

ANNEX B – LIST OF UNHCR RECOMMENDATIONS AND IND RESPONSES

Training

1. UNHCR recommends that caseworkers receive more in-depth training.
2. The video-recorded mock interview on the final day of the interview skills course should be compulsory and formally assessed.
3. The interview skill course should include specific training on working with interpreters.
4. New interpreters should observe a specific minimum number of interviews.
5. New interviewers should be subject to 100% live interview sampling.
6. A regular programme of ongoing training and training should be assessed on a quarterly basis.

Responses to Recommendation 1-6. Accepted in principle. The New Asylum Model (NAM) is in the process of developing a comprehensive training strategy this includes accreditation.

Supervision

7. A specified number of live substantive asylum interviews per caseworker should be monitored and assessed per year.
8. All assessments of live interviews should be conducted using the UNHCR/Home Office interview assessment.
9. All monitoring and assessment of live asylum interview should be conducted by SCWs.
10. Feedback sessions to caseworkers on their interview performance should be compulsory.
11. Assessments of interviews should be taken into account in caseworker's performance reviews.

Response to Recommendation 7-11. Accepted in principle. These are currently being considered under NAM. Again ACD will take this forward in the short term

12. Files should be assigned and handed to the relevant interviewing caseworker a reasonable number of days prior to the interview.

13. Pre-interview preparation upon receipt of the file should be made a specific and mandatory step in the interview process.
14. Pre-interview preparations should include: A thorough review of the applicant's file, identification of the material aspects of the claim, missing information, details, documents, any testable evidence. Relevant COI research.

Response to Recommendation 12-14. Accepted in principle. This is currently being considered under NAM. The front loading of legal advice should speed up the process. ACD will take this forward in the short term.

Conducting the interview

15. An aide memoire to interviewers should be developed to facilitate the structure of asylum interviews ensuring that all the relevant key elements of the refugee definition and the ECHR are covered.

Response to Recommendation 15. Accepted. This has been accepted subject to NAM terms and the adoption of a decision template will speed up the process.

16. Interviewers should establish and maintain control of all aspects of the interview process. To include: The interviewer not the interpreter calling the applicant from the waiting room. All relevant introductory information, instructions and biographical data checks being conducted by the interviewer and translated where necessary by the interpreter.

Response to Recommendation 16. Accepted. This is already be happening. However, in moving it forward we will carry out an audit of the current procedures. NAM is currently working towards a strategic solution in this area.

17. Current procedures for opening the interview should be revised with a view to establishing the optimum interview environment. In particular:
 - The purpose and likely structure of the interview should be explained to the applicant at the start of every interview.
 - The National Insurance application should be moved to a more appropriate stage of the process.
 - This stage should end with a specific opportunity being given to the applicant to ask any questions arising from the introductory process.
 - At the beginning of the interview applicants should be informed that they may request a break during the interview. As a general rule a recommendation of 5-10 min break every hour.

Response to Recommendation 17. Given the importance of getting the National Insurance information correct for the purposes of integration we do not accept the National Insurance application should be moved to another stage of the process. However, there might be a possibility to move this part of the interview to the second, more substantial, screening interview. The remaining recommendations in 17 are accepted.

18. Interviewers should have relevant COI to hand during the interview and caseworkers should be encouraged to temporarily suspend an interview should the need arise to conduct further specific research.

Response to Recommendation 18. Accepted. At present, there is evidence to suggest that interviews are being suspended in order for further research to be carried out. However in the interim caseworkers will print off COI information prior to the interview.

In the future the front loading principles of NAM should mean that caseworkers will have time to obtain this information before the interview.

19. The adoption across the business of the practise of allowing a break of fifteen minutes just prior to the end of the interview for the interviewer and the applicant to identify any further issues to be raised.

Response to Recommendation 19. Under consideration.

We accept the need to have a break however we fear that by adopting a rigid 15 minute break we may negate any benefits achieved. Again with the introduction of NAM this break may not be necessary as front loading and the decision template will speed up the process.

20. Current procedures for closing the interview should be revised. At the end of the interview interviewers should explain what the next steps in the application process are. The applicant should be reminded of the time limit for submission of any further evidence that has been identified during the course of the interview.

21. Where further evidence or the need for further evidence (such as a medical report) has been identified during the course of the asylum interview, applicants must be given a reasonable number of working days to produce it.

22. More frequent breaks should be offered where special needs are present (e.g. pregnant applicant, those with young dependants, or those suffering from ill health).

Response to Recommendation 20-22. Accepted. We aim to double check current procedures and to give guidance on these recommendations to Senior Caseworkers and Team Leaders. In the future this will be covered by the NAM front loading proposals where applicants are informed of the process before they make an asylum application.

23. Caseworkers should spend as much time as necessary interviewing asylum applicants but where not possible to complete the interview in 3 hours a further interview should be conducted at a later date.

Response to Recommendation 23. Under consideration. In the interim we will consider offering more breaks to the applicant and look towards completion of the interview in one sitting and consider a more flexible approach. In the future, the front loading in the NAM should end the need for long interviews except for complex and difficult cases such as those raising exclusion issues.

Gender Sensitive Issues

24. Gender-sensitive interviewing and interpreting should be automatic and introduced with immediate effect subject to genuine operational constraints.

Response to Recommendation 24. Not accepted.

