

PSA Delivery Agreement 3:

ensure controlled, fair migration
that protects the public and
contributes to economic growth

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Vision

1.1 The Government's vision is to provide an immigration service that is firm but fair and that delivers secure borders whilst maximising the benefits of migration to the UK economy.

1.2 The UK has made significant economic and cultural gains from migration, with estimates showing that migration contributed around 15-20 per cent to economic growth between 2001-06. Migration increases investment, innovation, and entrepreneurship in the UK and is central to developing a high value economy. Similarly, the ability to hire workers from abroad is important in making the UK an attractive business environment for firms.

1.3 Migrant communities also help connect the UK to the global economy. They play a role in increasing the UK's trade with countries of origin and this will be increasingly important as other major new economic markets mature in China, India and Brazil, in particular.

1.4 Whilst the British economy continues to benefit from globalisation, it is important to tackle abuse of the asylum system and strengthen the security of the UK border. Considerable progress has been made in these areas; in 2006, asylum applications were the lowest since 1993, the number of unfounded claims were less than half of the 2003-04 peak, and there were more failed asylum seekers removed than there were unfounded applications.¹ In addition, the Government has continued to improve visibility of controls, invested in technology to better screen passengers as they arrive in the UK, introduced technology to support: decision-making; alert systems; and check asylum seekers' fingerprints. The Border and Immigration Agency (BIA)² is also working to extend an offshore border that will provide biometric visas for those who require them to travel to the UK and assess passengers' authority to travel before they arrive in the UK.

1.5 This PSA focuses on four key delivery priorities:³

- strengthening UK borders by using tougher checks abroad so that only those with permission can travel to the UK; and ensuring that the Government knows who leaves so that action can be taken against those who break the rules;
- fast-tracking asylum decisions, removing those whose claims fail and integrating those who need protection;
- ensuring and enforcing compliance with UK immigration laws, removing the most harmful people first and denying the privileges of the UK to those here illegally; and
- boosting Britain's economy by increasing the skills of the UK workforce, bringing the right skills here from around the world where the UK labour market cannot supply these skills, and ensuring that this country is easy to visit legally.

¹ Home Office Departmental Report 2007, May 2007, Cm 7096.

² In April 2008 (after this Delivery Agreement was first published) the UK Border Agency was launched. The Agency brings together the work previously carried out by the BIA, Customs detection work at the border and UKvisas. References to the BIA in this document should now be read as if they referred to the UK Border Agency.

³ The IND Review (2006) set out new priorities for the immediate to medium term future – 'to toughen our borders, prevent abuse of our immigration laws and manage migration to the benefit of the UK'.

2

Measurement

2.1 To monitor the progress in delivering this PSA, a set of five indicators will be used. More details can be found in Annex A (Measurement Annex).

Strengthening UK borders by using tougher checks abroad so that only those with permission can travel to the UK; and ensuring that the Government knows who leaves so that action can be taken against those who break the rules

Indicator 1: Deliver robust identity management systems at the UK border

- This will provide greater certainty that those who cross UK borders have an entitlement to do so and reduce illegal entry into the UK. The introduction of unique secure identities for all non-EEA travellers will provide a greater level of identity assurance of those individuals crossing our borders and a greater ability to prevent illegal entry to the UK. For 95 per cent of all journeys across UK borders, an individual's right to travel will be checked prior to arrival in the UK and a record of departure created. A national target is attached to this indicator.

Fast-tracking asylum decisions, removing those whose claims fail and integrating those who need protection

Indicator 2: Reduce the time to conclusion of asylum applications

- An effective asylum system will deliver fast case conclusion, swiftly removing those with no right to be in the UK and integrating those who need protection. This measure will ensure that within 6 months of application 90 per cent of all asylum cases will have been resolved, with applicants either returning to their country of origin or being granted protection in the UK. A national target is attached to this indicator.

Ensuring and enforcing compliance with UK immigration laws, removing the most harmful people first and denying the privileges of the UK to those here illegally

Indicator 3: Increase the number of enforced removals and voluntary departures year on year

Indicator 4: Increase the proportion of 'higher harm' enforced removals and voluntary departures

- Enforcement of UK immigration laws is essential to reduce illegal immigration and illegal working in the UK. This measure will ensure that those immigration offenders who cause the highest harm to society are removed first, and that the total number of illegal immigrants removed increases.

