



Home Office

The Ethical Decision-Making Model

Version 1.0

A tool to help Home Office staff when making decisions involving difficult ethical issues.

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About this guidance

This guidance tells Migration and Borders decision-makers about the Ethical Decision-Making Model and how to use it.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Windrush Immigration Implementation Unit.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version 1.0
- published for Home Office staff on **11 November 2021**

Changes from last version of this guidance

None. This is the first version of this publication.

Related content

Home Office Values

[Contents](#)

Related external links

[Civil Service Code](#)

[Windrush Lessons Learned Review](#)

The Ethical Decision-Making Model

Why do we have the model?

The [Windrush Lessons Learned Review](#) (published March 2020) was critical of the immigration decision-making process, including the quality of some decisions made and the lack of engagement and empathy with customers. The review found that decisions were sometimes based on completing a checklist, rather than assessing or evaluating a case in its full context.

The Windrush Lessons Learned Review recommended that:

The Home Office should develop a set of ethical standards and an ethical decision-making model, built on the Civil Service Code and principles of fairness, rigour and humanity, that BICS staff at all levels understand, and are accountable for upholding. The focus should be on getting the decision right first time. The ethical framework should be a public document and available on the department's website. A system for monitoring compliance with the ethical standard should be built into the Performance Development Review process. (Recommendation 17)

The Ethical Decision-Making Model is a tool for staff to use when making decisions. The purpose is to enable staff to articulate and raise concerns and to seek resolution ensuring that the right decision is made first time. This model addresses the issues that were identified by the Windrush Lessons Learned Review, where staff were aware that unintended impacts of Home Office decisions were occurring, but the culture and processes did not facilitate those concerns being raised or addressed.

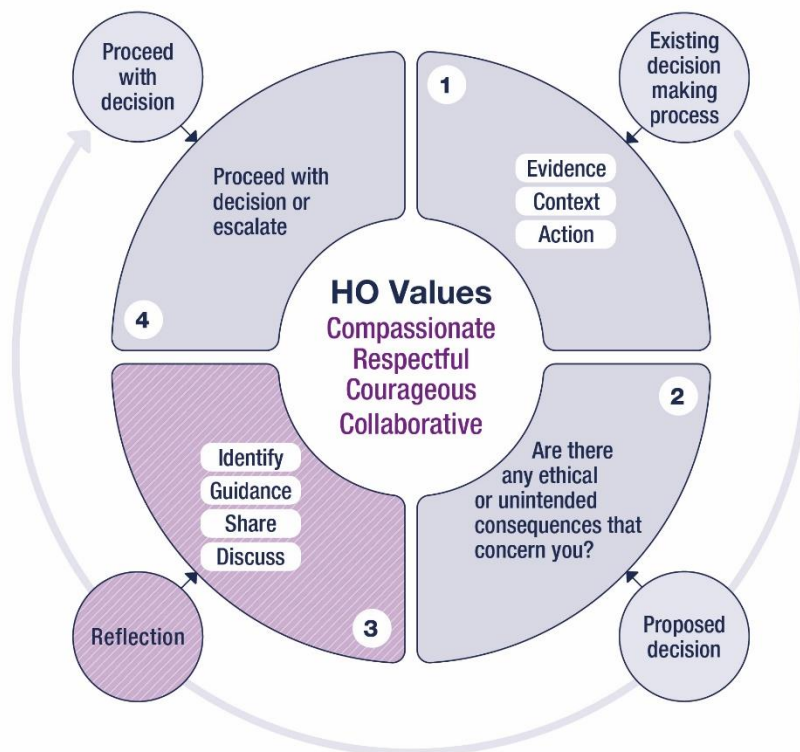
The model introduces a step in the decision-making process, that prompts decision-makers to consider this ethical decision-making model and the impact of their proposed decision. This enables a decision-maker to consider any issues that cause "decision discomfort" - where a decision-maker feels that the proposed outcome is not right. If a decision-maker finds themselves in this position, they may choose to consult this guidance on the model, consider what discretion applies in the case, discuss the case with a colleague or escalate the case to a senior manager or another team for further consideration.

Using the Ethical Decision-Making Model

The Ethical Decision-Making Model is intended to help a decision-maker to articulate and resolve ethical issues that you identify whilst considering what decision to make. If you identify ethical issues, which give you concern about the impact of the decision on the person you may resolve them yourself, or in discussion with colleagues, by identifying solutions within the existing rules and guidance, including considering what discretion is available to you. If you cannot resolve the issue within existing rules and guidance or at your level of authority, you should escalate the issue for further consideration.

The model does not direct you as to what you should do or provide a “right answer”. It encourages critical thinking. The model does not replace existing immigration legislation, rules, or guidance, nor does it constitute a separate route for you to exercise discretion or grant leave; rather, it prompts you to think critically about exercising the discretion you already have and to escalate an issue where you feel you cannot satisfactorily resolve the issue within the current legal and policy framework.

Ethical Decision Making Model



The relevant, **existing decision-making process** should be followed to the point where you have a **proposed decision**.

Once you have a **proposed decision**, you should **reflect** and **consider the potential impact** of the decision.

Are there any ethical or unintended consequences of this proposed decision that concern you?

If you do not have any concerns with the impact of the proposed decision, you can **proceed with decision**.

If you have concerns, follow the steps below:

1. What is it about the proposed decision that makes you feel uncomfortable?
2. Are you able to make a different decision by applying current rules and guidance that resolves the issue?
3. If you cannot satisfactorily resolve the issue, or do not feel you have the authority to take a different decision, you should discuss the case with someone. This can be with your line manager, team leader or a colleague.
4. If you feel the issue is not satisfactorily resolved, you can escalate the case through the escalation routes available to you for example Chief Caseworkers Unit for Asylum and Protection and Customer Services, the Safety Valve Mechanism for Immigration Enforcement, Guidance and Quality Team for HMPO and your regional command centre for Border Force.

This model sits alongside the Home Office Values and the [Civil Service Code](#), which guide all of our actions and define our ethics.

Related content

Home Office Values

[Contents](#)

Related external links

[Civil Service Code](#)

[Windrush Lessons Learned Review](#)