



A short-notice inspection of decision-making quality in the Paris Visa Section

10-13 June 2014



John Vine CBE QPM

Independent Chief Inspector of Borders and Immigration



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Our Purpose

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

Our Vision

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

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Foreword from John Vine CBE QPM

Independent Chief Inspector of Borders and Immigration

I am pleased to present the report of my fifth short-notice inspection overseas. The inspection focused on my statutory remit as the Independent Monitor for Entry Clearance Refusals without the Right of Appeal.

I chose to inspect the Paris Visa Section because it is one of the main decision-making hubs in the Euro-Med region and has a relatively high refusal rate for Other Visitor applications. As well as dealing with applications from visa nationals living in France, Belgium and Switzerland, the post has undergone significant recent change. It took on responsibility for deciding Tunisian and Algerian applications in the autumn of 2012 and Moroccan applications in March 2014.

Decision quality in Paris was good, with 94% of the refusals I sampled being reasonable. Whilst the post's targets for deciding cases were stretching, I found that they still allowed staff to make well-evidenced decisions in most cases.

I found an excellent relationship between the visa section and RALON, with a good awareness of risk profiles and the need to conduct verification checks when applicants submitted evidence that did not appear genuine. However, I found that the Paris Visa Section was experiencing difficulties in verifying Tunisian documents now that this is no longer done in Tunis. This issue must be resolved without delay.

In contrast to its good performance in terms of decision quality, I found that the Visa Section's approach to the storage of personal data was inadequate. Application forms were left out on desks overnight or placed in cabinets that did not lock. Too much reliance had been placed on the building's overall security to counteract these shortcomings. The Home Office should take immediate steps to address this.

Overall, I was pleased to see evidence of good quality decision-making at this post.

A handwritten signature in black ink that reads "John Vine".

John Vine CBE QPM

Independent Chief Inspector of Borders and Immigration

1. EXECUTIVE SUMMARY

- 1.1 This short-notice inspection examined the efficiency and effectiveness of the Paris Visa Section, with a particular focus on decision-making quality for visa refusals in Other Visitor cases attracting limited rights of appeal.
- 1.2 The quality of decision-making was assessed by an analysis of 50 randomly selected Other Visitor refusal cases. This involved consideration of how Entry Clearance Officers had assessed and used evidence presented by applicants, in order to determine whether decision-making was:
- efficient, effective and fair; and
 - in line with relevant Immigration Rules and Home Office policy and guidance.

Positive Findings

- 1.3 We found that staff and managers in Paris were committed to making high quality decisions on applications. Overall, decision quality was good and we assessed 94% of refusals as reasonable. We found that most files we sampled were in good order, with supporting documents retained in line with recommendations in our previous reports. This allowed us to assess decision quality in all cases. We also found no examples of original personal documents inappropriately retained on file. This was positive, given the concerns we have raised in previous inspections.¹
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- Overall, decision quality was good and we assessed 94% of refusals as reasonable.*
-
- 1.4 Refusal notices were generally of a good standard. We found some excellent examples that were clearly laid out, with a full explanation of what had been considered. In particular, we found notices for those refused under paragraph 320 of the Immigration Rules, relating to those who have used fraud or deception in their applications, to be comprehensive and of a high standard.
- 1.5 We found that ECM review targets were broadly being met and there was good awareness amongst staff and managers of these. We were particularly pleased to find the Regional Operations Manager reviewing between one and two per cent of ECM reviews, which was something we had not encountered in previous inspections. We considered this good practice.
- 1.6 Decision-making targets in Paris were seen as stretching by staff, but we found that they still allowed staff to make well-evidenced decisions. We were pleased to find that targets had been set and reviewed in consultation with staff. For example, the number of Algerian applications that ECOs had to decide had been reduced from 40 to 35 a day in response to staff concerns that the previous target had been unrealistic, given the close scrutiny that many of these applications required.
-
- Decision-making targets in Paris allowed staff to make well-evidenced decisions.*
-

¹ A thematic inspection of how the UK Border Agency manages foreign national prisoners
<http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/Thematic-inspection-report-of-how-the-Agency-manages-Foreign-National-Prisoners.pdf>

- 1.7 We noted that the Paris Visa Section was consistently meeting its customer service targets, with 99% of non-settlement applications consistently being decided within three weeks between July 2013 and March 2014. *The Paris Visa Section was consistently meeting its customer service targets.*
- 1.8 Application numbers processed in Paris had increased markedly since 2011 and were forecast to have increased by 100% between then and 2014. This increase was due to Paris gradually assuming responsibility for applications previously decided by posts in North Africa, following the transfer of such work from Algiers and Tunis in September 2012 and from Rabat in March 2014. We found that effective resource planning had enabled Paris to cope well with this new work.
- 1.9 There was an excellent relationship between RALON and the Visa Section, with an 'open door' policy existing between the two. Visa Section staff felt comfortable approaching RALON for their expertise to discuss individual cases or general trends of potential abuse. Staff had a good appreciation of risk profiles, found them helpful, and used them to inform their decisions. *Staff had a good appreciation of risk profiles, found them helpful, and used them to inform their decisions.*
- 1.10 Verification checks were being used to inform decision-making in Paris. Staff also conducted discretionary checks in cases that fell outside of RALON risk profiles if they had concerns in relation to the genuineness of either the application or the supporting documentation. In particular, a team based in Algiers used local knowledge to conduct effective verification checks on Algerian applications, which assisted in distinguishing between those who were applying to enter the UK for genuine purposes and those who were not.

Areas for Improvement

- 1.11 We assessed three refusals (6%) as unreasonable. These included two cases where simple enquiries could have allowed the ECO to make a better informed decision. Such enquiries would constitute good customer service which a fee-paying applicant should be able to expect. Given that applicants who are refused a visa in the Other Visitor category have only a limited right of appeal, such cases are of concern to us. Although decision quality in Paris is good overall, we expect the post to take further steps to improve it. *We assessed three refusals (6%) as unreasonable.*
- 1.12 Though we were pleased to find that verification checks were being conducted to facilitate quality decision-making, we found two cases in our file sample where no evidence was retained of the checks that had been conducted. It is essential that the Home Office is able to evidence its decisions via an auditable trail. This is especially relevant for applications which are refused under the provisions of paragraph 320 of the Immigration Rules, as such refusals lead to all subsequent applications being refused for 10 years. *We found two cases in our file sample where no evidence was retained of the checks that had been conducted.*
- 1.13 Though the post was conducting verification checks, we found Paris was encountering difficulties in securing cooperation from individuals and companies based in Tunisia when conducting checks on Tunisian applications. Responsibility for checks was transferred from the Tunis spoke to Paris in March 2014, as part of a drive to cut costs and improve efficiency. Though we appreciate the rationale for transferring checks to Paris, we are concerned that this took place without previous consideration of the potential challenges of conducting these checks from outside Tunisia. The Home Office must find a long-term solution, otherwise there is a *Paris was encountering difficulties in securing cooperation from individuals and companies when conducting checks on Tunisian applications.*

risk that decisions both to issue and refuse visas to Tunisian nationals will be made without thorough evaluation of all relevant evidence.

