

The Independent Monitor for Entry Clearance



Report on my visit to Copenhagen: September 2007

Background information

I am able to make unannounced monitoring visits to Posts, and this was the first. It was not, however, a complete surprise because I had indicated that I would be making such a visit to Europe or North Africa before the end of the year. I gather that the Europe Deputy Director Visa Services had learnt which dates I would be travelling on and notified Posts in the region accordingly a few days before my visit. I, too, had given some advance notice in that I had told the Copenhagen temporary ECM some weeks before and asked him to respect my wish not to broadcast that: he did not. UKvisas was somewhat nervous about my wish to visit without notification, but it is an important part of a monitor's role. I chose Copenhagen partly because I had met some of the visa staff at the European conference in April and had the warmest invitation to visit. To that extent, I went for an easy option as I had no doubts that I would be made welcome.

This visit was also unusual in that the Manager; Customers, from UKvisas headquarters accompanied me as observer. He is responsible for the Independent Monitor liaison team, and having taken up appointment earlier this year, was keen to see a monitoring visit. He did not know where he was going until I met him at the airport. I emphasise that his role was as observer and he took no part in any of my conclusions; I think he found my work on information to applicants to be especially useful for his own role.

Demand and resources

- From 1 June to 31 August 2007, Copenhagen received 1,233 UK applications.
- The overall refusal rate was 10.5%. The refusal rate for non-family visitors was 13.3%. There were no refusals for Students under 6 months, though a 40% refusal rate for Student Other which may include short term students.
- There is one full time Entry Clearance Officer, one 20% and one 5%. HMConsul has 8% of his time allocated as Entry Clearance Manager, and there is currently a temporary Entry Clearance Manager allocated to visa work for 15 to 20% of his time.

Application process

All applications must be made on-line and an appointment to visit the Embassy is booked on line. The applicant hands in the printed and signed VAF and documents, pays the fee, and provides biometric fingerprint data. Decisions are normally made the same day. If the Entry Clearance Officer decides that an interview is needed, that is generally fitted in on the same day to avoid the need for a further journey by the applicant.

Information for applicants

Websites: Using a range of internet search engines, both in Denmark and the UK, it was easy to get to information about visas. The Embassy **website** home page has visa flag and the information provided is better than many I have seen. I did think that "Visas, consular, passport and more - it's all here", followed by a photo of the Embassy looked like an invitation to call in person, and was thus misleading when that is not encouraged.

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Clicking on the visa flag provides options on how to access information. Although I was pleased to see that the phone number says Use Pay Telephone and the link to web based information makes it clear that is free, I would prefer the order to be the other way round, giving more emphasis on access to no cost information. I was more concerned that the link to the information site was broken, and still is some days later.

I liked the clear and simple locally produced info sheets for the various visa categories, and thought it would be useful to find out how often these pages are accessed, so that the take up rate is known.

In Copenhagen, whilst there is some local content, most of the site follows UKvisas' website. Although UKvisas is working on my recommendations on accuracy and consistency, I find it hard to understand why some of the existing information remains inaccessible and plain wrong. For example, following the FAQ link in an effort to get information on appeal rights, "Visa and Immigration Problems", is the closest heading. In 3 places on that page the reader is told "For more information go to Refusals and appeals", but there is no hyperlink. The determined enquirer will then try to find a separate page, thus titled, but there isn't one. The even more determined enquirer will search UKvisas website and will find a page called Refusals and Appeals. Almost every section of it is wrong. When was the global refusal rate 7%? It must be more than 5 years ago. The Immigration Appellate Authority has been replaced by the Asylum and Immigration Tribunal. The only reference to help with legal fees refers to the Legal Services Commission, which does not cover Scotland. The page says that that "If you have the right of appeal the Entry Clearance Officer will give you three forms" but that only happens if there are full rights of appeal.

Technical aspects of websites may take time to sort out, but correcting this very basic information is not a major piece of work. I am seriously concerned that more than a year after I drew UKvisas' attention to this problem not enough has been done to ensure that information is accurate and accessible. **I recommend** that UKvisas takes urgent steps to put this right.

