



# Independent Chief Inspector of Borders and Immigration

Annual Report for the period  
1 April 2021 to 31 March 2022

**David Neal**

Independent Chief Inspector of  
Borders and Immigration



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## **Our purpose**

To help improve the efficiency, effectiveness and consistency of the Home Office's border and immigration functions through unfettered, impartial and evidence-based inspection.

All Independent Chief Inspector of Borders and Immigration inspection reports can be found at [www.gov.uk/ICIBI](http://www.gov.uk/ICIBI)

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# Foreword

This is my first annual report as Chief Inspector and I would like to thank my predecessors for the hard work and exceptional leadership that they have shown in establishing and maintaining the inspectorate as a well-respected and independent body playing a vital role in holding the Home Office to account.

This is a challenging job. Borders and immigration are topics at the forefront of the national debate, the rules are complex, the breadth of areas to inspect huge and the impact on the lives of some of the most vulnerable members of our society significant. The ability to independently inspect and call out when things are going wrong has perhaps never been more important. The hunger with which some stakeholders fall on our recommendations is evidence, were it ever needed, of the impact of our inspections; more strategically, a powerful independent voice making recommendations based on solid evidence is a valuable tool in holding government to account.

I arrived in the midst of a busy inspection programme at the end of lockdown with a number of legacy inspections ongoing, and a series of reports to sign off. I was keen to be more agile and responsive, and to engage with, and comment on, emerging issues more speedily. I chose therefore to adjust the way that the Independent Chief Inspector of Borders and Immigration (ICIBI)



conducted its business, introducing a more flexible inspection approach.

The standard duration of ICIBI inspections is 100 working days. I intend to maintain a series of these longer inspections, but I have now also introduced short (30 days) and medium (40 days) inspections. The main activity of the ICIBI however, must remain ‘inspectors inspecting’ and producing quality reports which make recommendations to the Home Secretary. The shorter inspections have led to shorter reports which, in theory, should reach the Home Secretary more quickly and therefore maintain their relevance. Nevertheless, even with the lengthier reports I would expect that remedial action starts to take place as soon as errors are highlighted. A shorter inspection duration can lead to a deep evidence base of a narrow area, which may result in a reduced ability to draw wider conclusions from the inspection, but these are early days.

My initial unfamiliarity with the ways of the Home Office, and with the vast majority of areas I inspect, was mitigated by an extensive programme of familiarisation visits and meetings. These have been helpful to really get under the skin of the organisation and add perspective and experience to the evidence gathered by my inspection teams. I intend to continue getting out on the ground to understand day-to-day activity and what the military sometimes characterise by the German word ‘fingerspitzengefühl’, or ‘fingertips feeling’ – understanding the temperature of an organisation. I

have been disappointed that I have not yet been able to give the Home Secretary my assessment of the areas that I inspect. I consider this a missed opportunity on her part. I have always sought to offer this added value to ministers, senior officials and shadow ministers in a frank and open manner. I believe that this is a crucial part of my job and a particular value that I can, and should, offer.

A year into my appointment, I have had 12 reports published and a further 6 are with the Home Secretary awaiting publication. In 2014, the Secretary of State assumed control of the publication of inspection reports, deciding when to lay them before Parliament. At that time, the Secretary of State committed to doing this within 8 weeks of receipt of the report, subject to both Houses of Parliament being in session.

I am really disappointed that the 8-week agreement has been broken again and again. According to the Home Office's figures, only 2 of the 12 reports that were published in 2021 to 2022 met the agreed timeline. As I enter my second year, I will need to consider how this publication delay impacts on my independence and credibility as Chief Inspector and that of my organisation. However I decide to proceed, working together with the department is strongly my preferred option, but increasingly I consider that I have to pursue alternative options to maintain my personal credibility and integrity as well as the statutory independence and standing of the inspectorate, which I feel are at stake.

In the reports that the Home Secretary has published in 2021 to 2022, I made 62 recommendations, of which 39 (63%) have been accepted, 18 (29%) partially accepted and 5 (8%) not accepted. These figures do not differ significantly from the distribution of the responses to all ICIBI's recommendations since 2009.

However, as the following examples show, formal responses to recommendations (accepted or otherwise) tell only a small part of the story:

- a. The Home Secretary accepted a recommendation in my Asylum Casework inspection report, which was sent to her in July 2021, to “publish a service standard as a matter of urgency”. This has not been done.
- b. The Home Secretary accepted a recommendation in my Contingency Asylum Accommodation inspection report, which was sent to her in February 2022, to “develop effective consultation methods with local authorities ... prior to the establishment of contingency asylum accommodation”. In the case of Linton-on-Ouse, this has not been done.

My dissatisfaction with the Home Office's implementation of ICIBI recommendations is echoed in the results of an ICIBI stakeholder survey published in November 2021, which recorded from 70% of respondents that the Home Office responded inadequately to ICIBI recommendations. This has a potentially damaging effect on one of 3 pillars supporting the legitimacy of

inspection activity: trust, independence and the ability to get recommendations implemented.<sup>1</sup>

After conducting my initial analysis of key issues following my appointment, I published my first inspection programme in June 2021. Through the UK Borders Act 2007, Parliament empowers me to define my own inspection programme, which is a singular strength of the way that ICIBI is constituted. I choose what to inspect and when to inspect, and whilst I have adjusted local timings and sequencing of inspections in light of emerging issues and specific operational considerations, I have experienced no interference or pressure on my programme from the Home Office. My annual inspection programme is the spine of my work and central to my independence. I based this programme on contributions from inter alia my team, my stakeholder fora, Home Office ministers and senior officials, and from my own observations. To support this programme, I assessed that I would have to widen my pool of staff expertise and I was fortunate to be able to recruit staff with a security and intelligence background to better balance the team and meet the needs of the programme.

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1 Behan and Kirkham 2016.

There were 3 important areas I considered missing as I formulated my programme:

- a. The Migrants Commissioner (Recommendation 9 from the Wendy Williams' Windrush Lessons Learned Review (WWLLR)) was still not in post and therefore a potentially powerful voice was absent.
- b. Keen to assure my initial analysis, assessment and conclusions, I commissioned a consultant to analyse some of the underpinning documents that should inform inspection activity: Border Strategy 2025 and the Integrated Review, for example. This work did not conclude in time for consideration in my first programme.
- c. Finally, it is nearly 3 years since the Home Office provided an update on its progress towards the implementation of ICIBI's recommendations.

This latter point was brought into sharp focus when His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) was questioned by the Home Affairs Committee in October 2021 about their tracking of recommendations. Were I to be asked the same question, I would fail to give a satisfactory answer. I raised this issue in a presentation to the Home Office's Audit and Risk Assurance Committee in March 2022. On a practical level, this makes following up tracking progress challenging. On a more fundamental level the whole mosaic of assurance is undermined if there is no clear baseline to work from and scarce inspection

resources are not targeted efficiently. As part of the evidence gathering stage of all new inspections, we routinely review previous reports on the area under inspection and review progress on recommendations. However, as Wendy Williams clearly points out in her progress update on the Home Office's Comprehensive Improvement Plan, reviewing recommendations should lie with the inspected body rather than ICIBI.

In formulating my second programme, in early 2022, I reviewed the priorities and areas of focus laid out in key government strategy documents, with input from a consultant. The areas of 'Security', 'Prosperity', 'Technology' and 'Collaboration' featured in his conclusions, and these have directly informed my programme, and will continue to inform my general approach and joint inspection activity.

The inspected landscape changes rapidly and in my new programme I have sought to retain some capacity to respond to in-year events. I am keen to be able to maintain the majority of my inspection activity in a published plan, not least because that is what is required of me in legislation, but equally I need to preserve capacity to be responsive to events. I will continue to reprogramme inspections to allow for this, for example, my inspection of the initial processing of migrants arriving via small boats at Tug Haven.

The programme of Independent Advisory Group on Country Information (IAGCI) commissioned activity sits outside the core inspection programme, but we report to

the Home Secretary in the same way, once reports have been discussed at the IAGCI meeting.

The ICIBI has 30 staff, and this has remained relatively static over the last 10 years. In fact, the first Chief Inspector took the view that this was about the minimum viable operation capable of providing sufficient coverage to such a vast area. Having now been in post a year, I can say he was probably right but, considering the increasing complexity of the areas that we inspect, we should look at increasing rather than decreasing our establishment.