Boosting Britain's economy by increasing the skills of the UK workforce, bringing the right skills here from around the world where the UK labour market cannot supply these skills, and ensuring that this country is easy to visit legally

Indicator 5: By the effective management of migration reduce vacancies in shortage occupations

- Migration is essential to delivering strong growth and employment outcomes in the UK. This measure will ensure the immigration system is flexible and responsive to the needs of the UK labour market. It will ensure that where employers face skills gaps in the UK that can sensibly be filled by migrants, the migration system facilitates their ability to fill these gaps.

3

Delivery strategy

3.1 This delivery strategy sets out the principal actions¹ that will be taken to achieve this PSA.

Priority action 1: strengthening UK borders by using tougher checks abroad so that only those with permission can travel to the UK; and ensuring that the government knows who leaves so that action can be taken against those who break the rules

3.2 It is vital that controls begin offshore and information, intelligence and identity systems are used effectively to ensure scrutiny at key checkpoints on the journey to and from the UK. This provides greater assurance that those who enter the UK are entitled to do so and are doing so using a single identity. Traditionally the border has been understood as a single, staffed physical frontier, where travellers show paper-based identity documents to pass through. However, globalisation has delivered a step-change in mobility that requires a new approach by the Government to border control.

Visible, uniformed and unified border

3.3 To strengthen the UK border, the Government will change the way permission to come to the UK is granted by increasing checks on people before they travel, when in transit and strengthening the UK border itself. The border will be transformed, visible, uniformed and unified. This model will be achieved by BIA working in partnership with law enforcement, wider government, international partners, industry and the public.

e-Borders programme

3.4 The e-Borders Programme will deliver, by 2014, the electronic screening of all passengers as they check in and out of the UK, and allow journeys to be recorded and individuals to be counted into and out of the UK. With 95 per cent of journeys covered by the end of 2010, and increasing coverage for all entry points into and out of the UK when the Programme rollout concludes in 2014. More specifically, the e-Borders system will capture passenger information and the new technology will enable the Border security agencies (including the BIA, the Police, the Serious Organised Crime Agency (SOCA), Her Majesty's Revenue and Customs (HMRC) and UKvisas² to assess passengers in advance of arrival in or departure from the UK. This will create new opportunities for the intelligence agencies and other relevant government departments, to take action against those who pose a threat to the national interest.

3.5 This will be realised by partnerships between HMRC, Police, SOCA, UKvisas, Department of Work and Pensions (DWP) and the Identity and Passport Service (IPS). e-Borders has agreed Memoranda of Understanding with its partner agencies to deliver the necessary business change and systems, which will provide the capability to track entry and exit to the UK.

3.6 More specifically BIA will introduce:

¹ The Home Office's published IND Review (2006) supported by a family of strategy publications sets out the significant range of actions that will be undertaken to secure the UK's borders, deliver an efficient asylum system, reduce the harm from illegal immigration and promote migration to the benefit of the UK economy.

² From 1 April 2008, UKvisas became part of the newly formed UK Border Agency. See footnote 1.

- **a highly visible and uniformed presence at the border;** improved signage at the border and the introduction of uniforms will provide a deterrent for those who may seek to enter the UK illegally, and greater reassurance to the public;
- **a single checkpoint for passenger control and customs;** this will provide more efficient transit through ports and better co-ordination between agencies that operate at the border; and
- **technology to screen out and automate the controls for low risk passengers;** including the roll out of biometric technology to automate the process of clearance at immigration controls; and a coherent set of international alliances to support the effective border control, including the better sharing of watch lists and security information with our global partners.

Role of government departments

FCO and UKvisas

3.7 UKvisas is a government directorate, jointly managed by the Home Office and the Foreign and Commonwealth Office (FCO), responsible for the overseas arm of the UK's entry clearance operation. Through the FCO overseas posts UKvisas will contribute to a more secure border by maintaining robust control of the UK overseas entry clearance service through the use of biometrics in identity management, and the development of sophisticated risk assessment and forgery identification techniques. These will be used to underpin decisions on who is issued a visa and who is not. Through contact with foreign national governments at a political level, the FCO also helps to facilitate UKvisas' operating environment and the UK migration agenda more widely.

3.8 Posts overseas also promote compliance with the UK immigration system through information campaigns on how to visit the UK legally and highlighting the dangers of doing so illegally. Country expertise helps inform operational decisions on whether to review visa regimes or suspend migration routes in response to changing risks to the entry clearance service.

3.9 Additionally, the FCO Migration Fund supports the delivery of the Government's migration objectives in priority source and transit countries, and FCO's Departmental Strategic Objective (Managing Migration and Combating Illegal Immigration) directly reflects the BIA's strategic objectives, ensuring reporting of performance aligns with PSA outcomes.