1.14 Whilst service standards were being met, applicants were not given sufficient information on how these were measured. We found that the Home Office measured service standards from the date when an applicant provided their biometrics, rather than the date when the applicant submitted their online application. As there can be a significant time-lag, sometimes lasting weeks, between the online application date and the biometric enrolment date, the Home Office must ensure that applicants are given clear information on how service standards are measured, so that they know when they can reasonably expect a decision.

The Home Office must ensure that applicants are given clear information on how service standards are measured.

1.15 People applying for entry clearance provide personal and sensitive information including passports and financial documents such as bank statements and payslips. At the time of our inspection, the post was not meeting its obligations to protect such personal data and neither was it following the Home Office's guidance on data protection.

The post was not meeting its obligations to protect personal data and neither was it following the Home Office's guidance on data protection.

1.16 We were concerned to find that the post was not operating a clear desk policy and applications and files containing personal information had been left unattended rather than being locked securely away overnight. We found that too much reliance was being placed on the physical security of the building in which the Visa Section was housed. We also found that physical storage facilities on site were inadequate. We expect the Home Office to take immediate steps to ensure that processes are implemented to allow adherence to HMG guidance on data protection.

2. Summary of Recommendations

We recommend that the Home Office:

1. Ensures that personal data is stored securely and that an effective breach policy is implemented.
2. Publishes clear service standards so that each visa applicant is given a reasonable expectation of when they might receive a decision.

3. The Inspection

Purpose and aim

- 3.1 The purpose of the inspection was to examine the efficiency and effectiveness of the Paris Visa Section. The inspection had a particular focus on decision quality in relation to visa refusals without a full right of appeal, specifically ‘Other Visitor’ cases. This included applicants intending to visit the UK as tourists, business visitors, or those wishing to study on a short-term basis. The examination of refusals in this category fulfils the statutory remit of the Independent Chief Inspector to review entry clearance decisions in cases with limited rights of appeal.²
- 3.2 This inspection measured the performance of the Visa Section in Paris against six of the Independent Chief Inspector’s inspection criteria, which are set out in Appendix 1, in order to assess whether decision-making was:
- efficient, effective and fair; and
 - in line with relevant Immigration Rules, policy and guidance.
- 3.3 The inspection also examined the service provided to applicants, assessing the performance of UK Visas and Immigration (UKVI) in respect of its own customer service standards.

Background

UK Visas & Immigration International

- 3.4 Visa Operations are the responsibility of UK Visas & Immigration (UKVI), a Home Office directorate, under the leadership of a Director General.
- 3.5 UKVI International is organised into six geographical regions: EuroMed; Asia Pacific; Central Asia, South Asia and Turkey; the Americas; Africa; and the Middle East and Pakistan. The Paris Visa Section is a decision-making hub within the EuroMed region.

Hub and spoke

- 3.6 In 2007 the Home Office restructured its global network of visa sections as part of a wider programme of change, supported by the introduction of biometrics³ and commercial partners. Under this restructure, the Home Office reduced the number of locations at which visa applications were considered, through the introduction of a ‘hub and spoke’ model. The hub and spoke model aimed to deliver three main benefits:
- improved quality and consistency of decision-making;
 - improved efficiency and productivity; and
 - greater resilience and flexibility.

² Details of the Chief Inspector’s statutory remit can be found in Appendix 1.

³ All visa applicants are routinely required to provide biometric data (ten-digit finger scans and a digital photograph). There are some minor exceptions to this rule, e.g. heads of state and children aged under five.

3.7 The introduction of this business model has seen decision-making move from small visa sections to larger regional ‘hubs’ or processing centres. In early 2007 there were over 150 posts globally, and this had reduced to 32 decision-making hubs by 2014,⁴ including two visa sections based in the UK.

Paris Visa Section

3.8 The Paris Visa Section operates within the Euro-Med region. This region consists of 42 countries and applications from these countries are considered at four decision-making hubs located in Moscow, Paris, the UK Visa Section (based in Croydon) and Warsaw.

3.9 At the time of our inspection, the Paris Visa Section considered applications for entry clearance that had been made by visa nationals in:

- Algeria;
- Belgium;
- France;
- Morocco;
- Switzerland; and
- Tunisia.

3.10 In 2011, Paris processed approximately 40,000 applications across all visa categories. In September 2012, the processing of applications made in Algeria and Tunisia was moved to Paris, resulting in an increase of 23,000 applications. In March 2014, Paris became the Euro-Med ‘francophone’ hub, when it assumed responsibility for approximately 12,000 applications made in Morocco. Volumes are forecast to increase to 80,000 applications in 2014: this will represent an increase of 100% since 2011.

3.11 Data provided by the Home Office showed a breakdown of the number of Other Visitor applications from these locations, as can be seen in Figure 1 below:

Figure 1: Other visitor application volumes by application location (April 2013 – March 2014)

Application location	Number of applications	%of total ⁵
Algiers - Algeria	13143	28.0%
Brussels - Belgium	1570	3.3%
Geneva - Switzerland	4284	9.1%
Paris - France	18369	39.1%
Rabat - Morocco ⁶	10	0.0%
Tunis - Tunisia	4053	8.6%
Zurich - Switzerland	3812	8.1%
Other ⁷	1765	3.8%
TOTAL	47006	100.0%

4 This included the visa sections based in the UK in Croydon and Sheffield.

5 Rounded to one decimal point.

6 Rabat applications were only transferred to Paris in April 2014 and this accounts for the low figures at the time of our inspection.

7 Other – This figure applies to applicants who are not obliged to provide biometric data, including children under 5 years of age and other certain exempt immigration categories.

