



National Audit Office

---

## **Report**

by the Comptroller  
and Auditor General

---

## **Home Office**

# Immigration enforcement

---

We are the UK's independent public spending watchdog.

We support Parliament in holding government to account and we help improve public services through our high-quality audits.

The National Audit Office (NAO) scrutinises public spending for Parliament and is independent of government and the civil service. We help Parliament hold government to account and we use our insights to help people who manage and govern public bodies improve public services. The Comptroller and Auditor General (C&AG), Gareth Davies, is an Officer of the House of Commons and leads the NAO. We audit the financial accounts of departments and other public bodies. We also examine and report on the value for money of how public money has been spent. In 2018, the NAO's work led to a positive financial impact through reduced costs, improved service delivery, or other benefits to citizens, of £539 million.

---



National Audit Office

---

Home Office

# Immigration enforcement

Report by the Comptroller and Auditor General

Ordered by the House of Commons  
to be printed on 15 June 2020

This report has been prepared under Section 6 of the  
National Audit Act 1983 for presentation to the House of  
Commons in accordance with Section 9 of the Act

Gareth Davies  
Comptroller and Auditor General  
National Audit Office

9 June 2020

This report assesses whether the Home Office's activities for enforcing immigration rules are achieving its vision to reduce the size of the illegal population and the harm it causes.

---

© National Audit Office 2020

The material featured in this document is subject to National Audit Office (NAO) copyright. The material may be copied or reproduced for non-commercial purposes only, namely reproduction for research, private study or for limited internal circulation within an organisation for the purpose of review.

Copying for non-commercial purposes is subject to the material being accompanied by a sufficient acknowledgement, reproduced accurately, and not being used in a misleading context. To reproduce NAO copyright material for any other use, you must contact [copyright@nao.org.uk](mailto:copyright@nao.org.uk). Please tell us who you are, the organisation you represent (if any) and how and why you wish to use our material. Please include your full contact details: name, address, telephone number and email.

Please note that the material featured in this document may not be reproduced for commercial gain without the NAO's express and direct permission and that the NAO reserves its right to pursue copyright infringement proceedings against individuals or companies who reproduce material for commercial gain without our permission.

Links to external websites were valid at the time of publication of this report. The National Audit Office is not responsible for the future validity of the links.

007711 06/20 NAO

---

---

## Contents

**Key facts** 4

**Summary** 5

**Part One**

The scale of the challenge 14

**Part Two**

The Department's performance 26

**Part Three**

Managing the end-to-end immigration enforcement system 40

**Appendix One**

Our audit approach 51

**Appendix Two**

Our evidence base 53

**Appendix Three**

Previous National Audit Office and Committee of Public Accounts recommendations 57

**Appendix Four**

Operations and process management 59

The National Audit Office study team consisted of:

Rob Cooper, Caroline Harper, Scott McMillan, Tosin Omole and Alec Steel, under the direction of Tom McDonald, with the assistance of Sarah Bentley, Adil Jamil, Rajinder Singh and Ben Travia.

This report can be found on the National Audit Office website at [www.nao.org.uk](http://www.nao.org.uk)

For further information about the National Audit Office please contact:

National Audit Office  
Press Office  
157–197 Buckingham Palace Road  
Victoria  
London  
SW1W 9SP

Tel: 020 7798 7400

Enquiries: [www.nao.org.uk/contact-us](http://www.nao.org.uk/contact-us)

Website: [www.nao.org.uk](http://www.nao.org.uk)

Twitter: @NAOorguk

---

# Key facts

46,900

number of attempts the Home Office detected of people trying to enter the UK by clandestine means between November 2018 and October 2019

13,100

number of people without leave to remain in the UK for whom the Home Office has facilitated a departure between December 2018 and November 2019

641

number of disruptions to serious and organised crime gangs resulting from the Home Office's Immigration Enforcement directorate's work between April 2019 and February 2020

- £392 million** is the net resource cost for Immigration Enforcement in 2019-20, including staff costs, non-pay costs (including external contracts, IT and communications) and offsetting £42 million income.
- 430,000** is the most recent estimate of the number of people without leave to remain in the UK produced by the Home Office, in 2005. More recent estimates from other organisations suggest there may be more than twice as many people in the UK without leave to remain, although we have not sought to validate these estimates.
- 24 days** is the mean average amount of time an individual without leave to remain will be detained before either an enforced return or being released, according to the Department's management information. National Statistics use ranges to present the data and show the median average to be between 8 and 14 days.
- 62%** of Immigration Enforcement detainees are released from detention without removal because of problems in completing their return.

# Summary

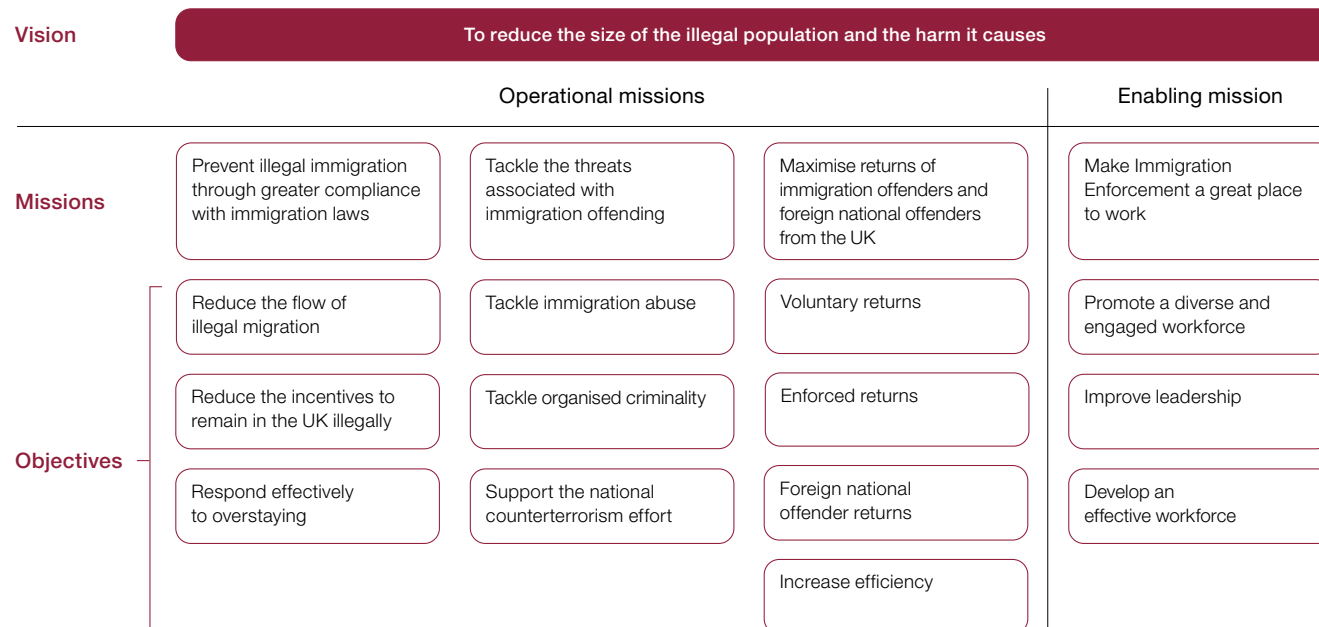
**1** The Home Office (the Department) is responsible for preventing abuse of immigration rules, tracking those who abuse immigration rules (immigration offenders) and increasing compliance with immigration law. There are many reasons why people may be in the UK without permission. These include overstaying or abusing the terms of a visa, entering or remaining in the country through fraudulent means or clandestine methods, or failed asylum claims.

**2** Immigration Enforcement is the directorate within the Department responsible for preventing abuse of the immigration system, dealing with the threats associated with immigration offending and encouraging and enforcing the departure of immigration offenders and foreign national offenders from the UK. Its vision is to reduce the size of the illegal population and the harm it causes. It supports this vision through three operational missions and a fourth enabling mission, underpinned by 13 objectives (**Figure 1** overleaf). It employs about 5,000 staff and received approximately £392 million in 2019-20. It has faced an 11% real-terms reduction in its resource budget since 2015-16.

**3** Managing immigration enforcement activity effectively depends on Immigration Enforcement collaborating with other parts of the Home Office's wider border and immigration system, law enforcement bodies, international partners and other areas of government. In our previous work we have identified some of the long-standing challenges that the Department faces in managing enforcement activity, removing foreign national offenders and overseeing the detention estate.

**Figure 1**

The Home Office's Immigration Enforcement directorate's vision, mission and objectives



Source: National Audit Office analysis of the Home Office's performance reporting framework for Immigration Enforcement

**4** This report assesses whether the Department is successfully delivering its stated missions and objectives to support its vision of reducing the size of the illegal population and the harm it causes.

- Part One sets out the scale of the challenge the Department faces in managing and understanding the population without leave to remain in the UK and its response to that challenge;
- Part Two sets out its performance against its three operational missions and objectives; and
- Part Three sets out how it manages the end-to-end immigration enforcement system, relating to its fourth mission to make Immigration Enforcement a great place to work.

**5** We carried out our fieldwork and analysis between July and December 2019, before the outbreak of COVID-19 in the UK. Our findings therefore relate most closely to the Department's ongoing and regular approach to managing its operations, and do not reflect any changes to the way it works in response to the public health crisis.



## Key findings

### Responding to the scale of the challenge

**6 Immigration Enforcement has to balance a broad range of responsibilities to respond to changing threats.** Criminal gangs facilitate clandestine entry to the UK, so individuals trying to enter the UK through these routes, for example travelling in lorries or on small boats, are often put at risk. The Department prioritises its resources and activities to try to prevent loss of life while maintaining control of other areas, such as identifying forged identity documents or liaising with overseas ports and airports. It also works within the UK to return those who do not have permission to remain in the UK to their countries of origin. Some of these people have been here for many years and have settled lives within communities (paragraphs 1.4 to 1.7, 2.5, 2.6, 2.13, 2.15 to 2.18, 3.7 and Figures 2 and 3).

**7 The Department's vision is to reduce the size of the illegal population and the harm it causes, but its understanding of the scale of these issues is mixed.** Measuring a hidden population is intrinsically complex and will always include a degree of uncertainty. The Department has not attempted to estimate the total illegal population since 2005, when it believed the number to be around 430,000 people.<sup>1</sup> More recent estimates from other organisations suggest there may be more than twice this number, although we have not sought to validate these estimates. As any single estimate contains uncertainties, the Department has instead developed a dataset of known individuals to help it to better understand and categorise cases. From this, the Department has estimated demand for immigration enforcement activity to be between 240,000 and 320,000 cases per year. It acknowledges this work requires refinement and does not yet provide a baseline against which the Department can assess progress or signal whether demand for enforcement activity is increasing or decreasing. The Department considers the impact of harm across its many activities, but as harm can mean something different in each service area, it has not consistently defined what constitutes harm and who it affects (paragraphs 1.14 to 1.20, 3.10 and Figures 5 and 6).

<sup>1</sup> The Department uses the term "illegal population" to describe all those who have entered the UK unlawfully, those who entered lawfully but have remained in the UK without having the right to do so, and those foreign nationals who have committed serious or repeated criminal offences (foreign national offenders) within the UK and need to be removed. We have used this term as it is the most common term the Department uses to describe these individuals.

The Department's performance against its operational missions and objectives

**8 The Department collects a large volume of performance information against its missions and objectives, but this does not always allow it to demonstrate the impact of its work.** The Department produces over 250 management information reports, many of which are for individual areas of the business. Many of its metrics track individual activities rather than assess the overall impact against their missions and objectives set out in Figure 1. The Department has recently undertaken work to try to estimate the value of financial harm avoided by some of its activity in 2018-19. This analysis suggests that the Department's activities to prevent illegal entry into the UK have a greater impact than activities to reduce the illegal population already within the UK. However, this remains a work in progress and in most cases the Department admits it is very difficult to attribute successful outputs directly to Immigration Enforcement's work (paragraphs 2.3, 2.32, 2.33, 3.10 and 3.12 to 3.14).

**9 The Department's success in meeting its mission to prevent illegal immigration through greater compliance with immigration laws is unclear.** The Department views compliance as ensuring that individuals enter and leave the country in accordance with their visa and passport conditions. The Department detected 46,900 attempts to enter the country by clandestine means in the 12 months to the end of October 2019, compared to 40,800 in the same period in 2018. It is not clear whether the Department is detecting a greater proportion of these attempts or if there have been more attempts overall. The Department uses its Compliant Environment approach to limit unlawful access to government funded services. It evaluates the success of this approach against the data records it has shared and the amount of money saved by other departments. It also hopes that by removing the incentives which it believes draws people to the UK illegally, it can encourage voluntary departures, foster compliance with visa and passport conditions and encourage people to leave before their right to remain in the UK has expired. However, it is currently unable to assess whether these measures have any meaningful impact on the likelihood that an individual will leave the UK voluntarily (paragraphs 2.4 to 2.12 and Figure 7).

**10 It is difficult for the Department to demonstrate the effectiveness of its efforts to tackle the threats associated with immigration offending.** The Department has started to use the intelligence it gathers to better link its national strategy to operational tasks. Since it is difficult to directly link intelligence work to tangible outcomes, the Department quantitatively evaluates this mission against the scale of resulting enforcement activities. The Department has increased disruptions against organised crime gangs year on year for five years. It aimed to shift its efforts towards more significant and long-term disruptions but has not achieved this change (paragraphs 2.13 to 2.19 and Figures 8 to 10).

**11 The Department has returned fewer people in the past year than in previous years and is completing fewer planned returns from detention.** Our analysis of the Department's data on returns suggests that:

- **The Department has returned, or helped to return, just over 13,100 people without leave to remain in the 12 months to the end of November 2019.** However, the number of voluntary and enforced returns has fallen dramatically since 2015. The Department encourages people to return voluntarily as this is the most cost-effective option, but voluntary returns have reduced, from an average of 1,200 a month in 2015 to approximately 460 a month in 2019. The Department has enforced the removal of 7,400 of the 13,100 immigration offenders who returned. Almost 5,000 of those were foreign national offenders. The figure for removing foreign national offenders has remained more stable over time, and now represents around two-thirds of total enforced returns (paragraphs 2.20 to 2.26 and Figure 11).
- **The Department has improved aspects of immigration detention but is releasing many people at a late stage because it had problems in completing their return.** The Department detains some individuals before they return to their country of origin. It has significantly reduced the size of its detention estate since 2016, reducing its costs by £40 million (21%), and is detaining people for a shorter time. However, the Department faces a series of complex challenges in this area, including legal challenges, asylum claims and constraints due to agreements with other countries. In the 12 months to the end of December 2019, only 48% of enforced returns went ahead as planned. The Department tells us that this is mostly explained by spurious late challenges to removal, but we have not seen evidence it has tried to actively understand and manage these challenges and it has no strategy across the work of Immigration Enforcement and the rest of the Department to reduce their frequency. In the 12 months to the end of December 2019 it released 14,900 (62%) of the detainees whom it intended to remove from the country (paragraphs 2.27 to 2.31, 3.22 and Figure 12).

