



# Inspection Plan 2009/2010

**CHIEF INSPECTOR OF THE UNITED KINGDOM BORDER AGENCY:  
INSPECTION PLAN 2009/10**

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## **FOREWORD**

I am delighted to present my inspection plan for 2009/10. The plan, my first in the new role of Chief Inspector of the United Kingdom Border Agency, sets out what I intend to achieve in the coming year. It also gives an indication of the direction in which I want the Inspectorate to travel over the following two to three years.

In addition, I hope this document affords the staff of the UK Border Agency, and our other stakeholders, a good understanding of the role of my team and how we will help improve the Agency's performance.

The Inspectorate has already achieved a great deal in the short time that it has been in existence. We have built a sound knowledge base of the UK Border Agency's work, through an extensive series of visits to sites, and discussions with staff and stakeholders. We have developed appropriate methodologies to inspect such a complex and diverse organisation. In this, we have received a great deal of guidance and advice from fellow inspectors and regulators, who have given freely of their time and expertise and, in some cases, have provided us with highly experienced and capable staff to help us take work forward.

The Inspection Plan outlines an ambitious programme for our first year particularly as we are still establishing our capacity. As the inspectorate expands, we will develop our programme to deliver the widest possible coverage of UK Border Agency's work.

**JOHN VINE CBE QPM**  
**CHIEF INSPECTOR OF THE UNITED KINGDOM BORDER AGENCY**

## 1. CONTEXT

1.1 Prior to 2008, there were a number of bodies which monitored, inspected or advised on specific aspects of the immigration system. Parliament considered that there should be a consistency of performance as well as external oversight of key areas such as enforcement.

1.2 In 2007, the Home Office announced proposals to create a new, independent body to inspect the work done by the then Immigration and Nationality Department.

1.3 The main aims behind these proposals were that:

- a new independent inspectorate would drive improvement in the immigration system, to provide confidence to the public and to Parliament that it was working efficiently and effectively;
- any problems within the system were being addressed in a way consistent with the Government's policies and objectives;
- the new body would rationalise inspection activity and reduce the burden arising from the existing scheme of multiple oversight bodies.

1.4 The role of Chief Inspector of the United Kingdom Border Agency was established under statute in 2007 to deliver these aims (see section 2). I was appointed in July 2008 to take this work forward.

1.5 Over the past six months, I have been committed to establishing an effective methodology to allow me to inspect the various functions of the UK Border Agency. To help with this, I am recruiting a high-calibre team to support me and I have undertaken an extensive series of meetings with, and visits to, the UK Border Agency and stakeholders. This has given me a solid grounding in the business of the organisation and the systems that it has in place.

1.6 I am committed to developing a programme of work that will provide effective independent oversight of the UK Border Agency. My team has begun a series of pilots to test the methodologies that will be used to carry out inspections. These will then lead to a full programme of core and thematic inspections of the UK Border Agency. In addition, I will work alongside Her Majesty's Inspectorate of Constabulary (HMIC), and Her Majesty's Inspectorate of Prisons (HMIP), in furtherance of matters of mutual interest.

1.7 The year ahead also provides the opportunity to develop the detailed support frameworks, consultative processes and methodologies that will underpin the inspection programme in future years.

## **2. THE LEGISLATIVE FRAMEWORK**

2.1 Sections 48-56 of the UK Borders Act 2007 set out the legislative framework for the inspection of the work of the UK Border Agency. In short, the Act:

- requires the Secretary of State to appoint a Chief Inspector to evaluate the efficiency and effectiveness of the UK Border Agency in dealing with asylum, immigration and nationality functions;
- extends my remit to cover all UK Border Agency staff, both in the UK and overseas;
- requires the Chief Inspector to publish an annual report, which the Secretary of State places before Parliament;
- does not permit the Chief Inspector to investigate individual cases but allows him to use such cases as evidence for wider inspections;
- allows the Secretary of State to require the Chief Inspector to carry out an investigation into any matter regarding asylum, immigration and nationality matters;
- requires the Chief Inspector to consult the Secretary of State regarding his inspection plans, but this does not prevent him working outwith the plans where he regards this as appropriate.

