



# An inspection of the Hong Kong British National (Overseas) visa route

April – June 2022

**David Neal**

Independent Chief Inspector of  
Borders and Immigration



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# Foreword

The Hong Kong British National (Overseas) (BN(O)) visa route, introduced in 2021 in response to political changes in Hong Kong, and based on commitments set out at the territories' handover in 1997, is an example of the Home Office delivering best practice.

The route, implemented within tight timescales, provides an efficient service with most applicants benefiting from a fully digital experience. The Hong Kong BN(O) caseworking team is able to flex to demand and challenges due to significant investment into training additional caseworkers prior to the launch and a relatively straightforward set of requirements for this route.

Generally, I do not comment on policy matters, but this inspection has identified that there are more than 600 adult dependent relatives (ADRs) awaiting a policy decision, which would determine the outcome of their claim. This is the only real blemish on an otherwise effective and efficient area of Home Office business.

My inspectors found caseworkers were engaged, motivated and understood the importance of good customer service. Staff across the Hong Kong BN(O) operational teams had clearly benefited from their previous experience of implementing and working on the European Union Settlement Scheme and learnings from the early challenges of the route had helped to drive improvements. This demonstrates that well planned and appropriately resourced approaches to new routes can work well.

I suspect that stress testing the route against foreseeable worst-case scenarios would expose, for example, the compound risk of the data gaps caused by parallel caseworking systems. The numbers eligible under the scheme are huge and improvements prior to any potential future crisis should be made now.

The report makes 3 recommendations and was sent to the Home Secretary on 11 July 2022.



David Neal  
Chief Inspector



# 1. Background

## Introduction of Hong Kong BN(O) status

- 1.1 The ‘Sino-British Joint Declaration on the question of Hong Kong’ was signed by the UK government and the Government of the People’s Republic of China on 19 December 1984.
- 1.2 The Declaration set out the conditions in which Hong Kong was to be transferred to Chinese control and for the governance of the territory after 1 July 1997. Importantly, the Declaration contained a memorandum allowing for anyone who was a British Dependent Territories citizen (BDTC),<sup>1</sup> by virtue of their connection with Hong Kong, on 30 June 1997 to be eligible to retain an ‘appropriate status’ which would entitle them to continue to use passports issued by the UK.
- 1.3 In 1986, the Hong Kong (British Nationality) Order<sup>2</sup> created a British National (Overseas) (BN(O)) status. Until 1997, anyone who was a BDTC was eligible to apply for BN(O) status. The BN(O) status application process closed on 30 June 1997 and this status cannot be passed on to family members.

## The Hong Kong BN(O) visa route

- 1.4 In June 2020, the UK government announced the creation of the Hong Kong BN(O) visa route in response to the “...imposition by the Chinese Government of a new national security law on Hong Kong that restricts the rights and freedoms of the people of Hong Kong and constitutes a clear and serious breach of the Sino-British Joint Declaration.”<sup>3</sup>
- 1.5 The then Foreign Secretary, Rt Hon Dominic Raab MP, in his official statement to Parliament, described the new Hong Kong BN(O) visa route as “...a special, bespoke, set of arrangements developed for the unique circumstances we face and in light of our historic commitment to the people of Hong Kong.”<sup>4</sup>
- 1.6 The government committed to making the new visa route generous to Hong Kong BN(O) status holders. Those seeking employment would not be subject to any minimum income requirements, skills test, or the need to have a job prior to their arrival in the UK. For those seeking to study in the UK, a licensed sponsor<sup>5</sup> is not compulsory, and the rules allow for dependent children over the age of 18 to accompany their parents to the UK so as not to “split family units... given the challenges linked to the timing of obtaining BN(O) status.”<sup>6</sup>

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1 British Dependent Territories citizen is a type of British nationality granted to people connected with a British overseas territory. In February 2002, British Overseas Territories citizenship replaced BDTC. <https://www.gov.uk/types-of-british-nationality/british-overseas-territories-citizen>

2 <https://www.legislation.gov.uk/ukxi/1986/948/article/4/made>

3 <https://www.gov.uk/government/publications/hong-kong-bno-visa-policy-statement/hong-kong-british-national-overseas-visa-policy-statement-plain-text-version>

4 <https://www.gov.uk/government/speeches/foreign-secretary-statement-on-national-security-legislation-in-hong-kong>

5 Higher education institutions need to obtain a licence from the Home Office before enrolling international students for studies in the UK.

6 <https://www.gov.uk/government/publications/hong-kong-bno-visa-policy-statement/hong-kong-british-national-overseas-visa-policy-statement-plain-text-version>

- 1.7** The Home Office, in recognition of what it described as the “special nature of the visa”, set the visa fee considerably lower than other immigration routes and offered options to apply for either 30 months’ or 5 years’ permission. The cost of a visa for 30 months is £180, while a visa for 5 years is £250 (by comparison, a student visa costs between £363 and £490). In addition to the application fee, Hong Kong BN(O) applicants are required to pay an Immigration Health Surcharge (IHS). The current charge for the IHS is £1,560 for a 30-month visa and £3,120 for a 5-year visa. (For children under the age of 18, the IHS is £1,175 for 30 months and £2,350 for 5 years.)
- 1.8** Applicants can choose whether to apply for 30 months’ permission in the first instance, followed by a further 30 months or make an application for 5 years. The offer of the 30-month period of permission was intended to be a more affordable option, enabling Hong Kong BN(O) status holders to split the cost of the visa fee and IHS over the two separate time periods.
- 1.9** Recognising that some Hong Kong BN(O) status holders may have needed to travel to the UK prior to the launch of the Hong Kong BN(O) visa route on 31 January 2021, the Home Office introduced a concession<sup>7</sup> allowing leave outside of the rules (LOTR) to be granted to eligible Hong Kong BN(O) status holders arriving at the UK border from July 2020.
- 1.10** This concession was originally granted for a period of 6 months but was later extended until 19 July 2021.

## Legislation underpinning the Hong Kong BN(O) visa route

- 1.11** The Hong Kong BN(O) visa was introduced into legislation by a statement of changes to the Immigration Rules on 22 October 2020.<sup>8</sup>
- 1.12** The rules contained in Appendix Hong Kong British National (Overseas)<sup>9</sup> provide for 2 visa routes, Hong Kong BN(O) Status Holder and Hong Kong BN(O) Household Member. The qualifying criteria for the routes are set out in Figure 1.

Figure 1: Route criteria	
Visa route	Criteria
The Hong Kong BN(O) Status Holder route	<p>Hong Kong BN(O) status holders, their partner or spouse and dependent children or grandchildren under the age of 18.</p> <p>The route also allows for adult relatives with a high degree of dependency<sup>10</sup> on the Hong Kong BN(O) or the Hong Kong BN(O)’s partner to apply.</p>

<sup>7</sup> <https://www.gov.uk/government/publications/hong-kong-bno-visa-policy-statement/hong-kong-british-national-overseas-visa-policy-statement-plain-text-version>

<sup>8</sup> <https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-813-22-october-2020>

<sup>9</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-hong-kong-british-national-overseas>

<sup>10</sup> A BN(O) Adult Dependent Relative includes the brother, sister, parent, grandparent, son or daughter of a BN(O) applicant or a BN(O) applicant’s partner, aged 18 or over, in exceptional circumstances where there is a high level of dependency.

**Figure 1: Route criteria**

<p>The Hong Kong BN(O) Household Member route</p>	<p>An adult child of a Hong Kong BN(O) status holder or the partner of a Hong Kong BN(O) status holder born after the handover on 1 July 1997 can apply on the Hong Kong BN(O) route as a dependant of a Hong Kong BN(O) status holder or their partner where they form part of the same household.</p> <p>The Hong Kong BN(O) household member's partner or spouse and dependent children can also apply with the Hong Kong BN(O) household member on the Hong Kong BN(O) route.</p>
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**1.13** After 5 years of continuous residence in the UK, an individual on the Hong Kong BN(O) visa route can apply for settlement. The 5-year qualifying period can be based on either the Hong Kong BN(O) route or on equivalent time spent in the UK on another visa route leading to settlement, such as the Skilled Worker route. The most recent permission held by the applicant must have been on the Hong Kong BN(O) route prior to applying for settlement. A year after settlement has been granted, an application for British citizenship can be made.

## Recent changes to legislation

**1.14** Since the Hong Kong BN(O) visa route came into effect, there have been several policy changes. In April 2021, the Immigration Rules were amended and allowed:

- Hong Kong BN(O) visa holders to apply for a change in the conditions of their visa: they could request access to public funds if they become destitute, or if there are other particularly compelling reasons related to the welfare of a child of a parent in receipt of a very low income, or if the applicant is facing exceptional financial circumstances relating to a very low income.<sup>11</sup>

**1.15** In October 2021, 2 further changes were made to the route. Firstly, for dependent partners and children, the requirement to apply for a visa at the same time as the BN(O) status holder was removed. This brought the BN(O) route in line with other routes to settlement across the immigration system.

**1.16** Secondly, a concession was added to Paragraph 39E of the Immigration Rules, which meant that anyone making an application for a Hong Kong BN(O) visa would have any period of overstaying,<sup>12</sup> between 1 July 2020 and 31 January 2021, disregarded, for the purpose of their visa application.