Embedding risk assessment in visa applications

3.10 Risk assessment will be at the heart of effective border control in the future and UKvisas is developing its capability to identify high-risk migrants, enabling resources to be deployed accordingly. UKvisas will embed risk assessment to all categories of visa application through Structured Decision-Making. This is an end-to-end decision-making process for all non-points based system (PBS) applications, ensuring that all applications are assessed against watchlist checks (for example biometrics), risk assessment profiles (applicants are rated high/medium/low risk), and the immigration rules.

Identity management

3.11 Identity management is essential in the management of migration and the fight against terrorism, organised crime and mass fraud. UKvisas will be clamping down on the use of false documentation to support visa applications through the use of enhanced forgery detection capability at high-risk posts. As a deterrent, arrest programme initiatives are being rolled out at targeted posts to work closely with local police to arrest those submitting forged documentation where circumstances allow.

Secure, unique IDs for non-EEA nationals

3.12 Secure, unique IDs will be required for non-EEA nationals who do not require a visa to enter the UK and do not already have a secure, unique ID recorded by the BIA. Measures will be introduced to ensure that arriving passengers will be fingerprinted and have their photograph captured to create a new, robust biographical record, secured by the individual's biometric data. This will be further supported through other initiatives including, the issuance of Biometric Immigration Documents to foreign nationals resident in the UK for more than three months as part of the National Identity Scheme.

DfiD

3.13 The Department for International Development (DFID) also contributes to the delivery of this PSA. DFID programmes to promote economic growth and good governance, improve health and education, provide decent work and deliver humanitarian assistance will all contribute to managing factors that may push people to migrate from their home countries, through irregular channels in search of a better life. DFID is also building effective states that have, amongst other things, greater capacity to manage migration to and from their territory, and to enter into dialogue about those people being returned because they have no right to remain. DFID also works with the Home Office to ensure that UK and EU policies are coherent, take account of the impact on poverty reduction and development in partner countries, and where possible support development objectives.

Priority action 2: fast-tracking asylum decisions, removing those whose claims fail and integrating those who need protection

3.14 An effective asylum system will deliver fast case resolution, swiftly removing those with no right to be in the UK and integrating those who need our protection. This will deter abuse of the system and ensure the provision of timely support to genuine asylum seekers. To deliver this the Government will ensure that, within 6 months of application, 90 per cent of all asylum cases will have been resolved, with applicants either returning to their country of origin or being granted protection in the UK.³ The BIA will also continue to support the delivery of the tipping point objective, whereby more failed asylum seekers are removed than make unfounded claims.

3.15 In addition, BIA will:

- ensure that a single case owner in one of the regional asylum teams manages each new application from the beginning to conclusion. This will ensure that applicants receive a better service and that asylum applications are concluded more quickly;
- improve the quality of decision-making by regular assessment and evaluation and raising confidence in the system by making the process more transparent. This will be delivered by regular reviews of a proportion of completed cases to quality assure the process. BIA will continue its programme to clear the legacy of 400,000 to 450,000 unresolved case records by July 2011. Every case will be allocated to a dedicated case owner by December 2007, with a target to conclude cases at a rate of 10,000 a month from June 2008; and
- continue to sustain the Gateway Protection Programme target of taking genuine refugees directly from their region, working closely with the United Nations High Commissioner for Refugees (UNHCR). BIA facilitates the integration of Gateway refugees by providing a bespoke integration package and meeting the full costs of

³ Cases where there is a general legal barrier to removing individuals to the country that the claimant is a national of or where the claim has not been substantiated will be excluded from the target.

resettlement in the first year, including housing, healthcare, education (including English language classes) and casework support services.

Role of government departments

Fair and independent asylum and appeals system

3.16 The Ministry of Justice (MoJ), through its tribunals and courts and the sponsorship of the Legal Services Commission (LSC), provides a robust, fair and independent asylum and immigration appeals system that enables claimants to appeal against decisions made by the Home Office and/or UKvisas. This is delivered primarily through the Asylum and Immigration Tribunal (AIT), which hears and decides asylum claimants' appeals against the initial decisions made by the BIA. In some circumstances claimants are able to seek either a Judicial Review of their case or ask for reconsideration; these are conducted by the High Court (part of Her Majesty's Courts Service).

3.17 The LSC administers the Legal Aid system in England and Wales through provision of contracting with solicitors and Not For Profit agencies. Access to free legal advice is available to anyone who passes the statutory means and merits tests provided their case is within the scope of the Community Legal Service (CLS). The availability of good quality legal advice, assistance and representation helps immigrants and asylum seekers make the right choice of application and is an aid to good quality decision-making by the Home Office and the Judiciary.