2.2 In addition, the legislation abolished the statutory roles of:

- The Certification Monitor;
- The Race Monitor; and
- The Advisory Panel on Country Information (APCI).

This gives the Chief Inspector responsibility for monitoring the handling of complaints, which has the effect of abolishing the non-statutory Complaints Audit Committee. It is proposed that, from 26 April 2009, the role of the Independent Monitor for Entry Clearance be incorporated into the Chief Inspector's remit.

2.3 The majority of these former monitoring roles will be incorporated into the inspection programme of the Chief Inspector. As the work of the APCI is not inspection but advisory, it will form a discrete area of the organisation.

2.4 The Borders, Citizenship and Immigration Bill, currently before Parliament, will expand the role of the Chief Inspector to cover the customs functions to be undertaken by the UK Border Agency.

2.5 Her Majesty's Chief Inspector of Prisons has retained her statutory responsibility for inspecting those places in which people are detained under the immigration legislation.

### 3. THE PURPOSE OF INSPECTION

3.1 The overall purpose of inspection of public services is set out in the Government's Principles of Inspection, published in 2003. These can be found in full in **Annex A**. In brief, they are to:

- recognise the purpose of improvement;
- focus on outcomes;
- focus on the user perspective;
- be proportionate to risk;
- encourage self-assessment;
- use impartial evidence;
- disclose inspection criteria;
- be open about processes and robustly quality-assured;
- have regard to value for money; and
- continually learn from experience.

### 4. OUR PURPOSE

4.1 Working within the principles set out in Chapter 3, we have developed a statement of purpose, which is set out below:

**“We work to ensure independent scrutiny of the work of the UK Border Agency, providing confidence and assurance as to its effectiveness and efficiency.”**

### 5. OUR VISION

5.1 Our vision is **“to see that the UK Border Agency delivers fair, consistent and respectful services, acting as a catalyst for improvement”**.

### 6. OUR VALUES

6.1 The statement of our values is set out below. I want our work to be recognised for being the following:

- **High-Quality, Rigorous and Respected;**
- **Fair and Transparent;**
- **Delivery-Focused;**
- **Frank and Straightforward; and**
- **Impartial and Objective.**

## **7. PLAN OF WORK 2009/10**

7.1 Our key objectives for 2009/10 are to:

- **recruit and train a high-quality team of staff;**
- **establish a model for inspection;**
- **establish programmes for inspection against set criteria;**
- **deliver effective joint working with other inspection bodies;**
- **refine the inspection process; and**
- **inspect and report on the efficiency and effectiveness of the UK Border Agency.**

## **8. RECRUITMENT**

8.1 At the time of writing, we have in place 17 staff. The inspectorate is made up of inspection staff, analysis staff and support staff. It is a mix of long-term appointments and highly qualified experts on issues such as inspection policy and human resources, who have been brought in on a short-term basis to help with the establishment of the office and the design of the inspection programme.

8.2 In order to ensure the best service possible, we have undertaken an extremely rigorous recruitment exercise for all staff. We will repeat this approach through the year, to reach a full complement of staff. By the end of 2009, we aim to have over 40 in the team (see **Annex B**). We will look to expand this as we gain experience and our inspection programme gathers pace.

## **9. INSPECTION MODEL**

9.1 The diverse nature of the UK Border Agency activity means that a “one size fits all” approach to inspection would be impossible. It also means that we cannot simply lift an approach from one of the other inspectorates. We are, therefore, developing a set of

methodologies drawn from various aspects of best practice undertaken by a range of inspection/regulation bodies. These methodologies will be tested and refined during our pilot and full inspection programmes (see below). Lessons learned from these inspections will be crucial to ensuring that we can adapt quickly to ensure the most effective use of resources and the best results.