Upon appointment, as well as uncertainty surrounding our London location, I was presented with the likelihood of a Role and Remit Review (R3) of ICIBI. This review emerged from the 2020 Windrush Lessons Learned Review and was captured in Recommendation 10. As became clear following Wendy Williams' revisit to the Home Office in 2022, her recommendation had been distorted somewhat by the Home Office in its Comprehensive Improvement Plan. Nonetheless, R3 presents an opportunity to run a ruler over the establishment.

As the country emerges from the pandemic, I have sought to increase the geographical diversity of ICIBI staff by expanding our traditional recruitment pool to beyond London and the South East. This brought an incredible response with 389 applications for 14 posts and resulted in the appointment of some excellent candidates from a range of backgrounds. The downside

to recruiting outside of the Civil Service is that the 'time to hire' is incredibly long – almost a year for some candidates. Nevertheless, this has allowed us to reduce our London footprint by a third.

Having a workforce spread across the country brings challenges in ensuring that home workers are integrated with office workers, and I have sought to mitigate this by a codified cadence of staff meetings, regular study periods, transparent decision-making and a 'constant conversation' on MS Teams. Any downsides are far outweighed by having a happy, principled, and self-disciplined workforce who are proud of their work and individually uphold the collective values of the Civil Service.

Having set a recruitment path, I made minor changes to reorientate the ICIBI along functional lines, to better support our principal activity (inspecting) and principal output (reports with recommendations). The ICIBI remains overwhelmingly 'Activity/Operate' based, with small 'Direct', 'Support' and 'Insight/Research' functions. The latter function has been introduced initially on a trial basis, but we have seen significant benefits. The potential to grow the 'Operate' function is scalable to meet potential future demands: the need to better examine systemic issues, for example.

In every area of Home Office activity I inspect, I find areas that require improvement, some of which have profound consequences for the lives of people, the fundamental security of the country and the assurance



that billions of pounds of public money is being spent wisely. We could, of course, do more with more resources, and I hope the intention of Wendy Williams' recommendation is not lost and that I am resourced to continue to call out ineffectiveness and inefficiency when I encounter it.

My experience shows that joint working is the best way of approaching complex problems which cross-organisational boundaries. The ICIBI has done this in the past (most recently with His Majesty's Inspectorate of Prisons (HMIP) on the Napier and Penally inspection). I see joint activity as an important supporting method of conducting inspection activity. Close co-operation with partner agencies is essential to measure the effectiveness of operations, which in themselves are often joint by nature. Border security springs to mind with the requirement for intimate co-operation between the National Crime Agency (His Majesty's Inspectorate of Constabulary and Fire & Rescue Services inspection remit) and Border Force (ICIBI inspection remit) to secure the border. Equally, the nexus between HMIP and the ICIBI on the 'Adults at Risk in immigration detention policy, foreign national offender removals, short-term holding facilities and asylum processing is evident. We have also invited Ofsted inspectors to contribute to our inspection of unaccompanied asylum-seeking children in hotels, which – had statute allowed – may have merited a more formal joint approach. I see there being real merit in formalising joint working with the nearest statutory model, the Criminal Justice Joint Inspectorates Framework, and I

have discussed this both with my fellow Chief Inspectors and ministers. It will be something for the R3 to consider and is implicit in the National Audit Office's 2015 comparative study of inspectorates in the home affairs and justice sectors. In times of shrinking resources, joint working is essential. Parallels with kindred organisations as well as benchmarking are hugely important in recruiting and developing skilled staff. I look forward to developments in this area.

My stakeholder fora are hugely important mechanisms in the way that ICIBI conducts its business and demonstrates its independence. They are invaluable for not only informing what I choose to inspect, but also during scoping and evidence collection stages of inspection. Businesses, institutions, NGOs and charities build up an invaluable network of expertise, opinion and viewpoint. Unfailingly, these fora have been exceptionally worthwhile.

I have expanded the fora to better equip me with front-line intelligence, experience and contacts, and also to better reflect our interest in the Home Office's Output Delivery Plan Objective (ODP 3 – Enable the legitimate movement of people and goods to support economic prosperity). First, I have added an education forum (which was effective in informing my Higher Education inspection). Regional Strategic Migration Partnership forum, which I anticipate will input into our forthcoming Afghan Resettlement and Hong Kong BN(O) inspections;

and, a business forum, which will inform the forthcoming inspection into agriculture, as well as customs.

On a more personal basis I established an Independent Reference Group (IRG) to assist me in reacting to challenges and suggesting ways forward as my role develops. Issues of interest will include organisational structure, independence, ethical issues, ways of working, relating to other organisations, responding to financial challenges, training and education requirements. The group has met once formally and I have frequently consulted individual members for advice. The full details of the IRG membership are available on the ICIBI website: [The ICIBI Independent Reference Group – GOV. UK \(www.gov.uk\)](http://www.gov.uk)

As a statutory inspectorate rather than a regulator, I rely on the soft power of shaping and influencing, rather than the hard power of sanction and censure. To carry out my role effectively I must be able to communicate with multiple audiences over various means. Over recent years the ICIBI has been relatively passive in terms of communicating with the media. The rationale of having quality, well-written and evidenced reports speaking for themselves is a strong one, but I feel that a more active stance is required and expected. Indeed, in terms of key responsibilities for my appointment, one of them is representing the Inspectorate to the public. There is a fine line between impartially explaining the story surrounding an inspection report and becoming the story itself. The often-polarised nature of the asylum and

migration debate means that even the most innocuous statement or response to a media enquiry can be manipulated. Nevertheless, in my second year I intend to shift to a more active stance.

In terms of establishing this wider narrative, I think there are opportunities to communicate more effectively through social media and our website as well as potentially rebranding to look like similar inspectorates, perhaps with a new title as an a His Majesty's Inspector.

Even before lockdown restrictions were lifted for my team, I was keen to personally engage with stakeholders. I have been pleased to regularly meet ministers, mainly in person, as is my preferred approach. I have also regularly met shadow ministers, and my approach has been the same for all parties. I have been open and frank with all those I have met and sought to give an assessment based on my wider judgement and experience, rather than just my inspection reports. This was the way that I approached the 2 significant external reviewers of Home Office activity: Wendy Williams and Alexander Downer, the latter commissioned by the Home Secretary to review Border Force.

I have also adopted this approach in my routine daily contacts across a wide range of stakeholders from think tanks to consultancies, NGOs and charities, unions and pressure groups. I am pleased that confidences have not been broken and professional boundaries maintained, and I hope that my personal energy and engagement can increasingly build trust and mutual understanding

that creates positive conditions for my inspectors as they go about their business.

This has been an exciting, challenging and varied first year in post. My transition into a civilian role has been made all the easier by my excellent staff who have made unfamiliar areas clearer, and who have guided me through the pitfalls of operating in a new environment. In particular, I am grateful to my excellent Chief of Staff, who epitomises the intellect, strength and impartiality embodied in the Civil Service.

**David Neal**  
**Independent Chief Inspector**

# Role and Remit

## Legislative Framework

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) was established by the UK Borders Act 2007. Sections 48 to 56 of the Act (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality and customs by the Secretary of State and by any person exercising such functions on her behalf.

The UK Borders Act 2007 empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions, with the exception of those exercised at removal centres, short-term holding facilities and under escort arrangements, unless directed to do so by the Secretary of State. The latter matters are subject to inspection by His Majesty's Chief Inspector of Prisons or His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (and equivalents in Scotland and Northern Ireland).

The UK Borders Act 2007 directs the Independent Chief Inspector to consider and make recommendations about, in particular:

- consistency of approach

- the practice and performance of listed persons compared to other persons doing similar things
- practice and procedure in making decisions
- the treatment of claimants and applicants
- certification under section 94 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (unfounded claim)
- compliance with law about discrimination in the exercise of functions, including reliance on paragraph 17 of Schedule 3 to the Equality Act 2010 (exception for immigration functions)
- practice and procedure in relation to the exercise of enforcement powers (including powers of arrest, entry, search and seizure)
- practice and procedure in relation to the prevention, detection and investigation of offences
- practice and procedure in relation to the conduct of criminal proceedings
- whether customs functions have been appropriately exercised by the Secretary of State and the Director of Border Revenue
- the provision of information
- the handling of complaints

- the content of information about conditions in countries outside the United Kingdom which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials

In addition, the legislation enables the Secretary of State to request the Independent Chief Inspector to report to her in writing in relation to specified matters, referred to as ‘Home Secretary Commissions’. In July 2018, in response to Stephen Shaw’s follow-up review of the welfare of vulnerable persons in detention,<sup>2</sup> the then Home Secretary wrote formally to my predecessor commissioning an annual review of the workings of the ‘Adults at Risk in immigration detention’ policy, a responsibility which I continue to deliver. Since my appointment in March 2021, I have not received any Home Secretary commissions.

