

BORDER AND IMMIGRATION AGENCY

COMPLAINTS

— AUDIT —

COMMITTEE

ANNUAL REPORT 2006/2007

The Rt Hon Jacqui Smith MP
Home Office

November 2007

Dear Home Secretary,

Discharging our responsibility to you as members of the Border and Immigration Agency Complaints Audit Committee, we present you with our Annual Report for 2006/7. We regret that we are able to give only the most limited assurance on the quality and integrity of complaints management information which we have audited.

As part of our quarterly audits this past year, we have become increasingly concerned at the weaknesses of systems and procedures for recording, tracking and managing formal complaints and for quality assuring management information. As a result, we conducted a forensic audit of misconduct complaints, which identified upwards of 20% of missing records for which we have sought an explanation. Officials have responded to our queries and supplied sufficient information to satisfy us that figure has been reduced. The variance is, however, still over the materiality threshold of 10%. Therefore, even the lower figure undermines the analyses we presented in last year's Annual Report and also affects the analyses we are presenting to you in this report.

We have made recommendations to management to resolve the underlying issues, and we are encouraged by the co-operation of officials at all levels in supporting this critical work. We have been assured that new systems and procedures are being put in place to ensure that these problems do not arise again. We look forward to the implementation of these measures, which should enable us to present next year's Annual Report on a more reliable basis.

Yours sincerely,



Dr Ann Barker Chair



Ram Gidoomal CBE



Paul Acres

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BIA COMPLAINTS AUDIT COMMITTEE BOARD MEMBERS



Ann is an historian, criminologist, and public servant. She has lectured at Harvard, the University of London and Oxford and has written on topics ranging from the development of Indian self-government to the treatment of psychopaths. She has run a small business, been a recruitment consultant and managed change within the Home Office.

A former member of the Parole Board and Police Complaints Authority, she is a JP and sits on the General Medical Council Fitness to Practise Panel, the Mental Health Review Tribunal, and the appeal panel of the medical Royal Colleges. American and British, she straddles nationalities and appreciates cultural diversities.



Ram Gidoomal CBE is a businessman and entrepreneur. He is Chairman of Citylife (Industrial & Provident Society) Ltd, Winning Communications Partnership Ltd. and a Non Executive Director and Chair of Audit Committee of Amsphere Ltd. He is Vice Chair of St. George's University of London and chairs their Audit committee and is a Crown Appointee on the Court and Council of Imperial College (Chair of the Research Ethics committee).

He has written several books on cross cultural and ethnic minority business issues and is a visiting professor in entrepreneurship and inner city regeneration at Middlesex University.



Paul was a police officer for 36 years, serving in a wide range of specialist and senior management positions. He was a detective, senior complaints investigator and for 5 years Deputy Chief Constable of Merseyside before his appointment as Chief Constable of Hertfordshire. He developed national policing policy on professional standards, community and race relations, personnel management, conflict management and the police use of force and firearms.

He retired from policing in 2004 and now holds several public appointments, many concerned with the development of professional standards. He is currently chair of an NHS Primary Care Trust.

CHAIR'S FOREWORD

Notwithstanding data integrity problems which have undermined the analyses contained in this report, I am pleased to inform you that the executive 'buy-in' which we sought in our last Annual Report as critical to improving service delivery has been obtained. During the past year the Chief Executive and Executive Board have taken a leadership role in responding to our recommendations and reports. We have met with the full Board and I have met with the Chief Executive regularly to discuss weaknesses in systems and procedures in complaints management which we have identified through our audits and fact-finding visits. Senior management has accepted virtually all of our recommendations, although several relating to high risk activities are still being debated. The time lag between acceptance and implementation of recommendations means that the full benefit of our proposals has yet to be realised and reflected in our audits.

The need for fundamental changes to the way BIA manages complaints has been reinforced by our audit findings. In the past year only 29% of cases alleging misconduct by named officials and contract staff were handled in time. Investigations into these misconduct complaints have in our assessment remained poor. Only 8% of complainants were interviewed, thus kicking off an inequitable consideration of the complaint. We found that 89% of investigations were neither balanced nor thorough, and that as a consequence, 83% of replies were indefensible.

We have supported officials introducing systems and procedures aimed at improving complaints management across BIA. Our scoping of service delivery complaints has provided an evidence base for the development of improved procedures in business areas such as Managed Migration. The system for informal resolution of minor misconduct complaints which the Minister asked us to design has been accepted in principle. A new detention service order, introduced in October 2006 and revised in March 2007, has addressed many of the concerns we articulated in our last Annual Report about complaints arising from the detention and removal of failed asylum seekers. The Police and Justice Act 2006 specified the jurisdiction of the Independent Police Complaints Commission in regard to BIA, and we have advised on the regulations underpinning the legislation. In December 2006 the Customer Focus Team (CFT) launched a Complaints Handling Project to produce standards and guidance on procedures for complaints management by February 2008 and a Case Management Database Project to provide IT support for the new system by October 2008.

I would particularly like to thank Lin Homer, Chief Executive of BIA, for taking a keen interest in using complaints to drive performance improvements, to Joe Dugdale, Strategic Director for Human Resources and Operational Development, for engaging so constructively with us, and to CFT for providing administrative support for our work. I would also like to give special thanks to Ram Gidoomal and Paul Acres without whose imagination, breadth of skills and dedication none of the above would have been possible.



Dr Ann Barker

EXECUTIVE SUMMARY

Chapter 1: THE CHANGING CONTEXT OF COMPLAINTS MANAGEMENT

- A forensic audit of misconduct complaints showed upwards of 20% of missing records for which we have sought an explanation. (See Appendix for details.) Management has supplied sufficient information to satisfy us that the figure may have been reduced to 15%. However, until the data assurance exercise is completed and management takes the appropriate action to ensure that a similar breakdown will not occur in the future, we can give only the most limited assurance on the quality and integrity of complaints management information we have audited.
- An audit assurance exercise on volumes, timelines and types of service delivery complaints by department raised serious concerns about the integrity of data and the validity of any analysis derived from it. We found fundamental problems indicating poor quality control, lack of clear guidance and wasted resources. Given these serious weaknesses in systems and procedures, we cannot provide assurance that service delivery complaints are being managed effectively.
- In last year's Annual Report we called for a single, holistic complaints management system for BIA. Our audits have demonstrated a lack of overall clarity in accountability for complaints management and the need for a unified management system.
- Customer satisfaction in BIA's management of complaints remains low. By our calculations 71% of misconduct complaints were not completed to time targets in the past year. 65% of complainants responding to the BIA Complainant Survey said that they did not feel that a full and impartial investigation had been conducted.
- Extensive changes in the governance structures of BIA in 2006/7 and 2007/8 such as shadow agency status, regionalisation and the proposed Chief Inspectorate pose opportunities and risks in regard to complaints management.
- The global environment in which complaints arise is changing as a consequence of many factors including rising violence against religious and ethnic groups in Africa and the Middle East leading to greater number of asylum seekers, increased people trafficking, faster processing of asylum applications and swifter removal of failed asylum seekers.
- In the past year we have recast our recommendations to align with BIA's main risk register. We have identified specific weaknesses in systems and procedures and the cause of associated risks, assessed the impact of these risks and recommended steps to mitigate them.

- In October 2006 major changes occurred in the governance structures of complaints management. Units in the Immigration Service and IND were merged into one complaints unit, the Customer Focus Team (CFT), and the Prison and Probation Ombudsman assumed an appellate jurisdiction for complaints lodged in detention centres. Significant problems arose in the process of erecting new systems and procedures.

Chapter 2: MISCONDUCT COMPLAINTS

- In our view investigations have remained poor with only 8% of complainants interviewed, 11% of cases showing equitable and thorough evidence gathering, and 17% of replies being defensible.
- In dealing with arrest team cases, the Enforcement and Compliance Complaints and Internal Investigation Team (CIIT), based in Manchester, have responded constructively to our advice. Recent evidence suggests that their commitment to improving systems and procedures for managing these serious misconduct complaints will be reflected in future audit findings.
- The Detention Service Order of October 2006 instituting new arrangements for managing complaints has addressed some of the concerns expressed in our last Annual Report. However, its implementation has left contractors and officials, who are not completely independent of contractors and/or staff at centres, involved in investigations in a manner which we regard as incompatible with basic standards of sound investigation procedures.
- In July 2006 the Home Office Audit and Assurance unit provided an independent opinion on the effectiveness of the new complaints handling procedures in the detention estate. Like us, they were critical of the lack of transparently independent investigations, delays in evidence gathering and weaknesses in quality assurance.
- We are pleased that the Operational Support Unit (OSU) and the Executive Board have responded positively to the HOAA recommendations. However, we remain firmly of the view that risks to life, limb and reputation would be substantially mitigated if investigations were undertaken entirely independently of contractors by properly selected, trained and supervised BIA officials who have no operational remit in regard to selecting contractors, monitoring contracts or managing arrest, escort and removal activities.

- The informal resolution of minor misconduct complaints modelled in part on the system which we outlined in our last Annual Report was piloted unsuccessfully during the past year. We are pleased that management is now taking a proactive role identifying cases in which informal resolution is a more proportionate response to minor misconduct complaints than a full, resource-intensive investigation.

Chapter 3: SERVICE DELIVERY COMPLAINTS

- We are very pleased that the Executive Board have accepted that management information from service delivery complaints is a potential mine of business information which could be used to support trend analysis, to identify problems and hotspots and to compare performance in different business areas and regions.
- To assist the Board in these exercises we replicated the snap-shot of service delivery complaints which we took in 2005 and drilled down into the data on timeliness, volumes and types of complaint by department. We found that poor quality control, lack of clear guidance and wasted resources have created such serious weaknesses in systems and procedures that we cannot provide assurance that service delivery complaints are being managed effectively.

Chapter 4: THE FUTURE

- In December 2006 the Home Office issued a consultation paper on the proposed statutory provision of a Chief Inspectorate of Immigration. Our response highlighted the need for an independent assessment of BIA across directorate and regional boundaries to facilitate a consistent means of identifying areas of high risk and of sharing good practice throughout the organisation.
- We have no objection to the absorption of our Committee into the new organisation, but we have strongly recommended that the Chief Inspectorate should adopt the whole remit of the CAC and undertake all of the activities currently conducted by us.
- The second fundamental change will occur in February 2008, when responsibility for complaints management will be transferred to the six new regional directorates. If clear standards, policies and guidance are developed, articulated and monitored by CFT and if officials are fully trained before devolution occurs, regionalisation could promote timely, appropriate and cost-effective complaints management.

“People’s lives are deeply affected by the original experience leading to any complaint. The complaint procedure is just as important in human terms. People are seeking even handed justice to what they believe is an injustice or mistake.”

All quotes in grey are from the ongoing BIA Complainant Survey

“We will inspire a culture of public service, passion and pride that everyone in IND shares”.

Fair, effective, transparent and trusted:
Rebuilding confidence in our immigration system.