### ***Programme***

9.2 We will establish a comprehensive end-to-end analysis of the UK Border Agency. It is our aim to develop a programme to inspect, in detail, as much of the UK Border Agency's work as possible. Inevitably, this will be slower at this early stage in our development and will be constrained by the availability of resources. However, as the Inspectorate gathers experience and expertise, our pace and productivity will increase.

9.3 We will cover both the day-to-day work of the UK Border Agency and specific issues that arise. We will be measuring the UK Border Agency primarily against its own performance criteria; however, we will also be assessing whether these criteria are appropriate and are helping the organisation itself to drive improvement.

### ***The approach***

9.4 The range and nature of the UK Border Agency's work means that we will combine a number of approaches in order to achieve our aims. We will gain our main coverage of routine work from a **core programme**, with three separate levels of inspection activity, and will carry out a specialist **thematic programme** alongside it.

### ***Core Inspection Programme***

9.5 The Core Inspection Programme aims to inspect all aspects of the routine business of the UK Border Agency. Over a rolling three-year cycle, it will cover:

- all geographical regions of the organisation, both UK and overseas;
- all core elements of the business, i.e. casework, enforcement, intelligence, borders; and
- corporate centre functions.

The Core Inspection Programme will be carried out using core criteria, against which performance will be assessed. As noted above, it will be split into three levels:

- **Level 1:** We have developed a set of core criteria relevant to the full range of UK Border Agency work, and we will routinely inspect against these. They will give a particular focus to outcomes, the user perspective, and to value-for-money issues. They are grouped into four sections, under the general headings of:
  - Outcomes;
  - Processes;
  - Impact; and
  - Leadership & Management.

Race and diversity and public protection issues will be treated as a “golden thread”, running through all inspections

- **Level 2:** In a particular inspection, criteria will change depending on the location being inspected. Typically, these would enable us to inspect one or more particular functions of the UK Border Agency that may only be carried out within certain units. Examples might include: joint operations with the police at ports, or scrutiny of the letting and monitoring of contracts.
- **Level 3:** These will enable us to inspect a specific subject across a number of sites as part of our Core Inspection Programme – essentially a “mini-thematic” inspection. We will select themes that we can inspect and can publish valid inspection findings for, without the scale and resource issues involved in a major thematic inspection (see below).

9.6 We will need to target resources carefully, and this will impact on the type of inspection and the range of activities covered.

### ***Thematic Inspection Programme***

9.7 The Thematic Inspection Programme aims to inspect broader themes and topics that cut across the core and routine business areas, such as complaints and information handling. Each of these inspections will be tailor-made, and will, therefore, use bespoke criteria specially drawn up for that event. They may sometimes involve us working with another inspectorate or regulator. We shall pay careful attention to ensuring that our methodology is appropriate to produce robust findings about particular aspects of UK Border Agency work. This might mean rolling out a thematic methodology across a number of different locations, in order to obtain a representative sample from which to draw valid conclusions.

### ***Transparency***

9.8 Our inspection criteria will be the “road-map” for an inspection, covering the territory to be inspected. These criteria will be in the public domain and available on our website, once this has been established.

9.9 For scheduled (as opposed to unannounced) inspections, we will establish clear protocols with the UK Border Agency to ensure they are fully aware of the criteria against which performance is being inspected. This transparency will help the UK Border Agency to assess its own performance against the criteria, outside of the inspection framework and timetable, maximising the opportunity for improvement.

9.10 It will also make clear to stakeholders and the wider audience how we are conducting particular inspections. We will also explain why we are inspecting particular areas or themes, updating our website with all our plans and reports as they are published. Regular updates of our latest initiatives and findings will be communicated in a regular newsletter.

