

**Meeting of the Entry Clearance User Panel
14.00 hours, Friday 21 April 2006**

Present:

User Panel

Naadiya Rawat	English UK
Gary Campkin	CBI
Gulay Mehmet	Law Society
Samantha Day	Law Centres Federation
Nadine Owen	International Bar Association
Samina Kausar	Immigration Advisory Service
David Main	ARIA
Chris Randall	Chair of ILPA
Owen Davies	ILPA
Katie Handforth	UKCOSA
Gautam Banerji	Hindu Council
Mohammed Akram	CBP(S)
Duro Oyewunmi	OISC

IND

Steve Phipps

UKvisas

Mark Sedwill	Director
Simon Lovett	Network Manager, Marketing and Communications
Lorraine Fussey	Programme Manager, Business Change and Points Based System
Rahim St John	Senior Advisor Commercial Partnerships
Mike Dwyer	Head of Decision Quality
Jo Cheeseborough	Head of Communications (Secretary)

Apologies

Maria Fernades	Association of Asian Businesses
Richard Dunstan	Citizens Advice
Jim Minton	IND
Alan Bucknell	IND

Item 1: Welcome and introductory remarks

- Simon Lovett welcomed members, especially those attending their first meeting. As there were a number of members attending the meeting for the first time, Simon asked everyone around the table to introduce themselves.

Item 2: Action Points from previous meeting

- All completed. The following summary was sent out with the agenda

SUMMARY OF ACTION POINTS FROM 18 NOVEMBER 2005 MEETING

Item	Action	Owner
3.1	Publish names and locations of Directors, Deputy Directors and ROMs on the UKvisas website	Jo Cheeseborough – organisation chart is now published on our website
4.1	Provide regular updates on the Biometrics programme to User Panel members	Tony Mercer - ongoing
5.1	Members to contact Deloris Sterling to request a copy of the Independent Monitor's report	Revised copy of IM report to all U. Panel – 25.01.06
5.2	Members to write to Mandie Campbell with views on any of the Monitor's recommendations	Members – nothing received to date
6.1	Members to continue to forward to UKvisas copies of any student refusal notices which cause them concern.	Members
6.2	Discuss with JET the possibility of a seminar for Universities' Governing Councils.	Simon Lovett
7.1	Pass on Members concerns on consultation to Managed Migration colleagues	Lorraine Fussey
7.2	Update Members as necessary on PBS proposals including an agenda item at the next meeting.	Lorraine Fussey/Jo Cheeseborough – item 4
8.1	Update presentation on appeals and forward to Members.	Forwarded to all members 09.01.06.
9.1	Clarify issues around VAFs with Islamabad	Mandie Campbell – update provided below
9.2	Update Members as necessary on service in Nigeria	Mandie Campbell – updated 16.03.06
9.3	Report back to Members on communication problems with Nairobi	Jo Cheeseborough – update provided below
11.1	Arrange next meeting	Next meeting to take place on 21 April 06

- There were no comments arising from the action points

Point 5.2 At the last meeting we asked the Panel to write to Mandie Campbell with any comments on the Independent Monitor's report

None were received.

Point 9.1: Islamabad

- At the last meeting a couple of points were raised regarding the service in Pakistan. We said that we would look into the queries raised and provide feedback:

a) Islamabad will not allow applicants to submit VAFs completed in the UK by sponsors on their behalf, but will accept the same information on a VAF which is completed by an agent outside the Mission. Mandie Campbell undertook to take this up with staff in Islamabad.

Post does not agree with this assertion. There is nothing to prevent the UK sponsor completing a VAF on the applicant's behalf and sending it to them by post to sign the declaration, prior to submitting the application at FedEx. This is much more acceptable than a street agent whom are regularly cleared from outside FedEx

b) Islamabad is also asking for additional forms to be completed by certain categories, for example family visitors. There is no explanation of this provided on either the UKvisas, Post or Gerry's/FedEx websites.

Mandie Campbell explained that with the move to deciding more applications on paper it was more important to ensure that ECOs had access to all the information they need to reach a fair and balanced decision. Work was underway to review current VAFs in the light of this. We will speak to colleagues in Islamabad to ensure that applicants are aware of what information they will need to provide.

This could be referring to the FV 1 form Islamabad ask all FV's to complete as the Vaf 1 form does not capture all the information required on relatives in Pakistan, UK or elsewhere. Experience has shown this information changes from application to application, family member to family member and is often ignored altogether on the VAF. If FV 1 is not completed it could result in more refusals or cases put to interview. It might be referring to the check list of documents which Islamabad ask all applicants to complete and submit with their application to show that they were aware of the documents requested to be submitted. These vary according to category, e.g. IELTS/language ability for students, which are referred to in paper based refusals on non production of evidence. Fedex advise on the requirements for these forms.

- c) Islamabad will also only accept double-sided copies of VAFs. Whilst this may be a means of minimising fraud, there may be other means of doing so which would enable advisers to submit single-side copies downloaded from the UKvisas website. Mandie Campbell undertook to ask Islamabad to look into this.**

Islamabad changed their instructions to FedEx to accept single sided copies on 22 August. These have been accepted since the first week of September 2005.

Point 9.3: Communications problems with Nairobi

Post would like to make the following points:

- Frequent power fluctuations and failures mean that emails often are not received whilst the poor quality of the telephone lines does prevent the receipt of a number of faxes.
- We have received complaints regarding unanswered emails. On investigation the sender has been using an incorrect email address. The correct address is **visaenquiries.nairobi@fco.gov.uk**.
- Nairobi accepts that it did not respond to all correspondence received this year. A problem was identified during the summer with a particular staff member who was responsible for the recording of receipt of correspondence and for ensuring that it was forwarded on as appropriate. The staff member in question was not fulfilling her duties correctly and was unfortunately dismissed in August this year. Since then we have instituted an improved system for recording receipt of mail and ensuring that it is dealt with appropriately and timely. I have reviewed our correspondence register for the months since August and it appears that we have responded within target times to over 90% of communication received. Post is continuing to take steps to improve performance in this area and would be pleased to hear of any specific examples so that they may investigate.