Home Office July 2006

Over the past two years we have exercised our ministerial remit to audit complaints with a view to identifying weaknesses in systems and procedures in complaints management and to assessing their impact on service delivery across IND/BIA. We have presented our findings quarterly and have made recommendations addressing the problems which our audits have highlighted. The key thrust of our recommendations has been to put things right for the customer and to enable officials to learn lessons from complaints with a view to achieving four strategic goals:

- provide reliable, quality-assured management information
- mitigate risk in the arrest, detention and removal of failed asylum seekers
- improve customer service
- increase the public’s trust and confidence in BIA and enhance its professional reputation

Our Annual Report 2005/6 highlighted a critical need of:

- greater strategic direction and control from the Executive Board in regard to complaints management;
- greater clarity in the lines of accountability and responsibility for complaints down the hierarchy and across business areas and regions;
- fundamental improvements in the way complaints are managed and investigated

Over the past year we have refined our risk assessments and recast our recommendations to align with BIA’s main risk register. In doing so we have recognised that improvements in complaints management are being introduced against a backdrop of rapid and extensive changes in the governance and structures of the organisation, each with its own potential benefits and risks.

From our perspective shadow agency status poses the risks of unclear lines of accountability in complaints management if roles are not defined carefully as new structures are put in place during the transitional year 2007/8. Regionalisation offers the huge potential benefits of turning unwieldy centralised business areas distant from customers into six more efficient and accountable bodies closer to service users, but it also risks the fragmentation of structures and inconsistencies in procedures for handling complaints which have severely weakened systems to date. BIA’s challenging ‘capability’ programmes of change aim to transform the organisation into an efficient department of government delivering value for money and satisfying customer expectations, but the extensive remit of these programmes augmented by the need to improve core business performance could relegate complaints management to a subsidiary position and deprive it of the resources and direction needed to make necessary improvements. Finally, the proposed Chief Inspectorate heralds the integration of important monitoring functions, but it also risks creating gaps in essential auditing and scrutinising functions if the discreet remits and expertise of existing bodies are not fully

transferred to it. Given these opportunities and risks, we consider it imperative that the programmes of work to adopt our recommendations to improve complaints handling and investigation are completed, at the latest, when major organisational change occurs.

The global environment in which complaints arise is changing as a consequence of many factors including: increasing numbers of economic migrants (EU and others); the strengthening of immigration controls through Managed Migration and Work Permits UK; faster processing of asylum applications and swifter removal of failed asylum seekers; threats of terrorism; timely deportation of foreign national prisoners; increased people trafficking; and rising violence against religious and ethnic groups in Africa and the Middle East leading to greater numbers of asylum seekers

On 1 October 2006 major changes occurred in the governance structures of complaints management. The Immigration Service Customer Relations Unit (ISCRU), which handled misconduct complaints for the Immigration Service, was abolished and its remit was transferred to the Customer Focus Team (CFT). A new detention service order instituted fundamental changes in the way complaints are handled in the detention estate, and the Prison and Probations Ombudsman assumed an appellate jurisdiction for these complaints.

Changes to the way BIA handles complaints have created significant problems associated with the process of introducing new policies and procedures. For example:

- Lack of appropriate transitional arrangements led to a failure to refer several arrest team cases to us. Under the provisions agreed in regard to sections 128-138 of Part VII the Immigration and Asylum Act 1999, the CAC gives transparently independent guidance in the planning and execution of investigations of complaints arising from the exercise of police-like powers by warranted Immigration Service officers. By scrutinising the evidence and advising on the investigation, we provide assurance that alleged misuse of power is properly investigated and that risks of misuse are mitigated. The failure to refer cases to us increases such risks.
- At least three allegations of racism were categorised as service delivery complaints rather than misconduct complaints because officials were uncertain about the handling of allegations against named individuals after the abolition of ISCRU. Miscategorisation of these complaints risked potential civil litigation consequent upon a possible breach of the Race Relations (Amendment) Act 2000.
- An number of assaults were also categorised as service delivery complaints, thereby raising the risk that alleged misuse of force was neither properly investigated nor appropriately challenged.
- An number of misconduct complaints were not tracked during the transitional period leading up to the abolition of ISCRU and the transfer of its remit to CFT.

“The complaint was on the grounds of racial discrimination bias and it was taken very lightly, which is obvious from the way they dealt with the points raised in the complaint.”

“Effective training is needed for all staff and possible levelling sessions so all staff respond to complaints in a similar way. A course of soft skills (empathy, understanding the customer, objection handling) would be useful.”

“The complaint and the final results were very well explained.”

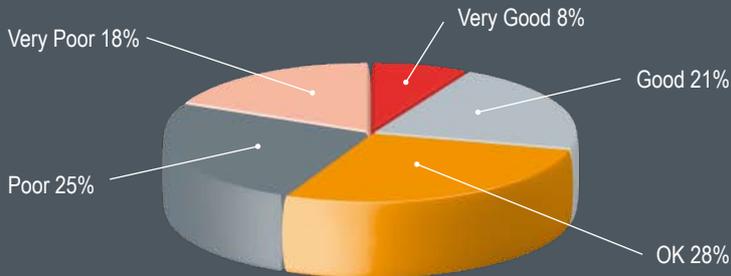
During our visits we have talked with Immigration Service officials who have perceived a lack of information, feed-back and quality assurance since October 1st. They have expressed a need for more training, clear professional and service delivery standards as well as clear guidance in handling different kinds of complaints and in benchmarking complaints from business areas. We have been assured that CFT is taking steps to address these concerns and manage risks arising from the transfer of responsibility of Immigrations Service complaints.

In the past year we have supported officials, who are developing a new complaints handling system modelled on the plan we outlined in our last Annual Report. CFT has initiated a Complaints Change Programme aimed at bringing the shadow agency's complaints handling processes in line with Cabinet Office guidelines for best practice in the public sector. They have set up two projects to improve customer service and streamline complaints handling procedures.

A Complaints Handling Project was started in December 2006 tasked with producing by February 2008:

- A matrix for categorising complaints according to type and severity with appropriate routes for handling, as explained in our last Annual Report
 - Standards and guidance on procedures for complaints handling to promote good practice and consistency across central business areas and devolved local complaints handling units
 - Management systems that utilise information from complaints to improve service delivery
- A Complaints Case Management Database Project was set up to facilitate the identification of trends, problems and hotspots by October 2008
- We have analysed the recent BIA Complainant Survey to extract year-on-year analysis and to assess trends:
- 60% of those who responded felt that overall service was very good, good or OK. This is an improvement on last year's figure of 55%, but it still falls significantly short of Cabinet Office standards.
 - The highest priority of respondents was an impartial investigation, yet 58% felt that their complaints had not been dealt with fully and impartially. This is an improvement on last year's figure of 71%.
 - Their second and third priorities were a detailed response and an apology, yet 54% of respondents felt that their complaints were not taken seriously (55% last year);
 - Their fourth priority was timely handling, yet by CFT's calculations 64% of cases were not completed within target dates (57% last year).
 - By our calculations over 71% of complaints were not completed within target dates, and some cases took over a year.

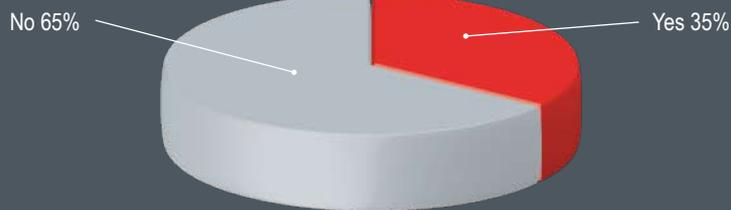
THE OVERALL SERVICE RECEIVED FROM COMPLAINTS UNIT WAS:



Source: BIA Complainant Survey

"I was pleased and surprised by the response from IND. I was disappointed the person who was so unpleasant to me at Immigration was not traced. I appreciated the effort though and the fact my complaint was taken seriously and dealt with in a professional manner."

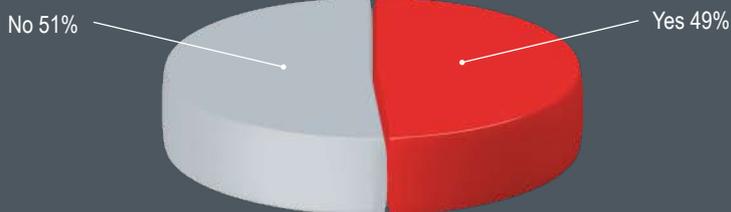
DO YOU FEEL THAT IND/BIA CARRIED OUT A FULL AND IMPARTIAL INVESTIGATION?



Source: BIA Complainant Survey

"The IND assumed that the member of staff under question/ investigation was beyond reproach and everything seemed to reflect a bias in the way the investigation was conducted. My concerns were totally dismissed."

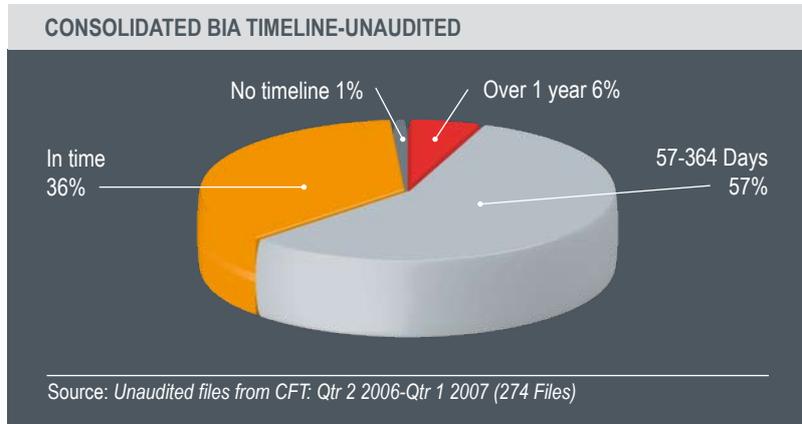
DO YOU THINK IND/BIA TOOK THE INVESTIGATION SERIOUSLY?



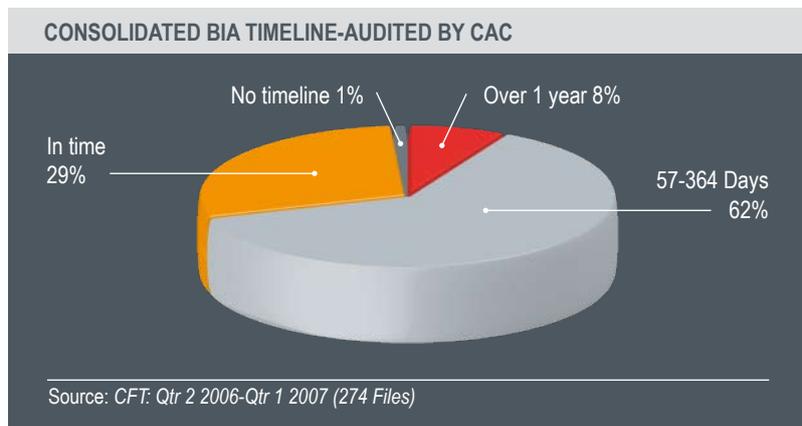
Source: BIA Complainant Survey

"The issues were apparently understood, but if it had been taken more seriously, more evidence would have been procured."

“Although the staff were courteous and helpful, the time taken to resolve the complaint, and the outcome, made this irrelevant. Summary: I wish I hadn’t bothered.”