3.12 During our short notice inspection of Warsaw,⁸ we found that 81% of all applications were made by Ukrainian nationals at the Kiev spoke. In contrast, we found that applications processed in Paris were from a diverse mix of nationalities and more evenly spread across all post locations. Figure 2 below shows the issue and refusal rates for the Paris hub and different spokes in the 2013-14 financial year. These indicate that applications made in Algiers were much more likely to result in refusal than those made elsewhere:

Figure 2: Other visitor application grant and refusal rates (April 2013 – March 2014⁹)

Application location	Issued	Refused	Other outcome ¹⁰
Algiers - Algeria	7983 (60.7%)	5131 (39%)	29 (0.2%)
Brussels - Belgium	1326 (84.5%)	242 (15.4%)	2 (0.1%)
Geneva - Switzerland	3936 (91.9%)	335 (7.8%)	13 (0.3%)
Paris - France	16240 (88.4%)	2059 (11.2%)	70 (0.4%)
Rabat - Morocco ¹¹	10 (100%)	0 (0%)	0 (0%)
Tunis - Tunisia	3574 (88.2%)	467 (11.5%)	12 (0.3%)
Zurich - Switzerland	3458 (90.7%)	345 (9.0%)	9 (0.2%)

The Application Process

3.13 The visa application process is set out in Figure 3 below:

Figure 3: Paris Visa Section - application process

1	Applicants complete an online application form, book an appointment to have their biometric data taken and pay the relevant fee.
2	Applicants attend the VAC in the country of application to provide their biometric data, submit their supporting documents and pay the application fee if not done previously. Supporting documents are copied and originals are returned to the applicant.
3	The VAF and copies of supporting documents are sent to the Paris Visa Section.
4	Entry Clearance Assistants carry out risk-based checks as appropriate, to test the veracity of the application.
5	The decision to issue or refuse entry clearance is made by an Entry Clearance Officer in the Paris Visa Section.
6	The visa vignette or refusal notice is printed and returned to the applicant via the VAC.

Staffing

3.14 Figure 4 provides a breakdown of UKVI staffing numbers at the Paris Visa Section at the time of our inspection:

⁸ A short-notice inspection of decision-making quality in the Warsaw Visa Section
<http://icinspector.independent.gov.uk/wp-content/uploads/2013/12/An-Inspection-of-Decison-Making-Quality-in-the-Warsaw-Visa-Section.pdf>

⁹ Rounded to one decimal point.

¹⁰ Application either: withdrawn, lapsed, unresolved or voided.

¹¹ See footnote 5 above.

Figure 4: Staffing numbers in the Paris Visa Section

Visa Section staff	Number
Regional Operations Manager (Senior Executive Officer)	1
Entry Clearance Manager (Higher Executive Officer)	2
Office Manager(Executive Officer)	1
Entry Clearance Officers (Executive Officer) ¹²	13
Entry Clearance Assistants	16
Total	33

Note: Information provided by UK Visas & Immigration

- 3.15 Additionally, there were a further two Office Managers and four Entry Clearance Assistants based in Algiers and Rabat.

Scope / Methodology

- 3.16 The Home Office was given one week's notification that this inspection would take place. It provided an up-to-date picture of decision quality in Other Visitor cases, as all the decisions we sampled were made between November 2013 and April 2014 inclusive. We also:
- viewed relevant guidance for decision-makers;
 - analysed data provided by UKVI;
 - sampled 50 Other Visitor refusal cases which had been decided between November 2013 and April 2014, inclusive; and
 - conducted observations and interviewed 18 staff and managers to identify issues of concern and areas of good practice against each of the criteria in scope.
- 3.17 On 13 June 2014 we provided feedback on the high-level emerging findings to the Home Office. The inspection identified two recommendations for improvement. This report was submitted to the Home Secretary on 25th July 2014.
- 3.18 The final version of this report was submitted to the Home Secretary on 25th July 2014.

¹² We were told that a third Entry Clearance Manager would be arriving at post shortly after our inspection.

4. Inspection findings.

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

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

Quality of decision-making

- 4.1. Whilst on site, we sampled 50 Other Visitor refusal case files of applications refused in Paris between November 2013 and April 2014, to determine if:
- the administration of the case was sound;
 - the decision to refuse entry clearance had been assessed against the correct Immigration Rules;
 - correct information on appeal rights had been provided to the applicant;
 - necessary checks had been conducted to inform the decision-making process;
 - the Entry Clearance Officer had made their decision based on all the available evidence; and
 - the quality of the refusal notice was adequate.
- 4.2. In contrast to other inspections where we have made recommendations about evidence retention,¹³ we found in the cases we sampled in Paris that most of the relevant supporting evidence had been retained. Therefore, by reviewing the Home Office's notes on its case-working database (Proviso), the contents of the refusal notices issued to unsuccessful applicants and the retained evidence, we were able to assess the reasonableness of decision-making in all 50 cases.
- 4.3. Of the 50 cases we sampled, 30 were applications where an Algerian national who had applied in Algiers had been refused a visa (60%). This mirrored the overall refusal rates in the Other Visitor category, as 58%¹⁴ of the applicants who were refused by the Paris Visa Section in 2013-14 had applied in Algiers.

We found in the cases we sampled in Paris that most of the relevant supporting evidence had been retained.

¹³ An inspection of applications to enter and remain in the UK under the Tier 1 Investor and Entrepreneur categories of the Points Based System
<http://icinspector.independent.gov.uk/wp-content/uploads/2013/09/An-Inspection-of-Tier-1-PBS-Investor-and-Entrepreneur-Applications.pdf>

¹⁴ From figures provided by the Home Office for the 2013/14 Financial Year

Immigration Rules and appeal rights

4.4. We found that the decision to refuse entry clearance was assessed against the correct Immigration Rules in all of the cases in our sample. This was in line with our findings in our previous short notice inspections of visa sections in Madrid, Accra and Warsaw.¹⁵

We found that the decision to refuse entry clearance was assessed against the correct Immigration Rules in all of the cases in our sample.

4.5. We also found that the correct information on appeal rights was provided to applicants in all cases in our sample.

Reasonableness of decisions

4.6. Overall, we assessed that 47 of the decisions in our sample were reasonable (94%). This was a good performance. Figure 5 below is an example of a reasonable decision made by the Paris Visa Section:

We assessed that 47 of the decisions in our sample were reasonable (94%).

Figure 5: Case study – Reasonable decision

The applicant:

- was a national of Guinea who applied for entry clearance to visit the UK for four days as a tourist;
- provided a range of supporting evidence including pay slips and an employment contract for part-time work as a security guard in France.

The Home Office:

- refused the application as the applicant did not provide bank statements or any other evidence of funds available for the trip.

Chief Inspector's Comments:

- The decision to refuse the application was reasonable. It is imperative that ECOs satisfy themselves that applicants have sufficient funds to finance their trips, and that they are able to adequately maintain and accommodate themselves without recourse to public funds.

4.7. However, we concluded that in three cases (6%), the decision to refuse the application was unreasonable. Although this is a small number, it is nonetheless a concern to us, as applicants in the Other Visitor category only have a limited right of appeal against the refusal.

We concluded that in three cases (6%), the decision to refuse the application was unreasonable.

4.8. The first of the three cases where we assessed the decision to be unreasonable involved a failure by UKVI to consider positive evidence. This case is discussed in Figure 6:

¹⁵ A report on the decision-making quality at the Madrid Visa Section

<http://icinspector.independent.gov.uk/wp-content/uploads/2012/09/Madrid-Visa-Section-FINAL.pdf>

A report on decision-making quality in the Accra Visa Section

<http://icinspector.independent.gov.uk/wp-content/uploads/2012/12/A-short-notice-inspection-of-decision-making-quality-in-the-Accra-visa-section-FINAL.pdf>

Figure 6: Case study – Failure to consider positive evidence

The applicant:

- was an Algerian national who had applied to enter the UK as a business visitor;
- had been issued, and complied with the conditions of, a business visit visa on two previous occasions, and had travelled extensively to other European countries;
- submitted a range of supporting evidence, which included documents relating to his transport business along with a letter of invitation from a UK-based business selling shoes and clothing;
- was refused entry clearance because, in part, the ECO was not satisfied that:
 - he had provided evidence that his business was functioning satisfactorily;
 - the nature of his business was compatible with that of the company he intended to visit in the UK.