**1.17** In February 2022, in response to feedback from stakeholders and recommendations from the Home Affairs Select Committee, the government announced a further concession allowing individuals born on or after 1 July 1997, with at least one Hong Kong BN(O) parent, to apply to the route independently of their Hong Kong BN(O) parent. Significantly, this change allows for a specific cohort of individuals aged 18 to 25, who are too young to have qualified under the initial Hong Kong BN(O) visa process, to be able to move to the UK on their own even if their

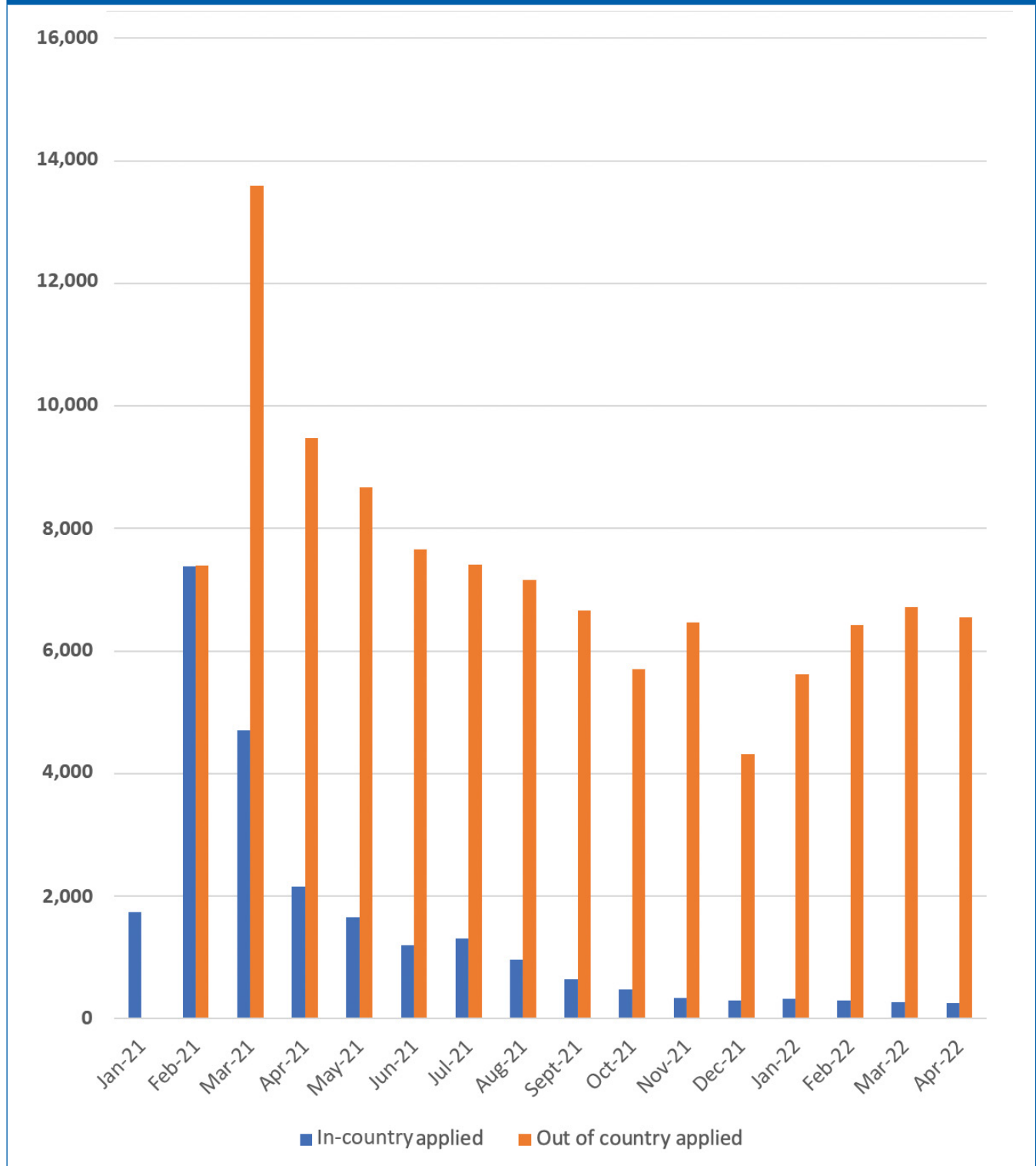
<sup>11</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-hong-kong-british-national-overseas>

<sup>12</sup> Overstaying is where an individual remains in the UK after their permission to stay has expired and would normally lead to any subsequent application for leave being refused.

Hong Kong BN(O) parent does not wish to apply, or if their Hong Kong BN(O) parent wishes to remain in Hong Kong.

**1.18** The data provided to inspectors by the Home Office showed that between 31 January 2021 and 30 April 2022, a total of 132,069 applications were submitted for the Hong Kong BN(O) visa route. Of this number, 108,003 (82%) were out of country applications and 24,066 (18%) were submitted in-country, as set out in Figure 2.

**Figure 2: Volume of Hong Kong BN(O) applications, by month and application location  
January 2021 to April 2022**



**1.19** Data provided by the Home Office indicated that outcomes had been recorded on 123,597 cases. Of these, 16,328 applications were marked as ‘Other’ which the Home Office’s Performance Reporting and Analysis Unit (PRAU) described as: “any outcome which does not fall under Grant, Refuse or Reject”. Of the 107,269 cases remaining, 99.7% had been granted. See Figure 3.

**Figure 3 – Breakdown of application outcomes for cases submitted between 31/1/2021 and 30/4/2022<sup>13</sup>**

Number and type of applications	Granted	Refused	Rejected	Other
Out of country	84,942	252	2	15,984
101,180	(83.95%)	(0.25%)	(0.00%)	(15.80%)
In-country	22,070	3	0	344
22,417	(98.45%)	(0.01%)	(0.00%)	(1.53%)
Total	107,012	255	2	16,328
123,597				

## Grant funding

**1.20** Following the launch of the route, the government provided grant funding for a £43.1 million welcome programme, to local authorities and support groups, to help Hong Kong BN(O) status holders and their families settle in the UK. The funding for 2021/22 covered several elements, including English language teaching, destitution support, creation of 12 Welcome Hubs (across the UK) to help with integration into local communities, and funding to deliver a hate crime reporting service for Hong Kong BN(O) status holders and all other people of East and South-East Asian descent.

**1.21** This programme is led by the Department for Levelling Up, Housing and Communities and the Home Office has limited involvement with the scheme.

<sup>13</sup> Data provided to inspectors from the Home Office’s Performance Reporting and Analysis Unit.

## 2. Scope and methodology

- 2.1** This inspection examined the efficiency and effectiveness of the Home Office’s Hong Kong British National (Overseas) (BN(O)) visa route. In doing so, it looked at how the route has been working since launch, including the ability to scale up operations and learnings taken from, and into, other immigration routes.
- 2.2** The inspection referred to the ICIBI’s ‘expectations’, particularly “Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent” and “Errors are identified, acknowledged and promptly ‘put right’”.
- 2.3** Inspectors undertook the following activities:
- reviewed publicly available information on the Hong Kong BN(O) visa route
  - undertook familiarisation calls with 3 stakeholders between 25 April and 4 May 2022
  - held a familiarisation call with the senior manager and operational staff from the Hong Kong BN(O) team on 4 May 2022
  - formally notified the Home Office of the inspection on 9 May 2022, and submitted a request for evidence
  - received and analysed 27 pieces of evidence
  - between 23 and 31 May 2022, visited 2 decision-making centres in Liverpool and undertook 16 interviews with Home Office staff, from Administrative Officer to Grade 6 level from across the Hong Kong BN(O) caseworking team, briefing and response team, Hong Kong BN(O) policy team, Home Office Analysis and Insight (HOAI) and members of the project team responsible for setting up the visa route
  - requested 9 additional pieces of evidence from the Home Office on 1 June 2022
  - held a feedback session, sharing initial thoughts and indicative findings from onsite activity, on 1 June 2022 with the Senior Civil Servant responsible for the Hong Kong BN(O) visa route and operational leads

## 3. Key findings

- 3.1** In recognition of the changing situation in Hong Kong, the Home Secretary announced in July 2020 that the ‘bespoke’ visa route for Hong Kong BN(O) status holders would open within 6 months, setting a challenging delivery timeline for the Home Office.
- 3.2** The project team assigned to design and implement the route brought together staff with operational and project management experience, some of whom had recent involvement in the implementation of the EU Settlement Scheme (EUSS). Inspectors found clear examples of how lessons had been learned and best practice taken from the EUSS to inform the design and the implementation of the Hong Kong BN(O) route.
- 3.3** One such example was the ‘model office’,<sup>14</sup> which had also been used at the introduction of the EUSS. Hong Kong BN(O) caseworkers were enthusiastic about this concept as it allowed them to review and contribute to the development of training and guidance, resulting in materials that were more tailored to the specific nature of the route.
- 3.4** The development of this route was enhanced by constructive cross-government engagement. The Foreign, Commonwealth and Development Office (FCDO) and Her Majesty’s Passport Office (HMPO) played an integral part in the forecasting of the number of expected applications and technical support, including access to caseworking systems. Internally within the Home Office, operational teams worked closely with policy, communications and IT colleagues.
- 3.5** The approach taken by the Home Office for this visa route has meant that the requirements for applicants are more lenient than other routes to settlement in the UK, reflected by the fact that over 99% of applications, that had been resolved, had been issued by the end of April 2022.
- 3.6** Training materials for new caseworkers highlighted that: “The bespoke new Hong Kong BN(O) Visa recognises our historic and moral commitment to BN(O) citizens living in Hong Kong, giving them the option to live in the UK if they decide that is an appropriate choice for them.” Interviews with staff at all grades reflected an understanding of the political significance of the route, and a culture of decision-making which erred towards granting. Where this was not possible, caseworkers would contact applicants requesting further information to help reach a positive outcome. Overall, inspectors were impressed by the enthusiasm and pride demonstrated by staff at all grades. There was a strong focus on the customer across the team, which was driven from the top down.
- 3.7** The management team had built a flexible and resilient workforce which could be scaled up in response to significant increases in demand. While there were just over 33 caseworkers assigned to Hong Kong BN(O) applications at the time of the inspection, around 200 staff had received training for this route.

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<sup>14</sup> The ‘model office’ is a Home Office initiative whereby a broad range of experienced members of staff work in conjunction with project leads to assist in the operationalisation of new routes in order to test project and policy assumptions to promote best practice in caseworking.

- 3.8** The processing of applications across 2 different caseworking systems, Atlas and Proviso, built flex in the workforce and upskilled team members allowing management to redeploy caseworkers to other routes, such as the Ukraine Family Scheme<sup>15</sup> and the EUSS. However, having 2 application and caseworking systems inevitably brings challenges and this was apparent with family applications, where members of a family who applied together were allocated to different caseworkers, using different systems, and located in separate teams.<sup>16</sup>
- 3.9** Having multiple caseworking systems also presented problems with the accuracy and timeliness of data collation and management information (MI), due to the fact the systems, as recorded in the Hong Kong BN(O) risk register, “don’t interact well together”. Local monitoring tools and spreadsheets had been devised as ‘work arounds’, but the use of these required a significant amount of manual intervention. Ultimately, the Home Office was working towards using one caseworking system through the closure of Proviso and the sole use of Atlas; however, timescales for this change could not be articulated by staff.<sup>17</sup>
- 3.10** Caseworkers preferred processing cases on Atlas, which was considered to be more intuitive and user friendly than Proviso. At the time of the inspection, around 90% of applications were processed using Atlas, although there were some residual issues to be resolved with this system. Caseworkers commented there were technical glitches and ‘system errors’ with Atlas that had led to a number of applications becoming stuck in the system, and therefore not appearing on caseworkers’ task lists. A further issue arose when some decisions were not being sent to all family members within the same group. Caseworkers were frustrated by these issues and the slow response by the Home Office-wide IT support team on those issues.<sup>18</sup>
- 3.11** The Home Office had not formally agreed and published a service standard for the route until February 2022. It was not clear why the standard had not been implemented sooner, but the delays meant that the Home Office was not able to produce any detailed information showing their performance against the metric.
- 3.12** Inspectors considered the performance targets for caseworkers (13 cases per shift) and the 12-week service standard for processing applications to be manageable, especially given the lack of complexity in the casework.
- 3.13** Caseworkers in the Hong Kong BN(O) team considered the dependency threshold for adult dependent relatives (ADR) of BN(O) status holders to be “too high”, although it is in line with all other immigration routes. This had been raised with the policy team,<sup>19</sup> who were yet to provide a position as at May 2022, leading to 600+ applications which had been submitted as early as 31 January 2021 being deferred. Managers said that granting ADRs on this route would likely have “implications for other routes”, which may explain the delay in providing a policy position.
- 3.14** Staff were aware that some of these ADRs had entered the UK already, despite a decision not having been made on their visa application. They were able to enter as visitors or having been granted LOTR on an exceptional basis at the border. However, the delay in policy position

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15 The Ukraine Family Scheme is a new route that allows applicants to join family members, or extend their stay, in the UK.

