



**Independent  
Chief Inspector**  
of Borders and Immigration

**UK Border**

# Inspection Plan for 2015-16

**Independent Chief  
Inspector of Borders  
and Immigration**

and Independent Monitor for  
Entry Clearance Refusals  
without the right of appeal

## **Our Purpose**

**We provide independent scrutiny of the UK's border and immigration functions to improve their efficiency and effectiveness..**

## **Our Vision**

**To drive improvement within the UK's border and immigration functions, to ensure they deliver fair, consistent and respectful services.**

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# The Plan

The effective and efficient working of the UK's border and immigration functions continues to be of great interest to those responsible for delivering these functions, to Parliament, and to the Public, not least because we are all touched by them. The Immigration Act 2014 set out a number of measures which have had, and will continue to have, an impact on the shape of these functions.

This inspection plan focuses on the areas where we believe inspection will help drive improvement in efficiency and effectiveness. The plan encompasses a range of important functions delivered across the Home Office's three border and immigration Directorates; Border Force, Immigration Enforcement and UK Visas and Immigration.

## Announced Inspections

The Immigration Act 2014 set out reforms to the immigration appeals system which have started to be phased in from October 2014. These reforms will see a number of in-country rights of appeal being removed and being replaced by an administrative review system, which aims to provide a proportionate and less costly mechanism for resolving case working errors. The legislation introducing these new requirements requires the Secretary of State to commission from the Chief Inspector a report that **examines the effectiveness of administrative review** in identifying and correcting case working errors, and assesses the independence of persons conducting these reviews.

Border Force is a law enforcement command within the Home Office, responsible for carrying out immigration and customs controls for people and goods entering the UK. Its role is to facilitate the legitimate movement of individuals and goods, whilst preventing those that would cause harm from entering the UK. An **inspection of Manchester Airport**, the busiest airport outside London and the South East, will examine how well Border Force is managing these key objectives, with a particular

focus on resource management, assurance processes and consistency of approach.

The Home Office relies heavily on intelligence when discharging its law enforcement responsibilities. Since 2012 there have been significant organisational changes within the Home Office. This inspection will examine the impact of these changes, focussing on **how intelligence is assessed, disseminated and acted upon across the Home Office**. It will take account of previous inspection reports which have examined the way in which intelligence was managed in the former UK Border Agency.

Since the abolition of the Complaints Audit Committee in 2008, it has been the responsibility of the Independent Chief Inspector of Borders and Immigration to examine how effectively the Home Office deals with complaints made by those experiencing the UK immigration services. This **thematic inspection of complaints handling** will encompass the work of all three Home Office Directorates and will focus on performance, outcomes and customer service.

The Home Office has been increasingly reliant on third party contractors to perform a range of immigration functions, ranging from casework to visa operations. In 2009, the powers of the Independent Chief Inspector were extended to specifically include contractors. Recent inspections of visa interviewing and overstayers included within their scope some assessment of the service provided by contractors but this will be the first inspection entirely focussed on contractor performance. It will assess **whether contractors are effectively discharging their duties and offering good value for money**.

A key strategic objective for the Home Office is the reduction of illegal migration through the creation of a hostile environment. The Home Office aims to create this hostile environment through the use of sanctions such as penalties and prosecutions and the introduction of legislative changes under the Immigration Act 2014. This thematic inspection will **assess how effective the**

**Home Office's attempts to create a hostile environment have been.** It will focus on the use of powers by the Home Office and the way it works with other government departments who share responsibility for implementing measures in the Immigration Act.

## Short Notice and Unannounced Inspections

Short notice and unannounced inspections are an important tool. Therefore, in addition to these announced inspections, we will also conduct **at least six short notice or unannounced inspections** during the year.

## Independent Advisory Group on Country Information (IAGCI)

The IAGCI will continue to provide its important strand of inspection work on my behalf scrutinising the quality of country of origin material being produced by the Home Office, for use when making decisions on asylum claims. The group will meet three times in the year, chaired by Dr Laura Hammond from the School for Oriental and African Studies (SOAS).

Retaining a focus on those countries from which the UK receives the most asylum applications, country reviews to be considered by the IAGCI in 2015-16 will include Iraq, Syria, Libya, Eritrea, Afghanistan and Nigeria.

## David Bolt

## Independent Chief Inspector of Borders and Immigration

# Role and Remit

The role of the Independent Chief Inspector for Borders and Immigration was established by the UK Borders Act 2007 to examine the efficiency and effectiveness of the functions of what was then the UK Border Agency.