Item 3 Operational Overview

The User Panel were notified of changes to service in Nigeria. UKvisas was pleased to announce the lifting of the temporary suspension of visa services for first-time visitors aged 18-30 with effect from Friday 17 March. In line with this, a number of outsourcing offices were opened across Nigeria. Feedback on the service would be welcome from User Panel members.

From 2 March 2006 Malawi nationals needed a visa to enter or transit the UK.

From 22 March 2006 Croatian nationals no longer required a visa to enter the UK.

Commercial partners have opened offices in South Africa.

Service in Uzbekistan has been suspended due to security problems, but we hope to resume it very shortly. User Panel members will be informed when this happens.

UAE has introduced on-line applications.

In January 2006, the User Panel was notified of the appointment of the new Independent Monitor, Linda Costelloe Baker. The User Panel will be invited to meet the Independent Monitor at the earliest opportunity.

Streamlining of appeals processing is underway, with the aim of reducing the end-to-end process by up to 7 weeks. This will be achieved by appeals being treated as lodged when received at Post. The AIT would be informed electronically that an appeal had been received, saving time on the current process whereby appeal notices received at Posts are sent to the AIT by mail. Plans are in hand to introduce the streamlined process from June 2006 in as many posts as possible, with the aim of including all Posts from October 2006.

The global roll-out of biometrics is on schedule to start in August 2006 and finish by January 2008. UKvisas has recognised the importance of communications in the roll-out of biometrics, as messages to customers will be complex.

Action points

3.1 When lodging an appeal, Posts do not send an acknowledgement or notice of receipt. It was agreed that UKvisas would look into this as part of a wider review of the visa appeals system.

3.2 In cases where a work permit is issued, but entry clearance is refused and the applicant appeals, due to the length of time a successful appeal takes to process, the work permit has often expired. This results in the applicant and sponsor being required to apply for another work permit and reapply for entry clearance, therefore being required to pay for 2 work permits and 2 entry clearance applications. The User Panel requested that this system be reviewed, perhaps by lengthening the validity of the work permit in such cases. It was agreed that UKvisas would consider this issue with WPUK.

Item 4

PBS Launch Presentation

Lorraine Fussey delivered a presentation on the points based system, which is attached.

Item 5

Commercial Partnerships Programme

- Rahim Stjohn gave User Panel members an update on the Commercial Partnerships Program, which provided an overview of future strategy:
 - Commercial Partnerships have played an important role in the delivery of core UKvisas' business
 - The current approach to partnering will not provide the optimum solution for applicants, posts or UKvisas
 - Commercial Partnerships Programme will take a strategic centrally co-ordinated approach to partnering

- The aim of Commercial Partnerships is to ensure that all partnerships operate on a sound commercial basis that reduces risk to UKvisas, posts and applicants.
- Ensure transparency of the overall process
- Establish a sound commercial basis to develop strong working partnerships
- Use partners to alleviate pressure on posts reaching capacity
- Provide new services and coverage required by business change programmes
- Establish a structure for service delivery that better supports centrally driven change
- Consolidate contracts to achieve best regional solution

Action

5.1 The Commercial Partnerships Program undertook to consider an external consultation process about Commercial Partnerships.

Items 6 and 7

ILPA Research Project and Post Response Times/Service Delivery

Both of these agenda items are based upon a research project undertaken by ILPA to test the consistency of the advice given by posts.

Owen Davies stated that the two most significant points raised by the report are:

- 1) The failure of some Posts to respond.
- 2) The inconsistency in the list of documentation required by Posts across the network.

Owen also stated that the report raised concerns that there will be inconsistency in delivery overseas of the Points Based System.

Mark Sedwill thanked ILPA for submitting the Fragomen report.

He said stated that some variations between Posts would occur due to the nature of documentation available in different countries, and due to differing documentary fraud environments, although this did not wholly address the problem of inconsistencies.

Mike Dwyer referred the User Panel to UKvisas website which signposts enquiries on Work Permit applications to INF leaflet 13 which provides guidance on what applicants need to do when applying to come to the UK for work permit employment. It is only a guide but aims to answer common questions including what supporting documents should be included with an application. It was noted that most Posts responded to Fragomen's enquiry, and that Posts were trying to be helpful by listing documents e.g. bank statements in order to meet the maintenance and accommodation requirements of the Rules. It was accepted that some of the inconsistencies highlighted in the report warranted further investigation e.g. in the case of

Hong Kong who ask for evidence of accommodation in the form of a letter from an independent surveyor of a local council. UKvisas will follow up with the Posts concerned and consider issuing fresh guidance.

Item 8

Members Forum

No issues were raised by members prior to the meeting.

Mr Akram (CBP(S)) raised the issue of immigration advisors overseas, stating that it was important for Commercial Partnerships to refrain from offering immigration advice. Mr Akram suggested it was important for Commercial Partners to have an independent person in their offices for document authentication, apparently a similar system has previous worked in Dhaka. Mark Sedwill stressed that commercial partners played no part in the decision making process.

Mr Akram requested that UKvisas discuss the issue of regulation of overseas advisors with the OISC.

Action point

8.1 Future discussion on overseas advisors.

Item 9

Any Other Business

Nothing was raised by members.

Item 10

Date and location of next meeting

The next meeting will be held in October. Members will be informed of the date and location in due course.