Section 51 of the UK Borders Act 2007 covers the inspection planning process and includes a requirement to consult the Secretary of State when preparing an inspection programme for the coming year. However, the published programme does not prevent the Independent Chief Inspector from inspecting any topic or issue not included in the plan. Inspection protocols are agreed with the Home Office and define responsibilities, processes,

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2 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/728376/Shaw\\_report\\_2018\\_Final\\_web\\_accessible.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728376/Shaw_report_2018_Final_web_accessible.pdf)



and timescales that satisfy the legislation and ensure inspections proceed efficiently.

The legislation specifies that the Independent Chief Inspector shall submit to the Secretary of State an annual report on the performance of immigration, asylum, nationality and customs functions in general, as well as reports on specific matters prepared at her request, with the Home Secretary responsible for laying these reports before Parliament. In 2014, the Secretary of State assumed control of the publication of all inspection reports, deciding when to lay them before Parliament.<sup>3</sup> At that time, the Secretary of State committed to doing this within 8 weeks of receipt of the report, subject to both Houses of Parliament being in session.

Reports are published in full except for any material that the Secretary of State determines it is undesirable to publish for reasons of national security or where publication might jeopardise an individual's safety. In such cases, the legislation permits the Secretary of State to omit the relevant passages from the published report.<sup>4</sup>

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3 As soon as they are laid in Parliament, inspection reports are published on the ICIBI website, together with the Home Office's formal response to the report and its recommendations.

4 During 2021 to 2022 the 'Inspection of ePassport gates (June 2020 – January 2021)' was the only report to contain redactions.

# Statement of Purpose

To help improve the efficiency, effectiveness and consistency of the Home Office's border and immigration functions through unfettered, impartial and evidence-based inspection.

## The Inspection Process

The legislation covers in detail what the Independent Chief Inspector is directed to consider, but it does not prescribe how inspections are to be conducted.

I have introduced 2 new inspection formats: in addition to the 100-day (long) inspection, conducted by my predecessor, I have added a 40-day (medium) inspection and a 30-day (short) inspection. My aim for the different types of inspections is to deliver a more flexible and relevant programme, with increased reach across the different areas I am mandated to inspect. I am conscious there is a risk that shorter inspections will be less detailed, but I consider that this can be managed and outweighed by the benefits of increased tempo, and a more relevant and responsive inspection programme.

## The 3 stages of ICIBI Inspection

The 100-day inspection follows the inspection stages detailed below. The recently introduced short and medium inspections also consist of planning, inspecting and reporting stages, but will follow only some of the

sub-stages based on the topic and requirements of the specific inspection.

## **Stage 1: Planning**

- Scoping
- Open-source research
- Preliminary evidence request
- Familiarisation visit(s)
- Project Initiation Document sign-off by the Independent Chief Inspector
- Formal notification to the Home Office and full evidence request
- Stakeholder engagement – requests for written submissions
- Website ‘Call for evidence’

## **Stage 2: Inspecting**

- Evidence analysis, including sampling of case files
- Stakeholder meeting(s)
- On-site visit
- Interviews
- Focus Groups
- Observations

- Surveys (particularly when on site visits were limited due to coronavirus (COVID-19) imposed restrictions)
- Review by the Independent Chief Inspector
- Further evidence request (if required)

### **Stage 3: Reporting**

- Presentation of emerging findings to the Home Office
- Drafting of report
- Factual accuracy checks of draft report by the Home Office
- Report finalised and sent to the Home Secretary

### **ICIBI ‘Expectations’**

In November 2018, my predecessor published a set of ‘Expectations’ (see Appendix 5) and I have retained these as they continue to provide a helpful starting point and underpin all inspections.

### **Inspection Plan 2021 to 2022**

I published on my website my 2021 to 2022 inspection plan on 23 July 2021 and my 2022 to 2023 plan on 1 April 2022. My intention is to publish single year inspection plans to allow the maximum flexibility and the targeting of resources on topics and areas of the Home Office’s immigration operation that require the most focus. My inspection programmes have been informed by my own observations, findings from previous inspections,

discussions with ministers, officials and external stakeholders, and my team's views.

As referenced above, Section 51 of the UK Borders Act 2007 requires me to consult with the Home Secretary when preparing my plan. Having had all my scheduled meetings with the Home Secretary cancelled or postponed, I have not been able to discuss my inspection plans with her in person, nor did I receive a response to my letters outlining my plans (no response was received at all to my 2022 to 2023 letter, and a response from junior ministers was received regarding my 2021 to 2022 letter).

# Inspection findings

## Overview

Ten inspection reports were laid in Parliament in 2021 to 2022. They are listed in Appendix 1. The full reports can be found on the inspectorate's website, together with links to the Home Office's formal responses to the reports and to each of the recommendations.

In all, ICIBI made 69 recommendations, of which the Home Office accepted 39 (63%), while another 18 (29%) were partially accepted. While it is encouraging to see positive responses to such a high proportion of ICIBI recommendations, it remains the case that many acceptances were qualified, often reflecting an acknowledgement of a concern raised by an inspection without necessarily committing to the specific steps recommended to address it.

Five (8%) recommendations were rejected. Details of recommendations that were not accepted are included in the summaries of individual inspections below. Two of the five rejected recommendations resulted from the second annual inspection of 'Adults' at Risk in immigration detention' policy. This is particularly disappointing as that inspection found only very limited progress towards the implementation of the accepted recommendations from the first annual inspections. Inspection reports regarding the EU Settlement Scheme, ePassport gates,

and UK Visas and Immigration Front End Services each contained one recommendation that was not accepted.

As is to be expected given the breadth of ICIBI's remit and the diversity of areas covered by its inspection programme, inspection findings (as summarised below) were wide-ranging, but some key themes and issues can be highlighted here.

One such theme is the importance of resilience in the face of 'crisis'. Inspections have at times found the Home Office struggling to maintain and deliver existing workstreams as unforeseen developments and shifting priorities have led to the redirection of attention and resources. This is apparent, for example, in delays to the implementation of recommendations from the first Adults at Risk report due to disruptions caused by COVID-19 and by the secondment of the UK Visas and Immigration Chief Caseworker Unit's systemic issues team (along with many other Home Office staff) to the response to small boats. While it is to be expected that external shocks may cause a degree of disruption, the Home Office needs to be better able to adapt to changing circumstances and to mitigate the impact of the 'crises' that will inevitably affect the system from time to time.

Inspections also revealed a need for greater attention to vulnerability, including steps to mitigate the tension between safeguarding responsibilities and the department's focus on immigration control. A number of inspections have highlighted areas in which the Home Office could do more to identify, safeguard and meet

the needs of the vulnerable people with which it comes in contact. These issues arise in a variety of contexts – inspectors have examined, for example, whether roving Border Force officers in airports are sufficiently able to detect potentially vulnerable customers passing through eGates, whether front-end services for visa applicants are sufficiently accessible to vulnerable people and whether outreach efforts are succeeding in ensuring that vulnerable people eligible for status through the EU Settlement Scheme are able to secure their rights.

The challenge for the department is most acute when safeguarding duties are seen to be in tension with immigration control objectives, as can be the case when the Home Office seeks to detain a vulnerable person for the purpose of removal. One of the department's 'priority outcomes', as specified in its delivery plan is to "tackle illegal migration, remove those with no right to be here and protect the vulnerable", but in practice the third of those objectives can be to some extent at odds with the first two.<sup>5</sup> The Home Office has made a sincere commitment to protecting vulnerable people in detention, ICIBI's second annual inspection of the 'Adults at Risk' policy found that the policy is to some extent undercut by a culture of suspicion towards many of those seeking access to the safeguards that it offers.