### **Unannounced inspections**

9.11 We will use “short notice” unannounced inspections where it is important to provide public confidence and assurance, and where there are important issues around the welfare of the vulnerable. This does not dilute our commitment to transparency. The purpose of such inspections is to provide robust and public assurance in sensitive areas

## 10. INSPECTIONS

### *Pilot Programme*

10.1 Given that this is a new inspectorate, and that we will be using new methodologies and inspection criteria, it is important that we use pilot inspections to test and refine our approach. In particular, we will need to be clear about:

- how the inspection process works against the criteria;
- the effectiveness of internal processes including linkages between the analytical and inspection teams; and
- the effectiveness of communication with the UK Border Agency.

10.2 The Inspectorate has begun a series of pilot inspections before the end of the financial year. The areas that we will inspect are:

- **Non-Suspensive Appeals** – this issue was considered previously by the Certification Monitor. It has been chosen as a pilot given the specific reference in the UK Borders Act 2007 and because it will provide an opportunity for us to test our methodology on quality and consistency of decision-making.
- **Port of Harwich** – inspecting a port will allow us to test the criteria for core inspections and, specifically, to look at how the UK Border Agency treats those who use its services. Harwich was chosen because it is a reasonable volume port in terms of immigration traffic, and is not linked to a juxtaposed control; nor is it a port that links to other parts of the Common Travel Area.
- **Juxtaposed Controls** – this pilot will allow us to look at front-line issues, whilst inspecting a system that has been bedded in for some time. It will also allow us to see how the UK Border Agency interacts with foreign governments.

### *Core Programme*

10.3 During 2009/10, we intend to begin a comprehensive review of the **Wales and South West** region (including those ports within the geographical boundaries). We shall be looking at the full range of activities within the region, assessing efficiency, fairness, consistency, treatment and improvement. We have chosen this region because its size and demographics fit well with our available resources for the first year.

### *Thematic Programme*

10.4 This year, we will carry out two thematic inspections:

- **Asylum** – this is a key area of UK Border Agency activity, and of particular interest to MPs and stakeholders. The UK Border Agency introduced a new model for dealing with asylum applications in 2006, and this is an appropriate time to inspect its effectiveness.
- **Customer Service (including Complaints Handling)** – A customer service inspection will focus on the information available to those using UK Border Agency services and on complaints handling, taking account of the work previously undertaken by the Complaints Audit Committee. In its last annual report, published in December 2008, the Committee was critical of current UK Border Agency systems and made a number of recommendations that it specifically proposed the Chief Inspector follow up. This area is also being built into the core programme.

10.5 Towards the end of the year, we propose to begin a thematic inspection of enforcement issues. This is a key area in terms of the delivery of UK Border Agency objectives and links closely with much of the work across the rest of the organisation.

#### ***Areas Covered by Previous Inspection and Advisory Bodies***

10.6 As noted in Chapter 2, we have inherited a number of functions to be taken forward as part of our inspection plan.

- **Certification Monitor** – the work previously covered by this role will be considered in the first pilot inspection that we carry out. Our findings from that exercise will help establish how we take this work forward, but at this stage we have a strong view that this should be considered as part of the core programme in the future.
- **Race Monitor** – we have a wide remit to look at how the UK Border Agency meets its commitments under UK discrimination law. Diversity issues will be covered in every inspection and, therefore, we are proposing that the work on section 19D of the Race Relations Act (1976) (as amended in the Race Relations Amendment Act 2000) is included within the Core Inspection Programme.
- **Complaints Audit Committee** – we are proposing to look at complaints handling by the UK Border Agency as part of our thematic programme. As with the work of the Certification Monitor, we will use the outcome of that inspection to help us decide how to take that work forward. Our current intention is for this area to be covered in the core programme in future years.
- **Advisory Panel on Country Information (APCI)** – we shall take this work forward by forming a small group of country, legal and refugee experts to review the factual accuracy of country information produced by the UK Border Agency.

We will then report to the Home Secretary on the outcome of these reviews. The countries reviewed will be considered on the basis of the risk posed to the UK. We have also invited all the previous members and observers of the APCI to form a consultancy forum on refugee issues, to help inform our inspection programme.

