



Home Office

The Home Office response to the Independent Chief Inspector of Borders and Immigration's report:

An Inspection of the EU Settlement Scheme

November 2018 - January 2019

The Home Office thanks the Independent Chief Inspector of Borders and Immigration (ICIBI) for his report.

The Department is pleased that the report notes our commitment to embrace a cultural change whereby we proactively support EU citizens through the application process. Furthermore, the Department is grateful for the ICIBI's engagement with staff in the areas inspected, and for recognising the operational teams' high level of morale.

The Department welcomes the proposals on how to improve the EU Settlement Scheme and we will continue to use feedback from users and from our regular engagements with other stakeholders to improve our processes.

The EU Settlement Scheme fully opened on 30 March 2019 following two private trial phases which ran between late August and December 2018, and a wider public trial phase from 21 January 2019. These test phases were entirely voluntary and cohort selection at each stage provided us with a balanced mix of applications from a range of individuals with varying socio-economic backgrounds and lengths of UK residence. This enabled us to test the core end-to-end digital application process in line with our delivery plan for developing and bringing online new caseworking capacity and customer support in a phased manner.

We continue to work closely with EU citizens' representatives and partners to ensure that the scheme is accessible and that we are able to reach all prospective applicants. Communications materials will be provided in 25 other European languages and Welsh. We have also commenced a wide-ranging marketing campaign encouraging EU citizens to apply, and from 30 March when the scheme fully opened, we removed the application fee so that there is no financial barrier to any EU citizen who wishes to stay.

The EU Settlement Scheme is fully open to all EEA and Swiss nationals and their family members and makes it easy for those who want to stay in the UK to get the status they need. The total number of applications received since the testing of the scheme began on 28 August 2018 is now well over 600,000, and we received over 50,000 applications in the first weekend the scheme was fully live.

The Home Office response to the recommendations:

The Home Office should:

1. Clarify the consequences of the decision to remove the fee for EU Settlement Scheme applications (and loss of offsetting revenue) for the resourcing and functioning of the scheme and for any other Borders, Immigration and Citizenship (BICS) fees and services while the scheme is in operation.

1.1 Accepted

- 1.2 On 30 March 2019 the legislative changes giving effect to the Prime Minister's announcement took effect, so that all applications to the EU Settlement Scheme from that date have been free of charge. We have now processed all relevant refunds through Home Office systems. Further information on the refunds can be found here: <https://www.gov.uk/guidance/eu-settlement-scheme-application-fee-refunds>.
- 1.3 Refunds were managed through an automated process, so applicants did not need to take any action to request their refund. The fee will be automatically refunded to the card that was used to pay the application fee.
- 1.4 The removal of the fee will not have any impact on the resourcing and functioning of the scheme. Resourcing for the scheme has been secured through central Government funds.
- 1.5 We already have over 1,500 UK Visas and Immigration (UKVI) European Casework staff in post to process EU Settlement Scheme applications. In addition to this, we have a further 250 staff for the new customer resolution centre which proactively supports EU citizens through the application process.
- 1.6 The removal of the EU Settlement Scheme fee will not have a direct impact on other areas of Borders, Immigration and Citizenship System fees. This is a funded scheme and a unique arrangement that is part of a specific set of discussions and agreements around the UK's exit from the EU. The Immigration White Paper sets out a framework for a future immigration system, including how the system will be funded. Income generation through fees and charges will continue to underpin our future system, and we will keep the level of fees under review.

2. Dedicate sufficient resources to the EU Settlement Scheme throughout its life to ensure that all applications are processed efficiently and effectively, and that the lack of a customer service standard does not affect the priority given to these applications when compared with other UKVI functions that do have such standards.

2.1 Accepted

- 2.2 The EU Settlement Scheme has been developed to be as simple and customer-friendly as possible. To support this, we have designed a digital casework solution that automatically streams cases to appropriately trained caseworkers according to the applicant's circumstances. These include:
 - Applicants who have confirmed the automated checks of their residence period are correct, so no further evidence of residence is required or provided;
 - Applicants where automated checks have not fully confirmed their residence period and they have provided supplementary evidence or this needs to be requested;

- Applicants that are family members who need to provide fingerprint biometrics and cases where safeguarding or vulnerability may be a factor.
- 2.3 Caseworkers are multi-skilled across these workstreams. Case flow workstreams are monitored dynamically using real time reporting so that caseworkers can be quickly assigned to higher demand during peak times.
 - 2.4 We are committed to ensuring that our operational teams have the resources they need to run an efficient and effective migration system, tackle illegal immigration and keep the UK safe. Resource and staffing requirements are continually reviewed to meet operational demand. This means we are able to deploy extra resources flexibly as and when they are required.
- 3. Ensure that any additional demands the EU Settlement Scheme creates elsewhere in the Borders, Immigration and Citizenship System (BICS), for example in the Administrative Review team, are monitored and not allowed to have an adverse effect on the performance of these business areas.**

3.1 Accepted

- 3.2 Any additional demands the EU Settlement Scheme may create elsewhere within the Borders, Immigration and Citizenship System have been factored into the Department's strategic planning. We will continue to monitor any potential impact and make the necessary adjustments as and when needed.