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5 <https://www.gov.uk/government/publications/home-office-outcome-delivery-plan/home-office-outcome-delivery-plan-2021-to-2022>



Poor recording and use of data is another longstanding theme in ICIBI inspections. My inspectors regularly find Home Office units relying on insufficient and often inconsistently maintained local spreadsheets, that legacy IT systems are overdue for upgrades and replacement, and that information in electronic case files is incomplete and difficult to access. Though the introduction of a new caseworking system (Atlas) to replace the legacy Case Information Database (CID) is held up as a major step forward, many units lack confidence that the new system will fully meet their needs. And while Atlas's lack of free-text fields may allow for a cleaner, simpler interface, I am concerned that caseworkers' inability to record specific details on individuals will lead to important information being lost, hindering the department's ability to meet its post-Windrush commitment to seeing "the face behind the case".

## **Summary of findings from 2021 to 2022 inspections**

The key points from each inspection published in 2021 to 2022 are summarised below.

## **An inspection into the effectiveness of Border Force’s role in Project Kraken at small seaports (October 2021)<sup>6</sup>**

This inspection (which served as a pilot for ICIBI’s new medium-length inspection format) examined Project Kraken, a multi-agency campaign launched in 2008 to encourage “members of the public to report suspicious or unusual activity at the coast or in coastal waters”. The initiative “aims to counter serious and organised crime, including smuggling, immigration crime and terrorism”, serving to supplement an often limited or non-existent Border Force presence around the UK’s long coastlines. The inspection focused on awareness, and the operation, of Operation Kraken at two small seaports without a regular Border Force presence, Whitby and Wells-next-the-Sea.

Inspectors found that stakeholders at these ports regarded Project Kraken as a moribund campaign, “having heard nothing about the Project from Border Force for several years”, and that the Border Force Field Intelligence Officers responsible for outreach were overstretched, with insufficient capacity to visit small seaports, to build relationships or to develop intelligence.

Border Force informed ICIBI that a review of Project Kraken was due to be completed by spring 2022,

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6 <https://www.gov.uk/government/publications/an-inspection-into-the-effectiveness-of-border-forces-role-in-project-kraken-at-small-seaports>

with a relaunch to follow. In light of the findings of this inspection, a more comprehensive follow-up inspection is planned for no later than spring 2023.

The inspection resulted in one recommendation, which was accepted by the Home Office. The report was submitted to the Home Secretary on 1 November 2021 and laid in Parliament on 27 January 2022.

### **A further inspection of the EU Settlement Scheme (July 2020 – March 2021)<sup>7</sup>**

This inspection was ICIBI’s third examination of the EU Settlement Scheme (EUSS). This review concentrated on how the Home Office has sought to encourage and accommodate applications to the scheme from those who are vulnerable or hard-to-reach.

The report finds that while EUSS remained a “quick and efficient means” for most eligible applicants to secure their rights, a lack of data made it difficult to assess how much success the Home Office was having in reaching vulnerable cohorts. The department’s use of Grant-Funded Organisations to bolster its outreach efforts was judged positive. Nevertheless, it was noted that the Home Office had “little oversight of their communications” and that no review of the impact of

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<sup>7</sup> <https://www.gov.uk/government/publications/a-further-inspection-of-the-eu-settlement-scheme-july-2020-march-2021>

communication and engagement strategies had been carried out.

The report also commented on the EUSS's Settlement Resolution Centre, a helpline, calling for its staff to be empowered to "resolve or escalate queries" on delayed applications.

The inspection resulted in 7 recommendations, of which 5 were accepted, one was partially accepted and one was not accepted. The rejected recommendation was one of only 5 not accepted across all reports published during the year. It called for the department to "begin collecting, collating and utilising data about vulnerability and protected characteristics" in order to "identify the reasons for decisions, any trends in processing and to inform evaluation against strategies and the Policy Equality Statement". The Home Office responded that it had sought to limit data requested from applicants to "keep the process simple and streamlined" and that it had "a wide range [of] information ... about the experience with the EUSS of applicants in protected groups".

The report was submitted to the Home Secretary on 15 July 2021 and laid in Parliament on 13 January 2022.

## **An inspection of the effectiveness of the UKVI Chief Caseworker Unit’s referral process (September – October 2021)<sup>8</sup>**

This inspection served as a pilot for ICIBI’s new medium-length inspection model and examined the functioning of a unit created in response to the Windrush scandal “to champion culture change” across UKVI.

The inspection found that the Chief Caseworker Unit (CCU) played a valuable role in supporting decision-making units with complex cases and in identifying systemic issues arising from casework. It concluded, however, that the unit’s management information required improvement, that timescales for the completion of work were often not met, and that a renewed focus on CCU’s strategy for engagement with the rest of the organisation was needed. Inspectors noted, as well, that at the time of the inspection, CCU’s systemic issues team had been reassigned to support the Home Office’s small boats response, raising questions about the department’s capacity to maintain important workstreams when faced with a ‘crisis’.

The inspection report presented 6 recommendations, all of which were accepted by the Home Office. The report

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<sup>8</sup> <https://www.gov.uk/government/publications/an-inspection-of-the-effectiveness-of-the-ukvi-chief-caseworker-units-referral-process-september-to-october-2021>

was submitted to the Home Secretary on 14 October 2021 and laid in Parliament on 13 January 2022.

## **An inspection of ePassport gates (June 2020 – January 2021)<sup>9</sup>**

This inspection examined the use of automated ePassport gates to process ‘low risk’ passengers at UK ports of entry. The report acknowledged that eGates were attractive to both Border Force and port operators because they allowed for the processing of large volumes of passengers with fewer staff. It found as well that the April 2019 expansion of eGate eligibility to B5JSSK nationals (Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA) has resulted in reduced queueing times and increased efficiency.

Concerns were raised, however, about the sufficiency of the use of roving officers in conjunction with eGates to identify potentially vulnerable passengers, and about whether sufficient evaluation had been done of the full range of consequences of the B5JSSK expansion. The inspection found that logs for recording faults and incidents involving eGates were poorly maintained, limiting Border Force’s ability to identify patterns and trends. Moreover, contracts, service level agreements and key performance indicators were not shared with ICIBI on the grounds of commercial sensitivity making it

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<sup>9</sup> <https://www.gov.uk/government/publications/an-inspection-of-epassport-gates-june-2020-january-2021>

impossible for inspectors to evaluate how the delivery of contracts is assured.

The inspection resulted in 15 recommendations, of which 7 were accepted, 7 were partially accepted and one was not accepted. In rejecting ICIBI's call for Border Force to ensure that at least 2 roving officers are deployed when more than 10 gates are in operation, the Home Office said that "there may be operational situations which arise where this is not possible and other mitigations are appropriate", adding that guidance recommending a minimum of 2 roving officers in this situation would remain in effect.

The report was submitted to the Home Secretary on 17 June 2021 and laid in Parliament on 12 January 2022.

### **A short inspection of Border Force queue management at Birmingham Airport based upon onsite observations (September 2021)<sup>10</sup>**

This inspection was carried out as a pilot for ICIBI's new short inspection model, which is designed to provide insights and recommendations for improvement quickly following a brief period of observation. Inspectors visiting Birmingham Airport's North Terminal over two days found no issues with queue lengths and observed no

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10 <https://www.gov.uk/government/publications/a-short-inspection-of-border-force-queue-management-at-birmingham-airport-based-upon-onsite-observations-september-2021>

breaches of the service level agreement for border queue wait times.

The inspection noted, however, that customs channels were not consistently staffed, with the performance of immigration functions prioritised to keep queue lengths down. Also, echoing a finding of the eGates inspection, inspectors found that ‘roving officers’ were at times diverted into a queue marshalling role, potentially compromising their ability to fulfil their core safeguarding and behavioural monitoring responsibilities. Moreover, not all ‘roving officers’ had received the required training for the role. The inspection report also found there was a lack of consistency in the approach of Border Force staff at the airport to measuring queue waiting times.

The inspection report presented 3 recommendations, 2 of which were accepted and one of which was partially accepted. The report was submitted to the Home Secretary on 20 August 2021 and laid in Parliament on 12 January 2022.