## Managing the end-to-end enforcement system

**12 Our wider work on good practice in operations management suggests that Immigration Enforcement could improve its management of the enforcement system.** Comparing how Immigration Enforcement manages its activities against good practice, we found that teams are not always able to see how their work fitted within business area objectives and there were examples of inefficiency in all seven business areas that we visited. Immigration Enforcement does not make sufficient use of evaluations to assess process effectiveness (paragraphs 3.1 to 3.9, 3.17 to 3.23 and Figures 13 and 16).

**13 The Department has rightly responded to changing operational priorities by moving staff to deal with them but does not yet understand the impact of doing this on routine activity.** It provided support to Border Force to help reduce waiting times in ports during the busy summer holiday period in 2019 and in preparation for exiting the EU without a deal. It also mobilised additional staff to England's south coast to support Border Force's operations to stop small boats crossing the English Channel. However, this flexible response removes staff from dealing with other areas of work which the Department also deems a priority. The Department has recently started to examine the impact these decisions had on its other operations. It is now responding to the outbreak of COVID-19 (paragraphs 2.2, 2.18, 3.7 and 3.8).

**14 The Department has introduced new technology and working practices but has not yet evaluated the benefits of doing so.** The Department has introduced new technology and working practices in order to reduce costs while maintaining its overall performance. These changes include ongoing efforts to create a new case management system and introducing technology, such as automated reporting and handheld devices for front-line enforcement staff. It has not undertaken a full evaluation to demonstrate if these changes are delivering the expected benefits or what impact they are having on the wider business (paragraphs 1.9, 1.11, 1.18, 3.10 and 3.23).

**15 The Department could do more to identify and respond to inefficiencies.** The Department does not systematically identify or respond to inefficiencies in its working practices or the impact they have on the organisation. We saw several examples where staff had to undertake additional work owing to incorrect or out of date information. There is also evidence of increasing numbers of claims against removal at late stages in the process. These inefficiencies mean staff are unable to conclude cases as quickly as they might otherwise, in turn leaving individuals waiting longer to hear the outcome of their case (paragraphs 3.18 to 3.21 and Figure 16).

**16 The Department is considering its response to the Windrush review, which will have implications for how Immigration Enforcement works.** In 2018 the Department faced criticism over its treatment of the Windrush generation. The government consequently commissioned an independent review of lessons to be learned from the Department's actions. This review was published in March 2020 and the Department committed to providing a formal response within six months. The Department has also commissioned a review of the wider border and immigration system which will have implications for immigration enforcement activity and to which it will need to respond quickly. Until the Department understands the impacts of these reviews on immigration enforcement activity, it will not be able to carry out wider strategic reform (paragraphs 1.10 to 1.13).

### **Conclusion on value for money**

**17** The Home Office's (the Department's) vision is to reduce the size of the illegal population, and the harm it causes, through missions to ensure greater compliance with immigration laws, tackle the threats of immigration offending and maximise the return of immigration and foreign national offenders from the UK. However, the complex nature of immigration crime and offending presents a significant challenge. For example, in trying to prevent, identify and remove immigration offenders, the Department must deal with a changing and varied threat from organised crime and a population which is, by definition, hard to interact with. The Department assesses its performance through a wide range of quantitative and qualitative measures. Where available, these measures show some positive developments in areas such as preventing illegal entry into the country and tackling organised crime, but performance against the crucial measure of returns has fallen. However, collectively, these measures do not provide a sufficient assessment of outcomes or an evidence base the Department can use to demonstrate the cumulative impact of its activities or judge overall success against its missions.

**18** The Department has made some progress in improving individual aspects of immigration enforcement but does not yet manage this as an end-to-end system. It has recently begun to develop its understanding of the people currently in its system, but it does not yet have a full understanding of how its activities affect the progress those people take through each part of the system. Without looking at the system, and what is actually being achieved, as a whole, the Department will not be able to demonstrate it is delivering value for money.

## Recommendations

**19** To improve performance, the Department needs to better understand how its efforts and activities influence its planned outcomes and should:

- a Build on its data and analytical capability to better support decision-making, assessment of performance and resource prioritisation.** The Department has struggled to provide strong evidence to demonstrate its impacts or justify some of its decision-making. It should develop a stronger evidence base to underpin its decisions, provide more clearly articulated justification for the decisions it makes and develop better systems for learning how to improve its work. This should include setting clear systematic feedback for process inefficiencies when they occur and providing a consistent lessons learned approach to its evaluation work.
- b Expand its knowledge of the scale of irregular migration and the barriers it faces in tackling this.** There are opportunities for the Department to build on its demand planning work, external research and other estimates of hidden activity across government, for example elements of serious and organised crime or the tax gap, to improve its understanding of the full scale of the illegal population in the UK and identify new ways to address some of the challenges it faces. These opportunities could involve, but not be limited to:
  - further analysis to estimate how much of the total illegal population it already interacts with, to understand if its current strategy reaches far enough;
  - analysis to understand the potential reasons why so few removal directions are currently successful (including reviewing its internal processes), in order to develop a strategy for dealing with late claims to remain in the UK; and
  - improving its understanding of the flow of cases joining and leaving the population. Building on existing work, it should assess where and how bottlenecks occur in the system and implement work to remove them. This should be done across the wider border and immigration system to understand how individuals move between the interdependent directorates.

If the Department is successful in building on these work programmes, this could help it to better demonstrate links between its activities and its impacts, or explore whether its strategies are sufficient to help it achieve its vision and objectives.

- c Develop a common understanding of 'harm', so that all staff are confident they see harm in a consistent way for their area.** Immigration Enforcement's ongoing work to assess current and emerging threats helps teams focus on harm, but there is no common understanding across the organisation of what the Department means by harm caused by the illegal population. To mitigate against the possibility that teams define harm differently, and to help more clearly demonstrate progress against the vision for reducing harm, the Department would benefit from agreeing and articulating a common understanding.
- d Review Immigration Enforcement's current responsibilities to identify which ones are most important in achieving its goals.** However, to do this it needs to develop clear metrics of performance that are directly linked to what it is trying to achieve. The Department should:
- assess its goals and objectives to check they measure relevant indicators;
  - have clear, measurable objectives based on outcomes, cost and quality as well as inputs and outputs;
  - clearly set out a rationale of how each business area contributes to success against Immigration Enforcement's overall missions and objectives;
  - assess the relative success of each business area; and
  - undertake modelling exercises to understand the impact on one area by changing resourcing structures.

# Part One

## The scale of the challenge

**1.1** The Home Office (the Department) is responsible for preventing abuse of immigration rules, tracking immigration offenders and increasing compliance with immigration law. This report assesses whether the Department's activities for enforcing immigration rules are achieving its vision to reduce the size of the illegal population and the harm it causes.<sup>2</sup>

**1.2** In our previous work, we have identified some of the long-standing challenges the Department faces in managing immigration enforcement activity, removing foreign national offenders and overseeing the detention estate.<sup>3</sup> We have also seen how the Department's Immigration Enforcement directorate depends on effective collaboration with other parts of the wider border and immigration system, as well as law enforcement and international partners.<sup>4</sup> However, in this report we have focused on Immigration Enforcement's activity to establish what progress the Department has made in dealing with these enduring challenges.

**1.3** This part sets out the context within which the Department manages its immigration enforcement activities and the scale of the challenge. It discusses:

- the nature of irregular migration;
- the Department's response to the challenge, including the role of Immigration Enforcement in managing those without leave to remain in the UK; and
- how Immigration Enforcement organises itself to manage and reduce the illegal population.

<sup>2</sup> The Department uses the term "illegal population" in its vision and we have used this term for this reason. We use the term in this report to mean the population which includes individuals who have entered the UK unlawfully, those who entered lawfully but have remained in the UK without having the right to do so and foreign nationals who have committed serious or repeated criminal offences (foreign national offenders) within the UK.

<sup>3</sup> Comptroller and Auditor General, *Managing and removing foreign national offenders*, Session 2014-15, HC 441, National Audit Office, October 2014.

<sup>4</sup> Comptroller and Auditor General, *Reforming the UK border and immigration system*, Session 2014-15, HC 445, National Audit Office, July 2014.



## The nature of irregular migration

**1.4** Irregular migrants are individuals who do not have permission to be in the UK. There are many reasons for their status, which include:

- overstaying or abusing the terms of a visa;
- entering or remaining in the country through fraudulent means;
- entering the country legally, but committing a crime which removes the right to remain in the UK;
- being denied asylum and remaining in the country; or
- entering the country through clandestine methods.

**1.5** This is a challenging area for the Department to manage, given the hidden and changing nature of threats to the immigration system. The Department must tackle organised criminal gangs facilitating the illegal and clandestine entry of individuals into the country and cases of document fraud. It must also check that people who entered the country legally leave at the end of their stay. In addition, the Department must ensure it protects from harm victims of trafficking or those making dangerous journeys to enter the UK wherever possible. **Figure 2** on pages 16 and 17 sets out the scale of the challenge the Department faces in managing irregular migration.

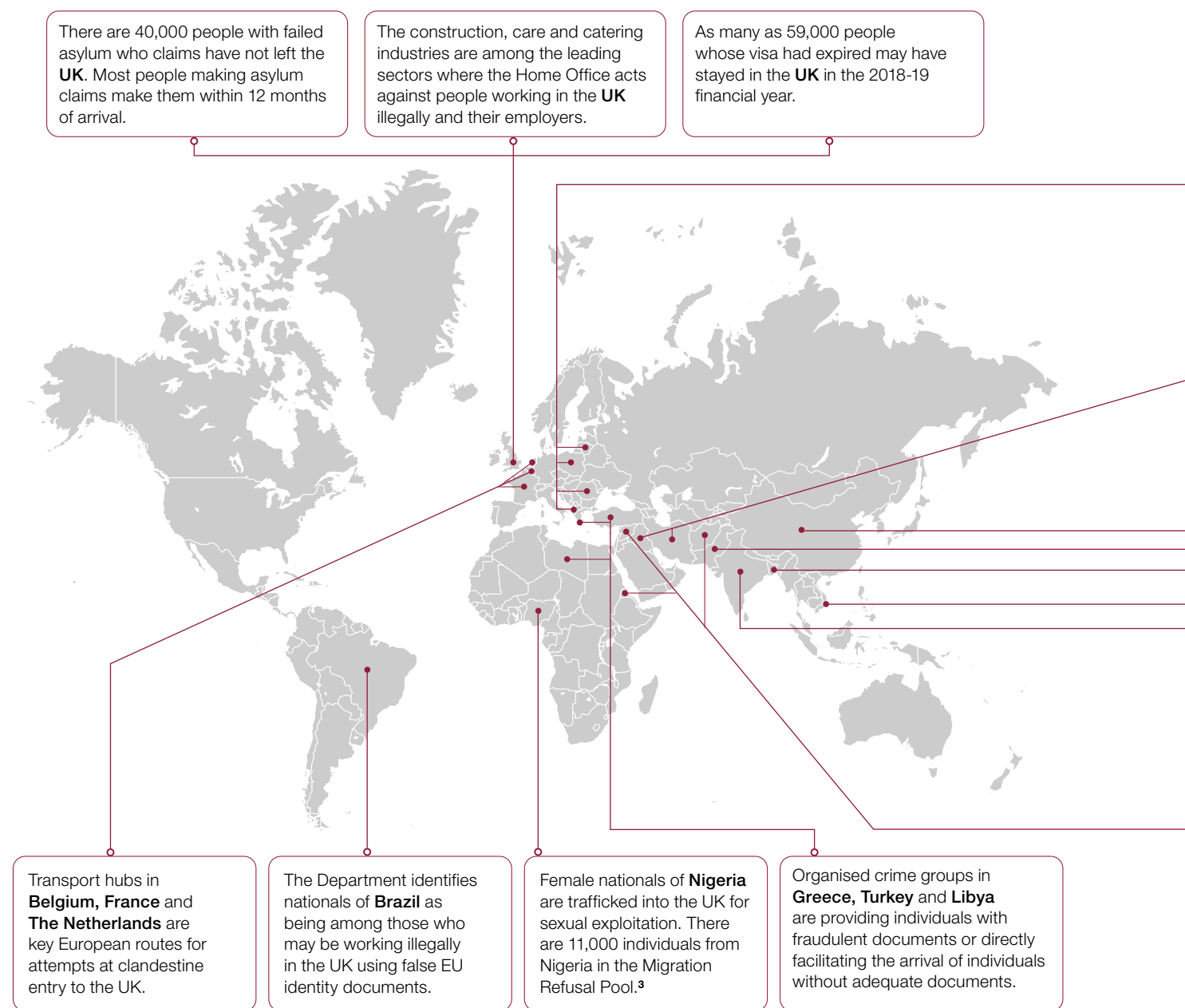
## The Department's response

**1.6** The Department splits responsibility for managing the flow of people in and out of the UK between three organisations: UK Visas and Immigration (UKVI) is responsible for visa decisions about who has the right to visit or stay in the country; Border Force secures the UK border by carrying out immigration and customs controls for people and goods entering the UK; and Immigration Enforcement is responsible for preventing abuse, tracking immigration offenders and increasing compliance with immigration law. The responsibility to track offenders is particularly important because, unless Immigration Enforcement knows where offenders are, its staff cannot monitor their progress through the various enforcement processes. In this report we focus primarily on the role of Immigration Enforcement.

**Figure 2**

Examples of the challenges the Home Office (the Department) faces in managing irregular migration to the UK

The Department's activities include stopping people from entering the country illegally, supporting serious and organised crime initiatives to break down organised criminal gangs involved in immigration crime, managing the known population with no leave to remain and removing people who have no leave to remain

**Notes**

- 1 All figures are at the end of December 2019 unless stated.
- 2 These are examples taken from the Department's threat assessment documents. The threats described are not limited to these nationalities and locations. The recognition of these threats does not suggest that all nationals from these states are immigration offenders.
- 3 The Migration Refusal Pool includes individuals whose leave to remain has expired or whose applications to remain the Department has refused and where there is no record of their departure from the UK.

Source: National Audit Office analysis of Home Office threat assessments and performance data

There are almost 4,000 foreign national offenders from **Albania, Lithuania, Poland** and **Romania** in the UK.

The Department believes nationals from **Iran** and **Iraq** are the most likely to attempt crossings of the English Channel in small boats.

The Department identifies nationals of **China** as among the most common groups to use deception to obtain visitor, entrepreneur or investor visas.

**Pakistan** is the single largest source country for people who have had an asylum claim refused but remain in the UK (4,000) and is a major contributor to the Migration Refusal Pool (14,000).<sup>3</sup>

**Bangladesh** is represented by 12,000 people in the Migration Refusal Pool, and it is a potential source of migration offences through sham relationships.<sup>3</sup>

The Department believes there is a severe risk that individuals from minority groups in some countries, including **Afghanistan, Eritrea** and **Syria**, may use fraudulent documents to obtain UK residence or misrepresent their status on asylum claims.

**India** is the single largest source country for individuals in the Migration Refusal Pool (22,000).<sup>3</sup> The Department identifies nationals from India as being among the most likely to be fraudulently sponsored for visas by organised crime groups.