The initial remit was to consider immigration, asylum and nationality issues. This was subsequently widened when the Borders, Citizenship and Immigration Act 2009 gave the Chief Inspector additional powers to look at border customs functions and contractors employed by the Agency.

The Chief Inspector is an independent public servant, appointed by and responsible to the Home Secretary. The Chief Inspector can also be called to give evidence to the House of Commons Home Affairs Select Committee.

## The Legislative Framework

Sections 48-56 of the UK Borders Act 2007 set out the legislative framework for the inspection of the UK's border and immigration functions. In short, the Act:

- requires the Secretary of State to appoint a Chief Inspector to evaluate the efficiency and effectiveness of the UK's border and immigration functions in dealing with asylum, immigration and nationality matters;
- extends the Chief Inspector's 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;
- provides for the Secretary of State to request the Chief Inspector to carry out an investigation into any matter regarding asylum, immigration, customs and
- nationality matters; and

- requires the Chief Inspector to consult the Secretary of State regarding his inspection plans; but this does not prevent him working outside the plans where he regards this as appropriate.

The Immigration Act (2014) also provides for the Secretary of State to commission, within 12 months of section 15 of the Act coming into force, a report from the Chief Inspector on the effectiveness of the administrative review process.

Below is a list of legislation relating to the Independent Chief Inspector of Borders and Immigration and the Independent Monitor for Entry Clearance Refusals without the right of appeal.

### UK Borders Act 2007

[www.opsi.gov.uk/acts/acts2007/ukpga\\_20070030\\_en\\_3#pb7](http://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](http://www.opsi.gov.uk/acts/acts2009/pdf/ukpga_20090011_en.pdf)

### Immigration and Asylum Act 1999

[www.legislation.gov.uk/ukpga/1999/33/section/23](http://www.legislation.gov.uk/ukpga/1999/33/section/23)

# Public Sector Equality Duty

The public sector Equality Duty came into force across Great Britain on 5 April 2011.

The public sector Equality Duty, at section 149 of the Equality Act, requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The Equality Duty supports good decision making – it encourages public bodies to understand how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people's needs.

By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies can be more efficient and effective. The Equality Duty therefore helps public bodies to deliver the Government's overall objectives for public services.

## Specific duties under the Equality Act

The Equality Act 2010 (Specific Duties) Regulations 2011 came into force on 10 September 2011. The specific duties help public bodies perform the Equality Duty better.

They do this by requiring public bodies to be transparent about how they are responding to the Equality Duty – requiring them to publish relevant, proportionate information showing compliance with the Equality Duty, and to set equality objectives.

The Equality Objectives for the Independent Chief Inspector of Borders and Immigration are:

## External Objectives

- (i) To engage, as appropriate, with external stakeholders to ensure that a diverse range of views are gathered, and considered, when agreeing the direction and findings within inspection activity.
- (ii) To ensure, on an inspection-by-inspection basis, that Home Office standards relating to the Public Sector Equality Duty are clearly understood and properly applied by all staff.
- (iii) To ensure that the inspectorate publishes, as part of the annual report, all relevant information as required by the Public Sector Equality Duty.
- (iv) Ensure that by 30th June 2015 an inspectorate diversity champion (at a senior level) is installed to lead the inspectorate's commitment to the Public Sector Equality Duty

## Internal Objectives

- (v) Ensure that an equality impact analysis is conducted of the internal application of HR policies and practice.
- (vi) To review, on an ongoing basis, the content of inspectorate-created documentation, ensuring that diversity and equality considerations are appropriately embedded within them.

# Appendix 1: Inspection Calendar for 2015-16

	2015			2016		
	Q2	Q3	Q4	Q1	Q2	Q3
<b>2015-16 ANNOUNCED INSPECTIONS</b>						
Complaints Handling						
Manchester Airport						
Contractor Performance						
Intelligence						
Delivering a Hostile Environment						
<b>HOME SECRETARY COMMISSIONS</b>						
Effectiveness of Administrative Reviews						

This calendar does not show at least SIX short-notice or unannounced inspections which are planned for 2015-16.

**Independent Chief Inspector of Borders and Immigration**

5th Floor, Globe House  
89 Eccleston Square  
London SW1V 1PN  
United Kingdom

Telephone: +44 (0) 20 3513 0487

Fax: +44 (0) 20 3513 0400

Press Enquiries: +44 (0) 20 3513 0448

General Enquiries: [chiefinspector@icinspector.gsi.gov.uk](mailto:chiefinspector@icinspector.gsi.gov.uk)

Copies of all public inspectorate documents are available on the Independent Chief Inspector of Borders and Immigration's website at:  
[www.independent.gov.uk/icinspector](http://www.independent.gov.uk/icinspector)

