

# The Independent Monitor for Entry Clearance

## Report on my visit to Islamabad: December 2007

### Background information

- **Application processes:** Islamabad handles applications from residents of Afghanistan and Pakistan. Applications are lodged at Visa Application Centres run by Gerry's/VFS, UKvisas' commercial partner. Gerry's takes biometric data and forwards the application form and supporting documents to the British High Commission.
- **Demand:** In financial year 2006-07, Islamabad received 177,056 UK applications an increase of 22% over the previous year. In the current financial year to October, there has been a decrease of 11.8%. 27.5% of applications are for non-family visits and 13.5% are from people wishing to study in the UK.
- **Refusal Rates:** In 2006-07, the overall refusal rate was 47.1% rising to 60.2% so far this year. I found that visit visa applications (excluding children) for September to November had a refusal rate of 59%.
- **Staffing:** UKvisas' briefing said that there are 2 Deputy Directors Visa Services, 8 Entry Clearance Managers and 50 Entry Clearance Officers. The risk assessment unit has a Manager and 2 officers. There is also a complement of administrative support staff.
- **Surplus and Deficit:** In 2005-06, the most recent figures available, the visa operation was in deficit by £9,386,126.
- **The Balanced Scorecard:** In UKvisas temperature testing Scorecard, Islamabad scores *amber* for Controls, Competitiveness, Capabilities and Confidence, whilst Costs remain *red*. Pakistan as a whole rated **Fair** in my own most recent global file sample.

### The programme

On arrival I issued instructions for the file samples I wished to assess. Given the scale of the operation in Islamabad I was most impressed that around 600 files were provided so quickly and I record here my thanks to the Head of Registry and her team. I talked with Entry Clearance Officers and Managers and the Deputy Directors Visa Services about their roles and work. I visited the Visa Application Centre and met with visa officers from other Embassies at a useful and enjoyable dinner hosted by the High Commissioner.

### The Independent Monitor team

I normally undertake monitoring visits on my own but for six months I shall be working with two members of UKvisas' staff on each of 5 visit or thematic reports. Many formal inspectorates use a similar model with staff seconded from the mainstream business for short periods. This has the advantage of a steady flow of fresh eyes, and the team member takes learning points from his or her participation back into the business. At my request, UKvisas asked its regions and HQ projects to nominate people on the basis of excellent performance. From the applications submitted to me I selected 10 people of varying grades. For my Islamabad visit, one team member worked with me on the decision quality file sample and the other looked at post decision correspondence.

# The Independent Monitor for Entry Clearance

## Information

**Visa Application Centre:** The newly opened Visa Application Centre was spotlessly clean with smartly dressed staff and a smooth path for the applicant to go through. On arrival I noted a cluster of people intently reading an external noticeboard and it was only by accident that I realised that there was an Urdu equivalent on the other side. The VAC manager accepted my **recommendation** to have a notice in Urdu on the English language side, confirming that exactly the same information was available in Urdu. I also thought that there should be information on how to raise comments or complaints. I was pleased to see that neat and tidy notices were blocked into topics which saves an applicant from starting to read information on irrelevant matters. I thought that VAC staff were attentive to customers and that first impressions of the application process were excellent.

**British High Commission:** For the relatively small proportion of applicants who are invited to interview, the High Commission is a bit of a let down after the modern VAC, though there are ongoing efforts to smarten it up and without the contrast it would be acceptable. The external waiting area, for when there were queues, was well presented and pleasantly shaded. Waiting room **Notices** were smartly presented with UKvisas' logo and a matching translation. Visa information leaflets were on display. I was, however, concerned that interview questions and answers could be clearly heard by those waiting and visa staff took immediate action closing the booths that had least acoustic screening. They will be paying careful attention to privacy when the waiting room has its makeover.

I noted, in observing interviews, that Entry Clearance Officers do not follow the written guidance pinned up on the booth wall, in that they do not take charge of the interview by making eye contact, inviting the applicant to sit, and then explaining who they are and the interview process. Applicants are entitled to know the role of the person they are talking to and Entry Clearance Officers miss a great deal if their attention does not waver from a computer screen and keyboard. **I recommended** some refresher training.

## UKvisas' response

ECOs have been reminded of the interview guidance in the UK Visas Operating Standards and Instructions. UKvisas training team will visit Islamabad in January 2008 and will include refresher interview training as part of the programme.

## Decision quality file sample

With assistance, I reviewed 135 files where visas had been refused with information on limited appeal rights: all but 3 related to applications within my remit. This is far more than I can cover when I visit on my own, though I used some careful measures to make sure that the gradings are all in accord with the way I exercise judgement.