16 The Home Office, in its factual accuracy response, stated: “Caseworkers have an operational instruction to refer family groups which are split across the two caseworking systems (‘Hybrid cases’) to a Proviso based caseworker, which mitigates this impact. Further, the BN(O) route will pilot the new group reference number (GRN) FBIS update which is scheduled for imminent release which will make it easier to work family applications.”

17 The Home Office, in its factual accuracy response, stated: “Atlas is scheduled to replace Proviso incrementally by case types over a rolling period from late summer 2022 through to 2023/24.”

18 The Home Office, in its factual accuracy response, stated: “Feedback from the Atlas Lead Product Manager is that the majority of IT issues were resolved within SLAs, however some did regrettably take longer due to required complex underlying technology fixes.”

19 The Home Office, in its factual accuracy response stated: “the policy team is not solely responsible for the delay”, and it had also been raised with “wider stakeholders”.



risked many of these ADRs becoming 'overstayers', if their 6-month visitor permission had been exceeded. The Home Office did not have data on how many had already travelled to the UK.

- 3.15** There had also been a delay in establishing a policy position, clear guidance and a technical solution for processing and varying applications for entry clearance to permission to remain, for applicants who had entered the UK as visitors prior to a decision being reached on their Hong Kong BN(O) visa application. Again, the Home Office did not have data on how many people this issue could potentially impact.

## 4. Recommendations

### **Recommendation 1: Adult dependent relative applications**

Develop a clear plan with timescales to resolve the 600+ adult dependent relative applications currently on hold

### **Recommendation 2: Service standards**

Within 3 months, publish quarterly data on performance against the service standard for processing applications

Provide an indication of the expected processing time for Hong Kong BN(O) applications on the GOV.UK page

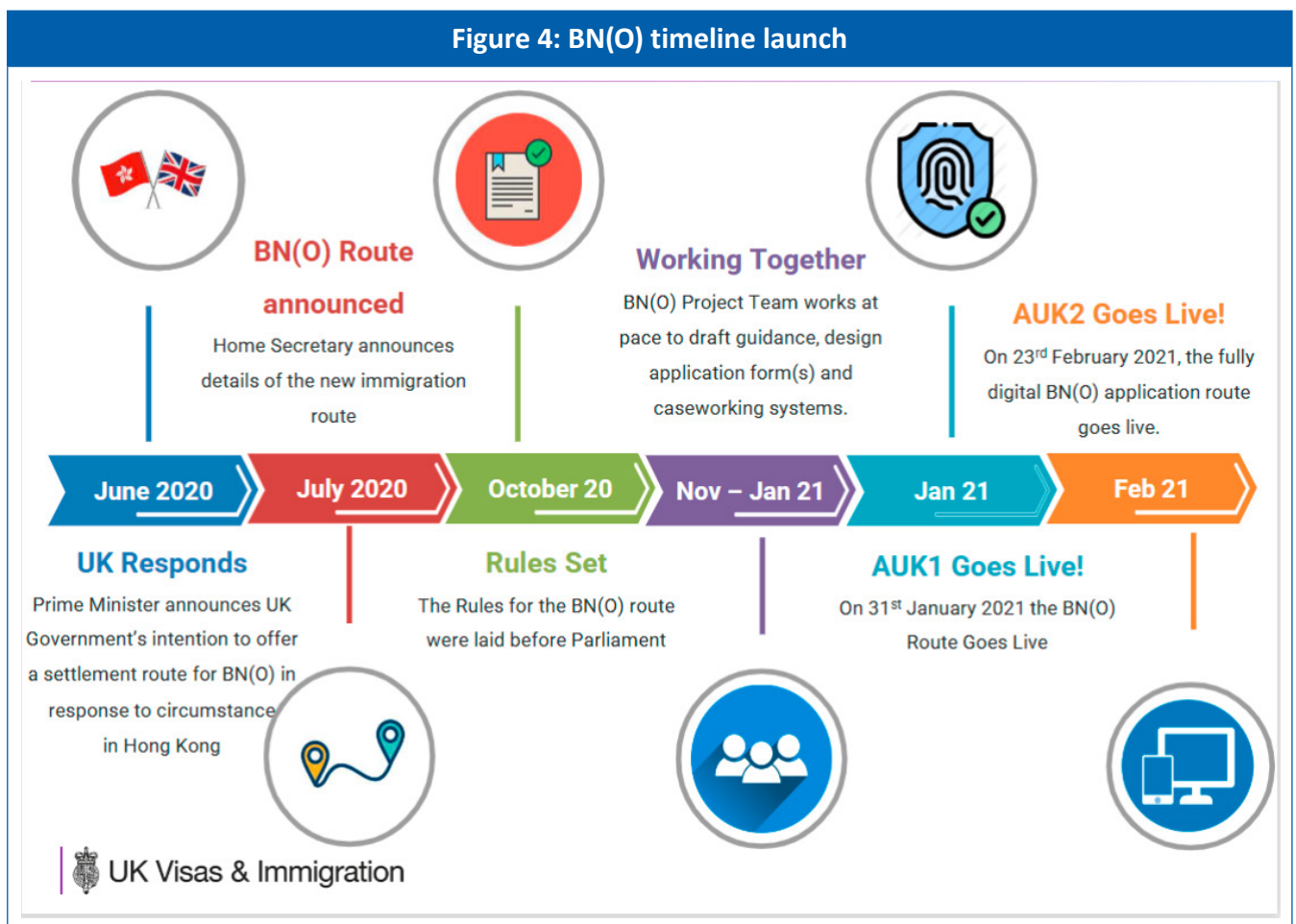
### **Recommendation 3: Capturing and sharing best practice**

Record and share lessons learned from the introduction of the Hong Kong BN(O) visa route for the benefit of other Home Office departments when reviewing or introducing new routes at pace

## 5. Evidence and analysis

### Preparation for the launch of the Hong Kong British National (Overseas) visa route

5.1 Following the announcement, on 22 July 2020, that the Hong Kong British National (Overseas) (BN(O)) visa route would open for applications in January 2021, the Home Office had 6 months to prepare for the launch. Figure 4, which was provided by the Home Office, shows a high-level timeline for delivery.



### Project development

5.2 The introduction of the Hong Kong BN(O) visa route followed the principles set out in the Future Borders and Immigration System (FBIS) programme. FBIS is, according to the Home Office:

“An ambitious transformation programme, combining high complexity with tight timescales. The programme has been structured into three packages of programme deliverables – termed as pillars – to reduce the risk arising from its scale and complexity. In the context of these pillars, the vision and objectives of FBIS are to:

- Simplify – will transform the customer experience through simplifying our systems, further reforming the points-based system and our sponsorship systems
- Enable – will transform the customer experience through implementing enabling reforms to identity, digital status, caseworking tools and customer contact
- Digitise – will transform the border to deliver a truly world leading data driven digital, person-centric border for the UK”.<sup>20</sup>

**5.3** The Hong Kong BN(O) project team included operational staff who were able to input into the design and policy of the route.

**5.4** Documentation provided to inspectors showed that the following elements were built into the design:

**“Applying to the route:**

- Application questions and structure
- Application system in Access UK<sup>21</sup>
- UK Immigration: ID Check mobile app
- Payment
- Application accounts

**Digital immigration platforms:**

- Re-use of existing visa process for the minority who were not able to use online or were required to give biometrics
- Document upload systems for supporting evidence
- Digital Immigration Status

**Applicant insight and support:**

- Demand profiles and capacity of Visa Application Centres (VACS)
- How and when people like to make applications
- Usually evenings and weekends, outside of office hours, which is a direct equivalent of the EU Settlement Scheme
- Customer support
- Minimisation of requirements on applicants, such as there being no requirement for BN(O) status holders to obtain a BN(O) passport if they did not hold one and UKVI gaining access to HMPO digital records of BN(O) status
- Guidance and comms e.g., re-use of how to use the (UK Immigration: ID Check) mobile app”

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<sup>20</sup> <https://www.gov.uk/government/publications/home-office-major-projects-appointment-letters-for-senior-responsible-owners/future-borders-and-immigration-system-fbis-simplify-and-enable-programme-sro-appointment-letter-may-2022-accessible>

<sup>21</sup> Access UK2 is the application portal for applicants using the ID Check mobile on the digital route.

**5.5** The Hong Kong BN(O) project team told inspectors that a new immigration route would normally take 12 to 14 months to deliver and the shorter timescale for this route was “a challenge”. To overcome the challenge, the project team was able to draw on the relatively recent experience of setting up the EUSS and the use of existing project documentation. A senior manager commented:

“Early on it was decided to use the FBIS governance as a vehicle, which worked well for the implementation for other routes. It saves reinventing the wheel as there were already established processes for it.”

**5.6** Details of the how the project was implemented were explained to inspectors:

“Standard operating processes and training approaches were developed in parallel and the BNO case working policy was drafted with the input of case working staff, which overall ensured the operational case working team were ready for the launch of the new route. Further, the project also took on board lessons from simplification of the FBIS routes and feedback form [sic] the Rules Review Committee.”<sup>22</sup>

## Forecast volumes

**5.7** A key risk identified by the project team was the uncertainty of application volumes. In October 2020, the Home Office published an impact assessment (IA)<sup>23</sup> for the Hong Kong British National (Overseas) visa route which estimated that 5.4 million Hong Kong residents would be eligible to move to the UK under the scheme. Of this number, 2.9 million were BN(O) status holders and 2.3 million were eligible dependants.