3.18 FCO country expertise also improves fast-track decision-making for genuine refugees, providing timely and informed contributions to the Country of Origin Information Reports. These are used to make decisions on asylum claims and the designation of countries for the purpose of Non-Suspensive Appeals (NSA),⁴ where individuals can be returned to their country of origin and lodge any appeal from there.

Integrating migrants

3.19 Successful integration of refugees is essential for delivering the UK's humanitarian objectives. Local authorities play an important role in supporting the integration of asylum applicants that are granted refugee status. The Sunrise Project (Strategic Upgrade of National Refugee Integration Services) is currently being piloted and aims to reduce the strain on public services by assisting refugees to contribute to the economy and their communities. The roll out of the national refugee integration service will use elements of Sunrise but have a greater focus on assisting refugees to access the employment market.

Priority action 3: ensuring and enforcing compliance with UK immigration laws, removing the most harmful people first and denying the privileges of the UK to those here illegally

Remove the most harmful first

3.20 The Government's enforcement priority is to take action against the most harmful people first and deny the privileges of the UK to those here illegally. Prioritising those who are believed to be causing the most harm allows the Government to target responses and resources to help restore public confidence in the immigration system. BIA will use its business planning process to prioritise and set objectives on an annual basis to respond appropriately to changing migration trends.

⁴ Section 94 of the Nationality, Immigration and Asylum Act 2002 provides that, where the Secretary of State certifies an asylum claim as clearly unfounded, the appellant may not appeal while in the UK.

Extend the reach of enforcement efforts

3.21 The BIA will also work to extend the reach of enforcement efforts through a series of partnerships at local, regional and national levels, with employers, Local Authorities and partner organisations such as the Police. BIA will also improve its collaboration with SOCA, the Police and the Crown Prosecution Service (CPS), with the workplace enforcement agencies including HMRC, DWP, Department of Health (DH), Gangmasters Licensing Authority (GLA), Health and Safety Executive (HSE), and with local agencies (Local Authorities and their partners including the NHS). BIA will also work with the private and the public sector to increase the impact on reducing illegal working, for example by providing validation services to employers so that they are better able to check the authenticity of immigration documents.

3.22 The Government's aim is to take coordinated action to shut down fraudulent access to benefits and services and tackle illegal working by making it easier to comply. This will be achieved by simplifying the process of verifying entitlement and increasing the effectiveness and visibility of enforcement action, by making greater use of sanctions and increasing the speed of removals for those not entitled to be here.

3.23 More specifically, BIA will:

- open BIA operations up to innovation from the private sector, through introducing competition and contestability from alternative providers where appropriate;
- through better partnership with the Police, other government departments and agencies, substantially improve the collection, analysis and dissemination of information and intelligence about immigration crime. This will include ensuring that BIA makes best use of information held within the Agency, carrying out a systematic review of data sharing arrangements, including ensuring that existing opportunities for sharing data are exploited, for example making full use of statutory information gateways. BIA will also maximise the results that it gets from allegations received from other agencies and members of the public; and
- through joint local partnership structures such as crime and disorder reduction partnerships and local strategic partnerships in England (in priority areas), enable the application of tighter controls by simplifying the immigration rules and providing information.

3.24 The Government will also carry out a number of reviews including access rules to the NHS for foreign nationals, to ensure that rules on entitlement are clear and easy to understand; supported appropriately by the provision of information and enforced with appropriate collaboration between enforcement functions.

Reduce the harm caused by illegal migration

3.25 To reduce the harm caused by illegal immigration, BIA together with law enforcement agencies will:

- develop a new partnership with the Police and the CPS covering key priorities, commissioning, information sharing and agreeing respective responsibilities and joint working arrangements. This will provide the basis for joint operations against serious crime;
- take forward an Action Plan to combat human trafficking (published in March 2007), with a range of agencies including the UK Human Trafficking Centre, Child Exploitation and Online Protection Centre, SOCA and the FCO. The Action Plan includes steps being taken on prevention, investigation, law enforcement,

prosecution, providing protection and assistance for victims and specific measures in relation to children;

- pilot the earlier identification of foreign national prisoners with Criminal Justice System (CJS) partners to facilitate their removal from the UK; and
- form partnerships with law enforcement agencies as an essential part of successfully delivering this priority action. The new relationship with the law enforcement agencies will be set out in a formal partnership document to be signed with the Association of Chief Police Officers (ACPO) by, with parallel discussions with ACPOS (Scotland) on partnering arrangements already underway. A programme of secondment of police officers into BIA will also be implemented to increase the benefits of collaboration by facilitating removals.