Nationals of **Vietnam** are a major target for people trafficking and criminal exploitation in the UK.

## The role of Immigration Enforcement

**1.7** Immigration Enforcement's vision is to reduce the size of the illegal population and the harm it causes. It supports this vision through three operational 'missions':

- **Prevent illegal migration through greater compliance with immigration law.** This includes helping to protect the UK's border from people entering illegally and encouraging compliance by limiting unlawful access to government funded services.<sup>5</sup>
- **Deal with threats associated with immigration offending.** This includes identifying and monitoring potential threats to the UK's immigration system, disrupting criminal gangs seeking to bring people into the country through clandestine means and stopping financial gain from immigration crime such as exploitation, human slavery and trafficking.<sup>6</sup>
- **Maximise returns of immigration offenders and foreign national offenders from the UK.** This includes working to resolve the cases of people who are known to have no right to remain in the UK, and ultimately, facilitating their return where it is safe and possible to do so.

### Immigration Enforcement's resources

**1.8** Immigration Enforcement net resource outturn in 2019-20 was approximately £392 million and it had 5,000 staff with which to carry out its activities.<sup>7</sup> It undertakes work across a range of operational areas (**Figure 3**).

**1.9** Between 2015-16 and 2019-20, the Immigration Enforcement directorate has managed an 11% reduction in its resources (**Figure 4** on page 20). It has done so through a series of measures, including reducing spend on external contracts, introducing new technology, postponing some development projects and by modernising and reducing the size of its detention estate. By the end of the 2019-20 financial year it had reduced its headcount by around 5% while managing the 11% reduction in its financial resources.<sup>8</sup>

<sup>5</sup> The main responsibility for protecting the border rests with Border Force.

<sup>6</sup> The National Crime Agency leads on this work.

<sup>7</sup> This includes £232 million in staff costs, non-pay costs (including external contracts, IT and communications) and offsets £42 million income. These figures had not been audited as of May 2020.

<sup>8</sup> Immigration Enforcement has also taken on additional work of 120 full-time equivalent employees of UKVI.

**Figure 3**

The structure and key activities of the Home Office's (the Department's) Immigration Enforcement directorate

Immigration Enforcement is the Department's directorate responsible for preventing abuse, tracking immigration offenders and increasing compliance with immigration law. The Department organises Immigration Enforcement into four operational areas run by senior directors



**Notes**

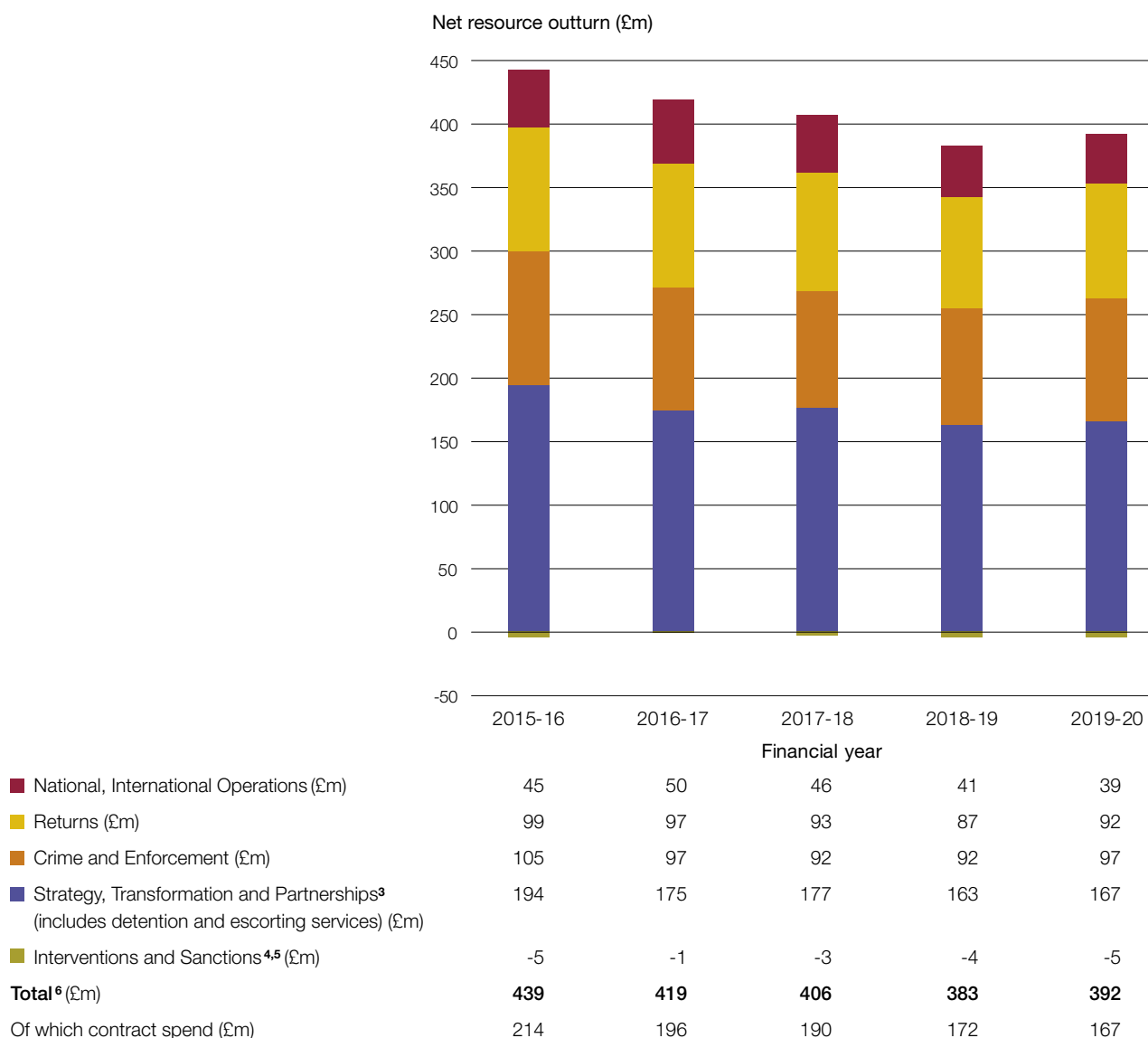
- 1 Chart is representative and does not show all areas of the Department's immigration enforcement functions.
- 2 As of March 2020 Immigration Enforcement incorporated the Interventions and Sanctions operational area into National, International Operations. It had previously been an independent operational area.
- 3 The intelligence function sits within National, International Operations but supports the work of Criminal and Financial Investigations and Immigration Compliance and Enforcement teams. It also supports the work of UK Visas and Immigration.
- 4 The operational areas do not sit within each of Immigration Enforcement's stated missions. An operational area may deliver across more than one mission.

Source: National Audit Office analysis of Home Office documents

**Figure 4**

The resources of the Home Office's (the Department's) Immigration Enforcement directorate by operational area, 2015-16 to 2019-20

The Department has reduced its overall net budget for Immigration Enforcement by 11% since 2015-16

**Notes**

- Figures are adjusted for inflation indexed to 2018-19.
- Figures for 2019-20 are based on the Department's accounts at the end of March 2020 but had not been audited as of May 2020.
- The Strategy, Transformation and Partnerships operational area includes detention and escorting services. In 2019-20 this amounted to £151 million (91% of total outturn in this area).
- As of March 2020, Immigration Enforcement incorporated the Interventions and Sanctions operational area into National, International Operations.
- The Interventions and Sanctions operational area collects fines and civil penalties from individuals, landlords and businesses for immigration offences. The value of these exceeds its gross resource outturn.
- Figures may not sum due to rounding. The total net resource outturn exceeds the sum of the five operational areas as it also includes funding to the Director General's office.

Source: National Audit Office analysis of the Home Office's financial and resourcing data

## Responding to Windrush

**1.10** In the spring of 2018, the Department faced criticism over the treatment of the Windrush generation. We reported that it had not sufficiently considered how its policies had affected individuals or groups of people that might be vulnerable.<sup>9</sup> The government consequently commissioned an independent review of lessons to be learned from the Department's actions. The report was published in March 2020 and the Department committed to a formal response within six months.

**1.11** While waiting for the report, Immigration Enforcement has continued to make changes to the way it works. It removed its targets for the number of returns. It also temporarily reduced the amount of data it shares with other government departments, although it is looking at how best to reintroduce this.<sup>10</sup> In November 2018, it launched a vulnerability strategy, which proposes an approach where it considers individual needs alongside immigration status when deciding how to manage specific cases. In January 2019, it introduced a 'safety valve mechanism', where Immigration Enforcement staff can seek advice from expert caseworkers on how to proceed with cases, especially where vulnerable people may need specific additional support. It also continued its detention reform programme. It has changed its technology, for example through introducing automated reporting in immigration reporting centres and providing handheld electronic devices for front-line enforcement staff.

**1.12** But senior staff within the Department have understandably been reluctant to make major changes that might be overturned by its response to the findings of the independent lessons learned report. The Department had an acting Director General for Immigration Enforcement in post for nearly two years, which contravenes its rules for temporary senior posts. The Department announced that the interim postholder would take the post permanently on 14 April 2020.

**1.13** Immigration Enforcement plans to introduce its new forward plan, which it refers to as IE 2025, in the near future.<sup>11</sup> It is also awaiting a review of the capabilities and effectiveness of the structures, systems and working practices of the Department's wider border, immigration and citizenship system. Additionally, it needs to build in consideration of wider immigration issues such as the new points-based system and the status of EU nationals. The Department will be required to act swiftly on the outcome of all these reviews, ensuring that it takes all aspects into account in a timely and effective manner. While moving at pace, and without the chance to stand back, it may potentially miss opportunities to identify better ways of working.

9 Comptroller and Auditor General, *Handling of the Windrush situation*, Session 2017–2019, HC 1622, National Audit Office, December 2018.

10 Other government departments include the Department for Work & Pensions, HM Revenue & Customs, the Driver and Vehicle Licensing Agency and the Department of Health & Social Care.

11 The Department informed us of its plans to introduce IE 2025 in January 2020. This was before the outbreak of COVID-19, which may change the timetable for further development of a strategy.

## Understanding the size of the illegal population

### Estimating the total population

**1.14** There is no widely accepted estimate of the size of the illegal population the Department must manage. The Department last estimated the population in 2005, using data from the 2001 census. At the time, it estimated the population with no right to remain in the UK to be about 430,000. Creating these estimates is complex and there is no single reliable method the Department can use. Independent research since 2005 has produced a range of estimates for the illegal population from around 580,000 to over one million (**Figure 5**), although these estimates contain some uncertainty and we have not sought to validate them.

**1.15** Although there would be significant uncertainty around any estimate it developed, such an estimate could help the Department to demonstrate that its activities are effective in deterring attempts to enter or remain in the UK illegally. There are opportunities for the Department to learn from other estimates of hidden activity across government, for example elements of serious and organised crime or the tax gap, to improve its understanding of the full scale of the illegal population in the UK and identify new ways to address some of the challenges it faces.

**1.16** Much of the population the Department works with is unknown and hidden, and Immigration Enforcement has undertaken limited work to increase its understanding of this hidden population. Instead of a single population estimate, it focuses its effort on the demand placed on it by people that are known through contact with the Department, law enforcement organisations or other government departments.<sup>12</sup> This includes people who it detected entering the country illegally, people who are known to have remained in the country following expiry of a visa or who were refused asylum (**Figure 6** on page 24).

**1.17** Immigration Enforcement has calculated the demand for its immigration enforcement services at between 240,000 and 320,000 cases per year. The Department will know of more people who have no leave to remain, but it excluded them from this calculation as they had no contact with Immigration Enforcement or other parts of government within the previous two years. Due to data quality issues, Immigration Enforcement cannot say whether the number of people “genuinely putting a demand” on its activities is increasing or decreasing.

<sup>12</sup> A major part of Immigration Enforcement's strategy is its compliant environment policy, which limits access to work, housing, benefits and other government funded services. Immigration Enforcement believes that this activity encourages compliance in the individuals that it does not know about, but does not estimate how many people may be influenced by it.



**1.18** The Department hopes this work may help it demonstrate clearer links between its actions and outcomes in the future. The Department believes its recent Business Rules work, to identify individuals with no leave to remain and prioritise work, could have potentially transformational effects on the outcomes that Immigration Enforcement delivers. The Department acknowledges that this project remains a work in progress and it is too early to assess its impact. Senior staff also told us that all its transformation projects, including this one, have funding agreed on an annual basis, making longer-term development uncertain.

### Figure 5

Possible scale of the population in the UK or England with no legal right to remain

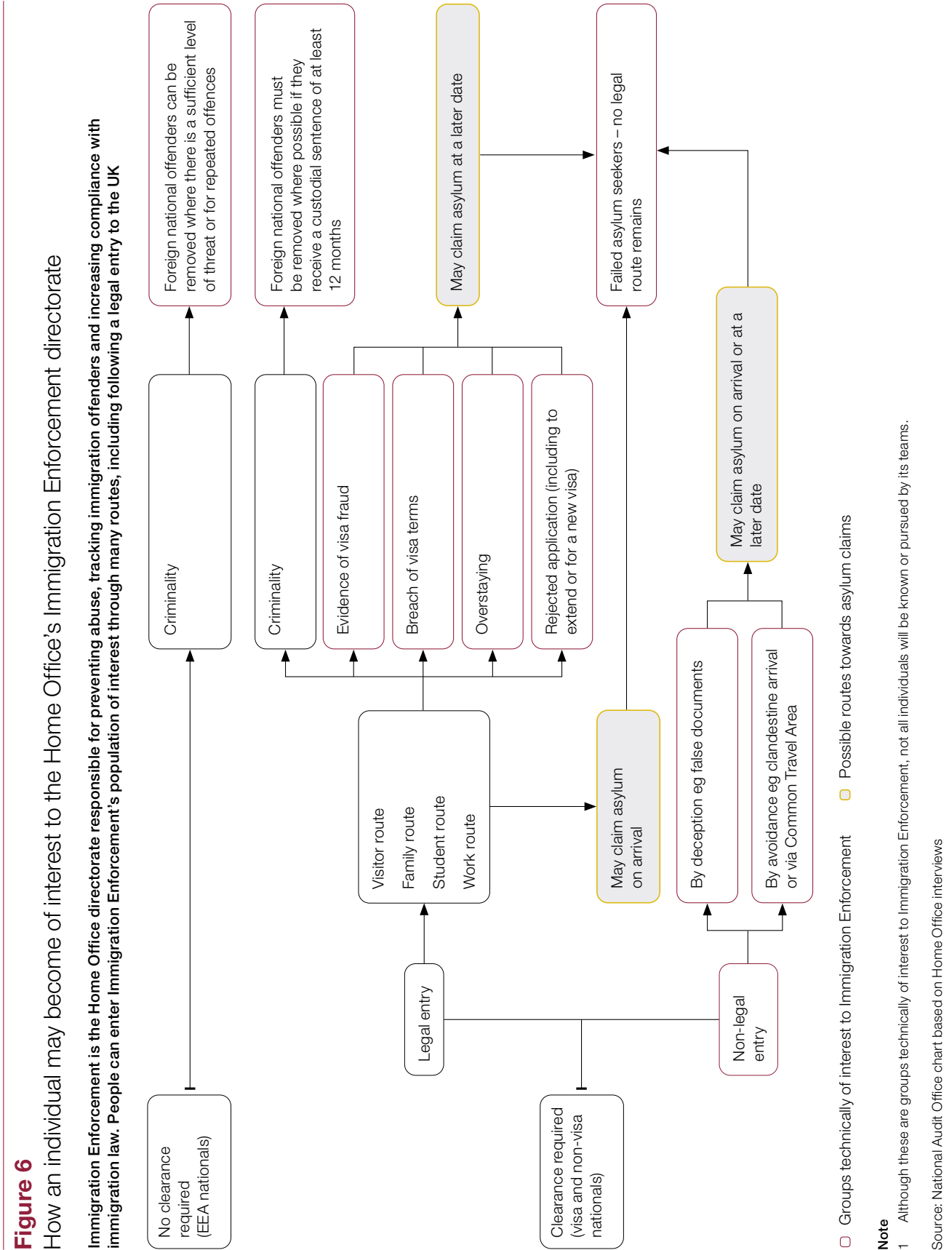
**There is no widespread agreement on the size of population the Home Office (the Department) must manage. Creating an agreed estimate of that population is highly challenging and there is no single reliable methodology to do so**