Emails; Given the broken link to free information on the commercial partner's website, (no one knew how long it had been broken) I was not surprised to see a large volume of email pre-application enquiries. These go direct to the Copenhagen visa section. I looked at 51 in detail, findings that 23% were basically asking *Do I Need a Visa?* The Commercial Partner's website has a hyperlink to UKvisas home page with its simple, quick, and presumably always accurate, 3 point automated questionnaire. The visa section in Copenhagen were, however, providing an emailed answer and a website link, more normally back to their own site which then hyperlinks to UKvisas site. Although the intention is to be helpful, **I recommended** that it would be better simply to provide the direct link because I there were a few queries where the enquirer did not provide all of the relevant information so a detailed answer may not be correct.

I also recommended that the routine email response which directs the enquirer to sources of information should make it very clear that website information is free and the phone number is User Pay.

I noted that 10% of emails were about making an appointment. Most enquirers had completed the Visa4UK on-line application, but the fact that so many people miss hitting the button that makes and confirms an appointment means that there is a problem that needs to be put right. **I recommend** that UKvisas should investigate this further and if it is a confirmed problem

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redesign the page accordingly. It might be helpful to make the link more noticeable or not allow progression until it had been used.

Although I commend the Entry Clearance Assistants for the effort they put in to answering email enquiries, the overall impression was spoiled by frequent typos, wrong words and poor grammar. **I recommended** that they used a spell check and took time to read the reply though, before hitting the Send button - less rush: better service.

Noticeboards: As I have done on all of my visits, **I recommended** that visa staff should assess each noticeboard point to see what information the applicant needed at that stage. No-one will pause to read the noticeboard that is visible through the barred entrance gate because, once inside, they will pass it by intent on getting to the guard house. It could service a useful purpose though if it was directed at people who call when the Embassy is closed, perhaps wanting to know how to apply for a visa. I suggested that there could be one or two large print notices setting out the normal application process along with guidance on how to access the internet at public libraries.

Both at the gate and in the waiting room there was a mixture of Danish+English and English only notices. I explained that the translation policy is a political matter, but there should be one. Once the policy has been set, then all notices should comply. Whilst native Danes may be used to English, they are not typical visa applicants so the policy should be relevant to people for whom Danish is, at least, a second language and whose English may be non-existent.

In the waiting room, I thought it would be helpful for the visa and consular notices to be in blocks in separate places. **I recommended** that visa notices should be printed using the UKvisas logo to make it easier for applicants to see which ones related to visas.

Leaflets: The recently re-printed full range of UKvisas information leaflets were tidily presented. I have only read one in full so far, but note that in the Visitor leaflet, the information on studying as a visitor is wrong. Whilst the new Immigration Rule to say that is no longer allowed only came in on 1 September, the AECIP guidance was dated April 2007 and there should have been time to incorporate this important change. **I recommend** that UKvisas takes steps to ensure that a correction slip (perhaps printed adhesive labels) is added to all copies.

First impressions

Having arrived at the Embassy with the hope, but no guarantee, that I would be let in, I was enormously impressed by the courtesy and efficiency of the guard. Whilst that was delightful, he knew that I was some sort of official visitor and I was even more pleased to see that he dealt with the next person at the gate in exactly the same way: she was a visa applicant.

I also observed the guard handling general enquirers and found his experiences useful. Four or five would-be visa applicants arrive in person each day and need to be sent away. The guard carefully explained each step in the process to them, drawing a diagram of the various stages. **I recommended** that he has a supply of pre-printed sheets with the same information, with guidance on how to access the internet at public libraries for those who say they do not have access.

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At the counter

I thought that the Entry Clearance Assistant continued that welcoming attitude when she helped applicants provide their fingerprints. She was pleasant, un-officious, patient and everything that the nervous applicant could wish for.