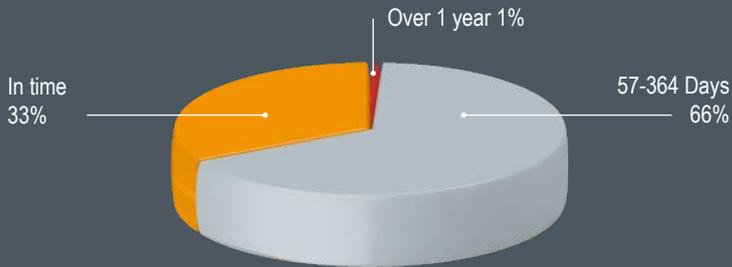
“I felt the complaint should have been dealt with much quicker.”



During the past year we drilled down into the quarterly data sent to us and audited timelines by department. We found considerable variation in performance to targets. CFT handled one-third in time, while immigration service/borders/enforcement and removals handled 45% in time. Detention Services handled only 10% in time and this percentage did not

improve even when time taken for police consideration was factored into the calculation. Our audit sample of arrest team cases completed in the past year shows that none was handled in time, 89% took more than the eight-week target and one investigation took over a year. The scope for improvement in all business areas is substantial and the need for it is urgent.

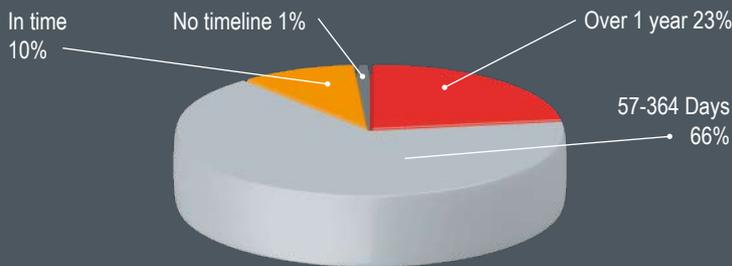
CFT AUDITED TIMELINE



Source: CFT: Qtr 2 2006-Qtr 1 2007 (102 Files)

“Much more speed needed. Person responsible for my complaint was not identified, despite my giving date/time/ location of relevant incident. If several weeks elapse, person responsible is more likely to have forgotten it/be able to evade it.”

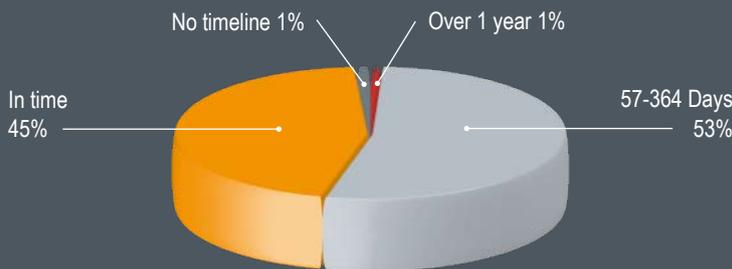
DETENTION ESTATE AUDITED TIMELINE



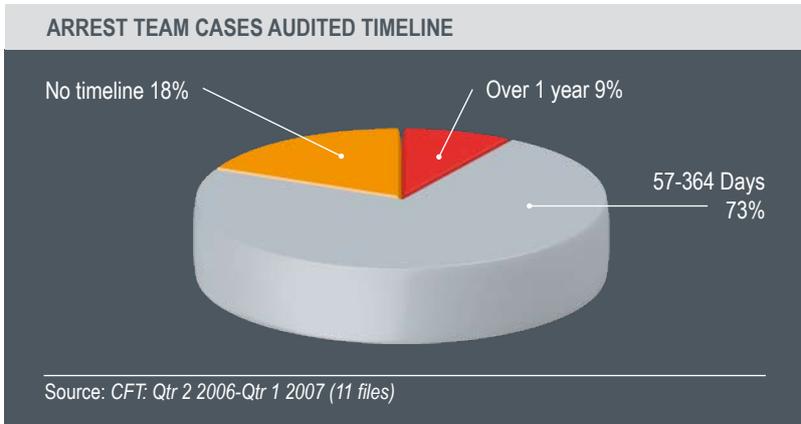
Source: CFT: Qtr 2 2006-Qtr 1 2007 (90 Files)

“Reply back within a reasonable time, not one year after the person is deported back to his country.”

ISC/BORDERS AND E&R AUDITED TIMELINE



Source: CFT: Qtr 2 2006-Qtr 1 2007 (82 Files)



The test of senior management's commitment to address these and other problems identified in this report will be to direct and resource the implementation of necessary changes. We shall support officials striving

to implement proposed changes by continuing to focus our audits on monitoring and tracking timelines, standards of investigation and customer service in the year ahead.

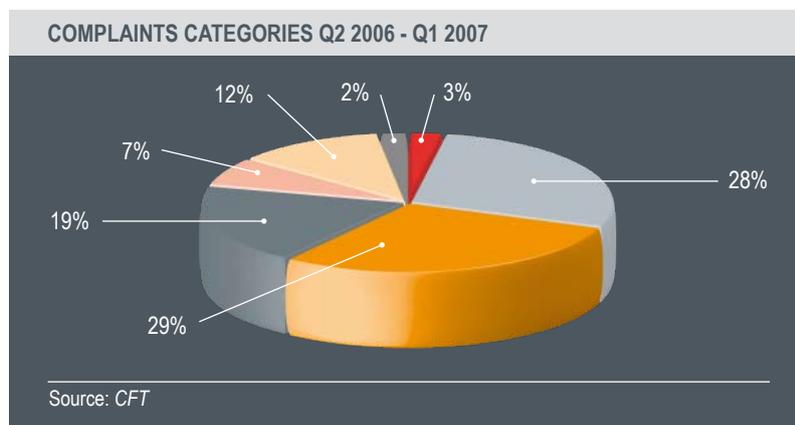
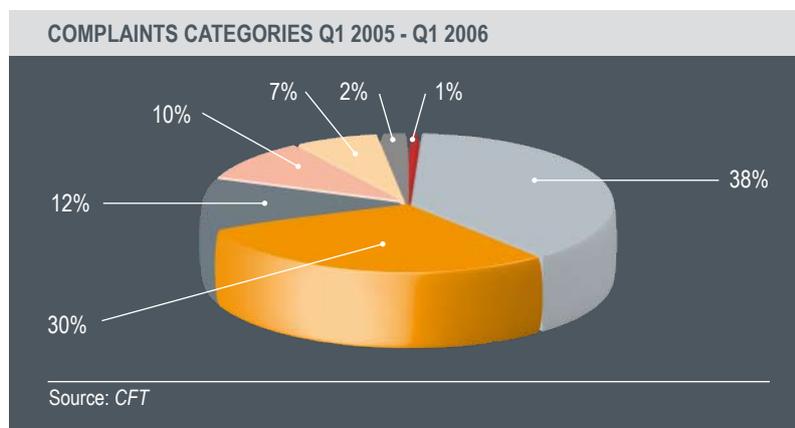
Chapter 2 MISCONDUCT COMPLAINTS

Serious misconduct complaints continue to be sources of grave concern to us because of the risks of injury or death, wrongful arrest and civil liability arising from the arrest, detention and removal of failed asylum seekers. As in

2005/6 we have audited all complaints related to these activities in 2006/7. An analysis of complaints by BIA categories for 2005/6 and 2006/7 shows remarkable consistency in all but one area.

The largest number of complaints in both years was generated by allegations of inefficiency. These comprised nearly one-third. Allegations of racism were roughly equivalent year-on-year, as were allegations of unprofessional conduct and unfair discrimination. The one notable difference relates to allegations of rudeness and criminal behaviour. In 2005/6 rudeness accounted for 38% and criminal behaviour for 12%; in 2006/7 rudeness dropped to 28% and criminal behaviour rose to 19%.

One possible reason for the apparent correlation between these two categories is increased accuracy in categorisation. Virtually all complaints classified as criminal behaviour are allegations of assault. When we commenced our tenure in June 2005 and audited files for the first and second quarters of that year, we found a high percentage of assault allegations categorised as rudeness. Most of these complaints were made by failed asylum seekers returned to detention centres after aborted removals. In the past two years Detention Services have become far more rigorous in categorising assaults correctly and referring them to the police. In 2006/7 they properly referred 88%. It is possible that this good practice has led at least in part to the falling number of allegations of rudeness and the rising number of allegations of criminal behaviour. It is equally possible, of course, that there is no correlation between these two sets of figures and that the rise in allegations of criminal behaviour is a consequence of contract staff having used control and restraint procedures more frequently in the past year. These conjectures merit consideration because of the risk of serious injury reflected in complaints of assault.



Miscellaneous	■
Rudeness	■
Inefficiency	■
Criminal behaviour	■
Racism	■
Unprofessional conduct	■
Unfair discrimination	■

“The main complainant was not interviewed and given the chance to counter the version given by the IO in response to the complaint.”

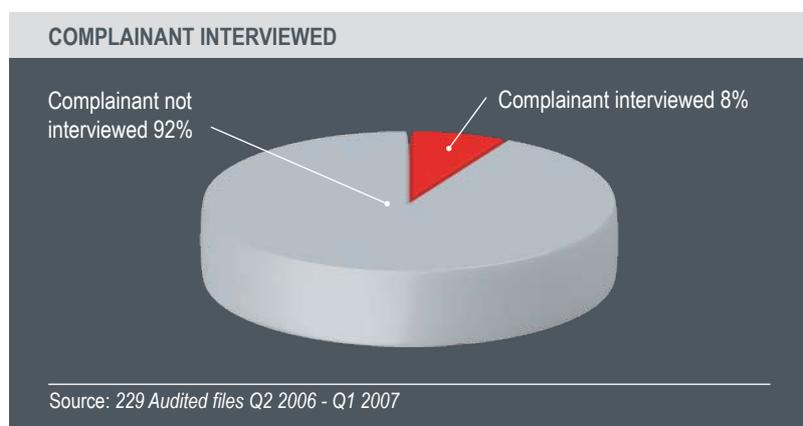
Turning from categories to procedures for handling serious misconduct complaints, we see a similar consistency between 2005/6 and 2006/7. Last year we reported that very few complainants had been interviewed, that investigations were superficial and that reply letters were deficient. This year we have drilled down into the data with a view to providing a more detailed, evidence-based assessment of the quality of BIA investigations.

The first step in any effective investigation is to obtain from the complainant a clear account of the incident giving rise to the complaint. Our audit of all serious misconduct cases sent to us between the second quarter of 2006 and the first quarter of 2007 showed that only 8% of complainants were interviewed. Our firm view that it is imperative to interview all complainants whenever practicable has been mirrored by complainants, themselves, who believe that their voice must be heard.

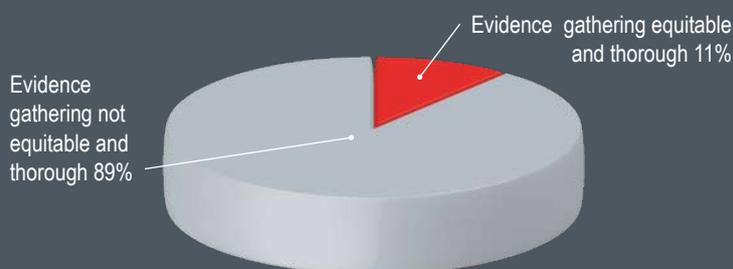
The second step in conducting an investigation should be to secure as much independent witness and forensic evidence as possible in addition to interviews with officials and/or contract staff involved in the incident occasioning the complaint. These probative steps were taken in only 11% of the investigations of serious misconduct which we audited. As a consequence we found these investigations to be neither equitable nor thorough.

