

Annex B

FNP Report	HAC Recommendations	Action Plan
<p>1. Workload – Increasing numbers and production line slowed the speed of the line</p> <p>Did not appreciate and respond to the effects of what was initially a small CCT operation experiencing a rapidly increasing caseload (though largely due to better links with Prisons identifying FNPs). The implications of the growth of the caseload on CCT's systems, management and resourcing, was not recognised.</p>	<p>121. We endorse the Government's moves to reduce the foreign national prisoner population at source through tackling drug trafficking in partnership with other countries. Given the difficulties with repatriation of prisoners, the early removals scheme should be given priority and re-documentation efforts redoubled. (Paragraph 521)</p>	<p>Movement to a twenty-fold increase in staff and resources. Better liaison with Prison Service including embedding BIA staff at some Prisons. Cases considered before release as a matter of principle to enable forecasting of new workflow.</p> <p>We are now considering the majority of cases for deportation 8 months prior to release, and our aim is to have 12 months as the standard.</p>
<p>2. Work flow analysis</p> <p>Criminal casework unlike the rest of IND's business – normal queues could not develop because the consequence of not completing cases was not an increasing queue but the release of prisoners without consideration for deportation.</p> <p>Failure to understand and operationalise this meant that effective workflow analysis was not carried out. As the number of foreign prisoners increased after 2002, the effective speed of the production line</p>	<p>122. Although a criminal court can recommend deportation when it is sentencing a foreign national, the decision to deport always rests with the Home Office regardless of whether or not there is a court recommendation. We do not see the benefit of court recommendations for deportation, and recommend that they should be abolished. All deportations should be considered by the Home Office solely on the grounds of whether deportation is conducive to the public good. (Paragraph 532)</p>	<p>Movement to put policy people alongside operational people in the business to increase analytical resource</p> <p>Specific work on ERS, statistics</p> <p>Performance review at each months Board coupled with Risk assessment</p> <p>Strengthened PADR system to reinforce individual responsibility</p> <p>Work with PMDU on analysing backlogs to reduce pressures and increase productivity.</p>

<p>increased.</p>		<p>Development of three flows: 1013; current; and future to move production line back. Now most cases are considered 8 months before release, and by end of year we aim for 12 months in advance.</p>
<p>3. Performance targets The main target – 85% of prisoners should have been removed within 28 days of completing their sentence – was inappropriate and largely out of CCT’s control. Removals were carried out by LEOs and the FAS removal target impinged on this. CCT was hitting its key performance target, but it was not recognised that the target showed only one element of performance, and did not provide early warning of failure.</p> <p>The 85% figure said nothing about what happened to the 15% of cases which fell outside it. This might not have mattered so much in other casework contexts, but with foreign criminals each case was potentially critical.</p> <p>This was a target about the end of the ‘production line’ and so it gave no <u>early</u> warning of problems. Rather, it told about</p>	<p>129. There is a serious problem with the way immigration statistics are compiled, presented and used to evaluate and improve performance. The Government must conduct or commission a thorough investigation, based on the ongoing work of the review of immigration statistics, to determine which statistics are needed to produce a meaningful picture of the effectiveness of the immigration system as a whole. The IND’s statistics must be not only up-to-date and accurate but also capable of providing information about whether targets are being met and about how people move from one stage of immigration control to another. (Paragraph 570)</p>	<p>New agency business plan produced, and the new PSA will set broad performance targets which focus on a harm reduction.</p> <p>We are now considering the majority of cases for deportation 8 months prior to release, and our aim is to have 12 months as the standard.</p> <p>Suite of Performance Indicators developed to track cases.</p> <p>Review of statistics is underway, and there is weekly scrutiny of performance by accountable Strategic Director and other BIA Board members.</p>

<p>problems after they had happened. Should have measured an upstream process, such as the number of days <u>before</u> release that cases were started, or the percentage of unconsidered cases within six months of release.</p>		
<p>4. Weak processes for tracking cases</p> <p>Meant that serious cases were not identified and efforts to mitigate the problem were not put in place earlier.</p>		<p>Allocation of single case owner for all cases to provide stronger management and clear responsibility for all cases through to resolution.</p> <p>Suite of Performance Indicators tracked by cross departmental group</p> <p>Cases risk assessed for complexity</p> <p>Improvements in electronic case management planned</p>
<p>5. Lack of management interrogation</p> <p>CCT was showing apparently good performance results, and senior staff, who had other priorities to pursue in their large commands did not look behind the figures.</p>		<p>Board review of performance monthly and then with minister feeds into allocation of resources and business planning.</p> <p>Weekly scrutiny of performance by accountable Strategic Director.</p> <p>Asylum and Managed Migration</p>