The 3 cases that were not within my remit all had incorrect **information on appeal rights**. Globally, 4.5% of cases in my larger file sample have incorrect appeal information and Islamabad did well in this regard with only 2.3%. There were no failures relating to family visits demonstrating that the visa team are thoroughly familiar with such applicants. I reminded Entry Clearance Officers that Domestic Worker applications have full appeal rights unless the

## The Independent Monitor for Entry Clearance

applicant is under the age of 18 and am pleased to note that this is now clearly stated in UKvisas' staff guidance.

For the applications with my remit, the sample fell into two distinct groups; cases determined on dates in September, October and early November, and cases determined in late November and December. Had the sample been composed of the earlier group, my scoring would have been Poor to Fair. Islamabad recently undertook a major revision of Refusal Notice wording however, and the later cases merit a Fair to Good grading. Although it is tempting to focus solely on the recent changes, what follows are the scores from the sample as a whole.

Compared with the most recent global file sample, using a 10 point quality scale, Refusal Notices scored an overall 75%, placing Islamabad in the **Fair** band (global =83%).

8% (global 5%) of Refusal Notices were not in accord with the **Immigration Rules**. Child visit applications were, with a few exceptions, being refused under Rule 41 without considering Rule 46A. I also noted some strange reasons for refusal when the child's parents' visas had been refused, such as "your application has been superseded". Rule 46A (iii) provides a simple reason for refusal which emphasises child protection "Your parents'[insert names] visa applications have been refused and I am not satisfied that you can demonstrate that suitable arrangements have been made for your travel to and care in the United Kingdom".

I classed 6 cases as maladministration in that there were **joint Refusal Notices** covering more than one applicant, despite UK visas accepting my recommendation that this is inappropriate because each applicant pays a handling fee, different applications may attract different appeal rights, and there is the risk of disclosing personal data.

Islamabad is slightly worse than the global average by including positive points in only 15% of Refusal Notices (global 17%). It is important that there is the impression of **balance** and fairness so commenting, even briefly, on something that meets a requirement of the Immigration Rules goes a long way to demonstrate that all of the evidence has been taken into account. I **recommended** that as a general aim, 90% of Refusal Notices could have at least one sentence of positive comment.

### UKvisas' response

This issue was addressed in UKvisas' response to the recommendations in the Independent Monitor's Report on her visits to New York and Ottawa in October 2007 (also available on UKvisas' website):

*"UKvisas does not accept this recommendation. UKvisas acknowledges the need to achieve a balance and present objective refusal notices - existing Best Practice guidance (sent out with AECIP 11 of 2007) makes this clear. UKvisas remains committed to raising the quality of refusal notices but does not believe that such a prescriptive approach would be beneficial in this regard."*

UKvisas is nonetheless working to ensure that refusal notices are balanced, objective and of a high standard.

The overall **appearance** of Refusal Notices is far, far better than those for 2005 which formed part of my first global file sample. UKvisas' February 2007 Best Practice said that there should be a single font size but Islamabad continued to set the Immigration Rules out in a smaller font.

## The Independent Monitor for Entry Clearance

Notices were mostly free from typos but I was concerned that the more recent templates are not subject to adequate quality control scrutiny and are being printed with grey form feed shading and grey print where coloured type has not been amended to black. I think the problem here is that Entry Clearance Officers do not see the print copy and **I recommended** that there should be changes to the process to make sure that Entry Clearance Officers check a print copy of the Notice before it is issued.

### UKvisas' response

UKvisas does not accept this recommendation. The practice of ECOs not printing up their own refusal notices is not unique to Islamabad. This recommendation would result in an increase in ECOs' workload for no real benefit. The real challenge for Islamabad management is to ensure that ECOs proof read their refusal notices to check that they follow best practice. To this effect ECOs have been reminded of the need to write refusal notices using a common font, in black with no shading. Local management will monitor the situation and take appropriate action if necessary to make sure best practice is followed in future.

Reading over a print copy would also improve a significant problem - repetitive and occasionally contradictory standard paragraphs that can be quickly slotted in by typing a few letters (the team call them macros though they are autotexts). A quick onscreen skim is not sufficient to spot these errors.

As for the standard paragraphs themselves the earlier versions were, I thought, dreadful: wordy, hard to follow, insulting in places and light years away from my recommendation to write for the applicant, whose Refusal Notice it is. I am, therefore, pleased to report that Islamabad had already taken action and Entry Clearance Officers have drafted most of the standard paragraphs now in use. There is room for some more editing: fewer words; more plain English - *liquidating your family's assets*; less stereotyping - *you are no more than a subsistence farmer*; and a better understanding that quoting average earnings, even if supported by UN evidence, is wholly irrelevant, though average earnings for a specific sector might be relevant. I left some notes for the team to consider when the further editing takes place.