Although some replies were lengthy, our audit found 83% to be indefensible due to the lack of evidence collected in support of the complainant, the weight of evidence advanced to support the official/contract staff against whom the complaint was made, and a clear bias in favour of official/contract staff in weighing the evidence.

“Complainants need to be interviewed about their complaint – otherwise the investigation is one sided, and cannot be impartial.”
“Their investigation of my



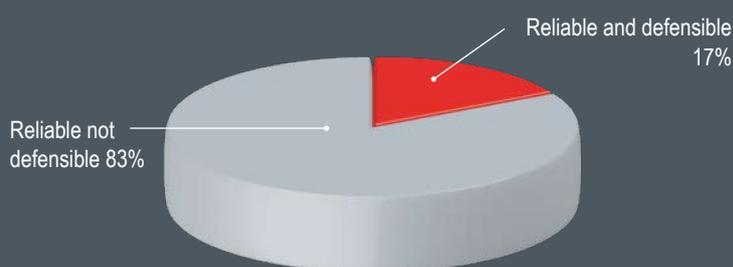
EVIDENCE GATHERING



Source: 229 Audited files Q2 2006 - Q1 2007

complaint was just a report of what the Immigration Officer said. I wanted them to dig a bit deeper into the matter."

QUALITY OF REPLY



Source: 75 Audited files Q4 2006 - Q1 2007

"More weighting was given to evidence given by staff than that given by the customer."

The remedy to the inadequacies of the current system is in our view a thorough, impartial investigation conducted to agreed high standards by a small team of independent investigators (See Appendix A). Because of the expertise required to conduct such resource-intensive investigations, we have consistently recommended to the Minister, the Chief Executive and the Executive Board that BIA create a small team who are properly selected, trained and monitored and who could provide a resilient, 24/7 capability across BIA. Such a team of experts could offer a

transparently independent and consistent method of investigating serious complaints. They could also work in tandem with the IPCC as soon as its jurisdiction is extended to BIA in 2008.

A new system for referring serious misconduct complaints made through confidential access in the detention estate to the Operational Support Unit was put in place in October 2006. It clarifies and streamlines procedures and goes some way to meeting the criteria for sound complaints management set

"The complaint investigation consisted of simply taking a note of the Officers account and time; appeared to be no analysis and evidence that could have been probative of the complaint."

out in our Annual Report of 2005/6. While it strips contractors of lead roles in the investigation of serious misconduct complaints, it does not eliminate their role altogether. Critically, it leaves the direction of investigations to officials who are not completely independent of any line management or other relationships with contractors and/or staff at detention centres. To our minds this is entirely incompatible with basic standards of sound investigation.

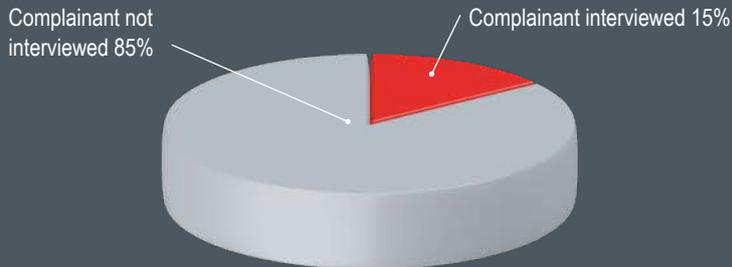
Last year we recommended that BIA draw up a protocol with the police to ensure consistency and quality assurance in managing criminal allegations. We are pleased that OSU is working with Heathrow Police to formulate a memorandum of understanding on referrals of allegations of criminal behaviour arising from detention and removal activities at the airport. This aims to facilitate speedy collection of evidence and witness statements and to provide a written audit trail of the police

consideration of the complaint. We have been encouraged by this collaboration and have suggested that this agreement could be used as a template for referrals to other police forces.

In dealing with arrest team cases, the Enforcement and Compliance Complaints and Internal Investigation Team (CIIT), based in Manchester, has been most responsive to our advice. Recent evidence suggests that their commitment to improve systems and procedures for managing and investigating these serious misconduct complaints will be reflected in future audit findings.

During the past year we have audited very few detention centre complaints handled under the new system because of continuing failures to meet targets leading to a substantial backlog of cases from 2004, 2005 and early 2006. In old cases sent to us for audit we found that the quality of complaints investigations has remained poor.

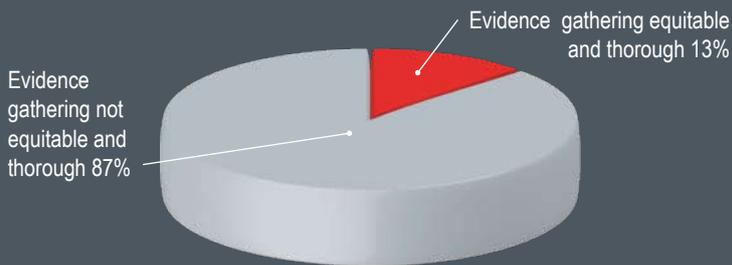
DETENTION ESTATES COMPLAINANT INTERVIEWED



Source: 92 Audited files Q4 2006 - Q1 2007

- 15% of complainants were interviewed.

DETENTION ESTATES EVIDENCE GATHERING

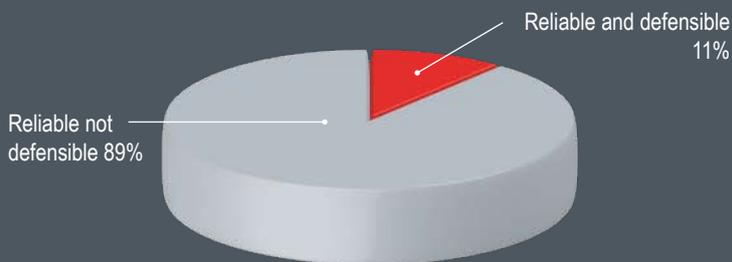


Source: 92 Audited files Q4 2006 - Q1 2007

- 13% of these investigations were by our assessment thorough with equitable evidence gathering.

"I do not believe that IND is truly impartial. It will take the word of an Immigration Officer or Detention Centre Employee over that of the Detainee."

DETENTION ESTATES QUALITY OF REPLIES



Source: 38 Audited files Q4 2006 - Q1 2007

- 11% of replies were defensible in presenting evidence-based reasons which were fair to both sides.

"Response did not seem to believe the constituent's complaint was valid and did side with IND staff and contractors seemingly without question." MP responding to Customer Survey
"Improve on impartiality and

independent judgement on handling complaints.”

“Serious complaint of assault should not take 12 months to consider, also response did not cover all areas in sufficient detail.”

“I honestly think that there should

A fundamental cause of poor complaints management has been the involvement of contractors in the investigation of serious allegations against their own staff. In the past year 95% of the cases which we audited were investigated by contract staff. In most of these cases Immigration Service contract monitors and the OSU failed to enforce deadlines and failed to supervise contract staff effectively.

An alleged assault, which was so serious that the complainant was hospitalised for four days, highlights risks arising from contract staff conducting investigations and contract monitors managing them. The contractor investigated the complaint but did not keep records of either the investigation or of the letter which they sent to the complainant. Two Immigration Service managers at the detention centre did not monitor the contractor’s investigation. Eighteen months after the incident the head of OSU observed that “all in all the IS managers have failed in almost every aspect of the laid down complaints investigation procedures and in some respects, have deliberately ignored those requirements” which were meant to “ensure and avoid the suggestion of having swept something unpleasant under the carpet”.

In a few cases officials with line management responsibilities for enforcement and removal activities investigated complaints arising from incidents in which they played a role. In one case an alleged assault was investigated by the official who authorised the use of leg restraints during the incident which led to the complaint. Her operational line management and subsequent

investigation breached the most basic principles and procedures of investigation, e.g. independence, transparency and avoidance of any possible perception of bias. The integrity of the investigation was further jeopardised by delays which prevented a timely referral to the police and investigation of the alleged crime. The contractor was asked to undertake an initial investigation ten months after the incident. The escort team could remember neither the complainant nor the incident. Nevertheless, on the basis of their lack of recollection and on inspection of their use of force reports, the contract manager concluded that the staff acted professionally at all times during the removal and that the complaint was unsubstantiated.

In our view glaring failures such as these to undertake proper investigations of alleged violence by contract staff may lead to three significantly deleterious outcomes. First, they deprive the complainant of a timely, effective search for the truth and fair resolution of his/her case. Second, they erode the trust of detainees, their legal representatives and others concerned with good order in detention centres and detainees’ welfare in the efficacy of the complaints system. Third, they nullify the vital impact that complaints investigations should have on deterring misconduct and moderating the behaviour of staff working in potentially volatile environments. These failures may increase BIA’s prime strategic risk of major disorder in detention centres.

Because we have received relatively few cases lodged since October for audit, we welcomed the Home Office Audit and Assurance report which provided an

independent opinion on the effectiveness of the new complaints handling procedures in the detention estate. It gave an amber/red rating indicating an above average probability of fraud, impropriety and damage to reputation. It concluded that some key controls existed but were not being applied consistently and effectively and that objectives were either not met or were met without achieving value for money.

Highlights of the HOAA report accord with our own findings by identifying risks arising from:

- the lack of transparently independent investigations
- inconsistencies in complaints reporting practices
- weaknesses in monitoring procedures
- delays in evidence gathering and in completing investigations
- weaknesses in quality assurance by OSU management

The report was particularly concerned, as we have been, about contractors' commercial incentive to suppress the full recording, investigation and substantiation of complaints. It confirmed that penalty points are awarded to contractors as a consequence of proven allegations and reiterated our gravest anxiety that "very serious complaints such as allegations of assault would not be notified to the police or OSU as this could lead to

adverse publicity and could contribute to the loss of lucrative contracts" and that "in extreme circumstances, this could lead to prolonged abuse, resentment and frustration amongst detainees which could escalate to high profile disturbances within the Detention estate".

We discussed the report with senior officials in Detention Services, and we also raised several important points arising from the HOAA findings and recommendations with the Executive Board. We are pleased that OSU has responded positively to the HOAA recommendations and has put action plans with time targets in place to address areas of risk. However, we remain firmly of the view that investigations must be undertaken entirely independently of contractors by properly selected, trained and supervised BIA officials who have no operational remit in regard to selecting contractors, monitoring contracts or managing arrest, escort and removal activities. Until provision for a team of entirely independent investigators is made, the risks to life, limb and reputation associated with poor investigations remain in our assessment significant.

During the past year we have talked with HR officials to explore how investigations could be co-ordinated and lines of accountability tightened to ensure that substantiated complaints will lead to disciplinary proceedings with appropriate outcomes. Even in serious complaints ending in proven allegations, weaknesses in links between complaints and HR procedures have meant a replication of work and incurring of unnecessary costs. One cost-effective way forward would be

be an independent body dealing with IND complaints. I find it hard to believe that other IND officers would question their own colleagues' attitude."

"What if any changes have been made by the Escort Agency? What is their accountability?"

"Complaints should be independently investigated."