**5.8** The IA contained analysis carried out by the Foreign, Commonwealth and Development Office (FCDO) which estimated the proportion of Hong Kong BN(O) status holders who may want to leave Hong Kong and of that number, the proportion that may want to come to the UK. It considered the migration patterns of 2 BN(O) cohorts: those who applied for Hong Kong BN(O) passports after the protests began in July 2019,<sup>24</sup> and those who either do not hold a Hong Kong BN(O) passport or applied before the protests began. The people who made applications for a Hong Kong BN(O) passport after the protests began were considered likely to have a higher propensity to emigrate:

“Prior to July 2019, there were 167,000 BN(O) passport holders out of the 2.9 million eligible BN(O) status holders. As of August 2020, there were 612,000 passport holders (including the over 400,000 live passports in circulation and applications in process but not yet processed). If the number of applications continue to rise at their current rate, the Home Office estimates that this number could increase to 733,000 BN(O) passport holders by the end of 2020. This would represent between 445,000 and 566,000 new passport holders since the protests began.”<sup>25</sup>

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22 As part of its 13th programme of law reform, the Law Commission set up a project on Simplification of the Immigration Rules. The Law Commission published its final report and recommendations on 14 January 2020.

23 [https://www.legislation.gov.uk/ukia/2020/70/pdfs/ukia\\_20200070\\_en.pdf](https://www.legislation.gov.uk/ukia/2020/70/pdfs/ukia_20200070_en.pdf)

24 BN(O)s do not require a passport to hold the status.

25 [https://www.legislation.gov.uk/ukia/2020/70/pdfs/ukia\\_20200070\\_en.pdf](https://www.legislation.gov.uk/ukia/2020/70/pdfs/ukia_20200070_en.pdf) paragraph 22.

5.9 The IA considers 2 core scenarios for the number of potential Hong Kong BN(O) visa applications over 5 years. Scenario 1 is based on the number of current BN(O) passport holders and Scenario 2 considers estimates of BN(O) passport applications. Each scenario is then broken down into low, mid and high estimates, as set out in Figure 5.<sup>26</sup>

Figure 5: Estimates of visa applications using FCDO analysis			
	Total number	Including	By year one
Low scenario	258,000	143,500 – main applicants 113,700 – dependants 800 – 18 to 23-year-olds	123,000
Mid-point scenario	290,200	161,400 – main applicants 128,000 – dependants 800 – 18 to 23-year-olds	138,300
High scenario	322,400	179,300 – main applicants 142,300 – dependants 800 – 18 to 23-year-olds	153,700

5.10 The IA highlighted that “these estimates are subject to a very high degree of uncertainty due to a lack of data and the reliance on several assumptions.”<sup>27</sup>

5.11 A member of the project team described the uncertainty around the numbers of applicants: “From an ops perspective it was the unknown of volumes, we potentially had a couple of million who could have applied... we ended up with the midpoint, planning for the low point felt inherently risky.” By the end of the first year (January 2022), 111,582<sup>28</sup> applications had been submitted, which is 11,418 applications below the ‘low scenario’ estimate of 123,000 applications.

## Caseworking systems

5.12 Alongside the challenges of predicting application numbers, the project team highlighted the risk of operating the new visa route with multiple caseworking systems.

5.13 Applications are lodged via an online application form, which routes the application to one of 2 caseworking systems, Proviso or Atlas. Proviso, which is the FCDO casework database, is used for applications received out of country where the applicant has enrolled their biometrics (fingerprints) at a visa application centre (VAC). Atlas, the Home Office casework database, is used to process all in-country applications and out of country applications that use the UK Immigration: ID Check mobile app.<sup>29</sup>

5.14 In preparation for the launch, the project team arranged for caseworkers to have access to Proviso. They also worked with colleagues in Her Majesty’s Passport Office (HMPO) to arrange access to the Data Validation Application (DVA) database,<sup>30</sup> which allows caseworkers to view historic records, when an applicant had difficulty demonstrating their Hong Kong BN(O) status.

26 <https://www.gov.uk/government/publications/home-office-major-projects-appointment-letters-for-senior-responsible-owners/future-borders-and-immigration-system-fbis-simplify-and-enable-programme-sro-appointment-letter-may-2022-accessible>

27 [https://www.legislation.gov.uk/ukia/2020/70/pdfs/ukia\\_20200070\\_en.pdf](https://www.legislation.gov.uk/ukia/2020/70/pdfs/ukia_20200070_en.pdf)

28 Taken from Performance Reporting and Analysis Unit data, total month applications January 2021 to January 2022.

29 In February 2021, the UK government launched the UK Immigration: ID Check mobile app, which allows applications to be made from the UK and overseas without the need to visit a VAC or UKVCAS centre to submit documents or enrol biometrics. See: <https://www.gov.uk/guidance/using-the-uk-immigration-id-check-app>

30 This database contains information on valid or expired BN(O) passports.

- 5.15** Additional training was required for caseworkers who were unfamiliar with these systems. For Proviso, staff from other teams in the Home Office with experience of working on ‘international routes’ were enlisted to provide support. Caseworkers described the training as “intensive” but said they felt confident they knew what was required of them by the time the visa route opened.
- 5.16** To supplement the training, managers explained that, as part of the upskilling of caseworkers, they set up “mentors, buddies, or training plans” and caseworkers told inspectors that they felt well-supported by their colleagues and managers. Training was delivered in-person, via Skype and through e-Learning packages.

## Model office

- 5.17** The work of the project team was supplemented by a ‘model office’ which was set up in December 2020. A concept introduced in preparation for the launch of the European Union Settlement Scheme (EUSS), the model office comprised casework and operational staff from a range of grades “who tested and helped draft caseworker training packages and guidance, process instructions and systems whilst they were in development to ensure that they were fit for purpose in time for the launch.”
- 5.18** Caseworkers confirmed that the ‘Hong Kong British National (Overseas) route’ guidance<sup>31</sup> was user friendly, particularly when compared with the EUSS guidance, with one caseworker commenting: “Because it’s done by caseworkers and front-end workers it’s done in a language we understand.”
- 5.19** Another staff member commented: “the model office drove engagement with peers through a staff bulletin and attending team meetings, ensuring prior knowledge of the route and an understanding of the situation in Hong Kong was communicated across the teams.” Senior managers attributed the success of the model office to it being a staff-led initiative.
- 5.20** The model office ran for 8 weeks but most team members went on to key roles in the Hong Kong BN(O) operational teams.

## Stakeholder engagement

- 5.21** Inspectors were told by several teams that effective cross-government working was integral to ensuring the visa route was “fit for purpose and ready” within the required timeframe.
- 5.22** In particular, the FCDO was considered a critical partner. In addition to providing access to their caseworking system, Proviso, they shared insight which identified developing or emerging circumstances in Hong Kong which may have an impact on application volumes. A senior manager said that they had built a strong relationship with the British Consulate General in Hong Kong and their “intelligence and knowledge was critical on an operational level.”
- 5.23** Internally, the project team worked closely with a number of key partners, including the Hong Kong BN(O) policy team, Digital Data and Technology (DDaT) and the communications team to ensure that: the requirements of the routes were clear to operational teams, IT was in place with the necessary licences procured and allocated, and external stakeholders and teams throughout UKVI were aware of the new route.

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<sup>31</sup> <https://www.gov.uk/government/publications/hong-kong-british-national-overseas-route>

## Equality Impact Assessment

- 5.24** In June 2020, an Equality Impact Assessment (EIA) was drafted to examine the ‘Initial BN(O) Policy Scope’. Inspectors reviewed this document to assess how the Home Office was upholding its obligation to consider the impact of its policies on those protected under the Public Sector Equality Duty (PSED).
- 5.25** The EIA for the policy highlighted that there would be direct discrimination on the grounds of race and nationality:
- “By either offering more generous concessions to this group or establishing a scheme to enable this cohort to remain in the UK, we will be treating BN(O) status holders and their family dependants more favourably than other nationalities, including other types of British nationality” and “Direct discrimination on the grounds of nationality or national or ethnic origin is not unlawful if it is pursuant to a Ministerial authorisation (under schedule 3 part 4 of the Equality Act 2010) made by a Minister exercising a function set out under the Immigration Acts (in this case the power to grant leave under the Immigration Act 1971).”
- 5.26** However, it explains that the need for “Ministerial Authorisation is necessary and proportionate given the current situation in Hong Kong and the need to have orderly systems for processing a potential high volume of entrants; the UK’s historic links to Hong Kong and the unique position that British nationality legislation created for the people of Hong Kong.”
- 5.27** The EIA notes that, based on the numbers of Hong Kong BN(O) passport holders, the policy may affect indirect discrimination based on age, sex and religion or belief. There could be a differential impact in favour of females and those aged between 22 and 71 as they are more likely to hold a Hong Kong BN(O) passport. The Home Office does not collect data on religion or belief, but external data<sup>32</sup> showed that the make-up of religious belief in Hong Kong is 27.9% Buddhism, and therefore this group may be favourably impacted by the policy. Data on other protected characteristics of disability, gender reassignment, pregnancy and maternity, and sexual orientation is not collected by the Home Office for immigration purposes, and therefore no direct or indirect discrimination was identified.
- 5.28** Throughout the document, it states: “When the proposals are implemented, any emerging impact will be reviewed, and this Policy Equality Statement updated.” While the initial impact assessment had not been updated at the time of the inspection, a further 11 EIAs were produced, post-launch, in response to changes in policy.

## The Hong Kong British National (Overseas) visa operations

### Workforce and resourcing

- 5.29** Applications for the Hong Kong British National (Overseas) (BN(O)) visa route are processed by the Visas, Status and Information Services (VSI) command in UKVI.
- 5.30** The Hong Kong BN(O) teams are split across 2 Home Office sites in Liverpool, which is primarily due to the location of the 2 caseworking systems. Proviso can only be accessed at one site whereas Atlas is available at both and can be used remotely.

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<sup>32</sup> Link no longer in use: <https://www.cia.gov/library/publications/the-world-factbook/geos/hk.html>



- 5.31** The team is resourced in line with Home Office Analysis and Insight (HOAI) forecasts and workforce plans. At the time of the onsite phase of the inspection, in May 2022, the teams handling the route had 33.1 full-time equivalent (FTE) caseworking staff and 18.5 FTE non-caseworking staff.
- 5.32** Caseworkers are based across the 2 sites and there are a range of flexible working patterns in operation. In an interview with inspectors, staff described how, although the operation is spread across different locations, the teams work together collaboratively: “We have regular meetings and speak at least once a day... we have a weekly forum with the G7 (Grade 7 Assistant Director) and G6 (Grade 6 Deputy Director). The managers have a regular forum. It’s a real success. Our support is a phone call away.”
- 5.33** During interviews, inspectors found that the staff working at both sites were dedicated, enthusiastic and interested in their work. They spoke proudly about their achievements, including reaching the final 3 at the Civil Service Awards in 2021.
- 5.34** One caseworker told inspectors: “It’s a nice scheme and it’s compassionate...” Others commented: “Everything runs smoothly, it’s a nice route”, and “the applicants are a dream to work with, the quality of documents is very high especially compared to EUSS cases.”
- 5.35** At the time of the inspection, caseworkers had been redeployed to help process applications for the Ukraine Family Scheme. Staff told inspectors that this works well:
- “It was quick [deployment of loan staff], we had to look at productivity, look at mitigation, and whilst there were gaps in BN(O), we could move people on shift. They had the skills; they can move flexibly. That is something that we do well, we can flex people against routes. We had a productivity dip initially, but we clawed that back with shared working.” Inspectors were also told that the route is well-staffed for the volumes it handles, which means that “...everyone manages well, and we keep things down.”
- 5.36** To assist with workforce planning, application forecasts are regularly reviewed by the Home Office Analysis and Insight (HOAI) team. In tandem, inspectors were told by senior managers that ‘horizon scanning’ is carried out to monitor external factors which may lead to increases in demand for the route. The FCDO feeds into this monitoring by reviewing the situation in Hong Kong.

