including those employed by contractors) and MPs' correspondence are dealt with quickly, effectively and transparently.

Specific criterion:

UK Border Agency staff refer service delivery and minor misconduct complaints to customer service units (CSUs).

UK Border Agency staff refer serious misconduct complaints to the Professional Standards Unit (PSU).

Complaints and MPs' correspondence are recorded clearly, tracked thoroughly and managed effectively.

Investigations are conducted to clear standards.

Quality and consistency of complaints and MPs' correspondence handling is uniform across the UK Border Agency.

Complaints of racism are monitored separately and independently, and are handled in a transparent, effective and timely way.

UK Border Agency staff follow the guidance and procedures when handling complaints and MPs' correspondence.

Section 3 – Impact on people subject to UK Border Agency services

General criterion:

UK Border Agency staff are responsive to customer complaints and MPs' correspondence.

Specific criterion:

The procedures governing complaints and MPs' correspondence are simple, transparent and accessible, and are used by UK Border Agency staff.

The UK Border Agency provides prompt, detailed responses to complaints and MPs' correspondence.

Section 4 – Management and leadership

General criterion:

The UK Border Agency provides effective and motivating leadership.

Specific criterion:

Managers ensure that customers' complaints and MPs' correspondence are resolved/answered expeditiously.

General criterion:

The UK Border Agency has a robust and comprehensive internal performance-management framework that leads to improvements.

Specific criterion:

Accessible performance measurement and monitoring information is regularly published internally and externally and can easily be aligned to the UK Border Agency's strategic objectives.

Annex B: List of stakeholders and experts

Prior to and during the inspection, we contacted and consulted a wide variety of stakeholders and experts:

- Members of Parliament
- The Parliamentary and Health Service Ombudsman
- The Prisons and Probation Ombudsman
- The Independent Police Complaints Commission
- The Police Complaints Commissioner for Scotland
- The Metropolitan Police
- Transport for London
- The Department for Work and Pensions
- Glasgow City Council

Annex C: UK Border Agency customer service units

The 12 Customer Service Units within the UK Border Agency represent the geographical regions of Immigration Group, which cover areas such as enforcement and asylum (numbers 1–6 below), and the non-geographic business areas (numbers 7–12 below):

1. Scotland and Northern Ireland
2. North West
3. North East, Yorkshire and the Humber
4. Midlands and East of England
5. Wales and the South West
6. London and the South East
7. Detention Services
8. Border Force (includes customs and immigration at all seaports and airports)
9. Casework Resolution Directorate
10. Immigration Enquiry Bureau
11. Criminal Casework Directorate
12. International Group (formerly UK Visas)

Glossary

Entry	Abbreviation	Description
Agency		Refers to the UK Border Agency
Agency guidance		Refers to the official guidance of the UK Border Agency, usually specific to complaints or MPs' correspondence
Audit trail		Chronological list of events
Border and Immigration Agency	BIA	One of the legacy organisations that made up the UK Border Agency. Formerly known as the Immigration and Nationality Directorate
Border Force		Part of the UK Border Agency, responsible for air, sea and rail ports
Casework Resolution Directorate	CRD	Agency directorate responsible for resolving the backlog of asylum claims by 2011
Channel Strategy		Strategy document being prepared by the Agency, due for publication in 2010. Will set out how the Agency will interact and communicate with its customers
Chief executive officer	CEO	Senior civil servant at the head of the UK Border Agency
Command and Control Unit		Agency unit responsible for critical incident management
Complaint		Defined by the Agency as 'any expression of dissatisfaction about the services provided by or for the UK Border Agency and/or about the professional conduct of UK Border Agency staff including contractors'
Complaints and Correspondence Standards and Performance Directorate	CCSPD	Agency directorate responsible for the management of correspondence and complaints
Complaints Audit Committee	CAC	Independent body responsible for monitoring the handling of complaints by the Immigration and Nationality Directorate, subsequently known as the Border and Immigration Agency, between 1994 and July 2008. Now abolished, its remit has been passed to the Independent Chief Inspector of the UK Border Agency
Complaints box		A brightly coloured box placed at accessible locations in immigration removal centres, in which people being detained can post complaints. It is only opened by Agency staff, not by the contractors who operate the immigration removal centre, and is not filmed by CCTV
Complaints management guidance		The formal Agency guidance for the management and handling of complaints

Entry	Abbreviation	Description
Complaints Management System	CMS	Electronic system for the management of complaints. Launched in October 2009 and bespoke to the Agency
Correspondence Tracking System	CTS	Electronic system for the management of MPs' correspondence, used by the entire Home Office
Criminal Casework Directorate	CCD	Agency directorate responsible for managing cases involving foreign national prisoners
Customer		Defined by the Agency as anyone who uses the services of the UK Border Agency, including people seeking to enter the United Kingdom, people in detention and MPs
Customer Service Excellence		The Government's customer service standard, replaced the Charter Mark initiative
Customer service unit	CSU	Agency unit created in February 2008 to manage and monitor customer complaints in each region and operational business area of the Agency
Customer Strategy		Strategy document launched in January 2009, sets out the Agency's customer service standards
Detention estate		Term used to refer to the three types of detention facility operated by the Agency, namely immigration removal centres, short-term holding facilities and holding rooms
Detention Services		Agency unit responsible for management of the detention estate, escorting and electronic monitoring
Director		Senior Agency manager, typically responsible for a directorate, region or operational business area
Drafter		Person who drafts a reply on behalf of a senior manager to correspondence from a customer
Executive officer		Lower management grade. Equivalent grades exist in the Agency, including officer and immigration officer
Final response letter		Letter sent to customer that states the outcome of the Agency investigation into the complaint
Getting it Write		Agency initiative to improve the quality of responses to MPs' correspondence
Grade 7		Senior manager, subordinate to Grade 6, superior to SEO
Her Majesty's Inspectorate of Prisons		An independent inspectorate that reports on the treatment of prisoners and conditions in prisons in England and Wales. It also has statutory responsibility to inspect all UK Border Agency immigration removal centres and holding facilities