Chief Inspector's Comments:

- The applicant had previously been issued with a business visa on the basis of his existing business, and the applicant's travel history indicated that he had complied with the conditions of the visa by leaving the UK..
- This positive evidence was not taken into account by the ECO during the decision-making process, nor was it referred to in the refusal notice.
- We do not agree that the applicant's business can be considered to be incompatible with that of his UK sponsor's business.
- We consider that the decision was flawed.

The Home Office:

- agreed with our assessment and stated 'The extensive travel history to UK and Europe outweighed the ECO's concerns and on balance this application should have been issued'.
- agreed to overturn the decision and contact the applicant to offer to issue the visa.¹⁶

4.9. The other two applications where we considered the decision to be unreasonable were applications for entry clearance by students intending to travel to the UK on a school trip. In both these cases, the applications were refused because the ECOs were not satisfied that the applicants were participating in the trips as claimed. ECOs also doubted whether the cost of the trips, including accommodation and maintenance in the UK, had been or could be met.

4.10. In these cases, the ECOs could and should have carried out simple enquiries to clarify the facts before making decisions on the applications. Such enquiries allow high quality decisions to be made quickly, and provide good customer service to the applicants. One of these cases can be seen in Figure 7 below:

ECOs could and should have carried out simple enquiries to clarify the facts before making decisions on the applications.

¹⁶ On 16/06/2014, we received an update from the Home Office informing us that the business visitor refusal had been overturned and they were in the process of contacting the applicant to issue a visa.

Figure 7: Case study – Failure to make a balanced decision

The applicant:

- was a Russian national studying at a school in France;
- applied to enter the UK as a student visitor for a school trip jointly organised with the University of Cambridge;
- provided supporting evidence which included his school enrolment and a letter from the school outlining details of the trip.

The Home Office:

- refused the application because the individual had not provided evidence to demonstrate:
 - that he was actually participating in the organised trip;
 - that the cost of the trip had been met;
 - that income was available to cover the costs of maintenance and accommodation;
- received third party representations requesting that the decision be reconsidered;
- made further enquiries with the school which confirmed that the individual was participating in the trip and that the costs could be met.
- issued the applicant with entry clearance.

Chief Inspector's Comments:

- In this case, if the Home Office had made simple enquiries with the school when considering the application, an informed decision could have been made at the earliest stage. This would have saved the administrative costs incurred by the Home Office in overturning the initial decision and avoided inconvenience to both the student and the school.

The Home Office:

- accepted that the ECOs could have made calls to the educational establishments to resolve any concerns before making the initial decision.

- 4.11. When we discussed the two cases involving school trips with managers, they informed us that ECOs in Paris are encouraged to make calls to the educational establishments when supporting documentary evidence is inadequate or incomplete and before making a decision. In light of our findings, managers agreed to remind ECOs of the local policy of making further checks with schools in such circumstances. They also agreed to contact the other student applicant whose application was refused in order to review the refusal decision.¹⁷
- 4.12. In addition to the aforementioned three cases in which we thought the decision was unreasonable, there were a small number of cases where, although we considered the overall decision to be reasonable, we had concerns with some aspects of the decision-making process.

¹⁷ On 20/06/2014, an update on this case was provided by the Home Office: 'We have contacted the school but the trip has passed and the applicant has since left the school and we have been unable to contact him'.

Failure to complete Data Verification Records

- 4.13. The Home Office conducts ‘verification checks’ in cases where it has concern over the genuineness of the application and / or of documentation that has been submitted in support of an application. Where such checks take place, staff are expected to record details about them, including the outcome, on a ‘Data Verification Report’ (DVR). This record is important, as it details the type of checks that were undertaken, who performed them and the outcome of the checks. This process had been followed in the majority of the cases that we sampled where documents had been verified. Consequently there was a clear evidential basis for the decision that was reached.
- 4.14. However, in two of the cases that we sampled, this process had not been followed, despite verification checks apparently having been undertaken. Whilst we assessed that the refusals were reasonable in these cases, it is nonetheless important for staff to correctly follow the DVR recording process in all relevant cases. This is particularly important as verification checks can form the basis for refusing an applicant under paragraph 320 (7A)¹⁸ and 7(B)¹⁹ of the Immigration Rules, and will lead to the refusal of any subsequent applications for the next ten years.
- It is important for staff to correctly follow the DVR recording process in all relevant cases.*
- 4.15. When we raised our concerns about the failure to follow the DVR process, managers informed us that all ECOs should have been aware of the need to log and record all checks that were made to inform the decision-making process. However, given our findings, managers told us that ECOs would be reminded of the importance of recording these checks properly.

Consideration of paragraph 320 of the Immigration Rules

- 4.16. Paragraph 320 of the Immigration Rules provides general grounds for the refusal of an application for entry clearance. Reasons for refusal falling under paragraph 320 include:
- the use of forged documents or false representations in support of an application;
 - failure to disclose material facts in an application; and
 - the use of deception in a previous application within the last 10 years or, where there were other aggravating circumstances, on any previous occasion.
- 4.17. The power to refuse under paragraph 320 is an important tool when dealing with entry clearance applications, as it allows the Home Office to refuse non-genuine applications from those seeking to enter the UK by deceptive and fraudulent means. It also assists the effectiveness and efficiency of the entry clearance process by allowing ECOs to refuse any subsequent applications for a period of 10 years.
- 4.18. We were therefore pleased to find good and appropriate use of paragraph 320 provisions in the files we sampled. We agreed with the decision to utilise paragraph 320 in all seven cases (14%) where this power had been used. We also found that an ECM had reviewed all seven decisions and that verification checks were appropriately recorded.

¹⁸ Rule 320 (7A) is a general ground for refusal that applies where false documents or information have been submitted or material facts not disclosed and because of this a higher standard of proof is applied (to a higher balance of probabilities) than refusals under the category-specific Immigration Rules. Deception in an entry clearance application will lead to any subsequent application being refused for ten years under paragraph 320 (7B).

¹⁹ Rule 320 (7B) is a general ground for refusal where, amongst others, the applicant has breached the UK’s immigration laws by using deception in an application for entry clearance within the preceding 10 years.