## The Briefing and Response Team

- 5.37** The model for the Briefing and Response Team (BRT) was established within the EUSS and is a dedicated team responsible for responding to enquiries and complaints from customers and members of the public, handling Parliamentary Questions and MP queries and general Freedom of Information requests. As at May 2022, the team comprised 1 Grade 7 Assistant Director, 2 Senior Executive Officers (SEOs), 4 Higher Executive Officers (HEOs) and 4 Executive Officers (EOs).
- 5.38** A BRT manager said that the use of the BRT had “been really beneficial in EUSS”, as it “took the responsibility from a really high-volume and busy area, and [the BRT] were able to give consistency and overview”, which provided a good template to be used in the Hong Kong BN(O) route. They said that having a separate team which is exclusively responsible for responding to enquiries meant that they “can keep ownership and responsibility in one place, whereas a case might get lost in the system if we weren’t overseeing it”. Providing a response “could entail

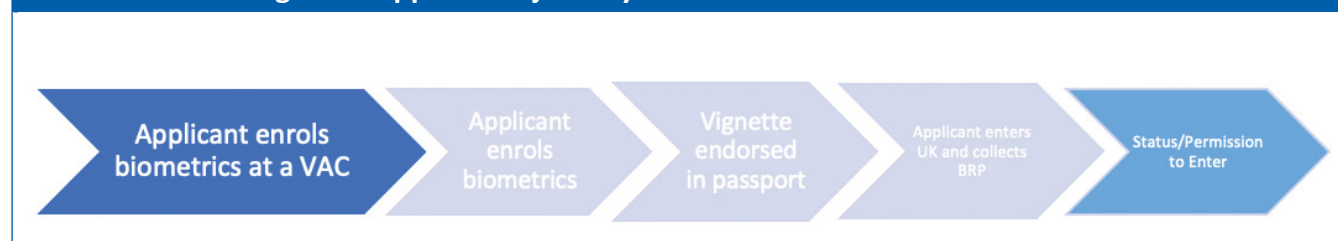
various methods; directly responding if an answer is readily available, or [they] may need to approach senior caseworkers on the operations side, or Policy if needed.”

- 5.39** A senior manager within the BRT told inspectors that it “...allows strategic overview of what people are thinking and what issues are coming.” The team were confident that “this is a model that can be rolled out, as it is just good customer practice, which gives you consistency, lines to take, and stakeholder contact.” The BRT team described themselves as “the clean-up people so that caseworkers can get on with making decisions.”
- 5.40** Although operational staff had felt the benefit of having this dedicated team, and the dedicated resource facilitated consistent responses, the process by which applicants to the Hong Kong BN(O) visa route contact the team is convoluted.

## Application process and caseworking systems

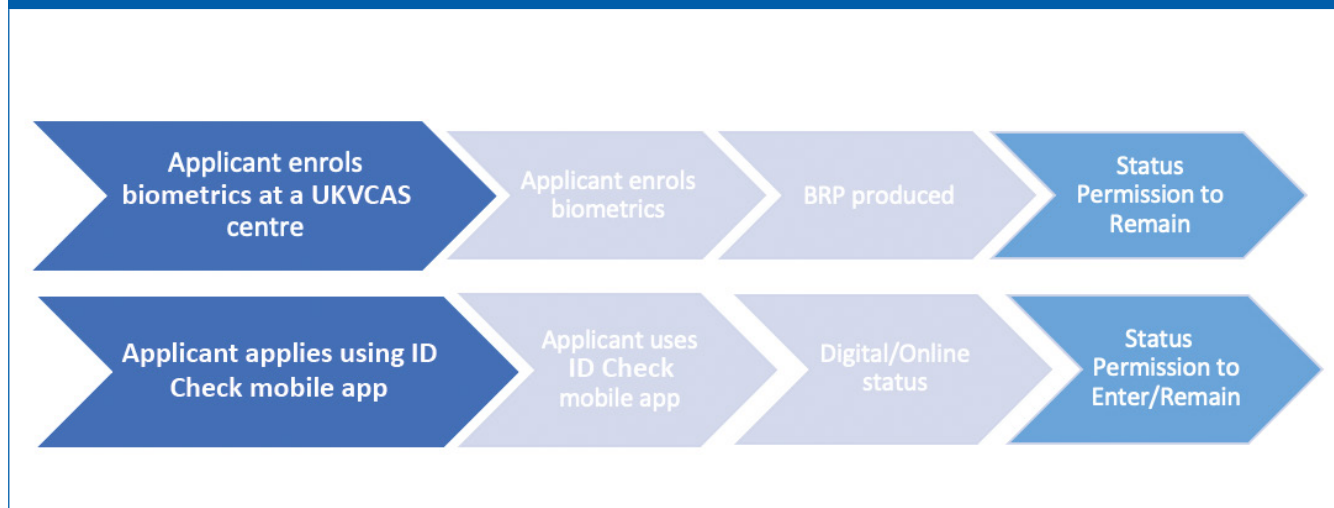
- 5.41** In January 2021, when the route was launched, applications for the Hong Kong BN(O) visa required applicants to enrol their biometrics (fingerprints) at an overseas visa application centre (VAC) or an in-country UK Visa and Citizenship Application Service (UKVCAS) centre. These application centres are run by external contractors.
- 5.42** In February 2021, the Home Office launched the UK Immigration: ID Check mobile app, allowing applications to be made from the UK and overseas without the need to visit a visa application centre. This fully digital route was open to Hong Kong BN(O) applicants and their dependants who hold Hong Kong BN(O), Hong Kong Special Administrative Region (HKSAR)<sup>33</sup> or European Economic Area (EEA) passports.
- 5.43** Due to the different systems in use, how an applicant submits their biometrics dictates the route their application takes, how their status can be evidenced, and the status itself. All in-country applications and overseas applications that use the UK Immigration: ID Check mobile app are processed on the Atlas system. Where the applicant has enrolled their biometrics at a VAC overseas, applications will be processed on Proviso. Where the applicant has enrolled their biometrics at a UKVCAS centre, applications will be processed on Atlas.
- 5.44** If an application submitted using the Identity Check app is successful, the applicant will receive and view their status electronically. With an application that requires biometrics to be provided at a VAC or UKVCAS centre, status is issued by means of a printed vignette and/or biometric resident permit (BRP). See Figure 6 and 7.

**Figure 6: Application journey for cases that are routed to Proviso**



33 The Hong Kong Special Administrative Region of the People’s Republic of China passport is a passport issued only to permanent residents of Hong Kong who also hold Chinese citizenship.

**Figure 7: Application journey for cases that are routed to Atlas**



- 5.45** For applications submitted overseas on the non-digital route, the applicant has 90 days within which they must travel to the UK, have their vignette endorsed and activate their permission to enter. They must then collect their BRP from a Post Office within 10 days.
- 5.46** For applications submitted through the digital route, there are no time limits within which an applicant needs to travel to the UK and they have the full validity period of their leave in which to do so. However, any delays in travelling could affect the accumulation of the required qualifying residence for a subsequent settlement application.
- 5.47** Inspectors were told by stakeholders and caseworkers that there had been some problems with the digital route, including multiple applications being lodged by applicants, but at the time of the inspection these appeared to have been overcome and around 90% of applications were being made via the digital route. This brings practical advantages from a security perspective as attendance at a visa application centre (VAC) in Hong Kong can be avoided by most applicants, leading to associated cost and logistical savings for applicants.
- 5.48** A representative from an organisation based in the UK providing support to the Hong Kong community told inspectors that applicants in Hong Kong prefer to use the fully digital route where possible, due to fears of being monitored by the Chinese authorities: “In Hong Kong people do have personal security concerns, such as whether personal information can be collected on cameras nearby or in the building. Or, where the services are outsourced, who deals with that information. People are sensitive to this, as well as how their personal data is used. They will try and go through the app.”

### Hybrid cases

- 5.49** ‘Hybrid cases’ are applications which are linked by family or dependant relationships, which are being handled across different systems.
- 5.50** One of the challenges of having separate application routes has been the handling of family members or dependants of Hong Kong BN(O) applicants who may not be eligible for the digital option. This may occur, for example, where a Hong Kong BN(O) status holder is married to a citizen of a country which is not eligible to use the UK Immigration: ID Check mobile app. A senior manager summarised these difficulties and the actions being taken: “We use Proviso

and Atlas and that is a bit cumbersome, especially across split family groups, so we are feeding back into the Atlas programme.”<sup>34</sup>

- 5.51** The issue can present challenges for caseworkers who have to locate and link any family members, relying on applicants correctly inputting details of their dependants on their application form. Although a workaround had been found, this appeared to be time consuming both for caseworkers and managers, and open to human error.
- 5.52** This problem was captured on the Hong Kong BN(O) Operational Delivery risk register, titled ‘Issues caused by finding/linking family members’, and stated:
- “A number of Atlas fixes have been deployed since go live to reduce the time spent by caseworkers searching for and linking family members. Further changes are being made to the application form to guide applications to answer correctly and give caseworkers more information up front.”
- 5.53** The register noted that the capability for families to group applications together within Atlas is scheduled for release in autumn 2022, though caveated by a note stating that there was potential for this to slip due to “competing priorities” on the FBIS roadmap.