Once the application is formally lodged and the fee paid, applicants wait to be called for a mini-interview by the Entry Clearance Officer at the public counter. The range of questions included information on sensitive personal data and I was concerned at the lack of privacy as those waiting could hear every word. The waiting room is newly refurbished and had had jali screens between the chairs and the counter, but these have been removed. My observer came up with the simplest solution and **I recommended** that the six chairs close to the counter are moved to the outer part of the waiting area. That also means that those waiting are near to sources of information such as posters and leaflets, and more likely to read them whilst waiting.

The local info sheets ask applicants to provide a copy of any document they wish to provide in support. In Copenhagen, I noticed that the Entry Clearance Assistant willingly made copies if the applicant had not done so. I mention that here to record that with the variations emerging in application method there is a significant cost difference for the applicant who uses an application centre run by a commercial partner, who charges for making document copies, and those who attend a British Embassy where the service is free if it is offered. UKvisas needs to keep an eye on this in the interests of fairness.

File sample

I reviewed 31 files where visas had been refused and although all were intended to be cases with limited appeal rights, 3 (10%) were for family visits and had been given incorrect appeal information. The most recent comparative figure for the European region is 8%, and globally it is 4.5%. **I recommended** that Entry Clearance Managers check this aspect carefully in their file review, and that means reading the whole of the application. It would also be worth all 3 Entry Clearance Officers re-reading the relevant AECIP.

Decisions overall were reasonable. None contained any positive comment however, and I explained that being one-sided can give the impression of bias rather than fairness. It is easy to comment that a sponsor appears to have the accommodation and funds to support a proposed visit, and then explain that it is the applicant's circumstances that outweigh that.

Some Notices tended toward statements of facts, without adding the relevance of the fact to a specific Immigration Rule, or expanding a fact into a reason. I was especially concerned that the factual statement that the applicant had "sought leave to remain in Denmark and had a Danish travel document" read as one of the reasons for refusal and **recommended** that this standard statement was re-worded. I noted good use of immigration history, but when that is set out as grounds for refusal, the Refusal Notice does need to give details, for example "You applied for a UK visa on such and such as date, and your application was refused etc". I noted that 2 (6%) of the decisions relied on biometric evidence and thought that was generally well presented.

I drew attention to one muddled application. The applicant applied for a short term student visa, but the fee charged was for a visit visa. The Refusal Notice assessed the application under the Student Immigration Rules and one of the grounds for refusal was the acceptance letter from the

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college. At the time, if treated as a visitor - and the applicant appeared to have been thus advised at the counter - he could have studied for the period he wished.

Finally, Refusal Notices were to the point, well presented, free from spelling mistakes and typos and consistent in style and structure. They looked as though there had been £63 worth of effort put into them.

Complaints

The e-register is maintained by the full time Entry Clearance Officer. He was away at a conference and it could not be found until after my visit had ended. I was, therefore, unable to review any of the associated files. From the register, it looks as though the Entry Clearance Officer undertakes almost all of the investigations. **I recommend** that there should be more managerial level investigation as that normally allows the fresh look that complaints merit.

In my review of emails, I noted 1 (2%) that should have been recorded as a service complaint about the User Pay helpline. Whilst the query had been answered, there was no comment on the complaint at all. In my review of files, I found one post decision letter from a sponsor (3%). It corrected an unfortunate piece of guesswork about a family's sleeping arrangements that should not have been in the Refusal Notice. Given the weight placed on the comment in the Refusal Notice, I thought that the decision should have been formally reviewed. **I recommend** that Entry Clearance Managers should be especially alert to complaints raised by email to ensure that they are recorded adequately and receive a response.

Overview

Copenhagen had the advantage of not worrying about an impending visit - no fuss, no planning, no expectations. They took my visit in their stride and it went as smoothly as I thought it would.

My overall rating for Copenhagen is **Good**. I found that the standard of service was excellent; applicants were treated with great courtesy in pleasant surroundings. Entry Clearance Officer work was of good quality, scoring 87% in my assessment of 12 key indicators (global 83%), and attention to appeal rights will improve that further. Complaint recording needs more managerial oversight, though it still looked to be better than in many of the Posts I have visited.

I repeat my recommendation that UKvisas needs to do more to ensure that information for applicants is accessible and accurate.

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