- **Independent Monitor for Entry Clearance (IM)** – the role of the Independent Monitor in reviewing decisions in entry clearance cases without a right of appeal will be transferred to the Chief Inspector on the retirement of the current incumbent in April 2009. We are putting in place transitional arrangements for the year ahead that will take into account the IM's recent work programme and recommendations. It is hoped that, from 2010, the work will be incorporated into the Core Inspection Programme.

10.7 **Annex C** sets out an indicative programme of inspection for the work of the UK Border Agency during 2009/10. It also indicates that our planning will need to include some built-in contingency resource, to be used in the event of an inquiry being commissioned by the Home Secretary. It also sets out an indicative programme for 2010/11.

### ***Reports***

10.8 There is a statutory requirement for the Chief Inspector to produce an annual report for the Home Secretary, which is then placed before Parliament. In addition, and in line with practice in other inspectorates, I intend to publish reports on individual inspections. Publication will follow a programme agreed with the Home Secretary.

10.9 These reports will be designed to be accessible and informative, and will:

- satisfy the ministerial need for an accurate view of the performance of the UK Border Agency;
- provide evidence for stakeholders about the work being carried out; and
- promote improvement in UK Border Agency practice, as necessary, and celebrate good practice.

10.10 Our reports will contain clear recommendations, solely based on verified evidence gathered during the inspection process.

10.11 We do not propose to publish separate reports on the pilot inspections, as those are principally about making sure that our systems are working properly. We will report on the outcome of this work in our Annual Report.

### ***Improvement planning***

10.12 There will be an expectation that any recommendations we make will be acted upon by the UK Border Agency. We shall look for objective evidence of clear improvement and, where necessary, undertake follow-up inspections – either announced or unannounced. A

clear set of protocols will be developed for holding the UK Border Agency to account for taking action on recommendations and promoting the required improvements.

### ***Joint Inspections***

10.13 In line with the Government's policy of closer working between the inspectors of public services, we will (depending on our respective organisations' inspection plans) aim to undertake at least one joint piece of work with both Her Majesty's Inspectorates of Constabulary and Prisons during the coming year.

### ***Efficiency and Effectiveness of the Inspection Process***

10.14 In order to increase the efficiency and effectiveness of our own work, we shall want to ensure that we are organised in the best possible way to produce high-quality inspection reports on time. During 2009/10, we will review our organisational structures, establish effective data-management systems, and develop a training package that ensures that all staff possess the necessary skills to deliver high-quality performance consistently.

10.15 We are committed to testing our own performance over time, by developing and operating a thorough Quality Assurance Strategy. This will include canvassing the views of those inspected as to the quality of our engagement and the impact of our reports and other work.

## **11. RESOURCES**

11.1 In 2009, we were allocated a budget of £0.8 million. This does not include provision for services such as IT/communications, accommodation and human resources, which are provided by the sponsoring department. The budget has been divided between staff costs, travel and subsistence, development and use of a bespoke recruitment package, and other spending to support the establishment of the office.

11.2 As the year progresses, we will continue to build our inspectorate team. We are aiming to have 40 staff in place by December 2009 (see **Annex B**). This size of team will help us deliver the challenging inspection programme set out in Chapter 10 (see also **Annex C**). In future years, additional inspection teams will need to be established in order to cover the customs functions that the inspectorate will take over from HMIC, and to deliver quicker, more flexible and more comprehensive inspection programmes.

11.3 The travel and subsistence costs for the Inspectorate will be substantially higher than for similar inspectorates, given that the remit is both UK-wide and international.