## Problems with Atlas

- 5.54** More broadly, functionality issues with Atlas brought challenges to the decision-making process and were considered by some staff to be their “top concern”.
- 5.55** During focus groups with caseworkers and managers, examples were provided to inspectors of technical glitches which had led to a small number of applications “falling into a black hole” and not appearing on a caseworker’s task list, meaning they could not be processed. They said other ‘system user’ errors would lead to one family member not receiving a decision letter. The casework team would only become aware of these cases if a complaint or enquiry were raised with the Briefing and Response Team (BRT). Stakeholders also said that they were aware family members’ applications had been held up due to “technical issues”, although were not aware of any specific details.
- 5.56** Beyond the very early weeks of the launch, where Atlas developers were embedded within the team, these issues could only be resolved by contacting IT Now, the Home Office-wide IT resolution centre. Staff said that turnaround times from IT Now were a source of great frustration, involving “sometimes over 12 weeks of chasing”. One manager said: “We chase and chase, but we cannot officially chase before 4 weeks.”
- 5.57** Another expanded, saying:
- “There have been 3 in the last 5 days. It might be a family of 4, where mum and dad have gone through, but one child is left off. The caseworker flags the one left off [to IT Now] and 12 weeks later the family are still waiting to get on a plane as one child is stuck in the system. There doesn’t seem to be urgency, or consideration of face behind the case.”
- 5.58** They explained that IT Now prioritise issues which are recorded as affecting ‘more than one person’, because it also deals with system issues. They suggested IT Now should have a

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<sup>34</sup> In its factual accuracy response, the Home Office stated: “As previously noted in this report the HO are working towards using one caseworking system through the closure of Proviso and the sole use of Atlas.”

category of ‘directly affects customer’ which should be considered a priority, as “people have applied for a reason, if they are left hanging on just for a technicality, it is not good.”

- 5.59** Caseworkers said that unforeseen issues can arise after the Atlas team runs updates to the caseworking system. On one occasion this had led to a batch of decision letters being automatically sent out which contained symbols and nonsensical, misspelt words. Managers said they “put in resource and weekend overtime to get these letters sent out again”, as they had “a lot of applicants calling up” and sent out emails to every applicant affected within 72 hours.<sup>35</sup>
- 5.60** In a presentation delivered by the Hong Kong BN(O) operations leads to Future Borders and Immigration System (FBIS) leads on 15 June 2021, these IT issues were acknowledged as “unforeseen systems limitations”.
- 5.61** Further to these issues, caseworkers not having a full understanding of Atlas’ features or limitations led to the creation of unnecessary and time-intensive workarounds, particularly towards the beginning of the launch of the route. One example of this was that the team realised soon after the launch of the route that security checks could not be requested within the Access UK (AUK1) build, which is the application portal for non-digital applications routing to Proviso or Atlas. The presentation to FBIS highlighted that this had “significantly slowed down decision-making”. As a workaround, the team “had to create a BN(O) manual checking team to coordinate the process of requesting new checks and storing the information for audit purposes”.
- 5.62** Staff suggested, as mitigation, the provision of “expert [Atlas] trainers for new routes going live embedded within teams... Atlas trainers could be embedded into the unit for 3-4 weeks to provide support whilst staff get used to the system.” While this is a sensible suggestion, it does not provide a solution for the technical glitches which require IT Now’s continued input.

## Data and management information

- 5.63** Separate caseworking systems presented challenges for the operational teams as data from the 2 systems could not easily be reconciled. Interim solutions, such as the Business Activity Monitoring (BAM)<sup>36</sup> and the Tactical Daily Operations Dashboard (DOD)<sup>37</sup> have been devised and implemented to offer support for workflow, but these require a significant amount of manual processing.
- 5.64** Due to limitations on the data that can be produced by Atlas and the challenges of working across 2 separate systems, Vantage has been developed by the Home Office to ensure that operational teams have the management information (MI) they need.
- 5.65** The issues with data capture were noted in the risk register, summarised as follows:
- “Limited MI is in place through the Tactical DOD but is complicated by the fact that staff are working across Proviso and Atlas, which don’t interact well with each other.”

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35 The Home Office, in its factual accuracy response, stated: “The instance which is being referenced was identified and fixed within 24hrs. The incident caused special characters – which automatically format certain letters to applicants – to fail meaning these special characters could be seen in the letter. Only a very small number of letters to applicants were impacted and remedial steps were quickly taken by issuing a further letter and explanation to impacted customers.”

36 The Business Activity Monitoring (BAM) tool is an in-house management information tool built by the Home Office, which shows the status and age of visa applications.

37 The Tactical Daily Operations Dashboard (DOD) provides ‘near real-time’ workflow information on applications on Atlas.

- 5.66** This was also noted by a senior manager who told inspectors: “There is a gap for higher level MI and Team level (MI). You have Vantage and the Tactical DOD, but there is a middle bit missing, you need more detail from a higher level. Vantage can give you historical data, [but the challenge is that] there is a lag between Vantage and the live data.”
- 5.67** During an interview, a senior manager told inspectors:
- “We use DOD – it only collects Atlas data, the data initially wasn’t very good. We have to pull BAM information from Firecrest (the FCDO system which hosts Proviso), it isn’t easy to gather data across these systems. Once we’re completely on Atlas hopefully we will be able to get better MI...”
- 5.68** In an interview with inspectors, managers said that to mitigate the limitations of the MI available they have created their own offline tracker locally to monitor workflow in Proviso, showing similar information to the Tactical DOD which presents Atlas data, but which can be updated more frequently and accurately. They told inspectors that they use these to monitor the ‘work in progress’, and reasons why applications may be on hold, as well as any which are approaching the Service Level Agreement (SLA).
- 5.69** Issues with data and MI have been found in numerous ICIBI inspections such as ‘An inspection of the effectiveness of the UKVI Chief Caseworker Unit’s referral process’,<sup>38</sup> and ‘A further inspection of the EU Settlement Scheme July 2020 – March 2021’<sup>39</sup> which similarly found several locally held ‘trackers’ in use, limiting the reliability of MI and performance data.

## Performance data and service standard

- 5.70** Intake and output of Hong Kong BN(O) applications are monitored weekly and monthly against forecasts, using data from the Home Office’s Performance Reporting and Analysis Unit (PRAU). However, at launch, the Hong Kong BN(O) route did not have a formal service standard to measure the time taken to process applications.
- 5.71** Inspectors were told that caseworkers worked towards making decisions on applications within 12 weeks following the launch of the scheme. In February 2022, a formal service standard (12 weeks) was introduced, over a year after the launch of the scheme. Performance data against this service standard has not yet been published by the Home Office. As at June 2022, the Home Office stated that PRAU was “actively working with operational colleagues to assure this [performance] data in preparation for release next quarter”.
- 5.72** Despite this, a senior manager told inspectors that the standard was largely being met: “We’re meeting the 12 weeks. In 95% of cases, we are meeting it, except the exclusion<sup>40</sup> processes, if there’s a need to write out, if there’s a policy interest etc.”
- 5.73** Inspectors sought to understand why the route was launched without a service standard and were told by a senior manager: “Maybe because it was a brand-new route, and we were testing to see whether we could meet it first – we were doing it anyway.”

<sup>38</sup> <https://www.gov.uk/government/publications/an-inspection-of-the-effectiveness-of-the-ukvi-chief-caseworker-units-referral-process-september-to-october-2021>

<sup>39</sup> <https://www.gov.uk/government/publications/a-further-inspection-of-the-eu-settlement-scheme-july-2020-march-2021>

<sup>40</sup> Where a caseworker has to request further evidence from the applicant, or their application is deferred because it is awaiting a policy position, the application is excluded from the service standard.



**5.74** Another senior manager told inspectors:

“We took the decision early on to have a 12-week processing time, then we moved to a service standard on 1 February 2022...With any new route we want to make sure it’s operationalised, and we can deal with cases in the time frame. Hong Kong BN(O) is a new concept, so we wanted to make sure our forecasting was accurate. We wanted to make sure the service standard was something we could physically achieve. It’s not unusual and the last thing you want to do is commit to a service standard you can’t meet.”

**5.75** At the time of the inspection, caseworkers told inspectors that they were working on applications which were up to 19 days old for those processed through Atlas, and “slightly longer” for Proviso cases.

**5.76** Inspectors asked the Home Office for data on the length of time taken to decide a case. The Home Office provided two data sets: one for Atlas, which contained a mixture of in-country and overseas applications, and a Central Referencing System (CRS) data set, which contained all out of country applications submitted between 31 January 2021 and 30 April 2022.

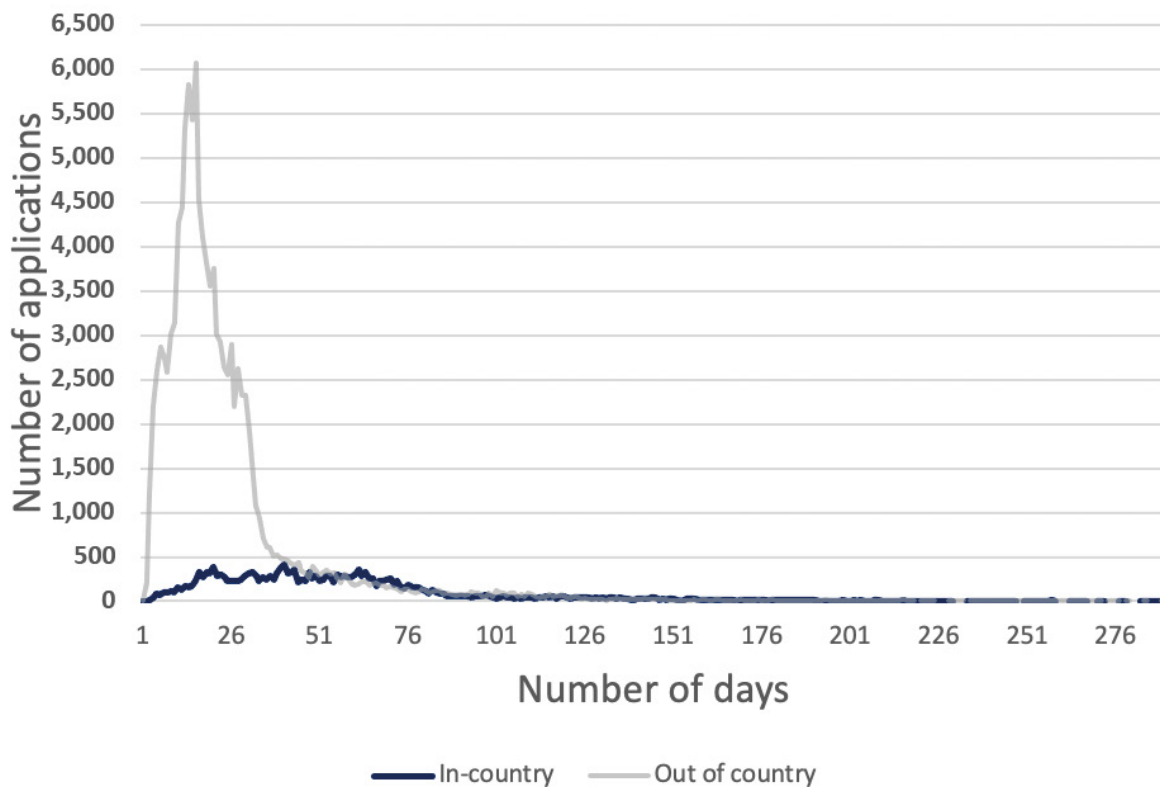
**5.77** Inspectors merged the 2 data sets to establish the average number of days taken to decide an application. The results indicated that applications from overseas had taken, on average, 65 days to process. For in-country applications, this figure was 87 days. The Home Office service standard was 12 weeks, which would require applications to be resolved in 60 days.<sup>41</sup>

**5.78** The chart in Figure 8 summarises the data provided by the Home Office of the time taken to resolve each case submitted under the Hong Kong BN(O) route (excluding cases where no outcome was recorded). Each case was plotted as a point on the chart to demonstrate the overall pattern of case resolution times. Peaks on the chart indicate a greater number of cases resolved on that number of working days.