3.26 BIA will also put in place new partnerships with workplace enforcement teams in DWP, GLA, HSE, DH and Department for Business, Enterprise and Regulatory Reform (BERR) to maximise the value of overlapping functions and priorities. The focus will be on information and intelligence sharing, where permitted by legislation, joint prioritisation and joint operations where the objectives of the agencies are sufficiently aligned.

Priority action 4: boosting Britain’s economy by increasing the skills of the UK workforce, bringing the right skills here from around the world where the UK labour market cannot supply these skills, and ensuring that this country is easy to visit legally

3.27 To deliver this objective the government will

- work with other key departments to develop strategies which increase the skills of the UK workforce, including longer term skills policies that promote the employment of workers already living in the UK;
- implement the points based system (PBS) to deliver open and objective policies for migration which maximise the economic benefits to the UK;
- establish the independent MAC and the MIF. The MAC will provide evidence-based advice on which occupations should be defined as shortage occupations which will be reflected in the points allocation to Tier 2 migrants, registration of sponsors and potential Tier 3 schemes. The MIF will provide a forum to discuss the impact of migration on public services and local communities to inform ministers’ decision-making and develop operational best practice in responding to these impacts;
- rollout case ownership for managed migration in-country applications to cover 100 per cent of cases, to support the end-to-end process. We will introduce action plans to clear any remaining backlogs of in-country cases; and
- issue authorisation to foreign nationals to visit, work, study or settle in the UK quickly but securely.

3.28 The points-based system (PBS) will deliver a flexible 5-tiered system explicitly designed to deliver the UK’s economic needs and improve our control over the managed migration system.

3.29 The system will consolidate over 80 existing work and study routes under:

- Tier 1 – highly skilled migrants;
- Tier 2 – skilled workers with a job offer;
- Tier 3 – low-skilled schemes (Tier 3 is currently suspended);
- Tier 4 – students; and

- Tier 5 – temporary workers and youth mobility

3.30 Points will be allocated according to the attributes of the applicant, for example age and qualifications, and checks will screen out undesirable applicants.

3.31 Apart from Tier 1, all applicants will be required to hold a certificate of sponsorship in addition to meeting the points' requirement. For this group leave will be tied to sponsorship, so only those with a registered sponsor will be able to enter or stay in the UK.

3.32 Objective and transparent decision-making will ensure that the PBS will play an important part in ensuring that immigration rules are more consistently applied and enforced, and that applications are simpler and easier for migrants, employers and other sponsors. The system, and the points requirements, will be reviewed regularly to allow for quick responses to changing labour market conditions. Ministers will be in a position to change points requirements in response to advice from the Migration Advisory Committee (MAC), evidence from the Migration Impacts Forum (MIF) and reviews by officials.

Accountability and governance

3.33 The Home Secretary is the lead minister for this PSA. The relevant Cabinet Committee/s will drive performance by regularly monitoring progress, holding Departments and programmes to account and resolving inter-departmental disputes where they arise.

3.34 The Senior Responsible Officer within Government for the PSA will be the Border and Immigration Agency Chief Executive who will chair a Senior Official PSA Delivery Board, comprising all lead and supporting departments. The Board will also monitor progress, review delivery regularly and report to the relevant Cabinet Committee/s.

BIA

3.35 The Government consulted on proposals for a new immigration inspectorate from 18 December 2006 to 16 February 2007. As a consequence of this, the Government tabled amendments to the UK Borders Bill to create the post for a new Chief Inspector for the Agency. The new Chief Inspector will have responsibility for assessing the efficiency and effectiveness of the Agency including the quality of decisions, enforcement powers, access to information and the treatment of individuals. This will include a sense of comparative performance in different regions of the UK.

3.36 At the strategic level, business delivery at the BIA is reviewed at the monthly-extended meetings of the Agency Board. The Board's performance is also reviewed monthly with the Immigration Minister. In keeping with other parts of the Home Office, the Permanent Secretary chairs monthly Agency Operating Review meetings to address key performance issues. The Management Boards chaired by individual Board Members address performance issues in the business areas for which they are responsible, with some adjustments to reflect the impact of delivery through the new regional structure.

3.37 The MoJ, FCO and UKvisas are represented on internal Agency governance structures including on the Asylum and Immigration Ministerial Strategy Board, the Agency Board, the Joint Approvals Committee and on various Management Boards and Tasking Groups.

Key operational interdependencies

3.38 The Tribunals Service hears appeals against decisions made by BIA and UK visas regarding asylum, in-country immigration, out-of-country immigration and deportation. If, in relevant circumstances, the Tribunals Service refuses an appeal, the Agency will subsequently be responsible for removing the appellant from the UK. Appellants refused by the Asylum and Immigration Tribunal (AIT) have a right of onward appeal to the High Court on a point of law.