"I am not in favour of being a disciplinarian at all times, but the man was so rude unnecessarily that I feel disciplinary action should have been taken. It certainly would have been in an educational setting."

for the small team of expert investigators, whom we believe should conduct all serious misconduct investigations, to extend their remit to include HR requirements. CFT and HR officials are considering these problems and proposals.

We were concerned to learn that when HM Chief Inspector of Prisons detention centre team inspected Colnbrook Immigration Removal Centre, they discovered three serious assault complaints which had been withdrawn for no stated reason. In future we urge that a proper, complete record be kept of complaints in progress, completed and withdrawn and that the reasons for withdrawal and the person responsible for it be documented for submission to the OSU, HM Chief Inspector of Prisons, the Prisons and Probation Ombudsman, the Parliamentary and Health Service Ombudsman, the CAC, and by the spring of 2008, the Chief Inspector of Immigration as well.

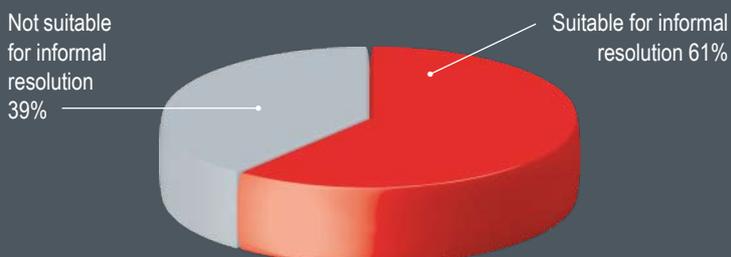
With the encouragement of the Director General we extended our data collection on misconduct complaints in the detention estate with a view to conducting a trend analysis of allegations of assault by contract staff. We were unable to complete this project because the coding system for the detention estate has been neither clear nor consistent. As a consequence, our attempt to analyse allegations of assault against contract staff in Ports of London (including Harmondsworth) foundered, as its code has been used indiscriminately across the estate. We alerted CFT and OSU to this serious flaw in the system and urged appropriate action. We have been

assured that the coding has been rectified. As a consequence, it should in the future be possible to obtain reliable management information from this data to enable officials to identify problems and hotspots and to improve performance.

In our Annual Report 2005/6 we outlined a system of informal resolution designed to manage the majority of misconduct complaints, which allege comparatively minor lapses in professional behaviour such as rudeness and inefficiency. This year we repeated the audit exercise of assessing how many misconduct complaints could have been handled swiftly, cost-effectively and with increased customer satisfaction through informal resolution. By our calculations roughly 61% were suitable for informal resolution. Another 39% complaints were unsuitable due to the serious nature of the allegations, most of which were generated through high risk enforcement, detention and removal activities. These required full - and to our minds independent - investigation.

Our model for informal resolution, which mirrors the system used to great effect by the police service for dealing with minor misconduct complaints, was accepted, training was provided in July 2006 and a pilot was conducted from August to October. Despite the ministerial directive and Executive Board buy-in, only two complaints were handled through IR during the pilot period. The subsequent evaluation recognised that the business had effectively failed to adopt the pilot. Several reasons for this low take-up were advanced:

SUITABLE FOR INFORMAL RESOLUTION



Source: 137 Audited files Q2 2006 - Q1 2007 Excludes Detention Estate Complaints

- Officials' concern about what they regard as excessive paperwork. We would point out that this could only be valid if the alternative formal investigations continue to be conducted in the inadequate manner which we have so strongly criticised. Informal resolution will always be a much simpler process than a full formal investigation.
- A belief that complainants would be reluctant to waive the right to opt for a formal investigation. As the evaluators and senior management have accepted that full formal investigations are a disproportionate means to resolve minor matters, it seems to us that there is merit to limiting access to this resource-intensive option for handling issues such as incivility and low level inefficiency.
- Concern that there should be a right of appeal on substantive as well as on procedural grounds. Again, the issue of proportionality arises. The police and IPCC have tried and tested the proposed system, which limits appeals to procedural

issues, and have assessed it be a proportionate means of resolving similar minor misconduct complaints.

We would add to this list evidence of confusion about the distinction between 'service delivery' and 'minor misconduct complaints' and confusion about 'local' and 'informal' resolution. We would also point out that customer satisfaction with the police rose dramatically as soon as IR was made available and that BIA could enjoy similar benefits if this swift response were made available. In the circumstances, there is to our minds a powerful argument for senior officials allocating complaints for investigation to indicate which complaints are suitable for IR and to expect that this route will be explored with complainants.

Service delivery complaints are important not only because they run to tens of thousands and risk damaging BIA's reputation if not handled in an appropriate and timely way, but also because they indicate specific reasons for customer dissatisfaction. The Minister and Executive Board have accepted that they are a mine of business information which can be used to support trend analysis, to identify problems and hotspots and to compare performance in different business areas and regions.

To assist them in these exercises we replicated the snapshot of service delivery complaints which we took in quarter four of 2005 and which we presented in our last Annual Report. We looked at volumes, timelines and types of complaints by department for quarter four of 2006. Our detailed analysis of year-on-year comparisons raised serious concerns about the integrity of the data and the validity of any analysis derived from it. Despite these reservations, we have used the figures supplied to us to highlight any significant trends.

As in 2005/6 we found that the two largest recipients of service delivery complaints were the Immigration Service and Managed Migration, and we therefore concentrated on these departments. We noted that the number of cases classified as delayed decisions was significantly lower than in the previous year: the figure was 69% for 2006/7 compared to 90% for 2005/6. However, we are concerned to note that one in eight service delivery complaints is classified as miscellaneous and that this is the second largest category of these high volume complaints.

We would point out that the backlog of service delivery complaints continues to grow. As we reported last year, when complaints are not handled in a timely fashion, they are repeated, often on several occasions, before being referred to MPs. The risk of increasing workloads to areas such as MPs' correspondence and the Casework Resolution Directorate remains high. The waste of resources and loss of public confidence are substantial, as is the lost opportunity to learn from complaints and use this management information to address weakness in systems and procedures and to improve service delivery.

We encountered substantial difficulties establishing clear audit trails from the receipt of a service delivery complaint at CFT to its ultimate resolution by the Immigration Service and Managed Migration.

- We were not able to reconcile data between the many stand-alone databases and manual logs used to record the movement of files from receipt to dispatch at each handling point in the respective departments. On the basis of these various records we estimated that returned files ranged between 7% and 32% in any given period.
- We found evidence of duplicate and triplicate reference numbers as well as a lack of information about files not yet allocated, in progress or withdrawn.

These fundamental problems indicate poor quality control, lack of clear guidance and wasted resources. Given these serious weaknesses in systems and

procedures, we cannot provide assurance that service complaints are being managed effectively.

Despite these serious problems, business areas have been developing ways to handle service delivery complaints more effectively and use them to drive improvements in systems and procedures. For example, we have supported Managed Migration, which handles 1.2 million customer transactions per year, to establish a new complaints management system. This includes:

- comprehensive, standardised recording and categorisation of complaints,
- mechanisms providing monthly management information on volumes and trends to improve service performance,
- effective handling processes with clear escalation procedures
- mechanisms for measuring performance against set timescales.

As of April 2006 each business area (Work Permits UK, Public Enquiry Office, Nationality, etc.) has been producing a monthly local complaints analysis report, which analyses volumes, categories of complaint and timeliness of handling. These reports are being collated to enable Managed Migration to undertake a comprehensive annualised root cause analysis of the 2,500+ complaints it receives by business area. Besides highlighting problems and hotspots, this work is

assisting the directorate to identify why MPs are writing to them on behalf of constituents, how MM can improve the service they provide to UKVisas abroad and how they can co-ordinate changes to their website to improve ease of customer access to applications, information and complaints procedures. Local offices like Work Permits UK in Liverpool are producing their own monthly complaints analysis, which is assisting them in analysing volumes, performance targets and categories of complaints as well as in pinpointing specific reasons for the three top levels and five sub-categories of complaints so that remedial action can be taken.

Last year we highlighted the 50,000+ letters received by IND from MPs acting on behalf of constituents, most of whom had sent five letters over twelve months complaining about delays in responding to their initial applications and enquiries before seeking the assistance of their MPs.

A Public Correspondence Project Board was set up in February 2007 and CFT has been working with the Board to formulate mechanisms for segregating complaints from MPs' letters and public correspondence and for dealing with complex service delivery complaints arising from MPs' letters. We have given our support to these endeavours and shall continue to do so, as these complaints waste resources, lower customer satisfaction and reduce public confidence in BIA.

An area which we have not previously scoped and which was brought to our attention by HM Chief Inspector of Prisons is service delivery complaints in

"My complaint was handled only because my MP intervened and sent a letter on my behalf".

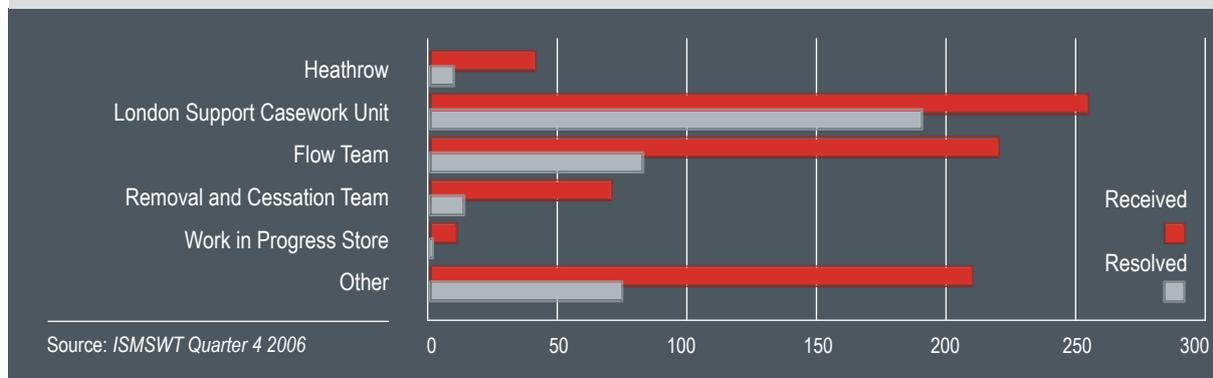
the detention estate. These are being managed under the new Detention Service Order instituted on 1 October 2006, and observations about improvements to systems and procedures were included in the HOAA report.

We have taken note of the changes, criticisms and action plans, and we plan to scope this important area of complaints handling in the coming year with a view to providing information to the Chief Inspector of Immigration in due course.