## **12. LEARNING AND DEVELOPMENT**

12.1 Staff in the Inspectorate perform a wide variety of tasks, requiring different skills, such as file analysis, report writing, interviewing and presentation. We are putting together a bespoke training package for inspectors, based on an assessment of needs through a skills analysis. This package will be developed and refined through the year and will be

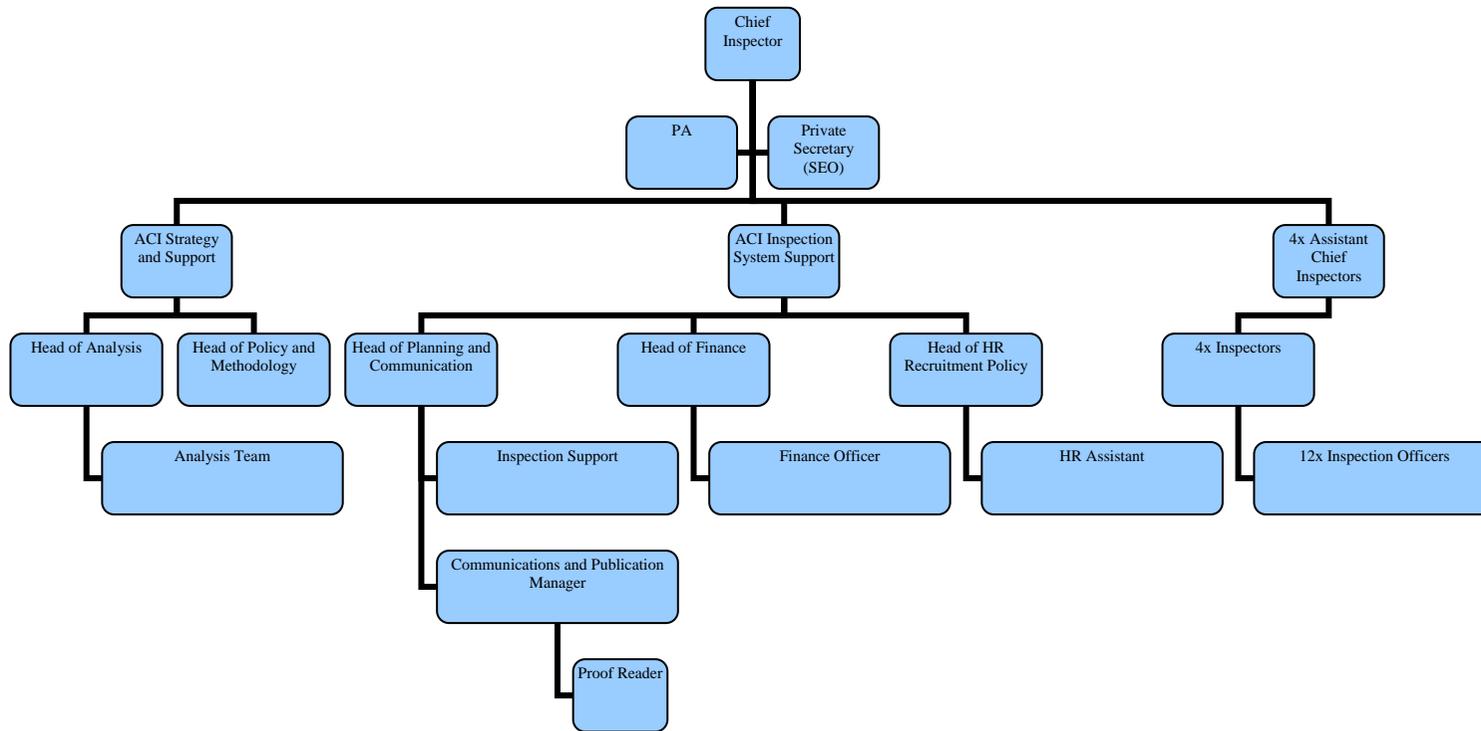
reviewed at the start of next year. Similar training packages will be established for analytical and corporate support staff.

**Government's Policy on Inspection in the Public Service**

(published in *Inspecting for Improvement* in July 2003)

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. Inspections 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;
  - The inspection itself should be able to demonstrate that it delivers benefits commensurate with its cost, including the cost to those inspected; and
  - 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.