Quality of refusal correspondence

- 4.19. The quality of refusal notices was generally good. Managers on site told us that there had been a concerted, recent effort to improve the quality of refusal notices across visa posts. We found some excellent refusal notices in our sample. These were clearly laid out, with a full explanation of what had been considered. An example of a good refusal notice is shown in Figure 9 below:

Figure 9: Case study – Refusal notice quality

The applicant:

- was an Algerian national seeking entry clearance for 15 days for a holiday;
- provided a range of supporting evidence including financial documents and a hotel reservation.

The Home Office:

- refused entry clearance and the refusal notice clearly detailed the reasons for refusal, which included:
 - no evidence demonstrating what the applicant planned to do or see whilst in the UK;
 - unauthenticated wage slips;
 - funds of £2470 (45 times the applicant's stated monthly income) deposited a few days before the application was made, with no evidence of the origin of these funds or whether they were genuinely available for the applicant's use;
 - checks revealed that the hotel reservation had been cancelled.

Chief Inspector's Comments:

- The refusal notice was clearly drafted and provided a comprehensive summary of the reasons for rejecting the visa application.

- 4.20. However, we found a small number of cases where, although we agreed with the overall reasonableness of the decisions, significant emphasis had been given to points that appeared to us to be relatively minor. One of these cases is highlighted in Figure 10 below.

We found a small number of cases where significant emphasis had been given to points that appeared to us to be relatively minor.

Figure 10: Case study – Undue emphasis on minor points

The applicant:

- was an Algerian national who applied for Entry Clearance to visit his friend, a French national, in the UK;
- had previously been issued a business visa;
- stated on the application form that he intended to spend 15 days in the UK;
- provided a range of supporting evidence including a letter from his friend;
- was refused entry clearance and the refusal notice stated:

'You wish to enter the UK for 15 days and state that you will visit a friend and I note that you have provided a letter from this sponsor in support of your application. However, this letter states that you intend to remain in the UK for a period of 4 weeks. These discrepancies [sic] seriously damage your credibility and shed doubt on your application as a whole.'

Chief Inspector's Comments:

- Whilst we assessed the decision to be reasonable, the refusal notice gave undue emphasis to a minor discrepancy between the information provided by the applicant and the sponsor in relation to the length of the proposed visit. We do not consider that this discrepancy on its own 'seriously damaged' the applicant's credibility as claimed by the ECO.
- In contrast, the refusal notice gave little weight to the positive evidence that the applicant had previously travelled to the UK on business and had more recently travelled to Austria on business, and had complied with his visa conditions on each occasion by returning to Algeria.

Entry Clearance Manager (ECM) Reviews

- 4.21. The refusal of entry clearance as a visitor does not carry a full right of appeal. The only internal check and balance against poor or arbitrary decision-making is the ECM Review. Home Office 'business assurance targets require ECMs to review 20% of refusals in categories where there are only limited appeal rights, such as the Visitor category. In cases of successful applications for a visit visa, ECMs are required to review 10% of decisions.
- 4.22. It was evident during our inspection that both of the ECMs currently in post and the regional operations manager were aware of the required levels of ECM reviews to be undertaken. We were told that ECMs performed between 30 and 40 reviews of applications per day.
- 4.23. The Home Office provided us with the following data on ECM reviews undertaken in Paris in 2013-14, Figure 11 refers.

Figure 11: ECM reviews undertaken in Paris in the financial year 2013/14 for 'Other Visitor' applications

Application Outcome	Application Volume	Number of ECM Review	% of applications reviewed
Issued	38021	3519	9.3%
Refused	8780	1948	22.2%

4.24. The data indicates that Paris was exceeding the target for ECM reviews of refusals and only narrowly missing the target for reviews of issues. Of the 50 refused applications that we sampled, 14 (28%) had been reviewed by an ECM. We were pleased to find that the ECM review targets in Paris were being broadly met, although there was scope to increase the number of issue cases subjected to the process. The generally positive picture of ECM reviews in Paris was in marked contrast to our findings in inspections of some other posts, where we found that the ECMs were not aware of their review targets and were failing to meet them.

We were pleased to find that the ECM review targets in Paris were being broadly met.

4.25. In addition to the ECM review check, we also found that the regional operations manager regularly carried out a review of 1%-2% of the ECM reviews, in order to ensure the quality and consistency of those reviews. We were pleased to find this initiative in place, which we consider good practice.

4.26. During the course of the inspection we noted that Paris had processes to identify and record the reasons for cases being allowed at appeal. This information was then used to identify any trends in order to improve the quality of future decisions. This was reassuring, given the value that we believe analysis of the outcomes of appeals can have in improving decision quality. In our view, systematic analysis of appeal outcomes, whether allowed or dismissed, is vital if the Home Office is to improve the quality of its initial decisions and reduce the proportion overturned at the tribunal. This is an area on which we have made recommendations a number of times.²⁰

4.27. We explored whether there were similar processes to capture the outcome of ECM reviews in order to identify decision-making trends, and were told that there was no formal mechanism to record the outcome of ECM reviews. However, we were told that ECMs in Paris regularly discussed their conclusions with each other, which, it was believed, ensured consistency and could allow any trends to be identified. We believe that the positive steps that had been taken in respect of capturing and analysing appeal outcomes could be extended to include ECM reviews. We were therefore pleased that managers agreed to introduce this after we suggested it.

Targets

4.28. Decision-makers in Paris, as in other overseas posts, have targets for the number of decisions that they are expected to make each day. These are used to forecast the required level of resources, in line with predicted future intake and as part of the performance management of individual ECOs.

4.29. We were informed that visa processing targets in Paris were divided into 3 subcategories:

- cases considered to be 'straightforward' ;
- cases considered to be 'non-straightforward', and
- applications from Algerian nationals.

4.30. Straightforward cases were applications where it was considered that verification checks and / or further enquiries were not likely to be required. The category included, for example, those who were regular visitors to the UK with a history of complying with the conditions of their visas. Non-straightforward cases involved applications where additional checks and / or enquiries were likely to be required for a variety of reasons before a decision could be reached: for example, first-time travellers, those who had previously been refused visas, or where the applicant's circumstances

²⁰ An inspection into applications to enter, remain and settle in the UK on the basis of marriage and civil partnerships 2012

<http://icinspector.independent.gov.uk/wp-content/uploads/2013/01/marriage-and-civil-partnerships-FINAL-PDF.pdf>

An inspection into the handling of asylum applications made by unaccompanied children 2013

<http://icinspector.independent.gov.uk/wp-content/uploads/2013/10/An-Inspection-into-the-Handling-of-Asylum-Applications-Made-by-Unaccompanied-Children-FINAL.pdf>

matched one of the post's risk profiles. Separate targets were in place for Algerian applications because these were a relatively new work-stream in Paris and were generally seen as more complex, as supporting documents took longer to verify.

4.31. Staff and managers had a consistent understanding of the targets that ECOs were expected to achieve. These were:

- 60 straightforward cases per day;
- 0 non-straightforward cases per day;
- 35 applications made in Algeria per day.