## **An Inspection of UK Visas and Immigration (UKVI) Front End Services (August 2020 – June 2021)<sup>11</sup>**

This inspection examined the “efficiency, effectiveness and consistency” of “front-end services” (FES) provided

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11 <https://www.gov.uk/government/publications/an-inspection-of-uk-visas-and-immigration-front-end-services-august-2020-june-2021>



by contractors to visa customers on behalf of UKVI. These services include Visa Application Centres (VACs) abroad, which are managed by TLScontact and VFS Global, and UK Visa and Citizenship Application Service (UKVCAS) centres in the UK, which are managed by Sopra Steria. Customers are required to attend these centres to fulfil biometric enrolment requirements and may avail themselves of additional “premium” services offered by the service provider. The Home Office’s own Service and Support Centres, offering support for complex cases, were also reviewed, with customers and stakeholders reporting a high level of satisfaction with their services.

The report highlighted concerns about such issues as:

- the lack of clarity in some online guidance for applicants, and technical difficulties with application websites
- the scarcity of free appointments at UKVCAS centres
- the geographic spread of service points (both in the UK, where current provision is less extensive than under the former Post Office contract, and abroad, where family reunion applicants may need to make difficult, expensive international journeys to reach a VAC)
- perceived ‘upselling’ of optional ‘premium’ services by the contractors managing the centres

- the failure of the Home Office to complete a previously recommended review of the FES programme to include consideration of impact on vulnerable customers

The report also notes that the Home Office had been unwilling to share with inspectors the contract documentation or other materials deemed commercially sensitive, making it difficult for ICIBI to assess the sufficiency of the contractual arrangements under which front-end services operate.

The Home Office accepted 7 of 8 recommendations but rejected a call for the completion of the long-overdue post-implementation review of FES, arguing that reviews of FES offerings had taken place in the context of recent contract re-tenderings, and that existing customer insight and feedback loops are sufficient. The report was submitted to the Home Secretary on 9 September 2021 and laid in Parliament on 25 November 2021.

## **An inspection of asylum casework (August 2020 – May 2021)<sup>12</sup>**

Following on from ICIBI inspections of Asylum Casework in 2015 and 2017, this inspection found that “the Home Office has failed to keep on top of the volume of claims it receives, with the number of asylum claimants awaiting an initial decision reaching an all-time high of 52,935 for

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12 <https://www.gov.uk/government/publications/an-inspection-of-asylum-casework-august-2020-may-2021>

the year ending March 2021” – a figure that has since more than doubled to 109,735 in just-released statistics for the year to March 2022.

The inspection noted that a customer service standard of six months for straightforward claims had been abandoned in 2019 and that “the current workflow and case progression process is inefficient and sometimes ineffective”. Inspectors found that the Home Office struggles to retain decision-making staff, with caseworkers decrying “a culture focused on targets” and low morale. In the absence of returns agreements, the introduction of new rules on the inadmissibility of certain asylum claims in December 2020 had resulted only in further delays in the consideration of claims.

Recommendations included:

- reintroduction of a published service standard
- prioritisation of claims for unaccompanied asylum-seeking children
- a rapid review of every claim awaiting an initial decision, with a view to resolving erroneous casework barriers and identifying cases where a grant would be possible without an interview
- implementation of various improvements with respect to training

The Home Office response was positive, with 8 of 9 recommendations accepted in full (though the department indicates that the reintroduction of a service

standard will depend on “changes being brought about by the New Plan for Immigration”) and one in part. The report was submitted to the Home Secretary on 23 July 2021 and published on 18 November 2021.

## **Second annual inspection of ‘Adults at Risk in immigration detention’ (July 2020 – March 2021)<sup>13</sup>**

This inspection was carried out in fulfilment of a 2018 commission from the then-Home Secretary, following on from Stephen Shaw’s reports on the welfare in detention of vulnerable persons, for ICIBI to carry out an annual inspection of the effectiveness of policies to safeguard adults at risk in immigration detention.

This second annual report examined the Home Office’s progress in implementing the recommendations from ICIBI’s first report (submitted in June 2019 and published in April 2020). It examined the relationship between the department’s Adults at Risk (AAR) policy and caseworking practice, and assessed the efficiency and effectiveness of safeguards in place to protect vulnerable detainees, including:

- the Detention Gatekeeper function

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13 <https://www.gov.uk/government/publications/second-annual-inspection-of-adults-at-risk-in-immigration-detention-july-2020-march-2021>

- Rule 35 reports (completed by IRC healthcare staff to document serious health concerns, risk of suicide or a history of torture)
- Medico-Legal Reports (submitted by a detainee's representative to document a vulnerability or medical concern)
- Case Progression Panels

The inspection found only slow and limited progress towards the fulfilment of recommendations from the first annual AAR inspection, with work in many areas paused pending further policy development or delayed as a result of COVID-19. Inspectors reported that many staff took pride in their work to safeguard the vulnerable and that COVID risks had generally been managed well in the detention estate. However, the effectiveness of the AAR policy was undermined by poor caseworking and by a tension between the policy's objectives and a generalised suspicion that its safeguards were being abused.

The Home Office accepted in full only 2 of the inspection report's 11 recommendations, with 7 recommendations partially accepted and 2 not accepted. One of the rejected recommendations called for the collection of additional information by the Detention Gatekeeper in advance of the 24-hour detention review. In its response, the department argued that the changes suggested "would require a fundamental change in approach by many shareholders" and expressed confidence that "the concerns raised can be proportionately

addressed through work already underway”. The other recommendation that was not accepted called upon the Home Office to ensure that safeguarding the vulnerable was prioritised over general concerns about abuse of the system. The department did not feel it could accept this recommendation, as, in its view, its Adults at Risk policy provided an effective mechanism for the identification and management of vulnerable or potentially vulnerable persons. In light of the inspection’s finding that scepticism towards claims of vulnerability was widespread among Home Office staff, it is disappointing that the department did not engage more actively with this recommendation.

This inspection report was submitted to the Home Secretary on 30 June 2021 and laid in Parliament on 21 October 2021.

### **A short inspection of reporting events at Becket House Immigration Reporting Centre based on onsite observations (October 2021)<sup>14</sup>**

This inspection was another pilot of ICIBI’s new short inspection model, focusing on the operation of a London reporting centre attended by individuals required to maintain contact with the Home Office as a condition of their immigration bail. Inspectors found that Becket House was “a functional, clean and safe place for

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14 <https://www.gov.uk/government/publications/a-short-inspection-of-reporting-events-at-becket-house-immigration-reporting-centre-based-on-onsite-observations-october-2021>

in-person reporting where ... reportees are treated respectfully by staff”, but that more could be done to ensure that reporting events offered an opportunity for meaningful interaction and for the collection of valuable information. Most observed interactions were very brief, with “very little evidence of the recording of data”. Inspectors also noted out-of-date signage and made suggestions for improvements to the condition of the facility.

The inspection resulted in 2 recommendations, of which one was accepted in full and one was accepted in part. The report was submitted to the Home Secretary on 20 August 2021 and laid in Parliament on 20 October 2021.

### **An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks (November 2020 – March 2021)<sup>15</sup>**

Following concerns raised by stakeholders including the Welsh government and local policing and health officials, then-Chief Inspector David Bolt launched this ad hoc inspection of two former military sites that had been controversially set up as contingency asylum accommodation in September 2020. The inspection was carried out in conjunction with HMIP, which

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15 <https://www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation-hmip-report-on-penally-camp-and-napier-barracks>

contributed its expertise in assessing conditions in large institutional settings.

The then-Chief Inspector published his key findings on 8 March 2021 and shared a number of concerns with the Home Office in letter on 21 March 2021. Issues raised in that letter included:

- the failure by the Home Office to consult local stakeholders, on whose services and support the camps would be reliant, before taking the decision to proceed with their use
- inadequate assessments of the physical and mental health of those selected to be moved to the camps
- poor communication with the camp residents
- poor employment practices by the camp contractors at Napier Barracks
- use of insecure means to share the personal information of the Napier Barracks residents by sub-contractors

The full report, submitted to the Home Secretary on 7 June 2021 and published on 22 July 2021, provides an extensive assessment of conditions at Napier and Penally (including photos) carried out by HMIP inspectors. Though the report contained no specific recommendations, the Home Office provided a response outlining steps it was taking to improve conditions.



The inspection is an example of effective joint working by ICIBI with other relevant bodies (in this case HMIP). ICIBI has continued to examine the issues raised by this inspection through a recent re-inspection of Napier Barracks and through longer inspections of other forms of contingency asylum accommodation (including both the use of hotels in general and provision for unaccompanied asylum-seeking children in particular).