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<sup>41</sup> In its factual accuracy response, the Home Office advised that processing time data is undergoing data assurance and sign off. A separate set of figures was provided indicating that in FY 2021/2022 in-country cases were taking between 57 and 64.9 days to process. For the same time period out of country cases were taking between 31.3 and 41 days.

Figure 8: Time taken to resolve cases between 31 January 2021 and 30 April 2022



## Introduction of a ‘priority’ and ‘super priority’ service

- 5.79** Inspectors were told that plans to introduce a ‘priority’ and ‘super priority’ service were “in the pipeline” although, as at May 2022, timelines for this were unconfirmed, which the Home Office said had been delayed due to ongoing priorities in respect of Ukraine work.
- 5.80** Given that most applications are straightforward and, as at May 2022, were, according to the Home Office, being decided within the 12-week service standard, the rationale for introducing this should be carefully considered, as should the risk of the impact it may have on the decision times for standard applications. In the absence of published performance data, there is a risk that applicants would not be able to make an informed decision as to whether it would be worthwhile or necessary to pay for a priority service.
- 5.81** The ICIBI’s second inspection of the EU settlement scheme, published 27 February 2020, recommended the Home Office should “expand and regularly update its messaging regarding the length of time an application will take to process, making it clear both how long it is taking for the majority of applications and the reasons why it may take longer for others...”.<sup>42</sup> The Home Office accepted this recommendation.
- 5.82** Following this, the ICIBI’s ‘A further inspection of the EU Settlement Scheme’, published on 13 January 2022, reported that the Home Office, in addressing this recommendation, had updated GOV.UK with an expected processing time for applications, with examples of scenarios where it may take longer. Although the Home Office told inspectors in March 2021 that it

<sup>42</sup> <https://www.gov.uk/government/publications/an-inspection-of-the-eu-settlement-scheme-april-2019-to-august-2019>



was not a “formal calculation”,<sup>43</sup> nevertheless, this could provide at least an indication for Hong Kong BN(O) status holders, if a similar set of wording were available when submitting an application.

## Developments in the Hong Kong British National (Overseas) route

### Leave outside the rules at the border: concession

- 5.83** The concession which allowed Hong Kong British Nationals (Overseas) (BN(O)) and their families to seek leave outside the rules (LOTR) at the border ended on 19 July 2021. After this date, all applicants seeking entry under the Hong Kong BN(O) route were required to submit applications for entry clearance (EC) and wait for the visa to be granted before travelling to the UK.
- 5.84** Staff told inspectors during interviews that there had been some confusion among applicants as to the basis on which they had to enter the UK between the start of the scheme on 31 January 2021 and the end of the concession on 19 July 2021. Caseworkers suggested that “some incorrect advice from another government department, the Foreign, Commonwealth and Development Office” had led to some applicants applying for EC and then entering the UK before a decision was made. They had then been granted LOTR at the border, as the concession was still ongoing. However, once the concession ended, managers said that this then became a “murky area” on whether individuals who had entered on this basis could work, because while those granted LOTR were permitted to do so, those with a pending EC application technically would not be.
- 5.85** They had to “find a workaround” for processing these cases, as it was understood that applicants could not then be expected to leave the UK again to await a decision on their EC application. A manager who led this activity said they had approached the Atlas developers who had to find a technical solution to recreate applications on the system as applications for permission to remain (LTR), rather than EC, to enable them to be granted the correct status.
- 5.86** According to the Home Office’s summary of its national published statistics, “In 2021, provisional management information shows that 8,350 Hong Kong BN(O) and/or Hong Kong Special Administrative Region (HKSAR) passport holders were granted leave outside the rules at the UK border.”<sup>44</sup> The transparency data sets provided do not contain outcomes broken down by this outcome, so it relies on management information. The Home Office provided an update to inspectors on this figure in June 2021 which stated: “Provisional management information indicates that from 15th July 2020 (when the LOTR border policy went live) up to and including 31/12/21, 15,086 BN(O) and/or HKSAR passport holders were granted LOTR at the border.”

### Applicants travelling to the UK before receiving a decision on their application for entry clearance, after the LOTR concession ended

- 5.87** Beyond the end of the concession, applicants continued to enter the UK before a decision was made on their application despite Paragraph HK 3.1 of the Immigration Rules ‘Appendix Hong Kong British National (Overseas)’ stipulating that “A person seeking to come to the UK as a

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<sup>43</sup> <https://www.gov.uk/government/publications/a-further-inspection-of-the-eu-settlement-scheme-july-2020-march-2021>

<sup>44</sup> <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-march-2021/how-many-people-come-to-the-uk-each-year-including-visitor>

BN(O) Status Holder must apply for and obtain entry clearance as a BN(O) Status Holder before they arrive in the UK.”<sup>45</sup>

- 5.88** This was made possible by the fact that Hong Kong BN(O) status holders are free to enter and remain in the UK for up to 6 months as visitors, without the need to apply for a visa. Alternatively, they could be granted LOTR at the border beyond the end of the concession on an exceptional basis. Stakeholders supporting Hong Kong BN(O) status holders explained that feedback they had received from the Hong Kong community indicated that some people left Hong Kong before receiving an EC decision because of personal security concerns, or where they had experienced a delay in receiving a decision on their EC application.
- 5.89** This presented challenges for the Home Office, as well as risks for the applicant. From the Home Office perspective, applicants who had entered as a visitor or having been granted LOTR, and later receiving a decision on their pending EC application, meant that they would technically have the incorrect immigration status, as it would be recorded as permission to enter (LTE) when they were already in the UK under a different category. Staff remained confused as to how the EC applications should now be processed, following the end of the concession period.<sup>46</sup>
- 5.90** An Equality Impact Assessment (EIA), titled ‘LOTR arrivals with EC and Immigration Bail’, authorised on 20 September 2021, recommended “allowing UKVI to vary these open applications from Entry Clearance (EC) to Leave to Remain (LTR) rather than asking the applicant to resubmit an application for permission to stay, or asking them to leave the [Common Travel Area] and re-enter”. The document states that a review date will be set for “Spring 2022”.
- 5.91** Inspectors found that there was conflicting information on whether this had been resolved. Managers and caseworkers stated they were awaiting advice from the Hong Kong BN(O) policy team on how to process these cases, and that a submission had been sent to ministers for approval. They expressed frustration that “nothing moves quickly”.
- 5.92** This issue was also documented in the Hong Kong BN(O) Operational Delivery risk register, recorded as “still in the planning stage”, which stated:
- “An unknown number of BNOs and their family members have travelled to the UK midway through their entry clearance applications and have subsequently been granted entry clearance as opposed to permission to remain. Work is currently being undertaken with Policy colleagues to request permission from the Minister to amend the immigration status of customers who proactively contacts [sic] UKVI. This will have a resource impact on both Operational and [Digital, Data and Technology] DDaT colleagues.”
- 5.93** From the applicants’ point of view, entering before a decision had been made on their EC application presented a risk. Stakeholders highlighted that there was “a lot of risk associated with potentially not getting the decision they want”, if they have already travelled to the UK. In an open letter to the Home Secretary in February 2021, Hongkongers in Britain (a civil society organisation) highlighted reports of “difficulties from BN(O) holders who have arrived in the UK (with their families) under LOTR intending to switch to the BN(O) visa scheme and are in distress, as they find themselves struggling to afford the BN(O) visa fee and associated costs”.<sup>47</sup>

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<sup>45</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-hong-kong-british-national-overseas#:~:text=HK%203.1.,they%20arrive%20in%20the%20UK>.

<sup>46</sup> The Home Office, in its factual accuracy response, stated: “Clear instructions have been issued to caseworkers from the BNO Instructions inbox.”

<sup>47</sup> <https://www.hongkongers.org.uk/%E5%89%AF%E6%9C%AC-08-03-2021>

Inspectors were told that “hundreds of people were stuck in the process” and may end up claiming asylum, which is “less stable and more risky” than the BN(O) route, or being forced to return to Hong Kong, if they could not afford the fees.

- 5.94** Inspectors asked the Home Office to provide data on the number of individuals who had made an application for EC through the Hong Kong BN(O) route who have subsequently sought permission to enter the UK as a visitor before a decision has been made on their EC application. In its response, the Home Office stated: “Data is not held in relation to the subject of this evidence request.”

## Leave outside the rules (LOTR) for in-country applicants

- 5.95** Those who apply from within the UK for permission to remain (LTR) on the Hong Kong BN(O) route may be granted LOTR. The Home Office’s ‘Hong Kong British National (Overseas) route’ guidance, published on 29 April 2022, stipulates:

“If an applicant submits an application for permission to stay in the UK, but they cannot meet the eligibility requirements because either:

- they cannot demonstrate that they meet the financial requirement, or
- they are not ordinarily resident in Hong Kong, the UK, Jersey, Guernsey, or the Isle of Man

... [the caseworker has] discretion to grant the applicants 12 months’ leave outside the rules (LOTR) to allow them further time to meet the eligibility requirements for a further application for the Hong Kong BN(O) route.”<sup>48</sup>

- 5.96** Home Office data provided to inspectors showed that, since January 2021, there had been no in-country grants of LOTR (out of a total of 24,066 applications).<sup>49</sup>
- 5.97** One stakeholder group providing support to Hong Kong BN(O) status holders told inspectors that applicants who knew they would not meet the eligibility requirements may instead make a claim for asylum.

## Adult dependent relatives

- 5.98** There is provision within the Immigration Rules for the adult dependent relative (ADR)<sup>50</sup> of a Hong Kong BN(O) status holder to come to or remain in the UK under this route. Appendix Hong Kong British National (Overseas) sets out the relationship requirement, which is that:

“Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the Hong Kong BN(O) route they must be the parent, grandparent, brother, sister, son or daughter of a person who is making an application for entry clearance or permission to stay as a BN(O) Status Holder or as the partner of a BN(O) Status Holder at the same time as the applicant.”