3.39 Both the Home Office and the Entry Clearance Officer at visa-issuing posts overseas must supply the Tribunals Service with the relevant casework prior to an appeal being heard. Legal Aid to appellants is administered by the Legal Services Commission (a Non-Departmental Public Body funded by the MoJ).

Consultation

3.40 Effective ongoing consultation with key actors in the delivery chain and particularly the central Home Office, FCO, UKvisas, MoJ, the Judiciary and local authorities is necessary to ensure that areas of work that involve interdependency are operated as successfully as possible. At the regional level, BIA's new regional structure will provide closer relationships to local communities enabling regular and appropriate consultation at the point of delivery.

3.41 Specifically, BIA also consults through a wide range of fora and groups:

- *Migration Impacts Forum* –To bring together interested parties from outside government to consider the wider impacts of migration so that information and stakeholder concerns can inform government thinking, both on migration and on community cohesion;
- *Corporate Stakeholder Group* –To work at Chief Executive level with a small number of key stakeholders to improve the development of strategic policy and delivery;
- *Regional Strategic Coordination Groups* – A regional multi-sector agency forum of those involved in the planning and impacts of current/failed asylum seekers, refugees and their integration. To work in partnership to consider the impact of migration and to find solutions;
- *National Migration Group* – To provide a national consultative forum on migration issues for the Agency, the Regional Strategic Migration Partnerships and other key partners, with representatives from each of the Regional Strategic Co-ordination Groups and other national and local stakeholders from health, Police, voluntary sector;
- *National Asylum Stakeholder Forum* – To facilitate a regular and ongoing dialogue between the Border and Immigration Agency and key national asylum stakeholders on asylum policy, with statutory and voluntary sector stakeholders;
- *Managed Migration Employer Taskforce* – To provide a joint forum to consider the development and implementation of the new points-based system. Representatives include: Confederation of British Industry, British Chamber of Commerce, Federation of Small Businesses, Recruitment & Employment Confederation, Employers, Trades Union Congress and other government departments;
- *Managed Migration Joint Education Taskforce* – To support the development and delivery of policy that assists the Government's strategy to attract more genuine international students to the UK. Representatives from across the education sector including: Universities UK, English UK, British Council, UK Council Overseas Students, Association of Colleges and the Association of Scottish Colleges;
- *Managed Migration Illegal Working Stakeholder Group* – To provide advice and guidance to Government on the development of legislation to tackle illegal migrant working and to provide advice and guidance to business and the public on policies to reduce illegal migrant working and the problems associated with it, with senior representatives from UK business, Trade Unions, migrant workers and communities, and other government departments;

- *Simplification Stakeholder Forum* – To provide a sounding board for emerging ideas, and for attendees to put forward comments and suggestions for simplification of legislation, rules and guidance, with membership from other government departments and the devolved administrations; and
- *Business Advisory Panel* – As part of its Simplification Plan and its commitment to the Better Regulation aim to reduce regulatory burdens, the Agency's Chief Executive chairs this panel to provide a joint forum for the Home Office and the business community to consider the development and implementation of Home Office Policy at a strategic level. It also provides an informed and independent voice, through a two-way shared dialogue with the business community.

A

Measurement annex

Indicator 1	Deliver robust identity management systems at the UK border
National target	a) All non-EEA nationals have unique secure IDs on arrival to the UK. b) 95 per cent of all journeys into and out of the UK to be tracked.
Data provider	(a) Iris Recognition Immigration System (IRIS) and Trusted Traveller enrolees, visa applications made to UKvisas, and the Immigration Research and Statistics Service (IRSS). (b) Carrier's passenger movements' information.
Data set used	(a) On-line visa applications and IRIS enrolee data. (b) Advanced Passenger Information (Travel Document Information), Passenger Name Record (Other Passenger Information).
Baseline	a) Unique secure ID is a project not a numerical target. This is an absolute measure - the ID is either secure or not, and a baseline is therefore not applicable. b) Project Semaphore is already providing passenger data to all border agencies on a projected annualised total of 22 million passenger journeys (either in or out of the UK).
Frequency of reporting	(a) Monthly reporting to the Project Board and ad hoc reporting as required. (b) Weekly report on key statistics to SRO, weekly reporting on milestones to the Programme Support Office, monthly reporting to the Project Board and ad hoc reporting as required. IRSS for statistics and provision of ad hoc material when required, e.g. in response to PQs.
95 per cent confidence interval	N/A.
Data quality officer	(a) Head of Border Control Development and Strategy Group. (b) Programme Director, e-Borders.
Minimum movement required for performance assessment	(a) Target is absolute. (b) 0 – 95 per cent by 2011.