## **Completed inspection reports awaiting publication as at 31 March 2022**

At the end of 2021 to 2022, the following completed inspection reports were with the Home Secretary waiting to be laid in Parliament:

- An inspection Report on Country of Origin Information, Ethiopia, Iran and Zimbabwe (January 2022), submitted 17 January 2022
- An inspection of contingency asylum accommodation (May 2021 – November 2021), submitted 16 February 2022
- An inspection of the initial processing of migrants arriving via small boats at Tug Haven (December 2021 – January 2022), submitted 24 February 2022

# **‘Live’ inspections as at 31 March 2022**

Six inspections begun during 2021 to 2022 were ‘live’ as at 31 March 2022:

- An inspection into the processing of family visas
- An inspection of the immigration system as it relates to the higher education sector
- An inspection of GPS electronic monitoring of Foreign National Offenders
- A reinspection of Napier Barracks
- An inspection into the use of hotels to accommodate unaccompanied asylum-seeking children
- An inspection report on the Home Office’s Country of Origin products relating to Afghanistan and China

# Independent Advisory Group on Country Information

## Purpose

Section 48 (2) (j) of the UK Borders Act 2007 states that the Chief Inspector shall consider and make recommendations about “the content of information and conditions in countries outside the United Kingdom which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration and other officials”.

The Independent Advisory Group on Country Information (IAGCI) was established in 2009 by the Chief Inspector, with the purpose of advising him about the content and quality of country of origin information (COI) and guidance notes produced by the Home Office and relied upon by decision makers.

## How IAGCI works

The IAGCI follows this process when carrying out reviews of Home Office COI information:

- Stage 1: Taking account of the volume of asylum claims in relation to particular countries and of when particular COI products were last reviewed, the Chair of IAGCI proposes to the Independent Chief Inspector which countries/products should next be reviewed by the Group.

- Stage 2: Independent reviewers, typically academics with relevant knowledge and expertise, are commissioned to review the products and to recommend amendments (additions, deletions, clarifications), citing their evidence. (The inspectorate manages the tendering process and funds the reviews, and the Independent Chief Inspector has to sign off on IAGCI's recommended reviewer from those replying to the tender.)
- Stage 3: IAGCI quality assures the submitted reviews and sends them to the Home Office unit responsible for producing COI material (the Country Policy and Information Team (CPIT)) for it to consider and respond to the reviewer's recommendations.
- Stage 4: IAGCI (with the Independent Chief Inspector) holds a meeting with CPIT and the reviewers to go through the reviews and to consider, in particular, any points of disagreement.
- Stage 5: Where the meeting identifies that these are required, IAGCI commissions any further inputs from the reviewer, before signing off the reviews as complete.
- Stage 6: The Independent Chief Inspector produces a covering report with his recommendations, and sends this, with the IAGCI reviews and the CPIT responses, to the Home Secretary to be laid in Parliament in the normal way.

# Membership

Membership of the IAGCI is by invitation of the Independent Chief Inspector. It is voluntary and unpaid. Members are respected academics and representatives of organisations with a working interest in country information and how it is used by the Home Office. I am grateful to the members of the Group for their commitment and for the valuable contributions they make to its work. I would like to express particular appreciation to Prof Mike Collyer, who this year assumed the role of IAGCI Chair.

## List of members, 2021 to 2022

- Prof Mike Collyer, University of Sussex (Chair)
- Dr Ceri Oeppen, University of Sussex
- Prof Nando Sigona, University of Birmingham
- Dr Julie Vullnetari, University of Southampton
- Prof Giorgia Dona, University of East London
- Judge Susan Pitt, Upper Tribunal, Immigration and Asylum Chamber
- Katinka Ridderbos, United Nations High Commissioner for Refugees (Geneva)
- Larry Bottinick, United Nations High Commissioner for Refugees (UK)

- Harriet Short, Immigration Law Practitioners Association
- Zoe Bantleman, Immigration Law Practitioners Association

## Meetings

IAGCI aims to meet two or three times a year. During 2021 to 2022, it met in November 2021 to discuss reviews of country of origin information (COI) on Ethiopia, Iran and Zimbabwe, and in March 2022 to discuss reviews of country of origin information on Afghanistan and China.

## Published reviews

No inspection reports on COI were published during 2021 to 2022, with the reviews commissioned for the IAGCI during the year due for publication in 2022 to 2023. Further details on the IAGCI and past country of origin inspection reports can be found at:

<https://www.gov.uk/government/collections/the-independent-advisory-group-on-country-information-iagci>

# Working with others

## Stakeholders

Section 51 of the UK Borders Act 2007 requires my inspection reports and recommendations to be addressed to the Home Secretary and they are aimed primarily at the Home Office's borders and immigration areas, in particular Border Force, Immigration Enforcement, UK Visas and Immigration and Asylum and Protection.

However, the immigration, asylum, nationality and customs functions performed by and on behalf of the Home Secretary involve and affect a wide range of other bodies, and impact on everyone living in or looking to visit or seeking protection or settlement in the UK. To inform individual inspections and my overall inspection programme, as well as engaging effectively with the Home Office, it is therefore essential that the ICIBI reaches out to these other 'stakeholders' to understand their many perspectives, interests and concerns and to capture relevant evidence.

As with its dealings with the Home Office, the ICIBI aims to develop strong stakeholder relationships, based on trust and openness, while remaining strictly impartial and objective.

## **Established ICIBI stakeholder fora**

The Independent Chief Inspector chairs four established stakeholder groups that meet periodically, each of which shares the same terms of reference:

- to inform and advise the Independent Chief Inspector regarding any issues of interest or concern to members or those they represent
- to propose topics for inspection and advise on their relative importance and urgency
- to assist the Independent Chief Inspector with the scoping and evidence collection for individual inspections

The Refugee and Asylum Forum (RAF) was created in 2009. Its membership comprises mostly voluntary sector organisations with an interest in and knowledge of the Home Office's work with refugees and asylum seekers, and related issues. The RAF met in November 2021 and March 2022.

The Aviation Stakeholder Forum was created in 2011. Membership comprises UK airport and airline industry umbrella bodies. During 2021 to 2022, the Aviation Stakeholder Forum met twice, in October 2021 and in March 2022.

The Maritime Stakeholder Forum was also created in 2011. Membership comprises UK seaports and shipping industry umbrella bodies. The Maritime Stakeholder



Forum met twice during the year, in October 2021 and in March 2022.

In June 2019, following the Home Secretary's commission to produce an annual review of the functioning of the 'Adults at Risk in immigration detention' policy, the ICIBI created a new Adults at Risk Forum (AARF). Membership comprises non-governmental organisations (NGOs) that specifically concentrate on detention issues. During 2021 to 2022, the AARF met once in November 2021. A medical sub-group of the AARF was also set up and met for the first time on 28 September 2020.

In addition, during the year I identified gaps in representation from a number of sectors and so I introduced a new Migration Forum. This forum is divided into three sub-groups: education sector, strategic migration partnerships (local authority-led partnerships established following the introduction of a regional dispersal policy in 1999 for people seeking asylum) and business. The education sub-group first met in September 2021 and helped to inform 'An inspection of the immigration system as it relates to the higher education sector'. The strategic migration partnerships sub-group, which first met on 10 March 2022, provided very helpful UK-wide insights into the issues and challenges experienced by local authorities and their partners in this domain. The inaugural meeting of the business sub-group will be in July 2022.

During the year, I also held a number of individual introductory meetings with fora members, as well as with other organisations, both in relation to specific inspections and to discuss general issues and priorities.

## **Website**

ICIBI uses its website to reach out to stakeholders and to the wider public, including ‘customers’ of the Home Office’s immigration, asylum, nationality and customs functions. One of the main ways of doing this is via ‘calls for evidence’. In 2021 to 2022, 3 ‘calls for evidence’ were made via the website.<sup>16</sup>

ICIBI uses Twitter to publicise updates on an inspection commencing, to launch a ‘call for evidence’, notification of an inspection being sent to the Home Secretary and when a report has been laid in Parliament by the Home Secretary.