Source and year of estimate <sup>1,2</sup>	Lowest estimate	Central estimate	Highest estimate
The Department (2005)	310,000	430,000	570,000
Gordon, Scanlon, Travers & Whitehead (2009) <sup>3</sup>	373,000	533,000	719,000
Migration Watch UK (2010) <sup>4</sup>		1,100,000	
The Department of Health (England only) (2013) <sup>5</sup>		580,000	
Pew Research Center (2019) <sup>6</sup>	800,000		1,200,000
The Department's estimate of demand for its immigration enforcement services (2019) <sup>7</sup>	240,000	250,000	320,000

#### Notes

- 1 We have not attempted to verify the accuracy of these estimates. They are indications of the possible scale of the illegal population the Department must manage only and do not indicate whether this population is increasing or decreasing.
- 2 The figures are calculated using different methodologies and are not directly comparable.
- 3 I.R. Gordon, K. Scanlon, A. Travers, & C.M.E. Whitehead, *Economic impact on the London and UK economy of an earned regularisation of irregular migrants to the UK*, Greater London Authority, 2009.
- 4 Migration Watch UK estimate provides a single figure that we have represented as a central estimate.
- 5 The Department of Health estimate is based on England only and only published a central estimate.
- 6 Pew Research Center research does not include a central estimate.
- 7 The Department uses this figure to estimate demand upon its immigration enforcement services. It is not an estimate of the overall population with no legal right to remain. We have represented its 'best' estimate as the central estimate.

Source: National Audit Office analysis of Home Office data and independent research data



## Estimating harm

**1.19** The Department considers the impact of harm across its many activities, but as harm can mean something different in each service area, it has not consistently defined what constitutes harm and who it affects. Interviews and key documents, including threat assessments, show different definitions of harm including: harm to individuals; criminal harm by organised criminal gangs; and public harm, which can mean risks to affected communities or the financial harm caused by illegally accessing public services. We asked in interviews what harm meant and received differing answers, ranging from references to foreign national offenders to discussion of human slavery and “we know it when we see it”. In such circumstances, the Department cannot know that all its staff within an area consider harm in the same way, and this could mean that some instances of harm to individuals are missed. This makes it difficult to assess if it is meeting its goal of reducing the harm the illegal population causes.

**1.20** In addition to physical and mental harm to individuals, the Department considers harm as the financial consequences of irregular migration to the UK economy. It has recently attempted to quantify the marginal costs avoided because of its enforcement activity, and it hopes to use these calculations to inform future investment decisions. However, the Department acknowledges that some elements of harm, for example preventing crime and reducing the risk of reoffending, are not easily quantified in this model. This work is at an early stage and does not provide a stand-alone analysis of impact or effectiveness as the Department must balance economic impacts against questions of public safety and its statutory duties.

# Part Two

## The Department’s performance

**2.1** In this part we examine the Home Office’s (the Department’s) performance in managing the illegal population. We focus specifically on its operational missions and objectives, which we described in paragraph 1.7.

### Immigration Enforcement’s vision, mission and objectives

Vision		To reduce the size of the illegal population and the harm it causes			
		Operational missions			Enabling mission
Missions		Prevent illegal immigration through greater compliance with immigration laws	Tackle the threats associated with immigration offending	Maximise returns of immigration offenders and foreign national offenders from the UK	Make Immigration Enforcement a great place to work
		Reduce the flow of illegal migration	Tackle immigration abuse	Voluntary returns	Promote a diverse and engaged workforce
Objectives		Reduce the incentives to remain in the UK illegally	Tackle organised criminality	Enforced returns	Improve leadership
		Respond effectively to overstaying	Support the national counterterrorism effort	Foreign national offender returns	Develop an effective workforce
				Increase efficiency	

**2.2** By March 2020, the Department was responding to the outbreak of COVID-19, including reducing its activities to a “minimum viable product”. These are likely to have a considerable impact on the Department’s ability to undertake business as usual.<sup>13</sup> Because of competing pressures we have not sought to discuss with the Department the full impact of the COVID-19 outbreak, but impacts might include:

- changes to running immigration removal centres and reporting centres;
- difficulties in returning people because of constraints to international travel;
- changes to the flow of people of interest to Immigration Enforcement because the courts are only hearing asylum cases and appeals where strictly necessary; and
- difficulties for Immigration Compliance and Enforcement (ICE) teams in carrying out their regular activities.

## **The Department’s performance against its operational missions and objectives**

**2.3** The Department collects a large volume of performance information, and we discuss the use of that data in Part Three. Its performance framework uses many metrics to monitor performance against each of its objectives and missions. Most of these focus on activity and completed tasks only and cannot be linked directly to a successful outcome without making assertions regarding the activity’s impact.

### **Mission 1: preventing illegal immigration through greater compliance with immigration laws**

**2.4** The Department views compliance as ensuring that individuals enter and leave the country in accordance with their visa and passport conditions. It measures its performance in this area by:

- the number of people prevented from entering the country illegitimately;
- the work of its Interventions and Sanctions Directorate to share data records and serve notices to businesses; and
- the number of ‘decision letters’ issued to immigration offenders.

### **Reducing the flow of illegal migration**

**2.5** Immigration Enforcement’s role includes supporting Border Force to reduce the number of people who enter the country through illegitimate means. This includes employing people in about 35 offices overseas to tackle organised immigration crime and support international cooperation against immigration offences. It also works with airlines to prevent abuse of the visa system and passengers boarding flights to the UK without the correct documentation.

<sup>13</sup> To mitigate the impacts of COVID-19, we have limited our reporting to the latest data available in February 2020.

**2.6** In the 12 months to the end of October 2019, the Department and its international partners detected 35,600 clandestine attempts to enter the country from overseas, compared with 33,600 in the same period the year before. It has also worked with international airline partners to prevent illegal air travel by denying boarding to 10,400 people without adequate documents in the 12 months to the end of October 2019. Despite these efforts, many people are still able to reach the UK without appropriate papers. The Department identified 11,300 clandestine attempts to enter the country at UK ports or in transit within the UK (compared to 7,200 in the same period the year before) and 5,400 arrivals at UK ports without proper documentation. We have not seen any analysis to suggest the Department has tried to understand whether this reflects it identifying a greater proportion of individuals, or if more individuals are attempting to enter the country without appropriate permission to do so.

**2.7** As part of a recent exercise, the Department has estimated the financial harm avoided by some of this activity. It has estimated that for every pound it spent on its illegal air travel workstream in 2018-19, it saved between £3 and £18 in financial harm avoided by stopping people accessing work or services illegally within the UK.<sup>14</sup> However, this remains highly uncertain because the Department recognises some people may attempt to enter the country more than once, but it has limited information on how many people are deterred after their first refusal. The Department also admits that it is very difficult to attribute successful denial of boarding directly to Immigration Enforcement's work.

### **Reducing the incentives to remain in the UK illegally**

**2.8** The Department's Compliant Environment approach aims to reduce the incentives for irregular migrants to live, work or access government funded services in the UK illegally. It shares data with other government organisations to limit access to work, housing, benefits and other government funded services for those whose immigration status means they are not eligible. Compliant Environment work also generates £12 million in income from collecting fines and civil penalties from individuals, landlords and businesses for immigration offences.<sup>15</sup>

**2.9** The Department's view is that by removing the incentives which it believes draws people to the UK illegally, it can encourage voluntary departures, foster compliance with visa and passport conditions and encourage people to leave before their right to remain in the UK has expired. It also believes these measures act as a deterrent against those individuals who have not had contact with Immigration Enforcement or its partners. The Department acknowledges that it had no specific evidence base to support the effectiveness of these measures when they were introduced. It is currently unable to measure whether these activities have the desired effect of encouraging people to leave voluntarily.<sup>16</sup>

<sup>14</sup> The wide range in the estimate of the amount of financial harm saved reflects the uncertainty in the estimate.

<sup>15</sup> The Department imposes civil penalties against businesses who fail to carry out sufficient checks on their employees' right to work and landlords who do not check the immigration status of tenants.

<sup>16</sup> The Department does measure Other Verified Returns, which are independent departures from the UK by individuals with no leave to remain. It is unable to directly link these departures to the impact of its own activities.

**2.10** Immigration Enforcement assesses the impact of its data sharing arrangements with other government departments using measures such as the volume of records it shares and the savings achieved by other departments (**Figure 7**).<sup>17</sup> Not all these savings directly correspond to Immigration Enforcement's actions alone. Immigration Enforcement does not report on the scale of data other departments share with it or what actions it takes after receiving that data.<sup>18</sup>

**2.11** After the Windrush situation, Immigration Enforcement introduced restrictions on which individuals' data it shares and the volume of data shared with other government departments has dropped significantly. Following the introduction of new checks on its data records, Immigration Enforcement is exploring restarting its data sharing.

### Figure 7

The Home Office's (the Department's) partnerships with other government departments and agencies

The Department reports on different measures which reflect the relationship it has with other departments to reduce the incentives for individuals to stay in the UK without leave to remain

Government department or agency	Measure used by the Department	Measure (April 2019 to January 2020)
Department for Work & Pensions	Total records shared <sup>1</sup>	926
	Savings <sup>2</sup> (£)	63,756
Driver and Vehicle Licensing Agency	Total records shared <sup>1</sup>	4,559
	Driving licences revoked	326
HM Revenue & Customs	Total records shared <sup>1</sup>	4,950
	Savings <sup>2</sup> (£)	24,454

#### Notes

- 1 In all cases, records shared is an 'input' measure of what the Department has shared with other government departments. It does not equate to the number of matching individuals found in the records of the other government departments or data that other government departments have shared with the Department.
- 2 Savings are based on money not paid out within the current financial year for some benefits or credits, and money that has been paid out which the other government departments can claim back from the recipient. In the case of child benefit, savings can be calculated back to 2003.

Source: Home Office performance data

17 Comptroller and Auditor General, *Handling of the Windrush situation*, Session 2017–2019, HC 1622, National Audit Office, December 2018.

18 Other government departments in this case refers to the Department for Work & Pensions, the Driver and Vehicle Licensing Agency, HM Revenue & Customs and Department of Health & Social Care.

### **Responding effectively to individuals overstaying**

**2.12** Immigration Enforcement's management information indicates that the number of decision letters it has issued to immigration offenders has fallen since 2015, although this number has been broadly stable since the end of 2017. However, these data describe only activity where decision letters are issued and, without linking to outcomes, it is not clear how this ensures an effective response to overstaying.

### **Mission 2: tackling the threats associated with immigration offending**

**2.13** Immigration Enforcement works with the National Crime Agency and other law enforcement organisations to identify, assess and tackle the threats posed by immigration offending. It measures its performance against:

- support for the national counterterrorism effort, which is outside the scope of this report;
- the number and severity of disruptions it makes to criminal gangs and the number of convictions and charges this work leads to; and
- enforcement activity indicators including the number of visits ICE teams conduct and the value of civil penalties recovered.

**2.14** Immigration Enforcement uses its intelligence functions to identify and assess possible threats to the integrity of the UK's immigration system. It uses its threat assessments to prioritise enforcement activities and link national and regional enforcement efforts.<sup>19</sup> However, the Department can only assess the value of recognising those threats by using proxies based on the specific enforcement activities, though threats are not evenly distributed geographically or across Immigration Enforcement's different functions.

### **Tackling organised criminality**

**2.15** Criminal gangs facilitate much of the illegitimate entry into the UK and the Department has increased its efforts to disrupt them. The Department has disrupted more activities by organised immigration crime groups, but it finds it more difficult to demonstrate a lasting impact on them. Its teams work to disrupt immigration crime and prevent people from entering the country illegally.

**2.16** In 2018, the Home Office set out its aim to move to more major disruptions which can be difficult in the face of complex and sophisticated organised crime groups. For five years, the Department has increased disruptions year on year but has not increased the proportion of more major disruptions (**Figure 8**). The Department told us the more minor disruptions achieved could have a lasting effect but could not evidence this.

<sup>19</sup> The Department also uses its intelligence capabilities to highlight potential risks and support decision-making in UK Visas and Immigration. Immigration Enforcement analysis suggests this is among its highest impact activities.

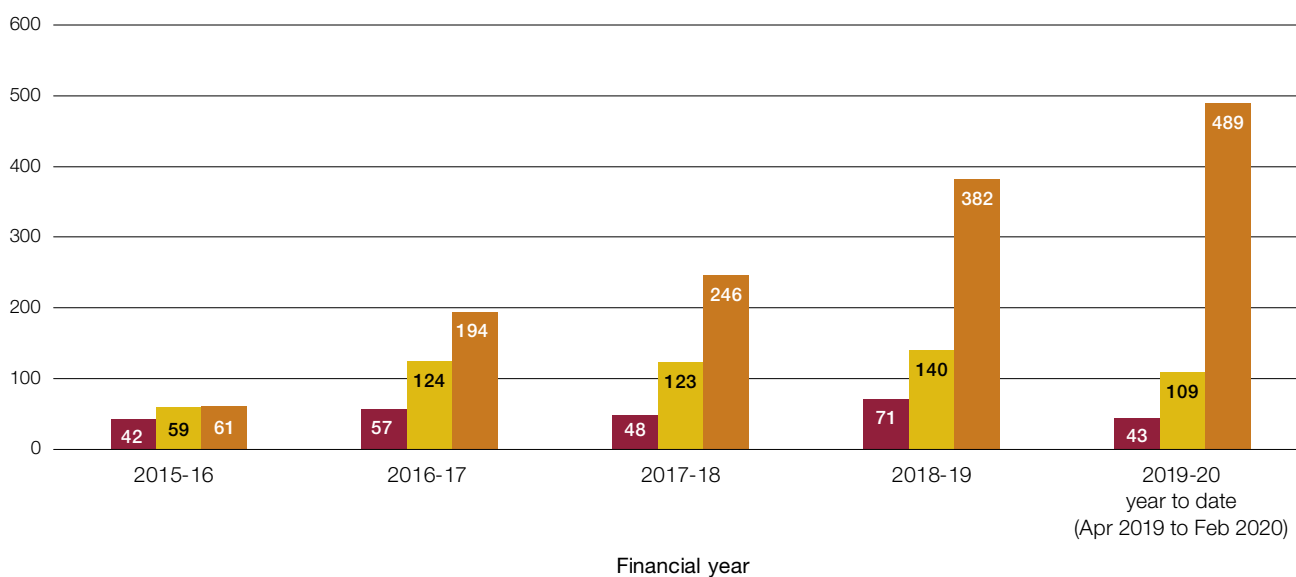


**Figure 8**

Number of disruptions to serious and organised crime gangs resulting from the Home Office's (the Department's) Immigration Enforcement directorate's work, 2015-16 to February 2020

Although the overall number of disruptions is rising, these are mostly minor disruptions

Number of disruptions to organised immigration crime gangs achieved



- Major disruption
- Moderate disruption
- Minor disruption

**Notes**

- 1 Disruption categorisations are agreed retrospectively by a panel of experts from across the Department and the National Crime Agency.
- 2 A major disruption is classified as having a significant, long-term disruptive impact on the capability of the organised criminal group, individual or vulnerability.
- 3 A moderate disruption is classified as having a noticeable, medium-term disruptive impact on the capability of the organised criminal group, individual or vulnerability.
- 4 A minor disruption is classified as having a minimal, short-term disruptive impact on the capability of the organised criminal group, individual or vulnerability.
- 5 2019-20 year to date includes figures to the end of February 2020.

