



INDEPENDENT CHIEF INSPECTOR

OF THE UK BORDER AGENCY

INSPECTION PLAN 2010/11



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Foreword



I am delighted to present my Inspection Plan for 2010/11. The plan, my second in the role of Chief Inspector of the UK Border Agency, sets out what I intend to achieve in 2010/11.

The aim of my plan for this year is two-fold:

- **To drive improvement of the UK Border Agency, building on the momentum established by my first full year of operation.**
- **To achieve broad coverage of UK Border Agency operations, both geographically and thematically.**

As I set out in my Annual Report, we have made considerable progress. I now want to build on the success of the first year by increasing the number of inspections and continuing to refine our working methods.

There will therefore continue to be four strands of inspection:

- a UK programme;
- an international programme;
- a thematic programme; and
- a series of unannounced inspections.

My reports will contain recommendations for improvement as well as highlighting areas of good practice. As my coverage of the UK Border Agency widens, I will be drawing together wider conclusions about its overall efficiency and effectiveness.

The following pages set out the detail of my plan for this year.

A handwritten signature in black ink that reads 'John Vine.' followed by a period.

JOHN VINE CBE QPM

**INDEPENDENT CHIEF INSPECTOR OF
THE UK BORDER AGENCY**

Role and Function of the Independent Chief Inspector of the UK Border Agency

John Vine CBE QPM was appointed as the first Independent Chief Inspector of the UK Border Agency in July 2008.

Section 48 of the UK Borders Act 2007 (as amended by the Borders, Citizenship and Immigration Act 2009) requires the Secretary of State to appoint a Chief Inspector to evaluate the efficiency and effectiveness of the UK Border Agency and its contractors in the performance of its immigration and customs functions.¹ Links to the legislation are in **Annex A**.

The Chief Inspector's remit covers the work of the UK Border Agency both in the UK and overseas.

The Chief Inspector is required to publish an Annual Report, which the Secretary of State places before Parliament. In addition, the Chief Inspector publishes reports on individual inspections throughout the year. All his reports are made available on his website: www.independent.gov.uk/icinspector

The Chief Inspector does not investigate individual cases, although he can consider these as evidence for wider inspections.

The Chief Inspector is required to consult the Secretary of State regarding his Inspection Plan; however, he can inspect issues outwith his Inspection Plan when he considers it appropriate, and resources permit. In addition, the Secretary of State can at any time ask the Chief Inspector to investigate specific issues relating to the UK Border Agency.

In April 2009, the Chief Inspector was also appointed to monitor the performance of the UK Border Agency in

1. Except for immigration removal centres, short-term holding facilities and escort arrangements, which are the responsibility of Her Majesty's Chief Inspector of Prisons.

OUR PURPOSE

To ensure independent scrutiny of the work of the UK Border Agency, providing confidence and assurances as to its effectiveness and efficiency.

OUR VISION

To see that the UK Border Agency delivers fair, consistent and respectful services, acting as a catalyst for improvement.

OUR VALUES

- High quality, rigorous and respected.
- Fair and transparent.
- Delivery focused.
- Frank and straightforward.
- Impartial and objective.

KEY OBJECTIVES

When I initially developed my programme, one of the main aims was to examine the difficult issues across all the major areas of the UK Border Agency's work over a three-year period to 2011.

I was particularly keen to start with those areas that - to the public, and politically - are of real concern. These included asylum, customer service, the examination of complaints handling, and enforcement.

I have four key objectives for the coming year:

1. To continue to widen our approach to consider the full range of activities undertaken by the UK Border Agency, inspecting and reporting on the efficiency and effectiveness of the Agency in the UK and overseas.
2. To publish inspection reports on a regular basis and to raise the public profile of the inspectorate.
3. To consolidate the work I have done so far in establishing my team, to review our core criteria for inspection and to develop the inspection process to ensure the best possible outcomes and resource use.
4. To develop effective joint working with other inspection/oversight bodies.



Inspection Plan for 2010/11

INTRODUCTION

My inspections will be carried out using a set of criteria structured into four broad strands: outcomes; processes; impact; and leadership and management. The criteria will be tailored to each individual inspection and will be made available to the UK Border Agency in advance of the start of an inspection (except in the case of my programme of unannounced inspections).

Meeting the principles of inspection

The Government published its ten principles of inspection in July 2003. The core criteria and inspection process used in inspections aim to fulfil the criteria. The principles are set out in **Annex B**. The Inspection Plan 2010/11 Calendar is set out in **Annex C**.

UK PROGRAMME

I will continue my approach of inspecting the Agency's operations on a geographical basis. Like thematic inspections, these inspections normally involve visiting operations in a number of different locations and interviews with a wide range of staff and stakeholders. Additionally, part of the remit of the UK programme will include inspecting detection operations at ports. It will include liaison with the devolved administrations in Scotland, Northern Ireland and Wales, as required. I am particularly concerned with consistency of approach between regions and across the UK Border Agency's own organisational boundaries.