Definition of key terms

- *Unique secure IDs:*

Related to a recorded and verifiable biometric will need to be agreed as the programme plan is finalised over the course of 2007-08.

- *Exclusions:*

The performance indicator excludes EEA nationals in relation to the requirement to have unique secure IDs.

Indicator 2	Reduce the time to case conclusion of asylum applications
National target	90 per cent of asylum cases to be concluded within 6 months.
Data provider	Performance and Resources Directorate.
Data set used	Asylum data from the Asylum section of the internal Case Information Database (CID).
Baseline	The baseline will be performance against the milestone of 40 per cent case conclusion within 6 months by the end of December 2007.
Frequency of reporting	Annually.
95 per cent confidence interval at last outturn	N/A – This is a measure of achievement of milestones rather than a statistical analysis of performance over time.
Data quality officer	Director of Performance and Resources Directorate.
Minimum movement required for performance assessment	The current baseline is 40 per cent and the target is to achieve 90 per cent.

Definition of key terms

- *Case concluded:*

A case is concluded if the applicant is granted asylum, successful at appeal, removed from the UK or, in some cases, if the applicant has withdrawn their application.

National target

A1 For a month's cohort of asylum claims (principal applicants only) made at port, Local Enforcement Offices, Asylum Screening Unit and by post (excluding reconsiderations and resettlement cases), the target will be achieved if the required percentage of cases which are subject to the target is concluded (see below) within 182 days of application.

A2 A case will not be subject to the target if the applicant has been refused asylum and has exhausted their appeal rights but may not be removed from the UK because there is a general legal barrier to removing individuals to the country that the claimant is a national of.

A3 A case will not be subject to the target where an applicant has their application withdrawn because of their:

- failure to attend the initial interview to substantiate their claim; and
- failure to demonstrate within a reasonable time that this was due to circumstances beyond his or her control.

A4 There are a series of 'stepping stones' towards the 90 per cent target. These are 35 per cent by April 2007, 40 per cent by the end of December 2007, 60 per cent by the end of December 2008, 75 per cent by the end of December 2009 and then 90 per cent by the end of 2011.

A5 Performance will be measured monthly to ensure that it does not dip below previous milestones, i.e. at least 40 per cent between December 2007 and November 2008; at least 60 per cent between December 2008 and November 2009; at least 75 per cent between December 2009 and November 2011 and then 90 per cent from December 2011. Performance against the indicator will be reported to the Border and Immigration Agency Board through the SO2: Fast-Track Asylum Applications pages of the Monthly and Quarterly Performance Reports with intervention if performance falls below the target level.

Indicator 3	Increase the number of enforced removal and voluntary departures year on year
Data provider	Removals data is sourced from CID – an internal BIA database. CID is subject to data control procedures with a target to achieve 95 per cent data quality.
Data set used	Published asylum removals data where applicable.
Baseline	A baseline will be established for 2007- 08 by examining total removals performance from this a proportion can be calculated against which future year performance can be compared.
Frequency of reporting	Annual.
95 per cent confidence interval at last outturn	N/A.
Data quality officer	Enforcement Strategic Director.
Minimum movement required for performance assessment	The targets for performance assessment will be agreed and published annually in the Agency’s Business Plan.

Definition of key terms

- *Exclusions* (same as indicator 1):

A6 This is a volume-based measure of the total number of cases (individuals) whose removal is enforced or who have voluntarily departed from the UK.

A7 The indicator is a made up from four separate work streams, all of which identify a different type of immigration offender.

- Failed Asylum Seekers (FAS).¹
- Foreign National Prisoners (FNPs).
- Illegal entrants (excluding FAS).
- In-country refusals.

This measure excludes those initially refused entry at a port and subsequently removed by port with no in country enforcement action.

Indicator 4	Increase the proportion of ‘higher harm’² enforced removals and voluntary departures
Data provider	Removals data is sourced from CID – an internal BIA database. CID is subject to data control procedures with a target to achieve 95 per cent data quality.
Data set used	Published asylum removals data where applicable.
Baseline	A baseline will be established for 2007-08 by examining total removals performance and then examining which of those removals should be classified as ‘harm’ cases.

¹ Including all asylum and FNP removals that have been carried out by in country enforcement teams using port powers of removal.

² ‘Higher harm’ cases are defined as those in Categories A and B of the UKBA harm matrix. Definitions of Categories A & B will be published with the harm statistics.