Source: National Audit Office analysis of Home Office performance data

### **Tackling immigration abuse**

**2.17** The Department receives over 60,000 pieces of immigration intelligence each year, mostly from members of the public. Immigration Intelligence teams assess the intelligence against national priorities and the potential risk of harm. They then pass intelligence to ICE teams, who are most likely to take forward intelligence classified as having a higher priority or potential threat. Such cases are unevenly distributed across the Department's three operational regions (**Figure 9**). The London and South East region receives far more intelligence than it can assess for possible operations. It cannot always accept all the highest priority tasks, and only discusses about 20% of the intelligence that the Department sees as a lower priority.<sup>20</sup> Consequently, some opportunities to apprehend people who are in the UK illegally, or to stop clandestine entry, may be missed. At the same time, immigration officers outside London told us they accepted more cases than they could follow up to ensure a steady supply of work to choose from.

**2.18** Immigration Enforcement takes an intelligence-led approach to its enforcement work, but a reduction in staff and other priorities mean ICE teams are performing less visits. ICE teams have completed fewer visits in 2019 than in the previous four years (**Figure 10** on page 34). There are several reasons why this is the case. At certain busy points of the year, for example holiday periods, Immigration Enforcement has temporarily seconded staff to Border Force, to provide support at the border. Additionally, it has responded to raised threats of small boats crossing the English Channel by moving staff so that it has a greater presence at ports in southern England.<sup>21</sup> Therefore, it has had fewer staff available to undertake its day-to-day enforcement activity. It has only recently started to undertake work to understand the impact these moves have had on its own business.

**2.19** Immigration Enforcement acknowledges that less of the total intelligence the ICE teams receive leads to returning immigration offenders. Between September 2016 and May 2018, this fell from around 10% of referrals to 7%. Immigration Enforcement cannot currently assess the impact this has on reducing the size of the illegal population because it has received no data on this since it introduced new software in May 2018, but it believes this fall has accelerated.

<sup>20</sup> Lower priority intelligence accounts for almost 98% of all intelligence received.

<sup>21</sup> The Department also put in place plans to support Border Force in the event of leaving the EU without a deal.

**Figure 9**

Distribution of intelligence across the Home Office's (the Department's) Immigration Compliance and Enforcement (ICE) regions, February to November 2019

**Intelligence is unevenly distributed across regions. ICE teams in London and the South East do not discuss any further action on 80% of lower priority intelligence they receive**

Region	Total intelligence received	High priority (buckets 1 to 4)				Low priority (buckets 5 and 6)			
		Pieces of intelligence available for tasking	Percentage of intelligence accepted as tasks (%)	Percentage of intelligence rejected as tasks (%)	Percentage of intelligence not discussed (%)	Pieces of intelligence available for tasking	Percentage of intelligence accepted as tasks (%)	Percentage of intelligence rejected as tasks (%)	Percentage of intelligence not discussed (%)
London and South East	<b>22,266</b>	465	65	9	26	21,801	12	8	80
North, Midlands, Wales and South West	<b>6,236</b>	698	85	12	3	5,538	51	17	32
Scotland and Northern Ireland	<b>941</b>	130	35	18	48	811	45	19	36

#### Notes

- The Department's Immigration Enforcement intelligence teams assess and prioritise intelligence into six 'buckets'. Buckets one to four contain high priority intelligence, while five and six contain lower priority tasks. The six buckets are:
  - national campaigns will target specific industries or sectors (for example construction, care, catering) and should engage all teams across the country;
  - local campaigns reflect regional priorities and support actions against industries or risks which are specific to a particular area (for example the bed construction industry in Yorkshire);
  - upper and mid-tier threats include actions against a specific business such as a factory, where numerous individuals might be encountered;
  - harm refers to cases where individuals are thought to present a credible threat (for example they are foreign national offenders or carrying a weapon). These cases usually require coordination with local police;
  - National Tasking Board priority cases that align with national priorities, but which are expected to have limited harmful impacts. These are usually where specific individuals are named; and
  - non-National Tasking Board priority cases are those where there is no known alignment with national priorities locations, addresses or descriptions may be given but there is no named subject.
- After ICE teams receive intelligence, they must decide whether they are able to use it to support enforcement actions. This process is known as 'tasking'.
- Figures may not sum due to rounding.
- The Department changed the way it reports on these data after November 2019. It no longer reports on regional variations in how it provides intelligence to its ICE teams. We have therefore used the latest available regional data.

Source: National Audit Office analysis of Home Office performance data

**Figure 10**

Enforcement visits completed by the Home Office's (the Department's) Immigration Compliance and Enforcement (ICE) teams in the UK, 2015 to 2019

The number of enforcement visits the Department's ICE teams conduct has fallen each year since 2015-16

Financial year	Enforcement visits completed	Percentage change from previous year (%)	Number of staff on ICE teams at start of financial year <sup>1</sup>	Percentage change from previous year (%)
2015-16	20,383	–	1,516	–
2016-17	19,100	-6	1,423	-6
2017-18	17,335	-9	1,294	-9
2018-19	14,555 <sup>2</sup>	-16 <sup>2</sup>	1,346	+4
2019-20 <sup>3</sup>	11,132 <sup>3</sup>	n/a <sup>3</sup>	1,294	-4

**Notes**

- 1 Based on full-time equivalent staff in ICE teams at 1 April. At the end of 2019-20, ICE teams employed 1,207 full-time equivalent staff.
- 2 The Department was unable to collect some data between December 2018 and February 2019.
- 3 Data for 2019-20 are only for months April to December 2019, these were the latest available data.
- 4 Our analysis is based on two versions of the same data from the Department, covering different time periods. Where discrepancies existed in the data, the most recent source was used.

Source: National Audit Office analysis of collated Home Office performance data

### Mission 3: returns of immigration offenders and foreign national offenders from the UK

**2.20** The Department is responsible for returning people with no legal right to remain in the UK to their country of origin in a timely and humane way. It divides returns into three categories:

- voluntary returns which the Department organises and pays for;<sup>22</sup>
- where individuals have declined requests for them to leave the UK voluntarily and there are no compelling reasons to give them leave to remain, the Department may enforce a return; and
- the Department also returns foreign national offenders to their country of origin and has a statutory requirement to remove any individual with a custodial sentence of more than 12 months.

<sup>22</sup> The Department also runs an Assisted Voluntary Return scheme, where the Department pays for the return and the individual receives a financial incentive between £1,000 and £2,000.

**2.21** The Department assesses its performance within this mission against the overall volume of returns and the proportion of returns it completes successfully. There are many reasons why the Department cannot return someone to their country of origin. It cannot remove some individuals on humanitarian grounds, because their home is in an area of conflict or because their personal circumstances would place them in danger in their own country. If someone has been in the UK for some time, it is likely they have established a life within the country and are therefore harder to remove on Human Rights grounds. The Department may also have practical and logistical reasons for being unable to remove individuals, for example because the individual does not have identity documentation or because the Department does not have a return agreement with a country. The Department attempts to remove these barriers during its returns preparation work.

### **Voluntary returns**

**2.22** The Department encourages individuals to return voluntarily. Its Voluntary Returns Programme began in 2018 with four strands: better internal interaction across the wider border, immigration and citizenship system; more external engagement; enhancing the offers available to support individuals to depart voluntarily; and improving the service it provides. In the 12 months to the end of December 2019, the Department's voluntary returns service made 36,200 voluntary return offers.

**2.23** The Department states that voluntary returns are its “desired outcome” and tells us they are the most cost-effective option for returns. However, voluntary returns have fallen rapidly from an average of 1,200 a month in 2015 to approximately 460 a month in 2019 (**Figure 11** overleaf). This fall pre-dates the pause in data-sharing with other government departments following Windrush. Just over 5,600 people left the country voluntarily in the 12 months to the end of November 2019.<sup>23</sup>

**2.24** The Department did not provide us with a single explanation for the fall in voluntary returns. One senior manager suggested individuals were waiting for a change in policy, while another told us it was because UK Visas and Immigration's decision-making process had slowed down.

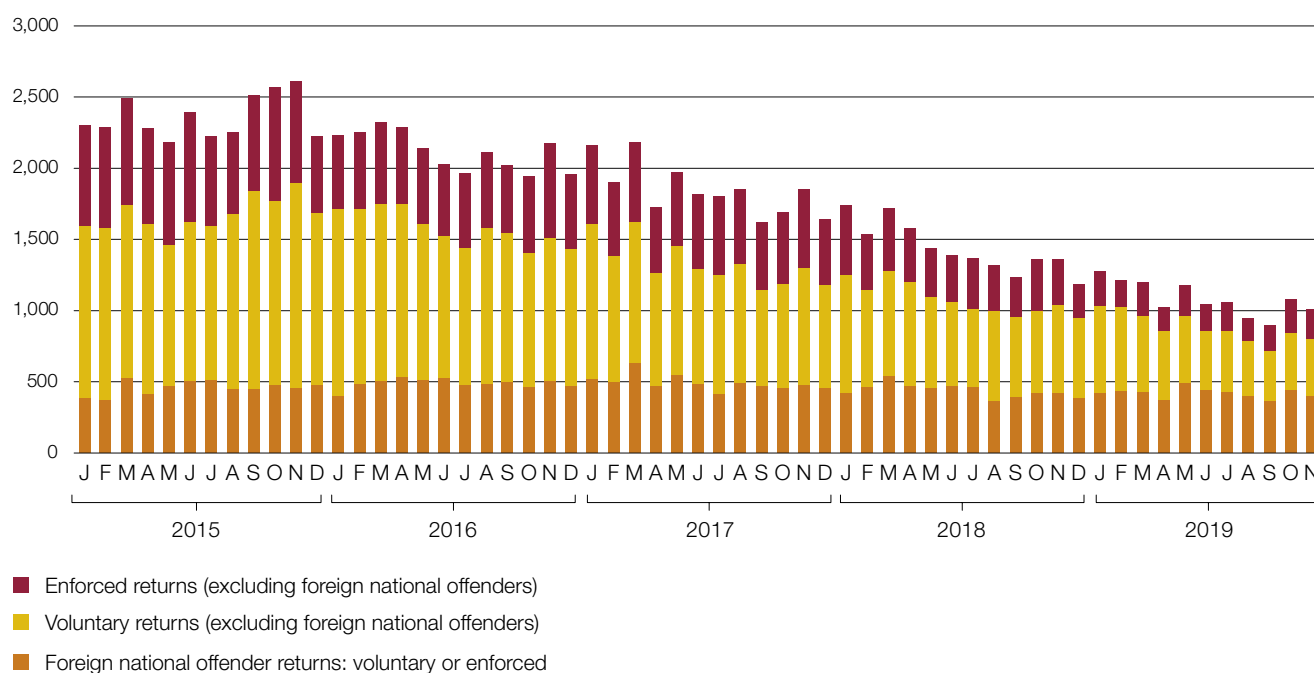
<sup>23</sup> This figure excludes the 6,200 people that the Department has classified as Other Verified Returns in the 12 months to December 2019. These are people who did not have the legal right to remain in the UK and have independently left the UK. The Department is unable to directly link these departures to its activities. Such returns have halved since January 2015.

**Figure 11**

Enforced and voluntary returns of individuals with no leave to remain and foreign national offenders from the UK since 2015

**Both enforced and voluntary returns have been falling since 2015. Returns of foreign national offenders have been more stable across the same period**

Number of returns



#### Notes

- Does not include Other Verified Returns where the Home Office is not directly involved in facilitating or managing a return.
- Our analysis is based on two versions of the same data from the Department, covering different time periods. Where discrepancies existed in the data, the most recent source was used.
- At the time of analysis, data were unavailable for voluntary returns in December 2019 and have not been shown.
- Returns of foreign national offenders includes a small number of offenders who have left voluntarily. In the 12 months to November 2019 90 foreign national offenders had chosen to leave voluntarily.

Source: National Audit Office analysis of collated Home Office performance data

## Enforced returns

**2.25** If individuals will not return voluntarily, the Department may enforce their return, but the number of enforced returns is also decreasing (Figure 11). It removed over 2,400 people in the 12 months to the end of November 2019.<sup>24</sup> Enforced returns are more difficult to complete, and the Department may need to eliminate several barriers to removal. In 2014, we reported that the Department was successful at the first attempt in 80% of enforced returns, with 11% of removals failing.<sup>25</sup> However, our analysis of the available data suggests that in the 12 months to the end of December 2019, the Department set 25,700 removal directions and cancelled 13,500 (52%) of these. Of the average 510 requests for escorted returns each month, 150 are for repeat requests.

## Foreign national offender returns

**2.26** The Department focuses much of its returns work on returning foreign national offenders. This includes EU nationals who pose a potential threat or have committed multiple offences in the UK. In the 12 months to the end of November 2019, the Department removed over 5,000 foreign national offenders (Figure 11). The Department's approach to the return of foreign national offenders is partly supported by international agreements with EU partners and other countries.

## Increasing system efficiency

**2.27** Immigration Enforcement seeks to increase efficiency within its returns mission. It assesses efficiency against the proportion of its planned returns it completes successfully. This uses metrics such as the ratio of returns from immigration detention to releases, the number of failed returns and the reasons why those returns failed.

**2.28** The Department uses its detention estate to facilitate most of its enforced returns. It now spends £40 million (21%) less in this area than it did in 2015-16. It has reduced its detention estate by 40% since 2015. The Department has contracts with third parties for detention and escorting services which cost £146 million in 2019-20. It has committed to improving the treatment of people in its immigration removal centres, and has recently renegotiated some of these contracts, including setting minimum staffing requirements in each centre. It has also tried to limit immigration removal centre occupancy to 80%.