Entry	Abbreviation	Description
Her Majesty's Revenue and Customs	HMRC	HMRC Detection used to operate at air, sea and rail ports. One of the legacy organisations that made up the UK Border Agency
Holding room		Temporary, non-residential holding facility operated at some ports and enforcement locations
Home Office		The UK Border Agency has been a full executive agency of the Home Office since April 2009
Immigration Enquiry Bureau	IEB	Agency unit that provides information direct to customers about the requirements of the immigration rules regarding leave to remain or settlement in the UK
Immigration Group		Part of the Agency responsible for regional operations and in-country decisions, including asylum
Immigration removal centre	IRC	Longer-term, residential detention facility, formerly known as a detention centre
Independent Chief Inspector of the UK Border Agency	ICI	Responsible for the independent scrutiny of the work of the UK Border Agency, providing confidence and assurance as to its effectiveness and efficiency. Part of the Home Office
Independent Police Complaints Commission	IPCC	Responsible for oversight of complaints against the police, and use of police-like powers by Agency staff in England and Wales
Indigo		Computer system used by Agency staff
Informal resolution		Now known as local resolution
International Group		The overseas arm of the Agency, responsible for running visa operations in 135 countries. Formerly known as UK Visas
Legacy organisations		The three organisations that formed the UK Border Agency: the Border and Immigration Agency, UK Visas and HMRC Detection
Lesson learned		Used to describe any organisational learning that has arisen following the investigation of a complaint. May be good practice to share, or an area for improvement
Local resolution		Process for the prompt resolution of complaints of minor misconduct. Previously known as informal resolution
Member of Parliament	MP	Elected representative in the United Kingdom and key customer of the UK Border Agency
Minister		The Minister of State for Borders and Immigration is a member of Her Majesty's Government with responsibility for matters relating to immigration

Entry	Abbreviation	Description
Ministerial		Correspondence from an MP that is addressed to the minister or Agency CEO. Requires a response from the minister or Agency CEO
Minor misconduct		Category of complaint concerning isolated instances of rudeness or unprofessional conduct that are not serious enough to warrant formal investigation and, if substantiated, would not lead to criminal or disciplinary proceedings
MP account manager		Grade 7 role introduced by the Agency in June 2009. Account managers engage proactively with MPs
MP Liaison Unit	MPLU	Team within CCSPD that is responsible for Agency engagement with MPs
MPs' Correspondence Section	MPCS	A team within MPLU that receives and allocates MPs' correspondence
MPs' correspondence tracker		Internet-based tool, launched in August 2009, that allows MPs to track the progress of their correspondence with the Agency
MPs' email service		Email response service provided to MPs
MPs' enquiry line	MPEL	Agency call centre for routine enquiries from MPs, launched as MPs' Hotline in 2000
MPs' guidance		The formal Agency guidance for the management and handling of correspondence from MPs
Nominated responsible officer	NRO	Main point of contact within each business area. Responsible for ensuring that complaints are dealt with in a timely fashion and that responses are full and accurate
Official reply		Correspondence from an MP that is addressed to the Agency. Can be responded to by any Agency official with delegated authority from a director
Outcome letter		Also known as final outcome letter
Parliamentary and Health Service Ombudsman		Independent body responsible for oversight of complaints from members of the public who claim they have suffered injustice due to maladministration by a government department or agency
Performance and Assurance Unit	PAU	Team within CCSPD, responsible for matters relating to complaints management information and quality assurance
POISE		Computer system used by Agency staff
Police Complaints Commissioner for Scotland	PCCS	Independent body responsible for oversight of police complaints in Scotland

Entry	Abbreviation	Description
Police Ombudsman for Northern Ireland		Independent body responsible for oversight of police complaints in Northern Ireland
Policy, Oversight and Best Practice Unit	POBU	Team within CCSPD, responsible for complaints guidance and matters relating to independent oversight
Prisons and Probation Ombudsman		Independent body responsible for oversight of complaints from people in detention
Professional Standards Unit	PSU	Team within CCSPD, responsible for investigation of all serious misconduct complaints
Public enquiry office	PEO	Agency office where fee-paying customers can submit an application to extend a stay in the UK or to settle permanently
Region		There are six geographical regions in Immigration Group
Regional director		Senior manager responsible for one of the six Immigration Group regions
Reporting centre		Agency office where people who are liable to detention by the Agency (for example failed asylum seekers) are required to report on a regular basis
Security and Anti-Corruption Unit	SACU	Agency team responsible for matters of physical security and anti-fraud, including complaints of serious misconduct made by members of staff
Senior executive officer	SEO	Management grade, subordinate to grade 7
Serious misconduct		Category of complaint concerning any unprofessional behaviour which, if substantiated, would lead to disciplinary action
Service complaint		Category of complaint concerning the way that the Agency works, for example delay, lost documents or administrative failings. These complaints are both about the actual service provided and the operational policies that the Agency operates
Short-term holding facility		Short-term, residential holding facility
Substantiated		Used to describe a complaint that has been upheld, may also be partially substantiated
UK Visas		Ran visa operations at overseas locations. One of the legacy organisations that made up the UK Border Agency and now known as International Group
United Kingdom Border Agency	UKBA	Executive Agency of the Home Office, created on 1 April 2009 from the three legacy organisations