Rationale

I consider a range of factors before deciding which UK Border Agency functions are to be inspected in each geographical area. These include the security of the border, the risk to the public, customer service issues, and diversity – particularly because legislation² states that “discrimination on the basis of nationality or ethnic or national origins is not unlawful in the exercise of immigration functions if required by specific legislation or expressly authorised by a Minister”. The UK Border Agency is also exempt from the duty in Section 71 of the Race Relations (Amendment) Act 2000. I also take into account that some functions are located in the regions but provide a corporate service for the UK Border Agency.

2. Section 19B of the Race Relations (Amendment) Act 2000.



North West

Last year I inspected operations in Wales and the South West; this year I will begin my focus on the North West. Based on experience from last year, and because the North West has some centralised functions, I will be inspecting a number of specific issues within the region:

- border control, with a particular focus on compliance with race relations legislation, the operation of e-borders and the continuing work to bring together immigration and customs powers;
- management of citizenship applications, which is concentrated in the North West;
- the work of local immigration teams;
- joint working with law enforcement agencies that provide support to UK Border Agency operational staff, police and other stakeholders on a round-the-clock basis; and
- decision-making in the issue of civil penalties for those who have employed people unlawfully. I will consider in particular how the money is recovered in light of my earlier findings about the limited recovery of civil penalties issued to hauliers at the juxtaposed controls in Calais and Coquelles.



Scotland and Northern Ireland

I will also begin an inspection of Scotland and Northern Ireland, where I will look in particular at the management of the border which covers a very large coastline; and at how the Agency is working with stakeholders and delivery partners. I will also consider how recommendations made in my earlier reports - including on asylum - have been implemented in the region and draw comparisons with the regions I have already inspected, including Wales and the South West.

London and the South East

I have already undertaken a number of inspections in London and the South East - the largest UK Border Agency region - as part of my thematic work and unannounced programme. I now want to focus on border control and enforcement within the region and will undertake an inspection of major ports of entry such as Heathrow and Gatwick Airports.



INTERNATIONAL PROGRAMME

Over the last year, my international inspections have developed to cover the full range of my inspection criteria, including an assessment not only of decisions that attract limited rights of appeal but also of applications that are granted and wider issues of customer service. This year I want to continue the wider focus by looking not only at visa operations at specific posts but also at decisions that are referred to offices in the UK. This rationale will bring a broader scope to the international programme, enabling me to consider how the UK Border Agency is protecting our borders.

Abu Dhabi

I will undertake a major inspection of the hub-and-spoke operation in Abu Dhabi, focusing in particular on decisions to grant or refuse applications from students wishing to come to the UK under Tier 4 of the points-based system; general visit visas (both granted and refused); intelligence issues arising from the Risk and Liaison Overseas Network (RALON); and a detailed consideration of applications for settlement in the UK, which are referred to decision-makers in Croydon. This will include inspection visits to Abu Dhabi (the hub), Islamabad (the spoke) and the UK Visa Section.

I will use an analytical tool to help me determine the international visa posts that I will visit over the remainder of 2010/11. This tool will look at a range of information to indicate where my inspection visits can add most value to the UK Border Agency. The types of information that will be used to make these assessments include:

- issues linked to securing the border;
- the quality of decision-making;
- the level of customer service;
- cross-cutting indicators (e.g. size of post/business model); and
- qualitative indicators (e.g. changes to policy/the visa regime).

I will also undertake a file sample from across the globe to assess the quality of decision-making in relation to refusals that attract limited rights of appeal. This will give me an opportunity to make a broader judgement of quality of decision-making in entry clearance over and above the specific posts and regions in my Inspection Plan.

THEMATIC PROGRAMME

These inspections are designed to identify particular themes of activity which, typically, cut across regional and unit boundaries within the Agency. They will normally involve inspections of operations in a number of different locations and interviews both with a wide range of staff and stakeholders and, where appropriate, with other inspectorates (e.g. Her Majesty's Inspectorate of Prisons (HMIP)).

Rationale

I considered a range of factors before deciding which themes to inspect in the coming year. These included:

- the UK Border Agency's own strategic objectives, with particular emphasis on the security of the border and major operational changes;
- the risk to the public or to particularly vulnerable people;
- issues of particular interest or concern to MPs and stakeholders; and
- themes that I wanted to pursue based on the evidence of my initial inspections.

I also wanted to ensure that I covered a full range of UK Border Agency functions. As a result I will deliver thematic reports this year in the following areas.

Enforcement

The Agency has responsibility for enforcing immigration control. This is an area of enormous importance not only because it reassures the public that those who have no right to be in the UK or those who commit immigration crimes are dealt with firmly but also because it requires the Agency to deal sensitively and fairly with people who are often vulnerable, particularly families.

I will focus in particular on:

- how the Agency removes families and children, paying particular attention to how it is complying with the duty to safeguard and promote the welfare of children, as well as how it is meeting its targets for removal of families; and
- how the Agency is prioritising removal of those posing the greatest harm to the UK.