SERVICE DELIVERY COMPLAINTS BY DEPARTMENT SENT TO		
	▼ Qtr 4 2005	▼ Qtr 4 2006
AIT	134	5
Appeals	0	137
Asylum	74	466
Complaints	0	19
Detention	0	1
Euro	0	50
FOI	4	2
Managed Migration	1264	644
ISMSWT	1454	1168
NASS	5	12
Nationality	49	47
Other	40	273
Policy	1	8
UKvisas	49	147
WPUK	22	78
Total Service Delivery Complaints	3096	3057

Source: CFT Sample from Quarter 4 2005 and Quarter 4 2006

BACKLOG ACCUMULATING CURRENT AND RESOLVED FILES FROM 6 UNITS



ANALYSIS OF OPERATIONAL COMPLAINTS BY TYPE OF COMPLAINT

(1836 Completed files) ▼ Qtr 4 2005 ▼ Qtr 4 2006

Complaint Type	Qtr 4 2005	Qtr 4 2006
Delayed decision	2690	1363
Delayed Interview	15	0
Delayed Appeal	156	1
No Acknowledgment	760	8
Communication NASS	5	0
Lost Documents	18	52
INEB Information	4	0
Removals	20	0
Public Enquiry Office	8	0
Charging	23	2
Policy Enquiry	0	30
Allegation	0	8
Wrong Term	3	0
Quality	0	82
Communication	0	132
Incorrect	0	53
Environment	0	12
Miscellaneous	105	236

Source: CFT Sample from Quarter 4 2005 and Quarter 4 2006

“We set out in Fair, effective transparent and trust – Rebuilding confidence in our immigration system the importance of the Immigration and Nationality Directorate (IND) transforming itself into a service delivery organisation that is clear about its role, its relationships with other organisations and the way its performance is judged by the public.

One element of IND’s strategy is the introduction of “a new body to provide a transparent and independent assessment of IND and its services. At present there is a wide range of bodies that monitor, inspect or advise on specific parts of the immigration system. What is currently lacking is a clear view of the overall system in a way that can provide confidence to the public and to Parliament that the system is working efficiently and effectively.”

In the year ahead complaints management will be transformed by two innovations: the institution of a Chief Inspectorate of Immigration and the implementation of regionalisation.

From April 2008 the remit of the CAC will be transferred to a Chief Inspector of the Border and Immigration Agency. In December 2006 the Home Office issued a consultation paper on the proposed statutory provision of an independent Chief Inspectorate to provide oversight of BIA. During the three month consultation which followed, we met with officials to offer our views and guidance, and we also submitted a formal written response.

We recognise the need for an independent assessment of BIA across directorate and regional boundaries. We support the intended goal of creating a body which can supply a consistent means of identifying areas of high risk and sharing good practice throughout the organisation. We have consistently advised officials that fragmentation has reduced efficiency, clouded lines of accountability and impeded plans to improve service delivery. We wholeheartedly endorse the commitment to independent scrutiny and clear accountability to Parliament.

Analysing the role of the proposed new body, we regard it is essential to clarify what powers the Chief Inspectorate will and will not have.

- We concur with the Home Affairs Committee on Immigration Control, who recommended that “the Government establish an Independent Immigration

Inspectorate with oversight of every stage of immigration control: overseas, at the border, in-country, enforcement (including detention) and appeals; that it should be looking for high-quality decisions, active management, clear lines of responsibility and of reporting, easy communication within and across authorities, meaningful statistics, effective and non-distorting targets, excellent customer service and promotion of good race relations; and that it should be independent, properly resourced and with the authority to make recommendations to which the Government has to respond”.

- The consultation document states that the new body will be “a regulator.” We regard it as critical to appreciate that this is not the case. The Better Regulation Task Force defined a regulator as “a body which has been established by Act of Parliament, which acts at arm’s distance from Government, and which - most importantly - can exert powers over, or impose burdens on, other organisations or individuals”. The Chief Inspectorate will not exert these powers and will not be able to ensure compliance with its recommendations. To present it as such is confusing at best and misleading at worst, as it will invite the Government, Parliament and the public to expect more of the new body than it can, in fact, deliver.

It is proposed that the new body subsume the role of the CAC. Our remit is to satisfy ourselves as to the effectiveness of the procedures for

investigating complaints against BIA, to draw BIA management's attention to any weaknesses in these procedures and any quality of service deficiencies within established procedures and working practices, to comment on the form of investigation of complaints arising from the exercise of powers under Section 128-138 of Part VII of the Immigration and Asylum Act 1999 and to make an annual report to the Home Secretary.

We have strongly recommended that the new body should adopt the whole remit of the CAC and that it should undertake all of the activities currently conducted by us. Although we do not object to the absorption of our Committee and its remit into the new body, we would emphasise that the audit function needs to be retained and its independence preserved as a necessary component of the programme to rebuild confidence in the immigration system.

The limited amalgamation of four small bodies including the CAC into the new Chief Inspectorate raises a fundamental question about the impact of the new organisation. Seven large bodies including the Prisons and Probation Ombudsman, the Independent Monitoring Boards, H.M Chief Inspector of Prisons, the Parliamentary and Health Service Ombudsman and the Entry Clearance Monitor will continue to exercise their statutory powers in relation to different areas of BIA business. If the Chief Inspectorate is to add value to current arrangements, it will be necessary to create an effective interface between it, the seven remaining bodies and the Executive Board and an effective co-ordination of their functions.

We see the real challenge as twofold. First, it will be imperative to draw clear lines of accountability between the Executive Board, the Chief Inspectorate and the external bodies to ensure that senior management is able to engage regularly, transparently and effectively with those monitoring, scrutinising and auditing BIA systems and procedures. Second, it will be necessary to establish structures to collate findings from all eleven internal and external groups, to facilitate trend analyses and to identify problems, hotspots and major areas of concern. If these prerequisites are met, service delivery can be improved and customer service can be raised. In the months ahead we shall continue to advise officials on the design of the new systems and procedures for complaints management. As soon as the Chief Inspector is appointed, we shall offer support as requested and shall exercise our own remit for as long as deemed necessary to mitigate risks arising during the transitional period.

The second major change in the way complaints are managed will result from the creation of six regional directorates and the decentralisation of core business activities excluding Border Control, Enforcement, Compliance, Detention, Casework Resolution and UK Visas. It is anticipated that complaints handling will be regionalised by February 2008 and that an IT system designed to support the new structures and procedures will be installed by October 2008. To our minds regionalisation offers the potential of bringing customer care closer to the actual points of contact between BIA and its customers. This proximity could promote a quick, effective response to

complaints either through on-the-spot service recovery or informal resolution. Formal investigation would be reserved for the small number of serious misconduct complaints investigated by a small team operating either in regions or business areas but accountable to CFT. The history of organisational change in large agencies shows that successful devolution requires clear central direction within which empowerment is properly balanced by accountability. If clear standards, policies and guidance are developed and officials are fully trained before devolution occurs, regionalisation could promote timely, appropriate and cost effective complaints management. If proper procedures are not put in place before devolution, regionalisation could increase the fragmentation of complaints management which has been a major cause of delays, poor quality control and wasted resources. It is therefore imperative that CFT articulates and disseminates policy, standards, clear guidance and best practice, that it provides initial training and continuing advice on complaints management and that it monitors and quality assures the system as a whole.

In 2006 Scotland was the first regional directorate to be established, and in April 2007 Northern Ireland was included in its remit. Complaints management structures in this region include:

- A community relations officer to deal with complaints, stakeholder relations and MPs' correspondence as well as a customer service champion to ensure consistent practices in complaints handling across the PEO and reporting centres

- Training by CIIT in informal resolution procedures
- The referral of arrest team cases to CIIT

The community relations team has tackled MPs' correspondence and reduced the potential for complaints of delayed response by establishing effective lines of communication with MPs' staff, who ring case workers to learn the progress of individual cases. The result is that most problems are resolved speedily over the telephone or by email and the volume of correspondence has been substantially reduced. The customer service team has analysed the ten main reasons for complaints made at the Glasgow Public Enquiry Office with a view to providing information about how to make appointments and what documents to bring for different kinds of applications both on the website and on the phone with applicants making appointments. These innovations demonstrate the kind of holistic, joined-up system for complaints management which we have advocated and which indicates the scope for improving systems and procedures and raising customer satisfaction which regionalisation can bring.

We would point out that regionalisation, improvements in policies and procedures in complaints management and increased ease of customer access to complaints resolution could lead to an

increase - perhaps a substantial one - in the number of complaints received and managed by BIA. We appreciate the sensible aspiration of senior management to use complaints to compare performance in different regions and business areas. However, we suggest that officials acknowledge the probability of an initial increase and base their early judgements on the quality and timeliness of response in different parts of the business and regions as well as on levels of customer satisfaction. Until a baseline is firmly established, it would to our minds be unwise to judge regions or departments on the numbers of complaints lodged against them.

The creation of a shadow agency for immigration with a view to achieving full agency status by April 2008, the regionalisation of complaints handling in the new organisation and the introduction of a Chief Inspector of Immigration in the spring of 2008 herald radical changes in basic structures and procedures for complaints management. The goal of creating an immigration system 'fit for the future' will require a clear vision of future customer needs and demands within the UK, the EU and abroad as well as a clear articulation of policy goals and effective strategies for service delivery, customer care and complaints management. We shall continue to offer support and guidance to officials responding to these challenges in the year ahead.

Chapter 5 CAC RECOMMENDATIONS

Summary of Recommendations

Over the past two years we have audited complaints with a view to identifying weaknesses in systems and procedures and to facilitating the creation of a robust complaints management system which provides reliable and quality - assured management information, improves customer service and enhances the Border and Immigration Agency's professional reputation. Our recommendations numbered below aim at achieving these goals through:

A timely resolution of all complaints provided by:

- Clear standards and guidance on complaints procedures (26, 27, 28, 49, 51, 55)
- Clear professional standards, code of conduct and code of service delivery to support decision-making (19, 20, 45, 46)
- Speedy and simple determination of category and mode of resolution through the matrix (18, 25)
- A proper numbering system which is contemporaneous, sequential, and informative in regard to business area or region (21, 53, 58)
- Computerised internal reporting and file tracking (22, 23)

Swift resolution of service delivery complaints through service recovery (1, 3)

Quick handling of minor misconduct complaints through informal resolution (41)

Proper investigation of serious misconduct complaints through:

- A small group of properly trained independent investigators (34)
- Evidence and witness statements collected in a timely manner (29, 30, 21, 32, 33, 25, 26, 42)
- A protocol for referrals to the police and for a written audit trail (15, 16, 39)
- A mechanism for referral to the IPCC in the most serious cases (40);
- Quality assurance of investigation plans (44)
- The co-ordination of misconduct and HR procedures to ensure that lessons are learned and appropriate action taken in substantiated cases (45, 46)

Improved customer relations through:

- Speaking with complainants (28, 33)
- Offering them a choice of how they want their complaint resolved (41)
- Explaining outcomes clearly and offering apologies and/or compensation when appropriate (35, 36).