<sup>24</sup> This figure excludes enforced removals of foreign national offenders, which are discussed in paragraph 2.26. When foreign national offenders are included the Department has enforced the removal of 7,400 people.

<sup>25</sup> Comptroller and Auditor General, *Reforming the UK border and immigration system*, Session 2014-15, HC 445, National Audit Office, July 2014.

**2.29** Immigration Enforcement's management information shows that, in December 2019, it detained an individual for an average of 24 days, compared to 41 days in January 2015.<sup>26</sup> However, Immigration Enforcement also releases a larger proportion of people from detention at late stages than it returns as planned (**Figure 12**).<sup>27</sup> The data provided indicate that it released 14,900 people (62% of all people detained) from detention in 2019.<sup>28</sup> This compares to 18,100 releases in 2015 (54% of all people detained).

**2.30** Immigration Enforcement tells us that many of the reasons that returns may not happen as planned are outside its control. For example, it cites an increase in individuals making late or spurious claims for asylum while in detention, claiming for medical reasons or that they are victims of modern slavery. It believes many of these claims are used to delay removal but noted in 2019 that it did not have a strategy across the work of Immigration Enforcement and the rest of the Department to mitigate the abuse or to tackle the backlogs being caused by associated delaying tactics. We have not seen any systematic analysis designed to help the Department understand why claims are increasing, or to rule out if Immigration Enforcement's own actions might have contributed to the increase.

**2.31** When the Department cancels returns it must cancel any tickets it has booked for the individual and any escorts accompanying them. Between January 2015 and December 2019, it cancelled 213,000 tickets. This equates to 117 tickets cancelled per day.<sup>29</sup> The Department recovers around 90% of the gross costs through refunds, but it has incurred a net cost of £14 million since January 2015. The Department cancels approximately 55 – 60% of requests for accompanying escorts each month. It estimates this part alone cost £1.2 million between April and August 2019.

26 National Statistics report time in detention in ranges, with the median range in December 2019 being between 8 and 14 days. This compares to between 15 and 28 days in January 2015, see *Home Office statistical datasets: returns and detention*, [www.gov.uk/government/statistical-data-sets/returns-and-detention-datasets](http://www.gov.uk/government/statistical-data-sets/returns-and-detention-datasets), May 2020.

27 The Department may release people from detention for several reasons including the individual making an asylum claim, a judge granting them bail or concerns about the individual's welfare.

28 National Statistics indicate that at least 15,100 people were released from detention in this period: see *Home Office statistical datasets: returns and detention*, [www.gov.uk/government/statistical-data-sets/returns-and-detention-datasets](http://www.gov.uk/government/statistical-data-sets/returns-and-detention-datasets), May 2020.

29 A cancelled ticket does not equate to a failed removal. Tickets will also be purchased for accompanying escorts, or where planes may stop at more than one place. The Department tells us that the 213,000 cancelled tickets is equivalent to 171,000 passengers. This equates to 94 cancelled passengers (irregular migrant or accompanying escorts) per day. Cancellations may also occur where the name of an escort changes for operational reasons.



**Figure 12**

Individuals released or returned to their country of origin from the Home Office's (the Department's) immigration removal centres, 2015–2019

**The Department has released more people from immigration detention than it returned to their country of origin for the last five years, but the percentage of people released rose in 2018 and 2019**

	Total releases from immigration detention	Total returns from immigration detention	Percentage of people released from immigration detention (%)
2015	18,141	15,189	54
2016	15,244	13,519	53
2017	14,831	13,179	53
2018	13,779	11,047	56
2019	14,903	8,973	62

**Notes**

- 1 The number of returns from immigration detention exceeds the number of returns recorded in Immigration Enforcement's management information.
- 2 Our analysis is based on two versions of the same data from the Department, covering different time periods. Where discrepancies existed in the data, the most recent source was used.

Source: National Audit Office analysis of Home Office performance data

## Mapping the effectiveness of the Department's immigration enforcement activities

**2.32** The Department has recently begun work to provide internal comparisons of the economic harm avoided by six different activities across Immigration Enforcement. These activities do not map directly onto Immigration Enforcement's missions and objectives but represent work to prevent irregular migration and to return immigration offenders. This work is at an early stage, but it may provide a basis to compare the impact of different activities in future. This will be possible only if the Department further develops and refines this approach and is able to support it with other analyses.

**2.33** Initial analysis of this work suggests that the Department sees a greater impact from its work to prevent irregular migration than its work on returns. However, its estimates in this area include a wide range of uncertainty as the Department is less able to demonstrate a sustained and unambiguous impact. Its returns work is more costly for the impact it has, but the Department is more certain of this impact and stresses the need for this work to act as a deterrent against irregular migration.

## Part Three

### Managing the end-to-end immigration enforcement system

**3.1** In Part Two we described the Home Office's (the Department's) activities and performance against its missions and objectives to support its vision of reducing the size of the illegal population and the harm it causes. In this part we look specifically at how Immigration Enforcement manages its work in the context of the good practice we have identified as being important in a high performing organisation.<sup>30</sup> To do this we have applied our established audit approach to examining the government's business operations capability. See Appendix Four for further details.

**3.2** From our work on managing business operations we have identified four areas that matter most for improving how Immigration Enforcement should manage its operations and processes. We examine how:

- it aligns activity to its strategy and priorities;
- it monitors and improves its performance;
- different parts of the immigration enforcement system integrate and interact with each other; and
- it supports staff to do their job capably and consistently.

#### **Aligning strategy and operations**

**3.3** High-performing organisations have a clear strategy and shared strategic purpose. This includes a 'golden thread' running from its strategic intent to its activities, and a shared understanding of the goals of the organisation and how these link to the work being done and outcomes achieved.

30 National Audit Office, *Managing business operations: what government needs to get right*, 2015, available at: [www.nao.org.uk/report/managing-business-operations-what-government-needs-to-get-right/](http://www.nao.org.uk/report/managing-business-operations-what-government-needs-to-get-right/)

**3.4** Immigration Enforcement has regularly updated its business plan and set out new strategic objectives, which reflect new priorities set by ministers. In August 2019 it produced its most recent business plan, Our IE, which set out the operational priorities agreed with its ministers. These operational priorities are:

- tackling and deporting foreign national offenders and disrupting organised criminals;
- maximising returns, using voluntary returns as the desired outcome;
- encouraging compliance with immigration rules, including controlling access to work, benefits and government funded services;
- disrupting organised crime groups, with a focus on those who exploit individuals through modern slavery and human trafficking; and
- ensuring that safeguarding measures address the needs of vulnerable people.

Immigration Enforcement has not updated its vision, mission, objectives or performance measures (see Figure 1) to reflect these changing priorities, although it has had discussions about doing so at a senior level.

### Aligning strategy and the business structure

**3.5** The operational priorities overlap with its existing objectives and missions in the most part, but Immigration Enforcement had not formally changed its business structure (see Figure 3) to align with changing priorities. An internal paper two years ago set out that Immigration Enforcement's activities were "not aligned to the changing paradigm of [its] operations". Immigration Enforcement made some changes to its structure in March 2020.<sup>31</sup>

<sup>31</sup> In March 2020, Immigration Enforcement incorporated its Interventions and Sanctions operational area into its National, International Operations area. In May 2020 it confirmed this would be a permanent change.

**3.6** Business areas deliver across a range of operational priorities and objectives and may need help to work out how best to focus their time and resources. Immigration Enforcement has allowed different business areas to implement its business plans as they feel is appropriate. Our work across government shows that while this provides ownership to business areas, it also encourages an approach where people see value only in terms of their own business need. The most recent Civil Service People Survey found that 82% of Immigration Enforcement's staff had a clear understanding of its objectives. However, as discussed in Part Two, success is often measured against activity undertaken rather than outcomes achieved. When we asked staff what success looked like in relation to their work, we received inconsistent answers. These tended to focus on completing the task at hand (for example dealing with a barrier to removal and passing a case to the next person) rather than focusing on the longer-term outcome of a case. This could mean that individual areas are taking a greater interest in their own workloads than in their contribution to Immigration Enforcement's overall missions and objectives.

### Aligning strategy and priorities

**3.7** There can be tensions between those issues that become urgent because of public, parliamentary or media interest and recurring issues that are less high-profile but which intelligence suggests should be prioritised. These tensions can dilute the wider Department's ability to respond effectively to those recurring issues when intelligence suggests there is a need to act. For example, high-profile media coverage of the deaths of 39 Vietnamese nationals in a lorry in Essex and the many people attempting to cross the English Channel in small boats highlights the importance of the Department responding quickly to intelligence to protect the UK's border and prevent loss of life.

**3.8** However, Immigration Enforcement is also responsible for managing other threats, such as illegal working, and for resolving the cases of people who are already in the UK without leave to remain, including foreign national offenders. It responds to emerging threats and shifting priorities by moving staff to deal with new threats after they have appeared but does not know the impact this has on other areas of work. For example, in 2019 it provided support to Border Force to reduce waiting times in ports during the busy summer holiday period and in preparation for exiting the EU without a deal. It also mobilised additional staff to England's south coast to support operations to stop small boats crossing the English Channel. It has only recently started to examine what impact these decisions had on its operations.

**3.9** Teams' differing views of what counts as their highest priorities can create challenges. **Figure 13** outlines some of the examples we identified through our observations of work, and how these can impact other areas within Immigration Enforcement.

**Figure 13**

Examples of how a misalignment in prioritising work affects teams within the Home Office's Immigration Enforcement directorate

**Immigration Enforcement is a complex directorate with multiple, interdependent responsibilities. The priorities and decisions of different teams may have a negative impact on other areas of Immigration Enforcement**

<b>Intelligence</b>	<b>Situation</b>	Immigration Enforcement receives more intelligence than it can realistically deal with and must prioritise tasks. There is a mechanism by which priorities are set nationally (via the National Tasking Board), which should link to priorities at a local level.
	<b>Response</b>	Local Immigration Compliance and Enforcement (ICE) teams make their own decisions about which work to prioritise based on their own circumstances, and factors such as the practicality and workability of cases. There is variability across regions in how this is done.
	<b>Consequence</b>	Local ICE teams create work schemes which focus on reconciling geographical and time constraints with perceived quality of intelligence with the potential harm or the potential to enact a return. Combined with the lack of a formal definition of harm, this increases the risk that harm is missed.
<b>Prioritising differing caseloads</b>	<b>Situation</b>	The mix of threat types differs throughout the country, reflecting the variables of each location, such as the number of potential entry points to the country and distribution of the population.
	<b>Response</b>	In some areas, for example London and the South East, ICE teams only act on the highest two or three priority levels, leaving thousands of lower priority cases untouched. Only 20% of intelligence categorised as National Tasking Board priority was discussed at local meetings (see Figure 9). In other areas, for example North, Midlands, Wales and South West, where teams receive fewer higher priority tasks, teams are more likely to complete all tasks required of them, including lower priority cases.
	<b>Consequence</b>	Enforcement teams in some regions accept most work they are offered to keep busy. This volume creates more challenges when prioritising work. In London and the South East, enforcement teams may need to delay their response to cases, which can increase risk to life for the individuals involved in high-risk cases, or some people may no longer be at the addresses provided by the time the teams are able to pursue them.
<b>Differing targets on dealing with intelligence</b>	<b>Situation</b>	In some areas targets on timeliness may lead to additional work elsewhere in the organisation. For example, the Intelligence function has a 48-hour target in which to pass on intelligence. Most of the intelligence the enforcement teams receive is of a lower priority and quality. Lower priority intelligence is therefore not formally developed by intelligence teams before being passed to ICE teams for tasking.
	<b>Response</b>	The ICE teams often need to perform additional work to develop low-priority intelligence into workable tasks. These teams do not have a time-limited window in which to act and they can develop large pools of available tasks.
	<b>Consequence</b>	Enforcement teams may act on a case several months later. This means intelligence may be out of date and basic checks may need to be redone or cases may be rejected due to changes in circumstances.

Source: National Audit Office analysis of operational issues identified during fieldwork visits to operational areas

**3.10** Immigration Enforcement is undertaking work to get a better understanding of its workload and to support prioritisation of cases. It has introduced new business rules for some parts of the organisation to help it identify the highest-priority cases on which staff should act. These business rules currently include the risk of harm by and to an individual, whether their whereabouts are known and whether agreements exist with the relevant country. So far it has rolled out this software to its Intervention and Sanctions Directorate (for sharing data to support the Compliant Environment), Returns Preparation and reporting centres. It is too early to assess the benefits of this programme.

### Using information to manage the business

**3.11** A high-performing organisation uses management information to understand its performance. It looks at future needs, as well as past performance, to make informed and evidenced decisions on how to improve its performance.<sup>32</sup>

**3.12** Immigration Enforcement reports on a significant number of indicators, which predominantly show the activity it has undertaken. Immigration Enforcement has 256 individual management information packs across the business. Individual teams use these packs to assess their own performance, but the nature of them does not help senior staff to easily understand the overall health of the system. Our analysis of a sample of 10 high-level management reports found they were, on average, 23 pages long with 74 measures of performance (**Figure 14**). Most measures focused on what Immigration Enforcement had delivered in terms of activity (**Figure 15**). Few measures assessed the quality or future scale of the work flowing through the end-to-end system. As a result, it is harder for the Department to respond to issues identified at a later point in the workflow of a case, for example with the accuracy of checks or initial data entry, where problems may have arisen in earlier parts of the process.

**3.13** Many of the metrics the Department currently uses to assess its performance differ from those stated in its performance framework. Although Immigration Enforcement has identified a way to assess performance against individual missions and objectives, it is currently unable to realise this. It also acknowledges that it must supplement its quantitative measures with a large amount of qualitative evidence generated through discussions. It has told us that it is reviewing the performance framework it agreed in February 2019. However, until it can reliably and consistently collect data that allow it to assess performance against individual objectives, or it defines objectives that are supported by its existing analytical capabilities, Immigration Enforcement will find it difficult to judge its success against its missions through measuring the cumulative impact of its activities.

<sup>32</sup> We have previously examined performance reporting in the then UK Border Agency and found its performance packs contained too much information to be easily assimilated, although their presentation later improved. See Comptroller and Auditor General, *Reforming the UK border and immigration system*, Session 2014-15, HC 445, National Audit Office, July 2014.