At present the claimant needs to make a request. Requests on the day are however subject to operational constraints and are not in the claimant's interest. We aim to incorporate a question regarding preference for a male or female interpreter at the earliest possible point in the asylum process.

25. Where an interview has been arranged that is not gender appropriate for whatever reason a mechanism should be in place to allow for the postponement of the interview.

Response to Recommendation 25. Not accepted. Due to operational constraints we will make a judgement according to the nature of the case.

Interpreters

26. Guidance on working with interpreters should be incorporated into existing guidance on interviewing.
27. Such guidance should make it clear that an interview should be stopped if problems with the interpreter persist and provide advice on managing the involvement of the interpreter in the interview.
28. Current guidance on interviewing should be amended to make it clear that proactive exchanges between the interpreter and the applicant are not acceptable.

Response to Recommendation 26-28. Accepted. We will review the existing guidance to ensure that the mechanism for monitoring interpreter performance is in place to ensure consistency.

29. Any shortage of female interpreters in a particular language should be identified and relevant recruitment conducted sufficient to facilitate recommendation 24.

Response to Recommendation 29. Accepted.. However because the interpreters used by the IND must be independently assessed and security cleared to counter terrorist check level this recommendation will not be possible to implement for all languages with immediate effect.

Additionally, across government there is a recognised shortage of public service interpreters in the regions. As the NAM is rolled out into the regions, this is likely to exacerbate the situation and the recent interpreter recruitment for Scotland demonstrates that there is not a sufficient pool of interpreters in the languages required.

30. The introduction of compulsory tick-box questionnaire for the interviewer to comment on the quality and conduct of the interpreter after each interview (where acceptable).

Response to Recommendation 30. Accepted in part. A tick box questionnaire is already in place and is used by caseworkers when interpreters have performed either above or below the standards expected by the caseworker/department. We will issue revised guidance to caseworkers on this issue.

31. A clear and accessible complaints procedure applicable to interpreters should be introduced.

Response to Recommendation 31. Accepted. We will ensure that a clear and concise escalation procedure is in place for all complaints.

Guidance and Procedures

32. UNHCR reiterates its recommendation that a system of effective decision ‘ownership’ should be introduced across the business, including for non-NAM decision making. At a minimum this should include: Allocating a file to an interviewer reasonable number of days prior to the interview who will then be responsible for preparing for the interview in line with recommendation 14.

Response to Recommendation 32. Accepted. This will be dealt with by the front loading proposals being developed under NAM.

33. In line with the recommendations in UNHCR’s second report on the identification and management of stress UNHCR would discourage the practice of caseworkers only conducting interviews over a sustained period of time.

Response to Recommendation 33. Accepted. The movement towards “case owners” within the NAM will cover this.

34. SEF forms be reintroduced and relied upon for all asylum applications as they have the potential to be a useful tool in preparing and focusing an interview.

Response to Recommendation 34. Not Accepted. SEFless interviews are routine and SEF statements are not required in all cases. Further front loading within the NAM will streamline the process.

35. Caseworkers should be reminded of and should make use of the option of a further interview of either the applicant or his/her family members where this is necessary.

*Response to Recommendation 33. Accepted.
In the interim we will review current procedures with senior caseworkers and work toward dealing with everything at one interview but we will allow for exceptions.
In the future, this will be dealt with by the front loading proposals within the NAM.*

36. Guidance should be issued on types of questioning or lines of enquiry that may be inappropriate. Appropriate remedial action should be taken where an interviewer has been found to have asked inappropriate questions.
37. Measures should be in place to ensure consistency in interviewing practice and procedures across the business and to share best practice from other parts of the business.
38. Guidance should reflect the importance of interviewers establishing and maintaining a rapport with applicants and offer advice on techniques. If necessary extra training should be provided.

Response to Recommendation 36-38. Accepted. We aim to address this issue in the NAM by accreditation, the introduction of the decision template and a strategic solution relating to day to day quality checks in the NAM teams.

39. All substantive asylum interviews should be audiotape recorded as a matter of course.

Response to Recommendation 39. Accepted in Principle. This is being taken forward through an analogue trial at Oakington, which is due to report back this month. In response to the Dirsche case audio equipment has been ordered. We envisage however that there will be some restraints e.g. the significant cost involved and also what works in Oakington may not be acceptable for the wider business.

40. Alternatives be found to the interviewer taking a verbatim note of the interview.

Response to Recommendation 40. Accepted in Principle. We aim to conduct more research as to how this will be delivered across the business.

41. Applicants should have access to information about the asylum and interviewing process, their rights and obligations. Such information could take the form of leaflets provided in the appropriate languages being prominently displayed in the waiting area.

Response to Recommendation 41. Accepted. We have already worked with UKVisas, managed Migration and Travel Documents to produce a customer service guides/leaflets. IND would be very happy to work with UNHCR to produce a similar leaflet, which could be given to applicants once they have applied for asylum. IND understands that UNHCR's induction packs provide this sort of information. IND have a leaflet explaining complaint procedure. IND will also be considering other alternatives to leaflets. In future the front loading proposals within the NAM will deal with this recommendation.

42. UNHCR reiterates its recommendations made in its Second Report on complaints (recommendations 47-49). This should also cover interpreters (including the

quality of interpretation). Relevant information should be prominently displayed in the interview rooms and the waiting areas.

Response to Recommendation 42. Under consideration. We will act to clarify the escalation route for complaints and develop a process to feed the complaints procedure into NAM.