4.32. We found that these targets had been set after consultation between staff and managers. Managers informed us that this exercise had ensured that the targets were stretching but achievable without impacting on decision quality. This perspective was shared by staff, and from our focus groups we found consensus amongst ECOs that the targets were stretching but allowed them to focus on making good quality decisions. In fact, we were told that, as a result of the dialogue between managers and ECOs, the target for applications lodged in Algiers, which had originally been 40 per ECO per day, had been reduced to 35. The consultative and evidence-based approach to target setting was welcomed by staff at all grades. Indeed, one experienced ECO told us: 'In Paris, the refreshing contrast to other posts is that managers are looking for decision quality'.

4.33. ECOs' performance against these targets was measured over a period of weeks to take account of variations in application types, individual case complexities and, ultimately, decision outcomes. ECOs new into post were not expected to reach these targets immediately, but the anticipation was that they would be nearing them, usually within three months.

4.34. When we inspected the visa section in Warsaw in September 2013, we found overly challenging daily targets that were having an adverse impact on decision quality. In contrast, Paris was meeting targets whilst generally making well-evidenced decisions. As we discuss below, it was also making those decisions within its published service standards.

Paris was meeting targets whilst generally making well-evidenced decisions.

Timeliness of decision-making

4.35. At the time of our inspection, UKVI had the following 'service standards' for non-settlement decisions:

- 90% of applications to be decided in no more than 15 working days;
- 98% to be decided in 30 working days; and
- 100% to be decided in 60 working days.

4.36. Information provided to us by UKVI showed that, between July 2013 and March 2014, 99% of non-settlement decisions had been made within 15 days. The results of our file sampling supported the data provided to us by the Home Office, as can be seen from Figure 12 below:

Figure 12: Decision time for the 50 sampled Non-Settlement Visa applications	Number resolved	% resolved
Within 3 weeks	49	98%
Within 6 weeks	1	100%
Within 12 weeks	0	100%

4.37. The Paris Visa Section had consistently exceeded the Home Office’s service standards, thereby minimising the time that applicants needed to wait to hear the outcome of their application, something that can be unsettling for them and their families. Good customer service, such as this, also has less tangible, though nevertheless important benefits, such as encouraging tourism and trade with the UK.

The Paris Visa Section had consistently exceeded the Home Office’s service standards

4.38. While the Home Office was measuring and publishing its performance against its service standards, we did have some concerns over the way that these targets were measured. This was because, while the targets were published on the gov.uk website,²¹ the information provided did not make clear what date was being used as the starting point for calculating the length of time it took for decisions to be made.

4.39. As a result, applicants may believe that the target processing time starts as soon as they submit their application online, whereas in reality the Home Office only measures its performance from when an applicant provides their bio-data at a Visa Application Centre, which will in many cases be significantly later. In the interests of good customer service, we consider that the Home Office should give applicants much clearer information on how its service standards are calculated. For that reason, we make the following recommendation:

The Home Office should give applicants much clearer information on how its service standards are calculated.

We recommend that the Home Office:

Publishes clear service standards so that each visa applicant is given a reasonable expectation of when they might receive a decision.

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

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

RALON

- 4.40. The Home Office has a Risk and Liaison Overseas Network (RALON), whose role includes identifying immigration threats to the UK. RALON has staff based in the UK and overseas, including in Paris. Where RALON identifies either specific or generic immigration threats, it shares this information with entry clearance staff so that it can be taken into account when they are considering applications.
-
- The RALON unit based in Paris had developed excellent working relations with a range of sources locally.*
-
- 4.41. Given the importance of this work, we were pleased to find that the RALON unit based in Paris had developed excellent working relations with a range of sources locally, including their counterparts working for foreign governments. Information obtained through these contacts was used to inform the assessment of risk.
- 4.42. RALON provided entry clearance staff with ‘risk profiles’ detailing the type of applications that intelligence suggested posed a particular immigration risk. Where intelligence suggested that there were particular risks of fraudulent applications being made, the risk assessment advised entry clearance staff whether verification checks would be appropriate to test the genuineness of the applicant and / or their supporting documents. Some staff considered that certain risk profiles, particularly those relating to Algerian nationals, were too broad to assist them in their decision-making role. However, the majority told us that the profiles helped them to identify the types of applications that might need greater scrutiny.
- 4.43. We found that all entry clearance staff had a comprehensive awareness of the risk profiles and of when / where verification checks were necessary according to the risk profiles. Staff were also aware that they could conduct verification checks in cases that did not fall within one of the risk profiles provided by RALON, if they had concerns about the legitimacy of the application and / or supporting documentation. The high level of awareness of risk profiles and verification within the Visa Section was reassuring. It was due, in part at least, to the excellent working relationships between the RALON unit in Paris and the Visa Section, through which there were regular two-way exchanges of information, including on emerging trends and risks. Indeed, ECOs were very complimentary about RALON, and told us they *felt fortunate that RALON were located in the same office as they were*.
- 4.44. We found a strong cultural emphasis within the Visa Section on making high quality decisions. The awareness of risk profiles and the targeted use of verification checks was seen as integral to high quality decision-making by all staff within the Visa Section. We noted local initiatives such as the compilation of a detailed documentation reference guide, containing examples of both forged and genuine documents to assist entry clearance staff identify cases in which false documentation had been submitted. It was clear from our file sampling that verification checks were undertaken regularly and appropriately to inform decision-making. An example of verification checks informing decision-making is shown below in Figure 13:
-
- We found a strong cultural emphasis within the Visa Section on making high quality decisions.*
-

Figure 13: Case study – verification checks informing decision-making

The applicant:

- was an Algerian national who applied for Entry Clearance to attend an event in London;
- provided a range of supporting evidence including event details, bank statements and a hotel booking for his stay;
- was refused entry clearance because verification checks confirmed that the hotel booking had been cancelled before the application had been submitted.

Chief Inspector's Comments:

- We were pleased to see that verification checks were used to inform decision-making and enable a robust refusal. We were also pleased to find that details of the checks were appropriately recorded for evidential purposes.