Improved business performance by using information from complaints to identify hotspots and problems, to undertake trend analysis and to target training needs through:

- A timely consolidation of management information from across the business areas and regions (10)
- The development of an intelligence capability to support the complaints process (47)

Quality assurance of all data to ensure its integrity and the reliability of analyses based on it (44, 53, 57, 58)

ROLLING REGISTER OF RECOMMENDATIONS AS OF 29 JUNE 2007

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
1	Q1 and Q2 2005	The Complaints Audit Committee (CAC) should audit a sample of operational complaints so that we may be satisfied as to the effectiveness of the procedures for investigating these complaints and may draw IND management's attention to any weaknesses in these procedures and to any quality of service deficiencies within established procedures and working practices.	We have undertaken this audit sample and have drawn IND management's attention to weaknesses and deficiencies. We remain concerned that the registration of service delivery complaints is haphazard and their management is fragmented and inconsistent across the regions and business areas.	We intend to repeat our Q4 snapshot and audit of service delivery complaints in December 2007.	Q1 2008	●
2	Q1 and Q2 2005	We recommend that CCTV cameras be installed in all public areas of IND facilities, detention centres and escort vans.	We recognise that this has been accepted, but our audits have found defects in CCTV systems.	We shall continue to audit implementation of this recommendation.	Quarterly	●
3	Q3 2005	Service complaints to be handled on a simple, swift service recovery basis through which complaints are acknowledged but primary action is directed towards resolving the service failure which prompted the complaint	We accept that this is being taken forward.	We shall continue to offer support in the development of this project.	Ongoing	●
4	Q1 and Q2 2005	We recommend that all asylum interviews be tape-recorded and video-recorded.	We accept that audio recording is being taken forward and not video recording.	We shall continue to audit implementation of this recommendation.	Ongoing	●
5	Q1 and Q2 2005	We recommend that systems be put in place to ensure that detainees are fully and properly informed of complaints procedures.	We accept that this has been completed.			●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
6	Q1 and Q2 2005	We recommend that complaint forms are readily available in Immigration Removal Centres (IRCs).	We accept that this has been completed.			●
7	Q1 and Q2 2005	We recommend that the right of detainees to submit complaints is respected by staff and management.	We accept that this has been completed.			●
8	Q1 and Q2 2005	We recommend that the contract monitor, contract manager, staff and members of the Independent Monitoring Board (IMB) are made aware of the importance of the complaints process and the need to create and sustain an environment in which it works effectively.	We accept that this has been completed.			●
9	Q1 and Q2 2005	We recommend that detainees be provided with a confidential means of relaying forms directly to the central Complaints Unit.	We accept that this has been completed.			●
10	Q1 and Q2 2005	We recommend that all formal complaints from detention centres be immediately forwarded to the Operational Support Unit (OSU) for possible referral to the police or the CAC, for cataloguing and	We accept that misconduct complaints from the detention estate are being forwarded to the central OSU for possible referral to the police, but we remain concerned that they are not being catalogued by CFT until the investigation is complete resulting in a delay in consolidating management information.	We shall commence auditing outcomes.	Q2 2007	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
11	Q1 and Q2 2005	We repeat the recommendation of the previous CAC that the grade of contract monitors be adequate to ensure that they are sufficiently experienced and have enough confidence to maintain their independence in relating to contract managers and staff and in fulfilling not only their care of contract duties, but also their care of detainee responsibilities. We note this and suggest that it be subject to a future audit.	We accept that this has been completed.			●
12	Q1 and Q2 2005	We recommend that a review of the training needs of contract monitors be conducted and that a programme of instruction be devised and implemented to ensure that monitors are appropriately skilled in key competencies.	We accept that this has been completed.	We shall continue to offer support as required.	Ongoing	●
13	Q1 and Q2 2005	We recommend that the head of the OSU maintain an open line of communication with contract monitors so that they feel more supported by Border and Immigration Agency management than they currently do and so that they are in a position to forward information about possible abuses occurring in their centres without reference to contract management. (Lin put a question mark against this recommendation)	We accept that this has been completed.			●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
14	Q1 and Q2 2005	We recommend that all allegations of criminal behaviour be reported to the police immediately upon receipt at the OSU. This should be the responsibility of the officer who receives the complaint.	We accept that this has been completed.			●
15	Q1 and Q2 2005	We recommend that all communications with the police should be in written form and that a clear audit trail be provided in all cases.	We are concerned about the lack of a written audit trail in most cases referred to the police as demonstrated in our audits.	We will continue to monitor audit trails.	Quarterly	●
16	Q1 and Q2 2005	Completed See completed Rolling Register for information	We accept that a crime reference number is being obtained, but we have found little evidence of reasons being recorded for the police decision to NFA.	We assess this as critical and shall monitor evidence of police decisions in our audits.	Quarterly	●
17	2004/5 Annual Report	Methods of record keeping should be examined to improve the safekeeping and secure handling of customer's property. In particular the record of any transfer of property to another agent should be fully documented. Any new procedures should be made known throughout the service.	We accept that this has been completed.			●
18	Q1 and Q2 2005	We recommend that the CAC work with officials to refine the matrix.	We accept that this is being taken forward.	We are continuing to work with CFT and support officials in refining the matrix.	Ongoing	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
19	Q1 and Q2 2005	We recommend that the CAC work with officials to develop a Code of Conduct with a view to submitting it to a consultation process by September 2006.	We remain concerned that a code of conduct has not yet been formulated and that reference to the unions and other interested parties has not yet taken place, as the code is critical to the matrix and to new decision-making procedures.	We assess the need to refer the code to the unions as a top priority and shall continue to offer support in developing the code.	Ongoing	●
20	Q1 and Q2 2005	We recommend that the CAC work with officials to develop a Code of Service with a view to submitting it to a consultation process by September of 2006.		We shall continue to offer support in developing this code.	Ongoing	●
21	Q1 and Q2 2005	We recommend that there be one system of complaints management centrally managed and standardised across the entire business.	Our audits have demonstrated significant inconsistencies and flaws in file numbering.	We assess identified flaws as critical. We shall continue to audit this.	Quarterly	●
22	Q1 and Q2 2005	We recommend that IND adopt a computerised internal report system.	We acknowledge that this has been accepted and will be developed in 2008.		This should be monitored by the Chief Inspectorate from 9/2008.	●
23	Q1 and Q2 2005	We recommend that IND adopt a computerised file movement and tracking system.	We acknowledge that this has been accepted and that it will be developed in 2008.		This should be monitored by the Chief Inspectorate from 9/2008.	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
24	Q1 and Q2 2005	We recommend that the current target of two days between receipt of a file letter and acknowledgement be extended to five working days and that this registration period includes an assessment of the complaint according to the matrix and the inauguration of the appropriate investigation.	This has not been accepted but we recognise that work is on-going in regard to targets for timeliness.			●
25	Q1 and Q2 2005	We recommend that end-to-end targets be set according to the complexity and impact of the complaint as assessed through use of the matrix.	We recognise that this has been accepted and that work is on-going.	We shall continue to audit timeliness in our audits.	Quarterly	●
26	Q1 and Q2 2005	We recommend that clear standards of best practice in complaints investigations be established as a matter of importance and urgency.	Standards are crucial to improved investigations.	We shall continue to support officials in developing standards.		●
27	Q1 and Q2 2005	We recommend that the current guidance on complaints procedures be replaced by a manual of procedures derived from these standards.	A manual of procedures is crucial to improved investigations.	We shall continue to support officials in formulating a manual.		●
28	Q1 and Q2 2005	Significantly, but not exclusively, we recommend that the new guidance require a personal interview of the complainant.	We recognise that OSU and the Enforcement and Removals Complaints and Internal Investigations Team are now interviewing complainants but we remain concerned that other areas of the business are not doing so even in cases of alleged serious misconduct. In our view a complainant should always be interviewed unless it is physically impossible.	We shall monitor interviewing complainants in our audits.	Quarterly	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
29	Q1 and Q2 2005	We recommend the discontinuance of interviews by telephone and pro-formas.	We regard it as essential that a careful interview of a complainant in a misconduct investigation is conducted.	We shall monitor interviews in our audits.	Quarterly	●
30	Q1 and Q2 2005	We recommend the tape-recording of interviews.	In serious misconduct cases it would be best practice to tape-record the interview of officials against whom a complaint has been made to ensure the integrity of this evidence for any future proceedings including disciplinary actions. Based on our audit evidence, there would be no more than a dozen cases p.a.	We shall highlight investigations which would have benefited from a taped interview in our audits.	Quarterly	●
31	Q1 and Q2 2005	We recommend the timely identification of all independent witnesses.	We accept that this is being taken forward.	We shall continue to audit this.	Quarterly	●
32	Q1 and Q2 2005	We recommend the timely collection of all supporting evidence.	We accept that this has been completed.	We shall continue to audit this.	Quarterly	●
33	Q1 and Q2 2005	We recommend clear guidance on the conduct of interviews with complainants, witnesses and officials who are the subject of complaint.	We accept that this has been completed.	We shall continue to support officials in formulating this guidance.	Ongoing	●
34	Q1 and Q2 2005	To ensure that investigations are conducted to a high standard we recommend that they be undertaken in regard to formal complaints only by a small group of properly trained investigators supervised from the central Complaints Unit.	We regard this as critical, as it is an efficient and cost-effective way of improving the quality of serious misconduct investigations.	We shall continue to audit the quality of investigations and present findings in support of this recommendation.	Quarterly audits; ongoing discussions.	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
35	Q1 and Q2 2005	We recommend that clear guidance be provided in a new complaints manual on writing reply letters which weigh evidence from the complainant and from the official(s) against whom a formal complaint has been made on the balance of probabilities and which supply unambiguous, well explained reasons why an allegation either meets the required standard of proof and is therefore substantiated or fails to meet the standard and is therefore unsubstantiated.	We accept that this is being taken forward.	We shall continue to monitor the quality of letters in our audits and support officials in formulating a training package.	Quarterly	●
36	Q1 and Q2 2005	We recommend that reply letters be written under the supervision of the senior officials in the central complaints unit and with quarterly monitoring by the CAC.	We accept that this has been completed.	We shall continue to audit this.	Quarterly	●
37	Q1 and Q2 2005	Duplicate of recommendation 13. completed	We accept that this has been completed.			●
38	Q1 and Q2 2005	Duplicate of recommendation 14. Completed	We accept that this has been completed.			●
39	Q1 and Q2 2005	We recommend that a protocol for referral from the unit to the police be drawn up to ensure consistency and quality assurance.	We recognise that a template of best practice is being formulated between OSU and the MET at Heathrow Police Station with a view to extending its use in other forces.	We shall continue to support OSU in developing this template.	Ongoing	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
40	Q1 and Q2 2005	As soon as the Independent Police Complaints Commission (IPCC) has assumed jurisdiction over IS Enforcement and Removals, all allegations of death, serious injury and breaches of Articles 2 and 3 of the European Convention on Human Rights (ECHR) should be referred to the IPCC as set down in the matrix and according to regulations currently being formulated.	We recognise that this work is continuing.	We shall continue to support officials in formulating regulations and procedures.	Ongoing	●
41	Q3 2005	We recommend that a single, holistic, more responsive complaints system be introduced. This should include a system of informal resolution and the establishment of regional and business area complaints units to deal with service complaints.	We recognise that this work is going forward.	The pilot project was abandoned and a decision was taken to implement IR as soon as possible. We shall continue to support officials in developing IR.	Ongoing	●
42	Q3 2005	Guidance and procedures should be designed in liaison with the police to ensure that evidence is seized and preserved as quickly as possible after a complaint has been made.	We recognise that this is not accepted as it stands.	We shall continue to support officials in developing guidance and procedures.	Ongoing	●
43		Remove the sentence	This work has been completed.			