Frequency of reporting	Annual.
95 per cent confidence interval at last outturn	N/A.
Data quality officer	Enforcement Strategic Director.
Minimum movement required for performance assessment	The targets for performance assessment will be agreed and published annually in the Agency's Business Plan.

Definition of key terms

- *Harm:*

Harm refers to the potential negative consequences of illegal migration ranging from FNPs to illegal workers and overstayers.

- *Exclusions:*

As the indicators are made up of activities/ work streams that cover almost all areas of removal based activity, some nationalities may be excluded from some of the individual work streams (e.g. EEA nationals will not be included in outputs relating to the removal of failed asylum seekers but they may still be included in relation to deportation of FNPs). Consequently, the overall indicators for removals will not exclude any particular nationality or case types.

A8 This is a proportional period based measure of the number of 'higher harm' cases (individuals) removed from the UK in a fixed period of time, set against the total number of cases (individuals) that are removed from the UK from within the same period of time. The percentage of higher harm cases removed will need to increase as a proportion of total enforced removals and voluntary departures in order to meet this performance indicator. This indicator includes and excludes the same workstreams as Indicator 3.3.

A9 Success will be achieved if there has been an increase in the percentage of 'higher harm' cases removed from the UK as a proportion of the total between 2007-08 and 2010-11. For example, if the total was 50,000 people were removed in 2007-08, of which 10,000 were identified as being 'higher harm' cases, then the 'higher harm' removals proportion for 2007-08 would be 20 per cent. If in 2010-11 the total was 80,000 people were removed, of which 20,000 were identified as being 'higher harm cases', the 'higher harm' removals proportion for 2010-11 would be 25 per cent, a 5-percentage point improvement.

Indicator 5	By the effective management of migration reduce vacancies in shortage occupations
Data provider	Learning and Skills Council and Office for National Statistics.
Data set used	National Employer Skills Survey. This is unpublished data that must be sought from the contractor. Labour Force Survey Data will also be used.
Baseline	The baseline for the skills component of the PSA is the number of vacancies for those occupations defined as shortage occupations by the MAC in summer 2008.
Frequency of reporting	Annual (full updates possible every two years).
95 per cent confidence interval at last outturn	The 95% confidence intervals for skills shortage vacancies in the MAC list shortage occupations range from +/- 0.2% to +/- 6.4% based on the recode of the National Employer Skills Survey 2007 carried out by IFF Research for the Migration Advisory Committee.
Data quality officer	Head of Unit, Economics and Resource Analysis (ERA).
Minimum movement required for performance assessment	A statistically significant reduction in the overall number of vacancies across skills shortage occupations.

Definition of key terms

- *Skill-shortage occupation list:*

The skill-shortage occupation list will be established on the basis of advice from the MAC. This list will be constantly updated throughout the period as the MAC produces new shortage occupation lists.

Skill-shortage vacancies are defined in the National Employer Skills Survey (NESS) as those hard-to-fill vacancies which result from a low number of applicants with the required skills, a lack of candidates with the required work experience, or a lack of candidates with the required qualifications.

- *Exclusions:*

Based on independent advice from the MAC, the list of skill-shortage occupations will be limited to those occupations where migration can sensibly be used to fill gaps in the labour market.

Measurement systems

A10 The performance indicator will be the overall number of vacancies across skills shortage occupations. This measure and data used will be taken from the National Employers Skills Survey published on 7 May 2008.

A11 The number of skill-shortages by occupation will be taken from the NESS³. This survey is conducted every two years by IFF Research on behalf of the Learning and Skills Council through a series of telephone interviews conducted between May and August. Over 70,000 employers⁴ were interviewed in 2005 with around 4 per cent reporting at least one skill-shortage vacancy.

³ This survey only covers employers in England. However, these figures will be scaled up to cover the rest of the UK, based on employment data from the LFS. The occupations on the skill-shortage list will be chosen on the basis of UK-wide shortages.

⁴ Employers are defined in terms of an establishment, not an enterprise. Hence, an individual company may be contacted more than once but each interview only relates to vacancies at a specific site.

A12 The MAC will produce one shortage occupation list covering England, Wales and Northern Ireland, and a separate shortage occupation list for Scotland. For the indicator, the relative weight attached to the UK (excluding Scotland) and Scotland lists will be generated using data on numbers employed from the Labour Force Survey (LFS).

A13 Progress against this target can be fully appraised every two years when a new NESS is published although an estimate of progress can be made each time the MAC recommends a Shortage Occupation List. The NESS is typically published in the spring following the year of the survey and so a final appraisal of this measure can be conducted in spring 2012.