Points-based system

The Agency has now introduced the points-based system, which governs the basis on which students and workers come to the UK. As outlined above, I have already begun considering the quality of decisions taken on applications to come to the UK as part of my international programme. This year, as well as focusing on decisions in respect of student applications in my inspection of Abu Dhabi, I will conduct a thematic inspection of the Agency's management of applications for workers to come to the UK under Tier 2. I will inspect the end-to-end process, including the quality of decisions made overseas and in the UK, and the service standards for deciding applications and licensing sponsors.

Intelligence

The use of intelligence is important if the UK Border Agency is to deliver its aims of securing the border and operating effective immigration control. I intend to conduct a thematic inspection of how the UK Border Agency works with law enforcement agencies and other bodies to obtain relevant and up-to-date intelligence and how that intelligence is passed to front-line decision-makers to enable them to make well-informed decisions.

Asylum – the use of country information in decision-making

In my first full year of operation I completed a thematic inspection of asylum. I indicated that there would be a number of further inspections into particular elements of asylum and this year I intend to inspect how decision-makers use country information when deciding whether a person qualifies for asylum. I will look in particular at the use made of the Agency's operational guidance notes and assess the consistency of approach by decision-makers.

UNANNOUNCED PROGRAMME

Building on my inspection of the asylum screening process in Liverpool and of the Croydon Public Enquiry Office, I will conduct a minimum of four unannounced or short-notice inspections this year. I want to use these inspections to focus, in particular, on issues of customer service, providing assurance that correct rules and procedures are being followed by the UK Border Agency.

COUNTRY INFORMATION

In March 2009 I established the Independent Advisory Group on Country Information (IAGCI). This group took over the work of the former Advisory Panel on Country Information, a statutory body that was abolished when my post was established by the UK Borders Act 2007. The work of the IAGCI is guided by the purpose, vision and values of my office. Its purpose is to make recommendations to me about the content of material produced by the UK Border Agency's Country of Origin Information Service, as well as recommendations of a more general nature.

In its first year the IAGCI reviewed six Country of Origin Information Reports (Iraq, Kurdistan Regional Government, India, Pakistan, Zimbabwe, China and Somalia) and two Country of Origin Information Key Documents (Kosovo and South Korea).

I have reviewed the operation of the IAGCI and will implement the findings of this review by 1 April 2010, in order to ensure both that its work is fully incorporated into the Inspection Plan this year, and that country of origin information is as accurate, balanced, impartial and up to date as possible.

Annex A: Legislation relating to the Independent Chief Inspector of the UK Border Agency

UK BORDERS ACT 2007

www.opsi.gov.uk/acts/acts2007/ukpga_20070030_en_3#pb7

See Sections 48–56 of the UK Borders Act 2007.

BORDER, CITIZENSHIP AND IMMIGRATION ACT 2009

www.opsi.gov.uk/acts/acts2009/pdf/ukpga_20090011_en.pdf

See Section 28 which sets out the amendment to the UK Borders Act 2007.

Annex B:

Ten Principles of Inspection

The Government published its ten principles of inspection in July 2003. The aims and scope of the principles are to:

- **clarify what is meant by effective inspection;**
 - **outline the arrangements by which effective inspection can be achieved; and**
 - **state its expectations of inspectors.**
1. The **purpose of improvement**. There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected. This should guide the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognise good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable departments more quickly to calibrate the progress of reform in their sectors and make appropriate adjustments.
 2. A **focus on outcomes**, which means considering service delivery to the end users of the services rather than concentrating on internal management arrangements.
 3. A **user perspective**. Inspection should be delivered with a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements. Inspection should encourage innovation and diversity and not be solely compliance-based.
 4. **Proportionate to risk**. Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider. For example, good performers should undergo less inspection, so that resources are concentrated on areas of greatest risk.
 5. Inspectors should encourage rigorous **self-assessment** by managers. Inspectors should challenge the outcomes of managers' self-assessments, take them into account in the inspection process, and provide a comparative benchmark.
 6. Inspectors should use **impartial evidence**. Evidence, whether quantitative or qualitative, should be validated and credible.
 7. Inspectors should disclose the **criteria** they use to form judgements.
 8. Inspectors should be **open** about their processes, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.
 9. Inspectors should have regard to **value for money**, their own included:
 - Inspection looks to see that there are arrangements in place to deliver the service efficiently and effectively.
 - Inspection itself should be able to demonstrate it delivers benefits commensurate with its cost, including the cost to those inspected.
 - Inspectorates should ensure that they have the capacity to work together on cross-cutting issues, in the interests of greater cost effectiveness and reducing the burden on those inspected.
 10. Inspectors should **continually learn** from experience, in order to become increasingly effective. This can be done by assessing their own impact on the service provider's ability to improve and by sharing best practice with other inspectors.



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