UKvisas accepted my July 2006 recommendation that a Refusal Notice should include sufficient difference and detail to demonstrate that the applicant's case has been considered on its own merits. The over-reliance on quick to use standard paragraphs underpins Islamabad's very poor score for including applicant specific **evidence** in all Refusal Notices - 22% failed to do that compared with 7% globally. **I recommended** that each paragraph should include applicant specific detail and explained the need to set out why evidence provided was not deemed to be *satisfactory*. Without that, applicants tend to think that *you have not provided satisfactory evidence* means that the evidence has been lost or simply ignored.

### UKvisas' response

UKvisas accepts this recommendation. Additional guidance will be circulated at Post.

Whilst there were no cases that were wholly unreasonable in the use of judgement, there was one in which the Entry Clearance Officer had clearly paid no account of the evidence provided. I asked for this to be reconsidered by an Entry Clearance Manager who thought it was an obvious case in which a visa should be issued and he took steps to do that.

## The Independent Monitor for Entry Clearance

In contrast to woolly general statements, I noted that 11% of Refusal Notices referred to **verification and risk related evidence**. Risk Assessment has a strong role in Islamabad and I discussed a number of its facets including joining in an employment checking field trip. I am pleased to report that staff experience a very good level of co-operation with the Pakistan authorities in such matters as forged passports.

### Post decision correspondence

We visited the Visa Application Centre and examined systems at the visa section in the High Commission. We talked with staff who handle correspondence and looked at correspondence registers. We took account of relevant Balanced Scorecard ratings. We examined 437 files related to applications refused with limited appeal rights and noted correspondence in the 135 files assessed for the decision quality file sample.

Islamabad handles substantial amounts of correspondence - 3,015 letters in 2006-07 of which 1,946 of were from MPs and 1,462 so far this year, of which 996 are from MPs. In my most recent global file sample, 4.4% of cases had evidence of post-decision correspondence. Of these, 26% (or 1.1% of the whole sample) constituted a service complaint, using my definition. In Islamabad I found that 4.0% of files examined contained post-decision correspondence. It looks, therefore, as though Islamabad has an average level of correspondence, though a higher proportion of it is from MPs.

I thought that Islamabad's complaint handling systems were the most developed that I have seen and I commend them for the attention given to this often neglected area of work. I found well-established processes in place for feedback handling at both the visa section and the VAC. My recommendations, detailed in a separate report, highlight the need to ensure that the two processes converge effectively, complaints can be investigated rapidly and, importantly, actions taken as a result can be recorded and publicised widely. Staff I spoke with are aware of the bouquet and complaints registers and appreciate their importance. Several of my recommendations can be summarised by the need for feedback information be thoroughly updated to cover current circumstances. I found that at no point in the process of replying to MPs' letters, complaints or post-decision correspondence does the visa section distinguish between cases that full and limited appeal rights and I commend Islamabad for this fair and even handed approach

### Overview

In my Report for 2006, I said that UKvisas was beginning to move from an emphasis on quantity - *How many? How fast?* - to quality - *How good?* Islamabad began that move in 2007, and it should have every encouragement to make 2008 the year that it achieves it. The significant reduction in numbers of applications provides a real opportunity to step back and review practice which I think has suffered in a culture of high refusal rates and a perception of management expectations to turn the numbers over. Islamabad is one of the Posts where UKvisas, in response to my March 2007 recommendation, is trialling removing Entry Clearance Managers reviewing all limited appeal right Refusal Notices. It is, I think, a good example that one adverse effect of a 100% review is to remove responsibility for the "product" that they produce from the Entry Clearance Officers who produce the Notice.

## **The Independent Monitor for Entry Clearance**

Even if they are one amongst tens of thousands, each applicant must be able to see that their case, their supporting documents, have been taken into account. They need to see £63's worth of work and quality in a visit visa Refusal Notice, rather than standard bullet points that could apply to anyone. My challenge to Islamabad is that no two Refusal Notices should have identical supporting reasons.

Performance in the file sample was Fair, shading to Good for the more recent applications. Complaint handling was Good in principle but slow in practice with poor use of standard letters. Adding the components together, my overall assessment is that Islamabad's performance is at the higher end of **Fair** and with further attention to the wording of standard paragraphs and to evidence it should reach Good quite easily. My single major recommendation is that Entry Clearance Officers should be responsible and held accountable for the quality of their work. At my final feedback meeting, there was a clear call from Entry Clearance Officers for direct feedback from their managers and for targeted training: managers please respond.

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