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
44	Q3 2005	Quality Assurance is not sufficiently robust. It should be introduced at an early point in a complaints investigation as a management function and not relegated to the end when a final letter to the complainant is being drafted.	We regard this as critical to robust complaints management.	We shall continue to monitor QA in our audits.	Quarterly	●
45	Q3 2005	We recommend the establishment of professional standards through the articulation of values.	We recognise that this has been accepted.	We shall support officials in implementing professional standards.	Ongoing	●
46	Q3 2005	We recommend the formulation of protocols and operating procedures derived from these values and the Code of Conduct to guide the selection, training, assessment, discipline and promotion of officials within IND.	We recognise that this is not accepted as it stands.	We shall discuss this with officials.	Date to be agreed	●
47	Q3 2005	We recommend the development of an intelligence capability to support the complaints process.	We recognise that this work is being taken forward.	We are supporting officials in developing this capability.	Ongoing	●
48	Q3 2006	We recommend the introduction of a hotline to facilitate the transmission of information on a confidential basis in the detention estate.	We accept that the resources are not available to provide such a service.			●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
49	Q1 and Q2 2005	To provide quality control we recommend that investigators submit an investigation strategy to a senior official in the unit for initial approval, that s/he report any major problems or changes to that plan in the course of the investigation and that s/he submit the report for checking at the end.	We accept that this plan is being taken forward.	We shall continue to support officials in implementing this recommendation	Ongoing	●
50	Q1 2006	The investigation of criminal allegations and misconduct allegations should be co-ordinated insofar as is possible. Our audit indicates that Human Resources guidance (see HR Policy: Misconduct Investigations) is not being followed. In most cases which we have audited and which contain criminal/misconduct allegations, the complaints investigation has been suspended while the police consider the referral or conduct their investigation.	We accept that this work is being taken forward.	We are supporting officials in implementing it.	Ongoing	●
51	Q1 2006	We recommend that the use of emails to provide speedy and effective contact with complainants should formally be considered by INDCU (INDCFT)	We accept that this work is being taken forward.	We shall audit this in future audits.	Quarterly	●
52	Q1 2006	We recommend that all officials who have contact with the public should wear name badges.	We accept that this work is being taken forward in some areas of the business.	We shall audit this in future audits.	Quarterly	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
53	Q1 2006	We recommend that the integrity of data sent to the CAC should be quality assured.	We regard this as a critical recommendation and as one which must be taken forward as soon as possible.	We shall continue to monitor data received for audit.	Quarterly	●
54	Q1 2006	We recommend that INDCU (INDCFT) should manage the timeliness more robustly to address this important aspect of any good complaints handling system, as defined in the Cabinet Office Guidance.	We regard this as a critical recommendation.	We shall continue to monitor timeliness in our audits.	Quarterly	●
55	Q1 2006	INDCU (INDCFT) to target resources to promote improvements in standards of investigations.	We accept that this is being taken forward.	We shall continue to monitor the quality of investigations	Quarterly	●
56	Q2 2006	There should be a clear policy setting out when force or restraints (especially leg restraints) can be used, what authority is required to use them and what records must be made about their use.	We accept that this is being taken forward.	We shall audit this quarterly and enquire about it on visits.	Ongoing	●
57	Q4 2006	All 128 - 138 arrest team cases must be referred to the CAC for advice and guidance.	This is critical to mitigating risk in arrest team cases.	We need a list of referrals over the last 2 years.	Quarterly; ongoing	●
58	Q4 2006	File numbers from the General Registry should be checked to ensure that there are no outstanding cases to be audited by the CAC.	We regard the provision of this information as critical to our audits, as we cannot give assurance in regard to the integrity of systems and procedures without it.	We shall monitor this in our audits and support officials in addressing this critical issue.	Quarterly; ongoing	●

MASTER NUMBER	DATE of AUDIT	RECOMMENDATIONS	CURRENT POSITION	CAC WORKPLAN 2007/8	TARGETS	CAC PRIORITY
59		Guidance should be circulated to all complaints handlers clarifying the remit of INDCFT.	We accept that this has been completed.	We shall monitor this in our audits and visits.	Quarterly; ongoing	●
60		CFT should document and flow-chart the entire process of handling service delivery complaints from the receipt of the letter at the first point of entry at BIA to its ultimate resolution.	We accept that this is being taken forward.	We shall continue to support officials in this project.	Ongoing	●
61		IS and CFT should continue to explore activities which are currently being duplicated unnecessarily.	We accept that this is being taken forward.	We shall continue to support officials in this project.	Ongoing	●
62		The investigation of misconduct complaints in the detention estate should be undertaken exclusively by BIA officials. Contract staff should have no involvement in these investigations.	We assess this as critical to the integrity and improvement of investigations.	We shall continue to provide evidence of the need for this reform.	Quarterly audits; ongoing	●
63		Contractors should be awarded penalty points for failing to register and manage service delivery complaints, to collate management information from these complaints and to demonstrate the use of this information to improve systems and procedures.	This recommendation is critical to the accuracy and integrity of complaints handling in the detention estate.	We shall support officials in implementing this recommendation.	Ongoing	●
Risk: Risk will have a low impact on IND and there is a low probability of failure Medium impact risk to IND or/and medium probability of some failure Risk of severe impact on IND or high probability of imminent failure						● ● ●

Chapter 6 CONFERENCES AND VISITS

Conferences 2006

Croydon Fairfield Hall <i>3 October</i>	CFT National Service Standards Week Member attended to participate in discussion.
London Westminster Central Hall <i>19 October</i>	Stakeholder Conference Chair and Member attended.
York Borders Command <i>2 November</i>	Conference on complaints Chair explained the proposed changes to investigations of serious misconduct complaints and IR.

Conferences 2007

London 2 Marsham Street <i>22 January</i>	Stakeholder Conference Chair and Member attended.
London ILPA and the Immigration Advisory Service <i>20 February</i>	Seminar Chair attended to discuss JRs and complaints investigations with the Parliamentary and Health Services Ombudsman.
London Westminster Abbey <i>7 February</i>	Independent Asylum Commission Chair gave evidence.
London Bedford Square ILPA <i>27 February</i>	Symposium on age disputed asylum seekers Chair attended to give CAC view.

Visits and Meetings 2006

Croydon Electric House <i>5 September</i>	Member observed an arrest team conducting routine immigration checks in Surrey.
Hayes Status Park <i>6 and 12 September</i>	ISCRU Chair and Member met with officials to discuss CAC concerns about transitional arrangements for misconduct complaints following the closure of ISCRU.

<p>London Prison and Probation Ombudsman 20 September</p>	<p>CAC met with officials to discuss the DSO extending the Ombudsman's remit within the detention estate.</p>
<p>Croydon DCA/IND Audit Committee 17 October</p>	<p>Chair and Member presented audit findings, risk assessments and CAC recommendations.</p>
<p>London IND Security and Anti-Corruption Unit and Operational Integrity Unit 25 October</p>	<p>CAC discussed investigations of serious misconduct complaints and risk management.</p>
<p>London Becket House 7 November</p>	<p>Chair and Member met with officials to discuss arrest team work and complaints management.</p>
<p>Feltham DEPMU 15 November</p>	<p>Chair and Member met with senior officials to discuss the new arrangements for managing serious misconduct complaints in the detention estate.</p>
<p>London Becket House</p>	<p>Member observed an arrest team conducting a family arrest in London.</p>
<p>Dover Calais and Coquelles IS Customer Relations & Staffing 17 November</p>	<p>Chair and Member visited the Immigration Centre at Calais and the detention holding centre at Coquelles, observed operations and discussed complaints investigations.</p>
<p>Croydon Performance and Management Consultancy Services 27 November</p>	<p>CAC met with officials to discuss risk assessments and risk registers.</p>
<p>Gatwick Terminal 3 30 November</p>	<p>Member visited to discuss handling of service delivery complaints.</p>
<p>Manchester IS 15 December</p>	<p>Chair met with team managing and investigating arrest team cases.</p>
<p>London Human Resources Business Partner Team 1 December</p>	<p>Chair met to discuss co-ordinating misconduct and disciplinary investigation.</p>

**Gatwick
Terminal 3**
5 December

Chair and Member visited to discuss systems and procedures for managing and investigating serious misconduct complaints.

Visits and Meetings 2007

London
**Performance Capability
Programme Unit**
11 January

CAC discussed the strategic projects, risk registers and the capability programmes.

Croydon
Public Correspondence Unit
30 January

Chair and Member discussed MPs' complaints.

London
Organisational Development Team
22 February

CAC discussed plans for the BIA inspectorate.

London
IPCC
27 February

Chair and Member discussed arrangements for referring serious cases to the IPCC.

Croydon
NAM
19 March

CAC discussed asylum and legacy cases and audit assurance of NAM systems and procedures.

Colnbrook
Immigration Removal Centre
14 March

Member observed operations and discussed complaints management.

Harmondsworth
OSU
27 March

Chair and Member discussed management of serious misconduct complaints investigations.

Liverpool
Managed Migrations
19 April

Chair and Member discussed new arrangements for handling complaints and deriving MI from them.

Dungavel
Immigration Removal Centre
23 April

Chair visited the centre to observe operations and discuss complaints handling.

Glasgow
Regional Headquarters
24 April

Chair met with the Regional Director and officials to discuss complaints management in the new regional structure.

London
Children's' Champion Office
3 May

Chair discussed complaints involving the detention and removal of children.

London
HM Chief Inspector of Prisons
18 June

Chair and Member discussed complaints handling in the detention estate.

Appendix INTERIM FORENSIC AUDIT REPORT

As part of our ongoing audit assurance exercises, we conducted a forensic audit to verify that all misconduct complaint files issued by General Registry could be reconciled with our records (completed or open) since January 2005 based on information sent to us by CFT. We identified 212 missing file numbers (20% of files issued) as follows:

- At least 82 of the missing files had not been presented to us for audit.
- A further 74 files were potentially open but had not been reported to us as open.
- 27 files were recorded as destroyed.
- 29 files had a file reference number but no further information. General Registry explained that these file numbers had been issued as parts of 'blocks' of numbers to areas of business for their allocation to specific cases. We understand that this practice was discontinued with effect from quarter one 2007.
- An unknown number of files may have been withdrawn. We raised the question of withdrawn files with General Registry. They were unaware of this category.

An audit of some of the missing files retrieved for us by General Registry and CFT and presented to us for audit in September, and an update report from CFT on 19 October 2007 have partially answered some of our queries:

1. 29 files were part of a block of numbers raised but not used by ISCRU.
2. 39 files were formal complaints which were mistakenly sent to Lay By instead of CFT. These files are awaiting complete audit.
3. 46 files were with or in transit to ISCRU: CFT have advised us that they have only been able to trace 2 of these missing files and that these are being prepared for audit.
4. 40 files were in transit to other locations: CFT reported that 24 of these files have been located and are being prepared for audit.
5. 28 files were destroyed or cancelled by General Registry, who were unable to provide satisfactory audit information in connection with these files. While we have been assured that procedures have now been put into place to record the name of the person authorising destruction or cancellation, this information is not available for these 28 files. It is therefore not possible to provide audit assurance for these destroyed files.
6. 30 files were in progress and not ready for audit.

We have accepted General Registry's assurance for the 29 file numbers which were part of a block of file numbers allocated to ISCRU but not used (Item 1 above).

CFT have sent us electronic records of the 30 files covered in Item 6 above and on the basis of the information received we accept that these files could not have affected the analyses in either last year's or this year's annual reports.

All of the remaining 153 files covered in Items 2,3,4 and 5 above have potentially had an impact on the analyses in both last year's and this year's Annual Reports. As the variance is 15%, which is over the 10% threshold of materiality, we have only been able to give the most limited assurance on the quality and integrity of complaints management information.

19 October 2007

Copies of this publication can be made available in alternative formats such as large print, Braille, audio tape and other languages.

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