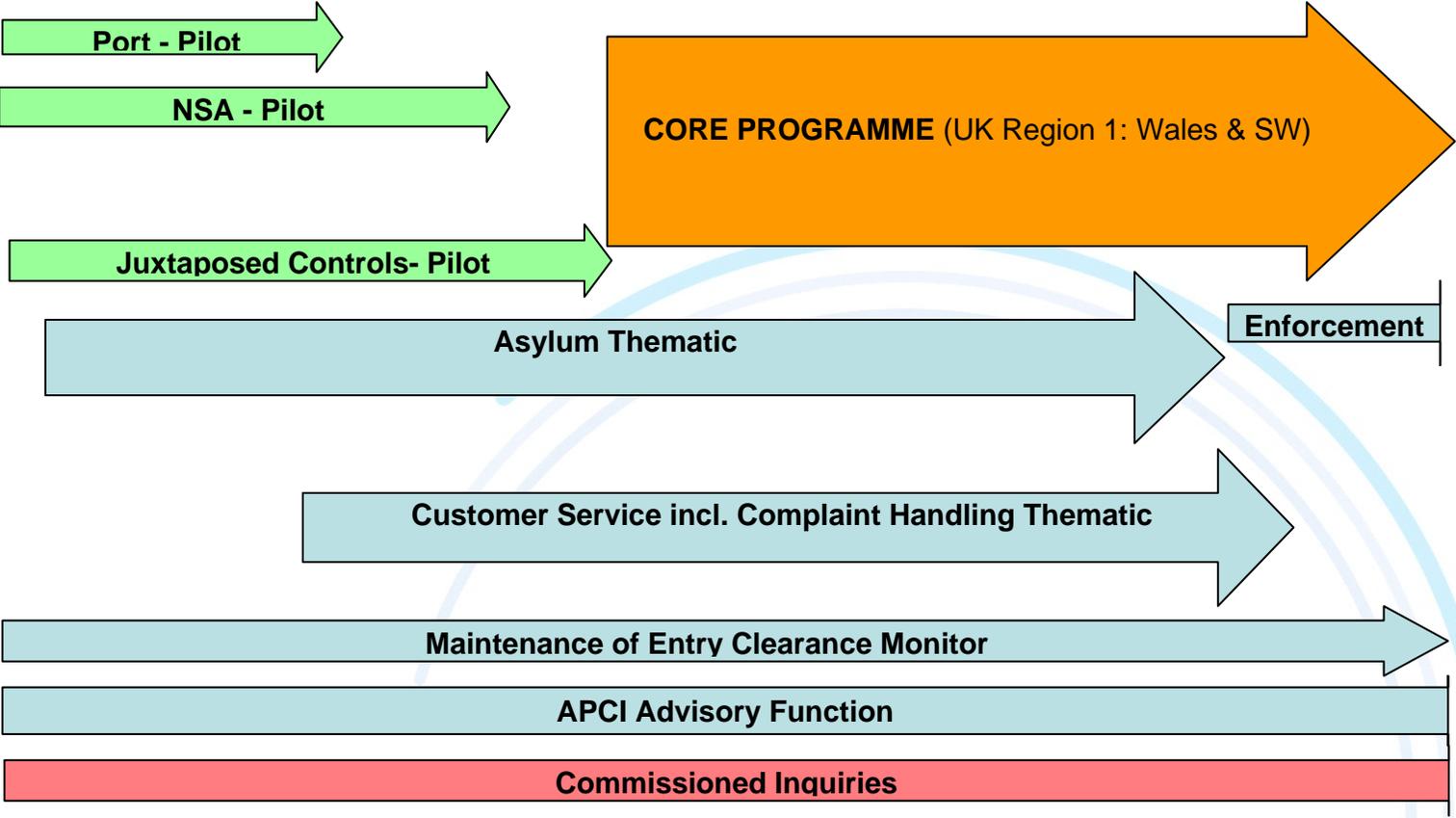
**ANNEX B Proposed Structure of the Office of the Chief Inspector of the UK Border Agency (December 2009)**



# Annex C: Draft Inspection Programme 2009/2010



APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
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# Draft Provisional Inspection Programme 2010/2011



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