- 4.45. In cases where verification checks were undertaken, these were performed by staff working at the Visa Section in Paris, apart from those applications made in Algeria and Morocco, which were undertaken by staff working at the British Embassies in Algiers and Rabat. Staff and managers told us that the quality of the verification checks was generally very high and that the outcomes assisted them to make informed decisions, both to issue visas and to refuse. They emphasised that there were real benefits in having a team with local knowledge in Algiers, who could conduct verification checks on applications made there. Whilst staff were generally very complimentary about verification checks, some had concerns about the Home Office's ability to undertake such checks from Paris on applications made in Tunisia.
- 4.46. Prior to March 2014, applications made in Tunisia had been decided by the Visa Section in Paris, though any verification checks that were required to be undertaken were conducted in Tunis. However, the Tunis in-house spoke closed in March 2014 as part of UKVI's drive to improve efficiency and cut costs, and responsibility for carrying out verification checks was transferred to the Visa Section in Paris. Staff and managers told us that no attempt had been made to test the new Paris-based process for verification before the visa post in Tunis was closed.
- 4.47. The Home Office had successfully transferred knowledge on how to verify specific documents from staff in Tunis to Paris. We were, however, concerned to find that Paris was finding it difficult to secure co-operation from individuals and organisations in Tunisia when it contacted them to verify documents and information provided by applicants. We were told that companies and people who had previously been willing to provide information to staff working at the visa section in Tunis were no longer prepared to provide such information to entry clearance staff working in Paris.
-
- We were concerned to find that Paris was finding it difficult to secure co-operation from individuals and organisations in Tunisia.*
-
- 4.48. Managers informed us that they and their RALON colleagues had been working to find a solution. We note that this situation had only arisen in a relatively small number of cases, as Tunisian applications were generally less likely to require verification checks than those made in neighbouring Algeria. Where possible, the Visa Section was making decisions on the cases on the evidence available, rather than delaying making a decision on the application. The Paris Visa Section must resolve this problem as swiftly as possible, to ensure that Tunisian applications can be appropriately verified to inform the decision-making process when the need arises.

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

- 4.49. In March 2014, the Paris Visa Section became responsible for making decisions for applications made in Morocco as well as for conducting verification checks for all applications made in Tunisia. Given the importance of effective resource planning for the operation of an efficient visa section, we explored the processes in place to ensure that there were adequate resources to manage the number of applications that Paris received.
- 4.50. We noted that forecasts had been compiled to indicate the likely volume and type of applications that Paris could expect to receive. These had been used by managers to determine the overall staffing levels and the grades of staff required in order to manage the work effectively. Managers told us that the forecasts they had been provided with had broadly depicted the levels of intake that had been received. As a result, their resource planning had allowed them to match resources to the level of intake.
- 4.51. This view was shared by staff, who confirmed that there were adequate resources to manage intake, given the targets that they had. Paris' performance against its service standards, along with the findings of our file sampling support this assessment. We hope that this effective forecasting continues.

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

Data retrieval

- 4.52. The Paris Visa Section was given very limited notice of the 50 applications that we wished to inspect whilst we were on site. All the selected applications, along with the associated supporting evidence for each one, were ready for us on our arrival in Paris. This shows an effective file retrieval process and was similar to what we found in our recent inspection of Warsaw.

Data handling and storage

- 4.53. The Home Office is subject to the provisions and restrictions of the Data Protection Act 1998 (DPA). People applying for entry clearance as visitors from overseas ordinarily provide personal and sensitive information, which can include passports as well as financial documents such as payslips and bank statements.

The document 'Government's Security Classification'²² outlines how data is categorised and the security controls that should be in place to protect data. Personal information required to be protected under the DPA is classified as 'OFFICIAL'. The minimum security controls for handling 'OFFICIAL' information include:

²² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251480/Government-Security-Classifications-April-2014.pdf

- operating a clear desk policy;
- all information securely locked away when not in use; and
- a breach management system in operation.

4.54. ECAs who allocated applications to ECOs informed us that they operated a clear desk policy and that all their files that contained personal information were stored in cupboards at night. They also told us that an ECA was rostered to carry out a sweep before leaving the office each evening to ensure that no files were left out. We considered this good practice.

4.55. However, we were concerned to find that ECOs left files unattended on desks, and that, even when applications were stored in cupboards overnight, some of these did not lock. Whilst we recognise the effective physical security of the building, which restricted access to security cleared staff, we were nevertheless concerned at the lack of effective processes for handling classified information.

We were concerned at the lack of effective processes for handling classified information.

4.56. When we raised this with a senior manager, we were told that there had been challenges in obtaining adequate and suitable storage for files. Whilst additional storage had been requested, this had not been provided, and significant reliance had been placed on the building's physical security and restricted access. Whilst we recognise that there might be challenges surrounding adequate storage facilities, we believe these need to be overcome urgently to ensure that personal data is stored appropriately.

4.57. Our focus groups with both ECAs and ECOs also highlighted a poor awareness amongst staff regarding how data security breaches were dealt with by managers. Indeed, we found that there was confusion amongst staff as to whether or not breach management processes were actually in place.

4.58. Given the Home office's obligations to safeguard personal data, we consider that the absence of effective data handling and storage procedures, enforced by an effective breach management process, leads to an unacceptable risk of loss of personal data, accidental or otherwise. In the light of our concerns we make the following recommendation.

The absence of effective data handling and storage procedures, enforced by an effective breach management process, leads to an unacceptable risk of loss of personal data, accidental or otherwise.

We recommend that the Home Office:

Ensures that personal data is stored securely and that an effective breach policy is implemented.

Appendix 1: Role & Remit of the Chief Inspector

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

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

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

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

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

Appendix 2: Inspection Framework and Core Criteria

The criteria used in this inspection were taken from the Independent Chief Inspector's Criteria, revised in February 2013. They are shown below.

Inspection Criteria used when inspecting the Paris Visa Section

Operational Delivery

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

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

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

Safeguarding Individuals

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

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

Continuous Improvement

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

Appendix 3: Glossary

Term	Description
B	
Biometrics	All customers are now routinely required to provide ten-digit finger scans and a digital photograph when applying for a United Kingdom visa. There are some minor exceptions to this rule, e.g. Heads of State and children aged under five.
Border Force	Following the separation of Border Force and the UK Border Agency on 1 March 2012, Border Force became a Home Office operational command responsible for immigration and customs, including UK passport controls in France and Belgium.
C	
Casework	The Home Office term for the decision-making process used to resolve applications (for example, applications for asylum or British citizenship).
Customer	An individual using the services of UK Visas & Immigration.
D	
Data Protection Act 1998	The Data Protection Act requires anyone who handles personal information to comply with a number of important principles. It also gives individuals rights over their personal information.
Director	A senior Home Office manager, typically responsible for a directorate, region or operational business area.
E	
e-Learning	Computer-based training courses.