**Figure 14**

Features of a sample of performance packs used to manage the Home Office's Immigration Enforcement directorate

Immigration Enforcement's performance packs are long and contain many performance measures, charts and tables. This volume of material makes it more difficult for managers to identify key priorities and areas for improvement

	Total	Average per pack	Average per page
Pages	231	23.1	
Measures/Statistics	744	74.4	3.22
Tables	253	25.3	1.10
Charts	367	36.7	1.59
Paragraphs	379	37.9	1.64

Source: National Audit Office analysis of 10 Home Office performance packs

**Figure 15**

Analysis of performance measures used in the Home Office's Immigration Enforcement directorate's performance packs

Immigration Enforcement almost exclusively reports on past performance rather than looking towards future demand

Current process methods	Description – example	Lead (forward looking – helps predict output/outcome)	Lag (backwards looking – focus on what has been achieved)	Total
Quality	Process quality – as defined by user	2	29	31
Delivery	Output – number produced/ time taken	3	639	642
Cost	Financial – people, effort and capital	0	23	23
People	People – safety/engagement/ Learning and Development	1	47	48
<b>Total</b>		<b>6</b>	<b>738</b>	<b>744</b>

Source: National Audit Office analysis of 10 Home Office performance packs

**3.14** Without clear links to outcomes or being able to see how different indicators may interact with each other, the Department cannot assess if parts of the process are improving or declining in terms of effectiveness. By only reporting what happens at the start or end point of individual parts of the system, it is difficult for Immigration Enforcement to track what happens to individual people. Such isolated measures mean it cannot demonstrate a causal link between action and an outcome for a case. For example, while it measures the amount of data shared with other government departments, it cannot assess to what extent this work has supported its objective of encouraging people to leave the UK voluntarily.

**3.15** The Department tends to view performance in terms of individual business areas rather than looking at how cases flow from one area to the next. Our experience across government shows that when this is the case the flow of work through the system is not well understood. This could mean that opportunities for it to identify potential bottlenecks, areas for improvement or where staff rely on workarounds, may be overlooked, especially where Immigration Enforcement is reliant upon measuring activity rather than outcome. This is likely to lead to missed opportunities to remove inefficiencies from the processes.

### **Running an end-to-end system efficiently**

**3.16** Managing operational activity and processes effectively requires a good understanding and ownership of an organisation's end-to-end system, including across internal and external boundaries. Without these, Immigration Enforcement will struggle to manage the demand on its teams and to ensure processes run efficiently. From a service user's perspective, a system which is not managed effectively is likely to lead to greater delays and uncertainty as they interact with the system.

#### Managing demand for operational teams

**3.17** From our seven operational visits we observed that teams lack visibility of the wider system and their role within it. We observed that work is often tasked and passed through the system irrespective of the likely capacity or capability to complete it. **Figure 16** provides an example of how pressures placed on ICE teams can lead to cases failing to progress, because demand is not understood elsewhere in the immigration enforcement system.



**Figure 16**  
Case example: Demand on the Home Office’s (the Department’s) front-line immigration enforcement teams in the process of returning individuals with no leave to remain in the UK to their country of origin

**The Department’s Immigration Compliance and Enforcement (ICE) teams manage a considerable number of interactions in their day-to-day work**

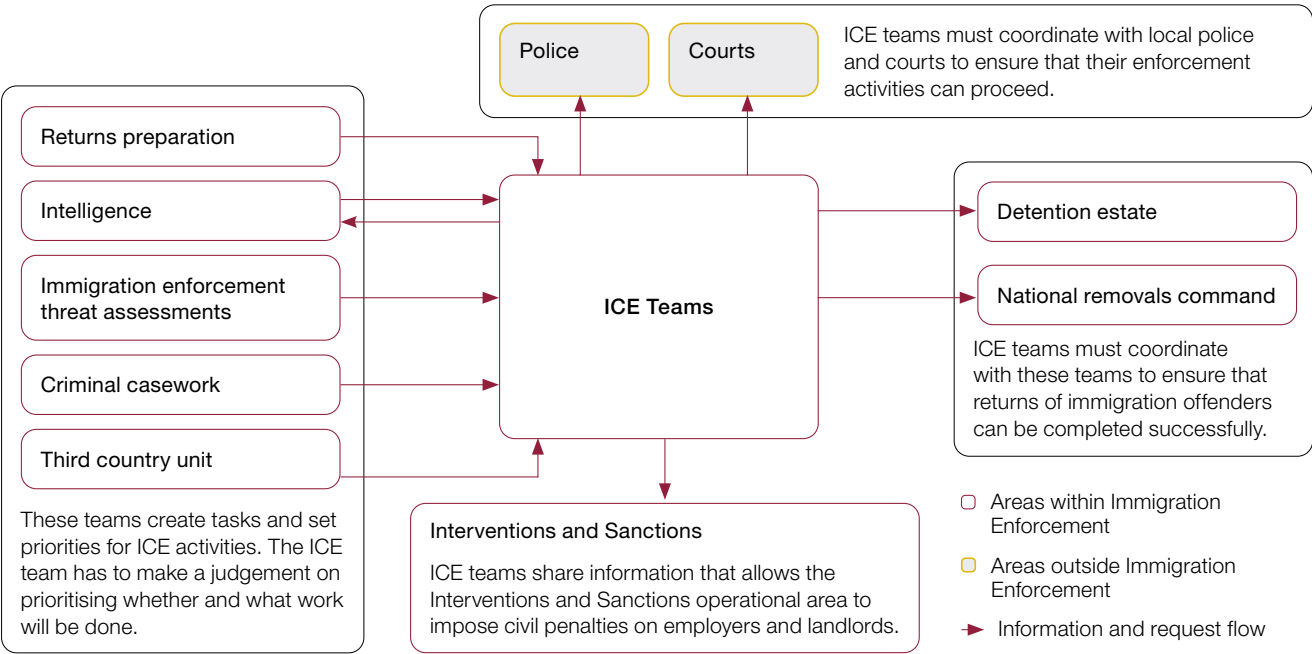
**Front-line enforcement demand**

Our observation and analysis of Immigration Enforcement’s operational processes to detect, arrest, detain or remove those without leave to remain in the UK identified at least 20 teams and external organisations that must work together to complete the necessary steps. These steps include: prioritising and developing intelligence; requesting warrants from the courts; working with local police to use their custody facilities; obtaining travel documents from the relevant consulate; and arranging flights.

The Department places considerable pressure on the front-line ICE teams. Enforcement teams receive tasks from several different business areas including those who manage criminal casework and prepare individuals to return to their country of origin.

This diagram demonstrates the organisations and business areas ICE teams interact with to produce an effective return.

**Main interactions and demands placed upon ICE teams**



The demand placed on ICE teams from elsewhere in Immigration Enforcement means they do not have the capacity to undertake all the tasks requested of them. Enforcement teams must manage demand against a set of internal priorities, while also considering logistical and workability factors such as the strength of the intelligence, geographic location, and staff availability. They must balance this against demands for support elsewhere, for example supporting Border Force in its operations. This means different ICE teams may vary in their response to requests from caseworkers, making it more difficult for caseworkers to get a consistent sense of what is required to see their cases actioned. In some cases, ICE teams may not follow the request (for example to undertake an enforcement visit, or to detain an individual for removal when they report at a reporting centre), when they consider the case to be of lower priority than work already planned, or otherwise operationally impractical. Some staff expressed their frustration when they could see ICE teams did not act on a tasking request. A lack of constructive feedback mechanisms means that staff in other parts of the business may lack understanding of pressures on ICE teams.

Source: National Audit Office analysis of data collected through interviews with Home Office staff during operational visits to Immigration Compliance and Enforcement teams

### Efficiency of processes

**3.18** We observed examples of inefficiency in all seven business areas that we visited, which included rework, duplication and work which otherwise does not add value. The cause and effect of some of these were wholly contained within one part of Immigration Enforcement, some spanned parts of Immigration Enforcement, and others would require Immigration Enforcement to work with other organisations to resolve them. While recognising that some of this evidence is anecdotal, and that some examples may be one-offs rather than recurring, it provides useful insight into the challenges that staff face daily.

**3.19** Three of the business areas said they had significant volumes of cases that had come to the wrong team, contained errors or gaps, or had been wrongly assessed. We saw examples of systems and technology not working effectively, causing operational difficulties. Staff in some business areas did not have immediate access to the information they needed to do their jobs. We heard how documents, such as warrants or travel documentation, sometimes could not be obtained in time to enable action to be taken.

**3.20** Such process inefficiencies have significant operational consequences. At a basic level, this would include the need to rework tasks, redo checks, and reroute cases. However, more significantly, cases would be rejected for further action, or planned removals cancelled at late notice. The Family Returns Unit worked cases despite knowing that the 'self check-in' process for returning families would often cause the families to abscond, creating extra work for Immigration Enforcement. Staff also told us most 'returns directions' set would not ultimately result in removal for several reasons, including further representations or appeals, escorts being unavailable, or administrative errors.

**3.21** However, we saw little evidence that the day-to-day frequency or impact of these occurrences was being systematically recorded to identify whether any remedial action was needed, what that remedial action should be, and who should take it. Immigration Enforcement does not have measures which enable it to understand the quality of work that is being done, or the frequency and impact of any process problems. It also lacks the end-to-end process ownership and feedback loops which will enable issues to be addressed routinely where they cross organisational boundaries. As a result, process quality issues such as those identified above will continue to get in the way of staff doing their jobs to the best of their ability, as well as creating additional effort, delays and costs.

**3.22** The Department has recently undertaken some work to try to understand the severity of the problems with people placing late claims for asylum. It has analysed the frequency of such occurrences for some nationalities. However, its analysis focuses solely on the frequency of such events, which it believes demonstrates an increase in abuse and is outside its control. While the Department is aware of a growing issue at late stages, it has not developed a strategy on how to deal with such cases. We have not seen evidence that the Department has analysed whether it could have done more to address potential obstacles at earlier stages of the process, or if some of the transformational changes it has introduced may inadvertently have led to new problems elsewhere in the system.

**3.23** The Department could also make better use of its ongoing programme of project evaluations to learn as an organisation. The evaluations we have seen for its ongoing transformation projects tended to assess progress against delivery plans rather than effectiveness. Evaluations for completed projects focused only on process benefits and future risks, but did not outline whether the organisation had demonstrated the intended outcomes against its wider missions and objectives or how it could improve delivery on similar projects in the future. It has not yet completed an evaluation of the full impact of the transformation programme it has undertaken over the past five years.

### **Supporting staff to do their jobs**

**3.24** An organisation that has an effective management and leadership environment enables staff to contribute to their fullest and has leaders who create an environment that supports people to apply the principles of good operations management. Staff will have the time and means to fix problems where they can and will know how to escalate issues where they cannot. There will be a culture of learning and continuous improvement. In our report on *Managing and removing foreign national offenders*, we recommended that senior leaders need to encourage and develop a long-term joint working culture on foreign national offenders.<sup>33</sup> In paragraphs 3.6 and 3.12 and Figure 13, we discussed our observations that teams worked in isolation and did not have good sight of workloads in other areas of the business.

<sup>33</sup> Comptroller and Auditor General, *Managing and removing foreign national offenders*, Session 2014-15, HC 441, National Audit Office, October 2014.

**3.25** Despite the Department setting up some mechanisms to facilitate improvement activity, our observations of Immigration Enforcement's different business areas found that sharing ideas and best practice does not routinely occur within or between teams in those areas. This results in inconsistent ways of working. We observed that different caseworkers in the same part of a business unit had developed their own ways of working, with even greater variability between different teams. ICE teams in different regions have independently developed their own performance metrics. We also observed that within Immigration Enforcement there are three different areas performing similar activities but in different ways, such as arranging travel documentation, but without sharing good practice with each other.

**3.26** Staff are not always supported by clear, up-to-date guidance in how to do their jobs, which means people cannot easily access the best-known ways of working, and increases the risk of variation, inefficiency and error. In our visits to operational areas, we saw examples of casework staff not using available guidance on the basis that they did not trust it to be current, or because they knew it to be incorrect (for example relating to individual countries' rules and requirements for removal). Some staff said there was a considerable lag between policies changing and guidance being updated to reflect it. Senior management provides weekly updates of policies by email, and staff are expected to ensure they know which are extant.

**3.27** Staff are generally positive about the training and induction they receive upon starting work with Immigration Enforcement. But where changes are made in one part of the organisation, the knock-on consequences for other teams are not always considered. As a result, staff are not necessarily supported by being given the training they need to carry out their new roles effectively when ways of working change, which has an impact on the quality of the work they do. For example, when the role of the Intelligence team changed so they only worked on high priority cases, ICE teams were not immediately given the training they needed to carry out any sort of intelligence activity on the lower-priority cases that form the bulk of their workload.

**3.28** There are other indicators that the environment staff are working in is not as supportive as it could be. In the 2019 staff survey, Immigration Enforcement performed significantly below the civil service benchmark for leadership and managing change. Only 44% of its staff agreed that Immigration Enforcement's leadership had a clear vision for its future, 40% had confidence in the decisions made by senior managers and only 30% felt that change was well-managed, and 16% of respondents stated they had been bullied or harassed at work in the past year. However, these scores had all improved on the year before.

# Appendix One

## Our audit approach

**1** This report assesses whether the Home Office's (the Department's) activities for enforcing immigration rules are achieving its vision to reduce the size of the illegal population and the harm it causes.

**2** In our previous work, we have identified some of the long-standing challenges the Department faces in managing enforcement activity, removing foreign national offenders and overseeing the detention estate.<sup>34</sup> We have also seen how the Department's Immigration Enforcement directorate depends on effective collaboration with other parts of the wider border and immigration system, as well as law enforcement and international partners. However, in this report we have focused on the performance of core immigration enforcement activity against its stated missions to establish what progress the Department has made in dealing with these enduring challenges.