		commissioning removals
<p>6. Accountability</p> <p>Ambiguous lines of accountability between the Directors and the Senior Director, and a long chain of responsibility to the staff dealing with deportation cases: nature of the work was not fully understood at more senior levels.</p>	<p>126. The biggest single management challenge for the immigration authorities is to create clear lines of responsibility and accountability and to establish a culture at each level where staff are required to feel a responsibility for the overall performance of the system as well as for their own tasks. Without such a profound cultural change, individual targets or performance measures are unlikely to produce the required results. (Paragraph 543)</p>	<p>Split responsibility between Borders and Enforcement and Removals so that there is a clear Board level lead for both.</p> <p>Now clear accountability from (SCS) Head of CCD through Strategic Director for Enforcement to Board and Ministers.</p>
<p>7. Seniority and Corporate Memory</p> <p>CCT needed a more senior head of unit at an earlier stage to deal with a growing caseload and politically sensitive area. This would have shortened the lines of communication and provided capacity for closer management and analysis of the casework.</p> <p>Change of senior staff in 2004 dimmed the institutional memory of the criticality of CCT's casework problems as they had been first identified late in 2002.</p>	<p>127. Fragmentation and lack of communication is a systemic problem not just within the IND but within the entire immigration system which ought, ideally, to work as a whole. It is not only computer databases which should be encouraged to talk to each other but people, at all levels in all the immigration authorities. (Paragraph 548)</p>	<p>New grade 5 appointed specifically to lead criminal casework, shortening lines of responsibility.</p> <p>Improved work across government, particularly with NOMS, ACPO, SOCA and FCO.</p> <p>Commissioning model and introduction of Regional Directors is increasingly driving cross-boundary working and understanding, and brings a more collective institutional memory.</p>

<p>8. Budget and conflicting priorities Other priorities, including asylum and reducing prison overcrowding, diverted caseworkers' attention and resources from harm reduction.</p> <p>Priorities also conflicting – CCT had no written instructions about prioritising cases by seriousness of offence, beyond the very broad requirement to consider all cases where the prison sentence was a year or more. However, it is clear that detailed guidance would have been difficult to draft, given the complex range of possible scenarios which might arise.</p> <p>It was extremely unfortunate that the budget and recruitment freeze of 2003/04 delayed the staffing increase which it had been recognised as needed in December 2002. This was probably the last opportunity which CCT had to keep abreast of its casework.</p>	<p>123. We support the proposal to create a presumption in favour of deportation of foreign nationals who are serious criminals. In practice there will be those for whom deportation is inappropriate, for example those whose offences may only just cross the threshold of seriousness but who have lived otherwise law-abiding lives in this country for a long time and who have an established family in the United Kingdom. But the principle should be established that in all such cases the offender should have to make their case as to why they should not be deported. (Paragraph 535)</p>	<p>Put in place prioritisation and resource allocation system in place across business</p> <p>Consequences were a budget increase in year giving £40m extra into the CCD area, funding, amongst other things, a jump in staff from 95 to 610.</p> <p>Review of guidance for CCD and E&R overall focusing on harm reduction (E&R strategy).</p> <p>The current year will see continuing high investment in CCD caseworking staff, with any necessary economies sought from support posts.</p>
<p>9. Management Lack of strategic consideration – foreign prisoners were not a part of IND's strategic planning. Issue was not discussed at the Board though there were</p>	<p>125. We believe that the failures of management seen in the IND's handling of foreign national prisoners, when senior management failed to make it clear</p>	<p>Review of Immigration and Nationality Directorate published July 2006</p> <p>Four strategic documents</p>

<p>occasions when this might have been appropriate, e.g. before raising the number of referrals from 2003 onwards. Conflicts between resources and priorities which could only have been resolved at Board and Ministerial level. Radical new approach within IND to the removal of foreign prisoners from May 2006 with the creation of the Criminal Casework Directorate required a five-fold increase in staff resources (more than twenty-fold compared with only four years earlier) and was the kind of massive realignment of resources which could only be taken by the Board and with Ministerial agreement.</p>	<p>upon whom and at what level the responsibility lay for identifying and acting upon problems as they arose, highlight a problem that may exist in many parts of the organisation. The failure of the enforcement and removal operation to meet the needs of an effective immigration system, the failure to develop a complaints system capable of improving the quality of customer service and the absence of effective feedback mechanisms from AIT decisions to ECOs are all examples of hard work being undermined by a failure to take responsibility for the performance of the system as a whole. (Paragraph 541)</p>	<p>Performance planning process, including a review by the minister</p> <p>Business Plan with published targets</p> <p>Introduction of Strategic Directors and Regional Directors to give clear strategy/delivery focus.</p>
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