Entry Clearance	<p>A person requires Leave to Enter the United Kingdom if they are neither a British nor Commonwealth citizen with the right of abode, nor a person who is entitled to enter or remain in the United Kingdom by virtue of the provisions of the 2006 European Economic Area Regulations. Entry Clearance takes the form of a visa (for visa nationals) or an entry certificate (for non-visa nationals).</p> <p>These documents are taken as evidence of the holder's eligibility for entry into the United Kingdom and, accordingly, accepted as 'Entry Clearances' within the meaning of the Immigration Act 1971. The United Kingdom Government decides which countries' citizens are, or are not, visa nationals. Non-visa nationals also require Entry Clearance if they seek to enter the United Kingdom for purposes other than to visit and/or for longer than six months.</p> <p>More detailed information about Entry Clearance can be found on the UK Border Agency website: http://ukba.homeoffice.gov.uk/</p> <p>The Immigration Rules state that a customer making an application for an Entry Clearance as a visitor must be outside the United Kingdom and Islands at the time of their application and must apply to a visa section designated by the Secretary of State to accept applications for Entry Clearance for that purpose and from that category of applicant.</p>
Entry Clearance Assistant	Supports the visa application process.
Entry Clearance Manager	Manages the visa application process within a visa section.
Entry Clearance Officer	Processes visa applications and makes the decision whether to grant or refuse Entry Clearance.
H	
Home Office	The Home Office is the lead government department for immigration and passports, drugs policy, crime, counter-terrorism and police.
Hub and spoke	<p>Prior to 2007, virtually all British diplomatic missions had a visa section. Each worked largely independently; handling all aspects of visa processing including taking decisions on site.</p> <p>The 'hub and spoke' system was introduced to move away from the traditional model which was based on the physical presence of a visa section. The consideration of an application does not need to happen in the same place as it is collected.</p> <p>Applications can be moved from the collection point (the spoke) to the processing point (the hub). This separation between the collection network and the decision-making network aims to improve quality and consistency of decision-making; efficiency and flexibility. Work can be moved to staff rather than the other way round.</p>

Human Rights Act	Legislation that took effect on 2 October 2000, which meant that the UK's domestic courts could consider the European Convention of Human Rights.
I	
Independent Monitor and legislation	<p>The legislation which established the role of the Independent Monitor for Entry Clearance Refusals without the Right of Appeal was set out in section 23 of the Immigration and Asylum Act 1999 and amended by paragraph 27 of schedule 7 of the Nationality, Immigration & Asylum Act 2002 and Statutory Instrument 2008/310 regarding the points-based system (from April 2008).</p> <p>Section 23 of the Immigration and Asylum Act 1999, as amended by section 4(2) of the Immigration, Asylum and Nationality Act 2006, stipulates:</p> <ul style="list-style-type: none"> • The Secretary of State must appoint a person to monitor, in such a manner as the Secretary of State may determine, refusals of entry clearance in cases where, as a result of section 88A of the Nationality, Immigration & Asylum Act 2002 (c.41)(entry clearance: non-family visitors and students), an appeal under section 82(1) of that Act may be brought only on the grounds referred to in section 84(1)(b) and (c) of that Act (racial discrimination and human rights). • The Secretary of State may not appoint a member of his staff. • The Secretary of State must lay a copy of any report made to him under subsection (3) before each House of Parliament. <p>Although the legislation and the Independent Monitor's formal title refer to 'no right of appeal', all applicants have limited rights of appeal on human rights and race relations grounds. Parliament decides which categories of visa customers should not have full rights of appeal; the Home Office's role is to implement the laws set by Parliament and as interpreted by Government policies.</p> <p>John Vine, the Independent Chief Inspector of Borders and Immigration, was appointed to this role by the Home Secretary on 26 April 2009, effectively bringing this work within his remit</p>
L	
Locally Engaged Staff	Staff recruited directly by the British Embassy or High Commission in the country where they are employed.
M	
Maladministration	Includes cases where the visa decision would or might have been different if there had not been an administrative failing. For example, an applicant applies for Entry Clearance to attend a fixed-date conference in the UK. The applicant would have been otherwise issued with a visa, but is refused because a delay in processing the application means the conference has already finished.

Ministerial Authorisation	An authorisation, approved by ministers, which allows Immigration Officers to give greater scrutiny to certain nationalities. A new Ministerial Authorisation for nationality-based differentiation – covering Entry Clearance, border control and removals – came into force on 10 February 2011 under the Equality Act 2010. The new authorisation allows International Group to differentiate on the basis of nationality in the Entry Clearance visa process.
O	
Other Visitor	Visitor cases that only attract limited appeal rights.
P	
Paragraph 320 (7a) – deception rules	From 29 February 2008, under Paragraph 320 (7A) of the immigration rules, an applicant must be refused Entry Clearance if false representations or documents are used, or material facts not disclosed, whether or not the false representations or documents are material to the application, and whether or not the deception is with the applicant’s knowledge.
Post	See ‘visa section’.
Proviso	The database used by overseas visa sections as the audit trail of Entry Clearance applications. It records all details of an Entry Clearance application from the date of application through to the decision and any post-decision correspondence.
R	
Regional Director	Senior manager responsible for one of the six Immigration Group regions.
Risk and Liaison Overseas Network (RALON)	An amalgamation of the former Airline Liaison Officer Network and Overseas Risk Assessment Unit Network. RALON has responsibility for identifying threats to the UK border, preventing inadequately documented passengers from reaching UK shores, providing risk assessment to the Home Office visa issuing regime and supporting criminal investigations against individuals and organisations which cause harm to the UK.
Risk profile	An outline that determines the relative potential harm to the UK of a visa applicant / travelling passenger, based on characteristics of an individual when compared to existing evidence of adverse activity either in the UK or overseas.
T	
Third-country national	A person who is neither a British citizen nor a Commonwealth citizen with the right of abode, nor a person who is entitled to enter or remain in the United Kingdom by virtue of the provisions of the 2006 European Economic Area Regulations. Third-country nationals therefore require Leave to Enter the United Kingdom.
U	

United Kingdom and Islands	The United Kingdom is made up of England, Scotland, Wales and Northern Ireland. The Channel Islands and the Isle of Man are not part of the United Kingdom. The geographical term 'British Isles' covers the United Kingdom, all of Ireland, the Channel Islands and the Isle of Man.
United Kingdom Border Agency (UKBA)	<p>The agency of the Home Office which, following the separation of Border Force on 1 March 2012, was responsible for immigration casework, in-country enforcement and removals activity, the immigration detention estate and overseas immigration operations. The UK Border Agency was a full executive agency of the Home Office from April 2009.</p> <p>The UK Border Agency was broken up by the Home Secretary on 26 March 2013 and its functions returned under the direct control of the Home Office. Since 1 April 2013 the UK Border Agency ceased to exist.</p>
V	
Visa nationals	<p>Visa nationals are those who require a visa for every entry to the United Kingdom. A visa national is a national of a country listed on the UK Border Agency website (Appendix 1 of the Immigration Rules). Some visa nationals may pass through the United Kingdom on the way to another country without a visa, but in some circumstances they will require a Direct Airside visa or Visitor in Transit visa. Visa nationals must obtain Entry Clearance before travelling to the United Kingdom, unless they are:</p> <ul style="list-style-type: none"> • returning residents; • those who have been given permission to stay in the United Kingdom and, after temporarily leaving the United Kingdom, return within the duration of that permission to stay; or • schoolchildren resident in a European Union member state who are on an organised school trip from a general education school and accompanied by a teacher.
Visa section	Home Office office that manages UK visa operation services. Home Office visa sections are located in a variety of locations around the world.

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