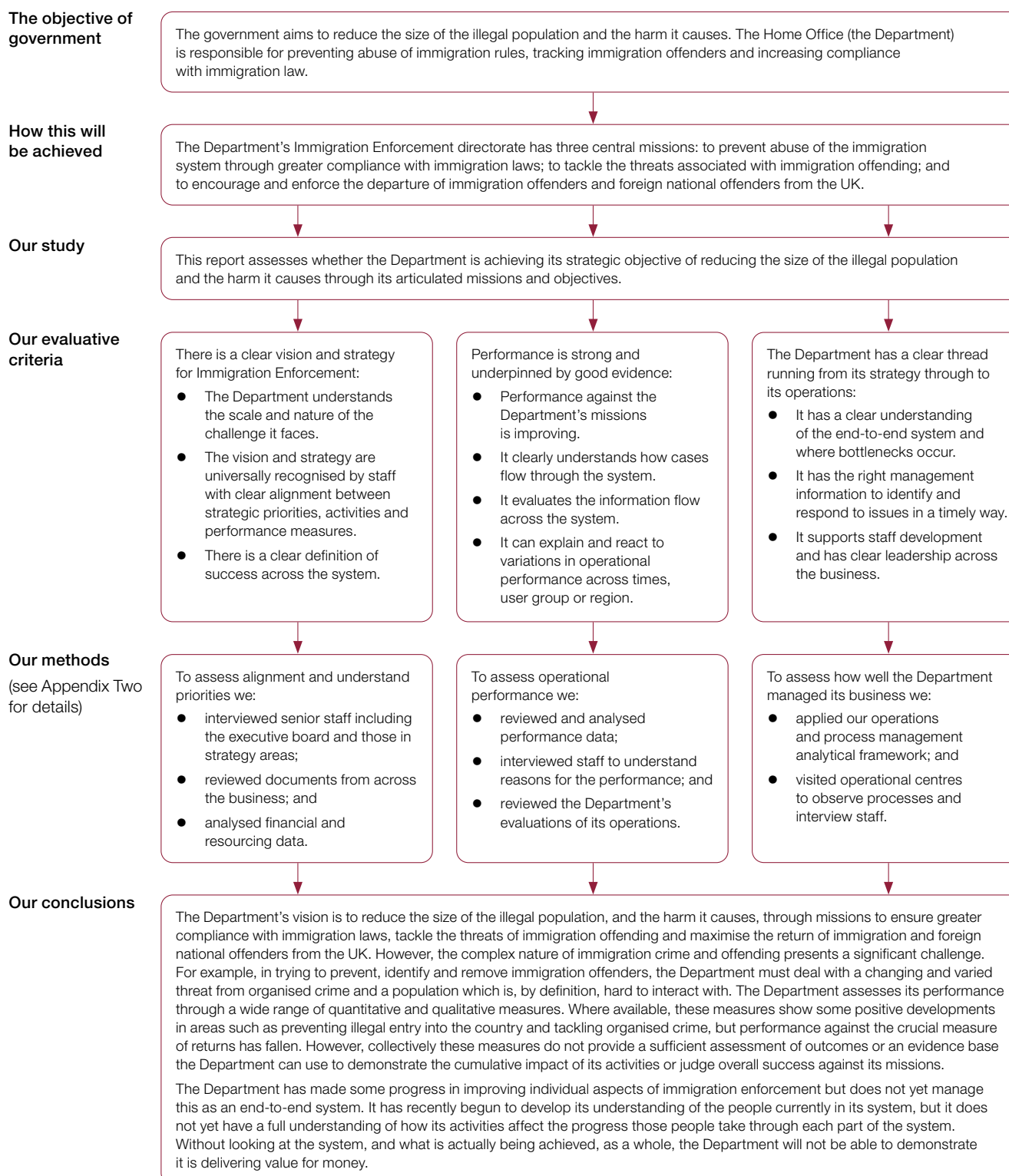
**3** To assess the value for money of the Department's activities, we consider:

- how different parts of Immigration Enforcement contribute to its overall vision and missions;
- the Department's performance against its missions and objectives and performance indicators; and
- how well the Department manages its business, including using management information and internal feedback to learn and make improvements across the business.

**4** Our audit approach is summarised in **Figure 17** overleaf. Our evidence base is described in Appendix Two.

<sup>34</sup> Comptroller and Auditor General, *Managing and removing foreign national offenders*, Session 2014-15, HC 441, National Audit Office, October 2014. Comptroller and Auditor General, *Reforming the UK border and immigration system*, Session 2014-15, HC 445, National Audit Office, July 2014.

**Figure 17**  
Our audit approach



# Appendix Two

## Our evidence base

**1** We completed our independent review of the Home Office's (the Department's) activities to enforce immigration decisions after analysing evidence we collected between July and December 2019. The analysis is based on Departmental data prior to the outbreak of COVID-19.

**2** We used an evaluative framework to consider the implications for value for money by reviewing how the Department organised its activities against its strategic priorities and missions.<sup>35</sup> We also examined how well the Department performed in its core responsibilities and assessed whether the Department made use of good operations and process management practices in managing its business. Our audit approach is outlined in Appendix One. Our analytical framework for operations and process management is summarised in Appendix Four.<sup>36</sup>

**3** To assess how well the Department aligns its business with its strategic priorities:

- we reviewed documents from the Department and externally to understand the size and nature of the illegal population;
- we interviewed staff within the Department to understand how the Department understands its business;
- we reviewed business plans for Immigration Enforcement since its inception in 2014. We examined how the business plans had evolved and the changes the Department had made to them;
- we reviewed the business structure and cross-referenced the changes in the business plan against changes in the structure;
- we reviewed Immigration Enforcement's financial and resourcing data;
- we interviewed departmental officials, including the heads of each business area, to understand the roles and responsibilities of each area and how these fit together; and

<sup>35</sup> We have not assessed the Department's performance against its objective to support the national counterterrorism effort.

<sup>36</sup> National Audit Office, *Managing business operations: what government needs to get right*, September 2015, available at: [www.nao.org.uk/report/managing-business-operations-what-government-needs-to-get-right/](http://www.nao.org.uk/report/managing-business-operations-what-government-needs-to-get-right/)

- we assessed the understanding at senior levels of the organisation by comparing the responses they provided to those provided by front-line and back office teams. We also reviewed staff survey results to understand the views of the organisation on leadership, implementing change and understanding objectives.
- 4** To assess operational performance:
- we analysed performance data from 2015 to the most recent available to look at trends. We requested data going back to 2015 so that we could establish what had happened since the 2015 Spending Review and Immigration Enforcement introduced its IE 2020 vision.<sup>37</sup> However, the Department was unable to provide data going back over the full period for some of the measures we requested. This included data such as intelligence priorities, which the Department has recently introduced to help it manage its business. It also included data that required the Department to conduct specific reports or enquiries, for example data on the reporting population. We also requested datasets that the Department does not systematically report on, such as the number of people from its population of interest that are granted leave to remain. Some datasets focused on allowing specific teams to assess their performance. These focused datasets made it difficult to connect the activities of different teams and subsequently assess performance across the context of an end-to-end immigration system;
  - we interviewed staff in the Department to understand the reasons why performance had changed. We also established through our visits how staff had responded to the removal of targets for their work since the criticism of their treatment of the Windrush generation in 2018;
  - we spoke to representatives of the Department's partners including other government departments (HM Revenue & Customs, Department of Health & Social Care, Driver and Vehicle Licensing Agency and the Department for Work & Pensions) and charities to understand the scope and impact of their work; and
  - we spoke to external stakeholders of the immigration landscape, including charities, research bodies and professional bodies to understand the wider impact of the Department's delivery of immigration services.

<sup>37</sup> HM Treasury, *Spending review and autumn statement 2015*, Cm 9162, November 2015.



**5** To assess how well the Department manages its immigration enforcement activity:

- we applied our operations and process management analytic. A further description of this is provided in Appendix Four;
- we interviewed staff and reviewed documentation to understand how the Department prioritises work against its operational priorities and threats. We assessed what we were told about how the organisation prioritised against operational practice;
- we reviewed board minutes and papers to assess the timeliness of the Department's actions against known threats;
- we observed processes from across the organisation in real-time, to identify opportunities for efficiencies. We discussed with staff how often the issues we observed occurred in their everyday work, for example how often the same cases would reappear for further review;
- we asked staff how they assessed success in their work, how they shared good practice and advice, and their interactions with other teams, to understand how well the organisation understood the end-to-end process of immigration casework;
- we attended front-line enforcement activity with teams to understand how they chose which operations to prioritise and the outcomes of operations;
- we reviewed the Department's performance management data to assess the way in which they used performance data to run their business. This included our own analysis of the contents of performance packs against set criteria of delivery, quality, people and costs and whether they were lead or lag measures; and
- we analysed the staff survey results to understand how staff felt about capability within the organisation, training opportunities and how well they are kept informed of developments.

**6** The Department does not directly assess its performance against its operational missions using a single outcome or a range of outcomes. This makes it harder to evaluate whether it is achieving its vision of reducing the size of the illegal population and the harm it causes. As outlined in Part Two it measures activity against a series of inputs and outputs. We have used these as the basis for our analysis, while acknowledging that this does not directly measure success. It is however the best data available to the Department and to us against which to make a judgement.

**7** Initially, we asked the Department to provide us with information on a cohort of its population of interest so we could follow through what had happened to that cohort over time, including how they entered the immigration system (see Figure 6), the loops they had taken and the outcomes. The Department was not able to provide us with this information easily, although it did outline to us that it was undertaking work to get a better handle on the population of interest and which are its higher-priority cases.

**8** The Department was sometimes unable to provide us with documents which it could demonstrate were up-to-date or comprehensive. When the Department did provide these documents, their contents did not always conform to our expectations. For example, when we asked for an evaluation of its transformation projects, the most recent document it could provide was from April 2018, which was a summary on progress for the minister. The Department sometimes struggled to provide strong evidence to demonstrate its impacts or justify some of its decision-making.

**9** The Department collects and reports on a large amount of data, but some files we received contained discrepancies, were reported against a variety of timeframes or required further explanation. Large numbers of documents did not contain a clear evidence trail or explanation of their source, purpose or even date. This makes it more difficult for external assessors to evaluate the performance of the Department.

# Appendix Three

## Previous National Audit Office and Committee of Public Accounts recommendations

Report name and date	National Audit Office (NAO) recommendations	Committee of Public Accounts (PAC) recommendations	Home Office's (the Department's) response to PAC recommendation
Reforming the UK border and immigration system (July 2014)	The Department should prioritise outstanding backlogs and act to prevent cases that it classifies as unworkable building up into backlogs. The directorates must decide on older, live cases, so people do not have to wait many years for decisions about their future. Some cases are classified as unworkable, for example where the applicant needs to supply further information. Directorates must ensure these do not stay in the system for long periods, particularly as such cases are not counted against service standards.	The Department should ensure it has the right number of staff, with the right skills and the right incentives, to resolve outstanding asylum claims promptly and prevent any new backlogs being created. The Department should report back to us in early 2015 on what progress it has made in communicating decisions to all outstanding pre-2007 applicants.	Agreed.
	The Department should develop a robust financial plan for how it will assign and track savings in the directorates and show that it can maintain performance. Directorates must understand the implications for their respective 2015-16 budgets of efficiencies needed. They must be clear to the Department what is achievable and the possible impact on performance.	The Department should gather accurate data on the costs of all its activities and develop a robust financial plan that sets out how it will achieve both the necessary level of savings and the improved performance required.	Agreed.
	The Department should assess whether its incremental, agile approach to IT [Information technology] will provide the system transformation needed to achieve high-performance operations. The directorates need a sustainable solution for IT. Real process improvement can only come from replacing legacy systems and paper-based working with digitisation and data sharing.	As a matter of priority, the Department should identify the future IT capabilities it requires, so it can develop a comprehensive, system-wide IT strategy that will deliver the required capabilities.	Agreed.
	The Department should prioritise improving the quality of its management information. Planned IT changes should help, but the Department will not roll these out fully until 2017. The Department must act now to improve the quality of case data so it is robust and reliable.	The Department should immediately take steps to improve the quality of the data it collects and holds through cleansing and regular sample checks, and improve the presentation and clarity of data.	Agreed.

Report name and date	National Audit Office (NAO) recommendations	Committee of Public Accounts (PAC) recommendations	Home Office's (the Department's) response to PAC recommendation
Managing and removing foreign national offenders (October 2014)	[The Home Office, the Ministry of Justice and the Foreign & Commonwealth Office] must ensure that, when developing the foreign national offender action plan, actions and dependencies are aligned to optimise success, and governance structures are streamlined. The departments should undertake a critical review of the foreign national offender strategy and ensure the action plan prioritises foreign national offender categories and that this prioritisation feeds down into caseworking decisions. The plan should also reflect the dependencies between actions and more explicitly link actions to outputs and outcomes. The plan should be aligned with departmental priorities and governance simplified so that clearer lines of accountability are established.	The Home Office and the Ministry of Justice should undertake a full review of the end-to-end process for foreign national offender removal, focusing on where procedures can be streamlined and made more efficient.	Agreed.
	In the longer term, the departments need to work together to develop accurate management information and establish a costing model for foreign national offenders. The departments should put in place systems to ensure they have good quality and complete cost information for all stages of the foreign national offender process. They should then start to allocate resources to actions based on impact.	The Home Office needs to assess which schemes work best in removing foreign national offenders early and quickly. The Department should revisit its current assumptions and expectations so that policy and resource decisions are evidence-based, and reflect both political and practical issues.	Agreed.
Handling of the Windrush situation (December 2018)	The Department should develop a Department-wide strategy to support potentially vulnerable customers across the immigration system as a whole. Specific actions might include allowing one claim to be considered under multiple application routes, as well as simplifying forms and guidance.	The Department should take immediate responsibility for meeting the urgent needs of individuals.	Agreed.

# Appendix Four

## Operations and process management

**1** Good operations and process management is a proven way of improving services while reducing costs. It helps organisations run the whole business better, from how strategy is created and deployed to how individual services are managed. It helps people within all levels of a business by focusing their efforts on improving performance against what matters most in achieving the organisation's goals. This appendix sets out our approach to auditing the Home Office's (the Department's) capability in operations and process management.

**2** The National Audit Office has been applying a systematic approach to assessing the government's capability in operations and process management since 2010. The analytic we used to assess the Department's capability in its Immigration Enforcement operations draws from our experience, and that of experts, other public and private sector organisations and academia.<sup>38</sup>

### How we audit the government's capability in operations and process management

**3** Our analytic:

- assesses capability against five interrelated areas which represent the key elements of strong operations and process management: strategy, information, people, process and improvement (**Figure 18** overleaf);
- provides a point-in-time assessment of capability – it is relevant during business as usual or when organisations are transforming; and
- is applicable whether or not an organisation is using a conscious approach for managing and improving their business (for example *lean*, *six sigma*, *systems thinking*, *operational excellence*).

<sup>38</sup> National Audit Office, *Managing business operations: what government needs to get right*, September 2015, available at: [www.nao.org.uk/report/managing-business-operations-what-government-needs-to-get-right/](http://www.nao.org.uk/report/managing-business-operations-what-government-needs-to-get-right/)

**Figure 18**

The five areas of our operations and process management analytic



Source: National Audit Office analytic of operations and process management

## How we built our audit analytic

4 We built our analytic by:

- reviewing existing models and approaches for assessing an organisation's capability;
- drawing on our own experience and that of world experts, other public and private sector organisations, and academia;
- establishing a test for 'world class' operations and process management – not just 'good for government';
- piloting our approach with government organisations – applying learning on the reasonableness of our 'world class' test, how we apply the approach and our own capability for undertaking the assessment; and
- using lessons from applying our analytic to continually improve how we use it within the government's work – this ensures rigour in how we apply the test and how we interpret the findings.

### **Our approach to auditing the ‘management system’**

**5** We assess whole organisation capability by applying our test across the full management system. By that we mean looking for characteristics of good operations and process management within both organisational (typically the corporate centre or ‘head office’) and operational (where services or processes are provided) layers of the business. We can then assess if there is an effective, integrated management system in place.

**6** We gather evidence of how good operations and process management is helping an organisation to manage and improve its business rather than check a pre-specified list of documents or other artefacts. We do this by visits to areas within an organisation to observe processes in real-time and through reviewing relevant documents provided to us by the organisation. We take a consistent approach, with an emphasis on what we observe happening, rather than what we read or are told, in coming to judgements against the analytic’s questions. We also use evidence from discussions with individuals at the organisation’s corporate centre to ensure coverage of both operational and organisational levels.

This report has been printed on Pro Digital Silk and contains material sourced from responsibly managed and sustainable forests certified in accordance with the FSC (Forest Stewardship Council).

The wood pulp is totally recyclable and acid-free. Our printers also have full ISO 14001 environmental accreditation, which ensures that they have effective procedures in place to manage waste and practices that may affect the environment.





National Audit Office

Design and Production by NAO External Relations  
DP Ref: 007711-001

£10.00

ISBN 978-1-78604-312-2



9 781786 043122

---