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<sup>48</sup> <https://www.gov.uk/government/publications/hong-kong-british-national-overseas-route>

<sup>49</sup> This figure is based on data provided to inspectors from the Home Office’s Performance Reporting and Analysis Unit.

<sup>50</sup> Parent aged 18 or over, grandparent, brother or sister aged 18 or over, son or daughter aged 18 or over.

- 5.99** To be eligible, the applicant must also meet the dependency requirement. They must:
- “(a) as a result of age, illness or disability require long-term personal care to perform everyday tasks; and
  - (b) form part of the same household as the BN(O) Status Holder who has, or is at the same time being granted, permission; and
  - (c) be unable, even with the practical and financial help of the BN(O) Status Holder or the partner of the BN(O) Status Holder, to obtain the required level of help in Hong Kong, if the BN(O) Status Holder or the partner of the BN(O) Status Holder move to the UK, either because the help:
    - (i) is not available, and there is no person in Hong Kong who can reasonably provide it; or
    - (ii) is not affordable.”<sup>51</sup>
- 5.100** The Home Office’s ‘Hong Kong British National (Overseas) route’ guidance requires caseworkers to request further information to establish whether the dependent adult relative is “part of the same household as the BN(O) status holder and the level of their dependency on the BN(O) status holder or the BN(O) status holder’s partner/spouse, such as evidence of medical conditions, how long have they been living together and how care is provided.”<sup>52</sup>
- 5.101** However, caseworkers on the Hong Kong BN(O) route considered this threshold to be “very high” and there was a strong reluctance to refuse an applicant where the dependency threshold had not been met. One explained: “they live in multi-generational households, and we know that, but we have to write for evidence of personal care and medical bills”. Another caseworker said: “we write out for information and if we can grant them, we will”, but “they have to prove medical dependency, which makes it much harder for us to justify”. The feeling among caseworkers was that it should be enough for the applicant to be part of the same household, without them being reliant on the Hong Kong BN(O) status holder for long-term personal care.
- 5.102** The issue has been raised with the Home Office’s Hong Kong BN(O) policy team and wider stakeholders by managers, and clarity sought on whether caseworkers could be more lenient in their assessment of these applications, without requiring evidence of medical dependency. As at May 2022, this had not been provided, and where applicants did not have this evidence, their application was deferred until a policy position could be provided. Senior managers said that a position to grant permission to remain to ADRs unable to meet the dependency threshold on this route “could have an impact on wider routes”.
- 5.103** This issue was documented in the Hong Kong BN(O) risk register, which stated that there was “ongoing work on ADRs... both in-country and out of country” and there were “ongoing discussions between UKVI, Hong Kong BN(O) Policy and Family Policy as to whether an in-country consideration can be completed by the [Human Rights] team”.
- 5.104** As at 6 June 2022, there were 624 deferred ADR applications, out of 132,069 total applications for the Hong Kong BN(O) scheme submitted since the route was launched.<sup>53</sup> The first deferred

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<sup>51</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-hong-kong-british-national-overseas>

<sup>52</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1072632/Hong\\_Kong\\_British\\_National\\_Overseas\\_route.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1072632/Hong_Kong_British_National_Overseas_route.pdf)

<sup>53</sup> This figure is based on data provided to inspectors from the Home Office’s Performance Reporting and Analysis Unit.

application had been submitted on 31 January 2021, meaning the applicant had been waiting over 16 months for a decision.<sup>54</sup>

**5.105** This resonated with the ICIBI’s ‘A further inspection of the EU Settlement Scheme’, published on 13 January 2022, which found that certain applications were deferred as a “policy position needed to be established before decisions could be issued”. A recommendation was made for the Home Office to:

“Review and revise those areas of policy that are causing casework to be held up in the work in progress (WIP), including cases held at the suitability stage where foreign conviction certificates are required from countries that are failing to provide them and status review of EUSS grants of status.”<sup>55</sup>

**5.106** The Home Office accepted this recommendation, and in its response, it stated:

“The Home Office works collaboratively across operational, policy and communications teams to identify solutions and remove barriers to case completion, and the EUSS monthly programme board regularly discusses policy or operational issues affecting the scheme. We are currently considering changes to the process for contacting certain applicants which we expect will help reduce the time their cases spend in the WIP.”

**5.107** Although the numbers of the deferred ADR applications on the Hong Kong BN(O) route are thus far a relatively small percentage (0.47%) of the total applications, this presents risks for the future of the route, if this number continues to grow without a clear policy position.

**5.108** Managers were unable to state the volume of deferred ADR applicants who had already travelled to the UK. One caseworker explained: “we have a suspicion that they may travel anyway and enter as a visitor, so the ADRs may be in the country anywhere.”

**5.109** Paragraph 39E of the Immigration Rules provides exceptions for overstayers, which apply when “the applicant has, or had, permission on the Hong Kong BN(O) route, and the period of overstaying was between 1 July 2020 and 31 January 2021.”<sup>56</sup> This does not explicitly provide for those with a pending application beyond that date, so it risks people in this cohort remaining in the UK longer than the 6 months permitted as a visitor and being liable to immigration action against them.

## Responsiveness to issues identified and lessons learned

**5.110** Inspectors were told that constructive working relationships between caseworking teams and policy had enabled the development of feedback loops and the mitigation of problems as they arose. For example, in the initial 3 months of the scheme, several applications were received from non-Hong Kong BN(O) status holders. Caseworkers highlighted these anomalies to their managers, who raised the issue with the policy team, suggesting “the wording on the website [should be] slightly changed”. Staff said this action helped to reduce the problem and highlighted that this was down to the “major difference” of the close relationship they had with the policy team, compared to other operational teams which were further removed and had less direct contact: “other teams would not normally get that speed of turnaround from policy from issues on the ground, and there are benefits for us and customers.”

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<sup>54</sup> In providing these figures, the Home Office stated: “Please note, these are indicative figures which are taken from live workflow tools for Atlas and Proviso following caseworker identification. As such these figures are not reportable and can be subject to change.”

<sup>55</sup> <https://www.gov.uk/government/news/inspection-report-published-a-further-inspection-of-the-eu-settlement-scheme-july-2020-march-2021>

<sup>56</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-1-leave-to-enter-or-stay-in-the-uk>

## Changes to Immigration Rules for young people

- 5.111** A Home Affairs Select Committee (HASC) report published on 2 July 2021, ‘The UK’s offer of visa and settlement routes for residents of Hong Kong’, identified cohorts which would be “at risk of missing out”<sup>57</sup> from this scheme. This included people born after 1 July 1997, who would not be considered dependants under the initial Immigration Rules Appendix Hong Kong British National (Overseas),<sup>58</sup> if they did not form part of the same household as their BN(O) status holder parent/s but were said to be “among the most targeted citizens in Hong Kong owing to their increased participation in pro-democracy protests. They are also among the most vulnerable, particularly if they are estranged from their families because of their political opinions and/or have limited financial means which restrict their freedom to seek refuge.” The HASC made a recommendation for the government to therefore “extend the BN(O) scheme to enable a young person with a BN(O) parent to apply separately from that parent, provided there is evidence of that parent’s status.”
- 5.112** On 25 February 2022, the Home Office announced that it intended to change the Immigration Rules “to enable individuals aged 18 or over who were born on or after 1 July 1997 and who have at least one BN(O) parent to apply to the route independently of their BN(O) parent.”<sup>59</sup> The changes are scheduled to be laid in Parliament in October 2022.
- 5.113** Inspectors asked managers about the impact on resources with this potential surge in applications later in the year. In response, they said that they were confident that there was training in place, and they had “experienced caseworkers with resilience” and a “flexible workforce”, to be able to “bulk up resources and upskill ahead of things coming live”.
- 5.114** While this change to the Immigration Rules was a positive step, concerns remained among some stakeholders that the financial requirement was still a barrier for some potential applicants, who would not be able to afford the associated costs with the application. This was thought to be likely to apply to this cohort of younger people, who would be less able to demonstrate sufficient savings to support themselves for 6 months in the UK and, as previously highlighted, could risk them being pushed into claiming asylum, or having to leave the UK.
- 5.115** On this point, the Hong Kong BN(O) policy team said that “compared to other routes in the system it is more affordable” and there is “further support” through the option to be granted LOTR if an applicant does not meet the financial requirement. As at June 2022, there had been no refusals on the grounds that an applicant had failed to meet the financial requirements, therefore there had been no in-country grants on this basis.

## Looking forward

- 5.116** Inspectors asked managers and senior leaders what lessons had been or could be learned from the roll-out of this route for future routes, where the Home Office is required to develop a visa route in response to an emerging situation or crisis.

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<sup>57</sup> <https://publications.parliament.uk/pa/cm5802/cmselect/cmhaff/191/19102.htm>

<sup>58</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-hong-kong-british-national-overseas>

<sup>59</sup> [https://questions-statements.parliament.uk/written-statements/detail/2022-02-24/hcws635?fbclid=IwAR2dgEj\\_1Vn06BqxYH1nLsmi88akfrMd1xJLjv-3L--YcW9h7mH-m4YCzEk](https://questions-statements.parliament.uk/written-statements/detail/2022-02-24/hcws635?fbclid=IwAR2dgEj_1Vn06BqxYH1nLsmi88akfrMd1xJLjv-3L--YcW9h7mH-m4YCzEk)

**5.117** They said that the key operational success had been the multi-skilling of staff, which had “built resilience”, referring to the premise that caseworkers can be moved to support different workstreams, “depending on the resources and the priorities”. For example, because many caseworkers working on this route had gained experience in using Proviso and Atlas, they had recently been able to “share experience” with colleagues working on teams processing applications on the Ukraine Family visa schemes and assist with decision-making.



# Annex A: Role and remit of the Independent Chief Inspector

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 48–56 of the UK Borders Act 2007 (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 Home Secretary and by any person exercising such functions on her behalf. The legislation empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions, in particular:

- consistency of approach
- the practice and performance of listed persons compared with other persons doing similar activities
- the 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)
- the law about discrimination in the exercise of functions, including reliance on paragraph 17 of Schedule 3 of the Equality Act 2010 (exception for immigration functions)
- the 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
- the 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; and
- 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.

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which she has committed to do within 8 weeks of receipt, 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 which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

As soon as a report has been laid in Parliament, it is published on the Inspectorate's website, together with the Home Office's response to the report and recommendations.

## Annex B: ICIBI's 'expectations'

**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 BICS ‘owner’ is accountable for:

- implementation of relevant policies and processes
- performance (informed by routine collection and analysis of management information (MI) 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)

# Acknowledgements

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