## **Stakeholder survey**

The ICIBI also promoted its first stakeholder survey on the website, which collected views from stakeholders who had previously engaged with the inspectorate by submitting evidence and participating in focus groups or fora. The findings showed that stakeholders value engagement with ICIBI and use our reports for advocacy

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16 This number is low in comparison to previous years because shorter format (short and medium) inspections were introduced during the year which do not involve calls for evidence.

and engagement with the Home Office. In addition, they are broadly happy with the communication from inspectors and provided suggestions for follow-up engagement, which we have taken on board. Those who had participated in ICIBI stakeholder fora considered them to be a useful way to hear about and feed into the inspectorate's priorities and reports.

My intention is to conduct the survey on an annual basis.

## **Engagement with other inspectorates and similar bodies**

I continue to meet other inspecting and monitoring bodies such as His Majesty's Inspectorate of Prisons, the National Audit Office, the Government Internal Audit Agency and the Equality and Human Rights Commission. In doing so, I am keen to remain abreast of their ongoing work to identify ways in which our work can complement, rather than duplicate, each other's, and to share best practice. I have also had regular meetings with His Majesty's Chief Inspector of Constabulary and Fire & Rescue Services. I am keen to explore opportunities for further joint working with other inspectorates on overlapping areas of interest.

In addition to this I had an introductory meeting with the Chair and Chief Executive of the Independent Monitoring Authority for Citizens' Rights Agreements (IMA) in April 2021, and we have had quarterly meetings with the IMA's senior team since then, to share the ICIBI's work in relation to the EU Settlement Scheme and to

discuss the IMA's activities in this area, as well as future co-operation.

## **Other engagement**

The easing of COVID-19 restrictions has enabled me to get out on the ground and visit a number of Home Office sites, as well as meet stakeholders from NGOs, local authorities, academic institutions and those with lived experience of the asylum and immigration systems. I have also met several shadow MPs. These meetings have enabled me to gain a deeper understanding of some of the issues and challenges within immigration and asylum.

In the past year:

- in 2021 to 2022, I visited 5 airports, 4 seaports, 4 immigration removal centres and a reporting centre
- between April 2021 and July 2021, I had introductory meetings with representatives from 17 NGOs, 1 media outlet, 2 statutory bodies, 3 local government bodies, 7 trade associations, 1 academic institution and a group of 'experts by experience of the immigration system'
- in September 2021 I visited Kent Intake Unit and Tug Haven, where newly arrived asylum seekers were being initially processed
- in November 2021 I accompanied an inspection team to hotels being used as contingency asylum accommodation

- in April 2021 and March 2022 I visited Napier Barracks, which is being used as initial accommodation for people seeking asylum
- in November 2021 I attended an event hosted by Immigration Champions from the Shpresa programme,<sup>17</sup> which, in collaboration with the Migrant and Refugee Children's Legal Unit at Islington Law Centre, provides advice and support to asylum-seeking and migrant children from Albania
- in January 2022 I visited Western Jet Foil, which had replaced the Tug Haven facility, and Manston, a 'processing centre'

This list is not exhaustive, and I would like to extend my thanks to all those who have given up their time to meet me and provide valuable insight.

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17 <https://shpresaprogramme.org/>

# Resources and planning

## Budget and staffing 2021 to 2022

ICIBI's budget is determined by the Home Secretary and delegated to the Independent Chief Inspector. The budget is issued in the form of an annual delegation letter; however, I have not received one since I have been in post. I have been instructed by the Home Office to work to the last issued delegation letter, which was sent to David Bolt on 27 August 2020.

Delegation letters and other sponsorship functions come through a Senior Sponsor within the Home Office. This role was previously undertaken by the Second Permanent Under Secretary, but transferred to the Director General of Migration and Borders shortly after my appointment.

The budget for 2021 to 2022 was £2.1 million.

'Pay Costs' (staff salaries, employer pension and National Insurance contributions) account for the bulk of the total. In 2021 to 2022, £1.97 million (94%) was designated for 'Pay Costs', with £130,000 for 'Non-Pay'. Of the 'Non-Pay' budget, £18,000 was spent on 'consultancy'. This spend is allocated for the reviewers, appointed by the ICIBI Independent Advisory Group on Country Information, to report on the Home Office's Country Policy Information Notes. Some was also allocated to a team building workshop and a recruitment

consultant. There was no allocation for capital expenditure.

The Inspectorate recorded an overall underspend of £229,000 (10.9%) in 2021 to 2022.

See 'Expenditure Report for Financial Year 2021 to 2022' in Appendix 2.

The agreed headcount remained at 30 full-time equivalents for 2021 to 2022 including the Independent Chief Inspector. Of these, 24 (77%) are Grade 7 or Senior Executive Officer inspector posts. The remaining 6 posts consist of the Chief Inspector and his private office (3 posts), ICIBI Corporate Services (2 posts) and a new Strategy and Research workstream (1 post).<sup>18</sup>

To increase the stability and continuity of my ICIBI staffing model, I decided to replace the existing mix of permanent staff and fixed term appointments (FTAs) with permanent staff only. The existing FTAs were all eligible to apply for permanent posts and I was very pleased that most who did were successful. To ensure I was in a position to recruit the best candidates from across the UK, the recruitment was run nationally with the option for

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18 The Independent Chief Inspector (ICI) is a public appointment. By agreement with the ICI, all other inspectorate staff are employed as permanent or temporary Home Office civil servants. Those recruited, loaned or seconded from elsewhere become Home Office civil servants on joining ICIBI.

successful candidates to be home based; this was the first time ICIBI had recruited in this way. The resulting campaign delivered inspectors with a wide spectrum of experience and who were based throughout the UK.

As of 31 March 2022, the ICIBI had 26 staff in post, of which 21 were inspectors.

The staff profile was:

- 50% female, 50% male
- 79% white, 21% minority ethnic
- 9% disabled, 91% non-disabled
- 18% LGB, 82% heterosexual/straight
- Age bands:
  - 30 to 34 12%
  - 35 to 39 12%
  - 40 to 44 38%
  - 45 to 49 15%
  - 50 to 59 23%
- 63% not married, 37% married
- 44% Christian, 56% other religions
- 59% with no caring responsibilities, 41% with caring responsibilities
- 71% flexible working pattern, 29% non-flexible working pattern



- 4% part time, 96% full time

## Training and Development

During 2021 to 2022 ICIBI held two dedicated study/away days focused on training, developing inspection processes and sharing best practice. Colleagues enhanced their skills by looking at how other inspectorates deliver their work, listening to Home Office (immigration) Senior Civil Servants talk about the challenges the system faces, discussing potential topics of inspection and taking part in team building and resilience sessions.

Several ICIBI staff are undertaking a Prince 2 Project Management course. All the inspectors attended a two-day course run by Skills for Justice on survey and research skills, where inspectors were trained on how to conduct research surveys, writing good survey questions and questionnaires, and how to analyse the results. The aim of the course was to enable us to better design surveys to collect evidence without influencing the participants and to increase our resilience to be able to gather evidence if we are unable to conduct on-site visits, as was the case during the COVID-19 restrictions.

As in previous years, in-house training also accounted for a significant proportion of ICIBI's training activity. The year saw further refining of the induction programme for new staff whilst ensuring the existing best practices were retained. New starters are led through induction by their managers, and colleagues run sessions on a variety

of topics that cover inspection processes, talks on the immigration arena, familiarisation of the Home Office and numerous other skills. During the same period, new inspectors are attached to a 'live' inspection, supported by a 'buddy'. Feedback from colleagues who have gone through this onboarding and induction process has been universally positive and I am grateful to all my staff for getting involved and creating such a welcoming and supportive environment.

Inspectors also have access to the Civil Service Learning platform and have attended courses on a variety of areas from effective presenting to diversity and inclusion.

## **Vision Statement**

ICIBI's 'Vision Statement' is intended to sit alongside its stated Purpose (see 'Role and Remit'). It remained unchanged for 2021 to 2022:

“ICIBI will:

- be highly skilled, professional and effective, with a reputation for the highest standards of work and conduct
- operate thorough, rigorous and transparent processes to reach sound, evidence-based conclusions
- deal with others consistently and reliably
- be efficient, forward-thinking, committed to continuous improvement and focused on delivery

- enable and develop its people”

## Values

ICIBI adheres to the Civil Service values:

- integrity
- honesty
- objectivity
- impartiality

## Equality and Diversity

In carrying out its statutory functions, as set out in the UK Borders Act 2007, ICIBI has three equality objectives:

- to monitor and report on compliance with the Equality Act 2010 by the Secretary of State, her officials and others exercising functions relating to immigration, asylum, nationality or customs on her behalf, including reliance on paragraph 17 of Schedule 3 of the Equality Act 2010 (exception for immigration functions)
- to ensure that its policies, processes and practices are fair and transparent and comply with the Equality Act 2010
- to promote equality, diversity and inclusion through its inspections and within the inspectorate Through these objectives ICIBI seeks to:

- eliminate unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

## **ICIBI Equality, Diversity and Inclusion Statement**

ICIBI is committed to promoting the letter and spirit of the Equality Act 2010 by embedding equality, diversity and inclusion (EDI) in everything it does.