4. Ensure that the EU Settlement Scheme's customised IT system is capable, routinely, of producing comprehensive management information and data:

a. to enable Home Office managers to set appropriate individual performance measures and to manage the Scheme's overall performance

b. to support an effective quality assurance regime for the Scheme

c. to enable the Home Office to produce regular reports on how the Scheme is performing (not simply how long applications are taking to process, but a detailed breakdown of applications, outcomes, latest lessons learned and improvements made) with the aim of securing the confidence of those eligible to apply and other stakeholders.

4.1 Accepted

- 4.2 The EU Settlement Scheme utilises new technologies and throughout the testing phases as the IT system has been developed, a key theme has been to ensure we are able to produce effective management information.
- 4.3 The Performance Review and Planning Unit are developing and enhancing the current INSIGHT performance monitoring tool to allow the operational teams to monitor individual caseworker and team productivity. These reports will be independently produced by the Home Office PRAU (Performance Analysis & Review Unit) and can be accessed by line managers to monitor performance and productivity.
- 4.4 Across both private beta testing phases and into the public testing phase, UKVI has positively managed applications and through this, has begun to properly understand casework flows. Development of effective management information to ensure individual and

wider scheme performance is ongoing. These will be properly tested and developed further as we progress through the process.

- 4.5 As noted in the report, inspectors saw evidence of extensive quality assurance across elements of the settlement scheme, including casework operations and the Settlement Resolution Centre. As the scheme moved from the testing phase and the caseworking operations move towards maturity, consideration to the decision quality measures has been further reviewed and aligned to other operational areas.
- 4.6 Following Private Beta 1 and 2 and the public testing phase, the Home Office produced reports on progress of applications, as well as reporting on a variety of other elements to Parliament, key stakeholders and the public. The delivery of wider more substantive data sets will take place at agreed intervals in line with wider Home Office transparency agenda.

5. Provide EU Settlement Scheme caseworkers and Settlement Resolution Centre staff with clear guidance about 'evidential flexibility' in relation to settled status via the EU Settlement Scheme and ensure that they understand and apply it consistently.

5.1 Accepted

- 5.2 Comprehensive caseworker guidance is already available to caseworkers and Settlement Resolution Centre (SRC) staff, along with a range of additional material on gov.uk and a suite of 'lines to take'. This guidance is continually reviewed, with both operational and policy colleagues working together to ensure that there is sufficient clarity in relation to evidential flexibility.
- 5.3 We will also ensure that this is covered in the training provided to SRC staff and that the requisite quality assurance mechanisms are implemented for senior caseworkers and line managers to confirm that evidential flexibility is exercised consistently.
- 5.4 Training modules have been successfully developed and rolled out to all existing caseworkers, SRC staff and new recruits. The modules include: policy training, case working guidance and customer service. The common thread through the practical scenarios is focussing on customer service to assist the culture shift. The training will continue to be reviewed and updated following feedback and changes. To consolidate the training and further support staff, along with the network of senior caseworkers on hand for advice, they are provided with desk aides, Standard Operating Procedures and an e-learning package.

6. Without discouraging them from trying to help applicants resolve any problems they are having with their application, ensure that Settlement Resolution Centre staff are trained to recognise when an applicant should be advised how to make a formal complaint or to apply for an administrative review.

6.1 Accepted

- 6.2 SRC staff have been fully trained in EU Settlement Scheme call resolution, and so in most cases, agents will deal with a customer's concerns in a 'once and done' approach at first point of contact.
- 6.3 Should a customer wish to lodge a formal complaint, SRC agents have access to a standardised complaints procedure, where the customer's concerns/complaint can be logged, triaged and escalated accordingly for response.

6.4 If a customer has received an adverse decision and the SRC is unable to provide further assistance through usual channels, SRC agents will direct customers via the administrative review route to enable an independent review of the EU Settlement Scheme decision made. The information above is on the internal information portal for SRC staff to refer to.

7. Be clear in its communications with stakeholders dealing with vulnerable groups and individuals that while it is keen to encourage them to provide advice and practical assistance to applicants, including with the aid of grant funding where appropriate, that it recognises and accepts that it remains responsible for ensuring the EU Settlement Scheme meets the needs of everyone who is eligible and this includes making 'reasonable enquiries' on behalf of those (for example, 'looked after' children) who find it difficult to prove their eligibility.

7.1 Accepted

7.2 We recognise and accept the responsibility for ensuring the scheme meets the needs of everyone who is eligible. We will make reasonable enquiries and work flexibly with applicants to help them evidence their continuous residence in the UK by the best means available to them.

7.3 We are committed to helping vulnerable individuals obtain their status under the scheme, and we are providing a range of direct and indirect support to enable this, such as the telephone advice from our customer support centre and face-to-face assisted digital support. Details of the service and the locations where this service is available can be found on gov.uk: <https://www.gov.uk/government/publications/eu-settlement-scheme-assisted-digital-service>.

7.4 The Home Office has made up to £9million available in funding which will be used to help organisations both inform vulnerable individuals about the need to apply for settled status and support them to complete their applications to protect their status as the UK exits the EU. The successful organisations, including disability and homeless charities and a wide-range of community organisations will provide support to an estimated 200,000 people, who may be marginalised or in need of extra help.