The immigration, asylum, nationality and customs functions performed by and on behalf of the Home Secretary involve and affect a wide range of other bodies, and touch everyone living in or seeking to visit the UK.

To inform individual inspections and the overall inspection programme, ICIBI will reach out through its website, and directly where possible, to capture relevant evidence and to try to understand and reflect the widest range of perspectives, interests and concerns.

Within the inspectorate, the EDI staff group helps the Independent Chief Inspector to ensure that policies, processes and practices, and inspection plans, take full account of ICIBI's Equality Objectives and EDI Statement, and that these are updated as necessary.

ICIBI's Equality Objectives and EDI Statement should be read in conjunction with its 'Statement of Purpose', 'Vision', 'Values' and 'Expectations'.

# Appendix 1: Inspection reports published in 2021 to 2022

- An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks (November 2020 – March 2021), published on 22 July 2021
- A short inspection of reporting events at Becket House Immigration Reporting Centre based on onsite observations (October 2021), published on 20 October 2021
- Second annual inspection of ‘Adults at Risk in immigration detention’ (July 2020 – March 2021), published on 21 October 2021
- An inspection of asylum casework (August 2020 – May 2021), published on 18 November 2021
- An inspection of UK Visas and Immigration Front End Services (August 2020 – June 2021), published on 25 November 2021
- An inspection of ePassport gates (June 2020 – January 2021), published on 12 January 2022
- A short inspection of Border Force queue management at Birmingham Airport based upon onsite observations (September 2021), published on 12 January 2022

- A further inspection of the EU Settlement Scheme (July 2020 – March 2021), published on 13 January 2022
- An inspection of the effectiveness of the UKVI Chief Caseworker Unit's referral process (September – October 2021), published on 13 January 2022
- An inspection into the effectiveness of Border Force's role in Project Kraken at small seaports (October 2021), published on 27 January 2022

# Appendix 2: Expenditure report for financial year 2021 to 2022

<b>Resource Pay Total</b>	<b>1,740,753.26</b>
<b>Resource Non-Pay Total</b>	<b>130,344.15</b>
Conferences	3,365.63
Office supplies & services	34,563.53
Travel subsistence	25,507.68
Consultancy	18,000.00
Estates	518.53
IT & Comms	1,569.06
Marketing	4,144.00
Other costs and services	1,648.05
Training & recruitment	41,027.67
<b>Grand Total</b>	<b>1,871,097.41</b>



# Appendix 3: ICIBI Inspection Plan 2021 to 2022

## Published 23 July 2021<sup>19</sup>

### **a. Completed inspections – reports awaiting publication:**

- An inspection of ePassport gates (17 June 2021)
- Second annual inspection of ‘Adults at Risk in immigration detention’ (30 June 2021)
- A further inspection of the EU Settlement Scheme (3) (15 July 2021)
- An inspection of asylum casework (August 2020 – April 2021) (23 July 2021)

### **b. Inspections begun in 2020 to 2021:**

- An inspection of UKVI’s “Front End Services”
- An inspection of Border Force freight operations
- An inspection into the use of contingency asylum accommodation

### **c. New inspections for 2021 to 2022:**

- An inspection of Border Force assurance

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19 <https://www.gov.uk/government/publications/icibi-inspection-plan-2021-22>

- An inspection of Intelligence
- An inspection of a small airport
- An inspection of a small seaport
- An inspection of the removal of Foreign National Offenders
- An inspection of the Satellite Tracking Service Programme
- Third annual inspection of 'Adults at Risk in immigration detention'
- An inspection of Home Office Reporting Centres
- An inspection into the processing of family visas
- An inspection of the immigration system as it relates to the higher education sector
- An inspection of the UKVI Chief Caseworker Unit
- A further inspection of the EU Settlement Scheme (4)
- An inspection of Country Information – Ethiopia, Iran and Zimbabwe
- An inspection of Country Information – Thematic review of Statelessness
- Reinspections or unannounced inspections (topics and timings to be agreed)

# Appendix 4: ICIBI Inspection Plan 2022 to 2023

**Published 1 April 2022<sup>20</sup>**

**a. Completed inspections – reports awaiting publication:**

- An inspection report on the Home Office’s Country of Origin (COI) products relating to Ethiopia, Iran and Zimbabwe (17 January 2022)
- The use of contingency asylum accommodation (16 February 2022)
- An inspection of the initial processing of migrants arriving via small boats at Tug Haven (24 February 2022)

**b. Inspections begun in 2021 to 2022:**

- An inspection into the processing of family visas
- An inspection of the immigration system as it relates to the higher education sector
- An inspection of GPS electronic monitoring of Foreign National Offenders
- A reinspection of Napier Barracks

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<sup>20</sup> <https://www.gov.uk/government/publications/icibi-inspection-plan-2022-23>

- An inspection into the use of hotels to accommodate unaccompanied asylum-seeking children
- An inspection report on the Home Office's COI products relating to Afghanistan and China

**c. New inspections for 2022 to 2023:**

- An inspection of intelligence (jointly with His Majesty's Inspectorate of Constabulary and Fire & Rescue Services)
- An inspection of Border Force assurance measures against insider threat
- An inspection of the impact of customs processes and procedures on the flow of legitimate trade
- A (re)inspection of the Home Office response to small boat arrivals
- An inspection of Home Office operations to effect the removal of Foreign National Offenders
- Third annual inspection of 'Adults at Risk in immigration detention'
- An inspection of the Hong Kong British National (Overseas) visa route
- An inspection of the Home Office's Afghan resettlement activity
- An inspection of the Home Secretary's use of the power to deprive British nationals of citizenship

- An inspection of the immigration system as it relates to the agricultural sector
- A reinspection of family reunion applications
- An inspection of the processing of EU Settlement Scheme family permits
- An inspection report on thematic coverage of statelessness in the Home Office's country of origin products
- Reinspections or unannounced inspections to reflect in-year developments and areas of emerging interest (topics and timings to be determined)

# **Appendix 5: ICIBI's 'expectations' of asylum, immigration, nationality and customs functions**

**Background and explanatory documents are easy to understand and use** (e.g. statements of intent (both ministerial and managerial), impact assessments, legislation, policies, guidance, instructions, strategies, business plans, intranet and GOV.UK pages, posters, leaflets etc.)

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate)
- They are kept up to date
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible)

**Processes are simple to follow and transparent**

- They are IT-enabled and include input formatting to prevent users from making data entry errors
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined

- The potential for blockages and delays is designed out, wherever possible
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets)

## **Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent**

- Individuals understand their role, responsibilities, accountabilities and powers
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences

## **Decisions and actions are ‘right first time’**

- They are demonstrably evidence-based or, where appropriate, intelligence-led
- They are made in accordance with relevant legislation and guidance
- They are reasonable (in light of the available evidence) and consistent
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements)

## **Errors are identified, acknowledged and promptly ‘put right’**

- Safeguards, management oversight and quality assurance measures are in place, are tested and are seen to be effective
- Complaints are handled efficiently, effectively and consistently
- Lessons are learned and shared, including from administrative reviews and litigation
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits




## **Each immigration, asylum, nationality or customs function has a Home Office (Borders, Immigration and Citizenship System) ‘owner’**

- The Borders, Immigration and Citizen System ‘owner’ is accountable for implementation of relevant policies and processes performance (informed by routine collection and analysis of Management Information and data, and monitoring of agreed targets/deliverables/budgets)
- Resourcing (including workforce planning and capability development, including knowledge and information management)
- Managing risks (including maintaining a Risk Register)
- Communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
- Effective monitoring and management of relevant contracted-out services
- Stakeholder engagement (including customers, applicants, claimants and their representatives)







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