

## Appeal outcome

## Appeal outcome

### About this guidance

<u>About this guidance</u>	<p>This guidance explains the administrative processes involved in receiving appeal outcomes from the Her Majesty's Courts and Tribunals Service (HMCTS).</p>	<b>Related links</b>
Determination process	<p>The guidance is intended for:</p>	<a href="#">Changes to this guidance</a>
Allowed appeals	<ul style="list-style-type: none"><li>• the appeal administration teams in the presenting officers units (POUs) and asylum teams</li></ul>	<a href="#">Contacts</a>
Dismissed appeals	<ul style="list-style-type: none"><li>• presenting officers (POs)</li><li>• asylum caseworkers</li></ul>	<a href="#">Information owner</a>
Appeal rights exhausted cases	<ul style="list-style-type: none"><li>• immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs))</li><li>• the appeals determination management unit (ADMU), and</li><li>• the specialist appeals team (SAT).</li></ul>	Links to staff intranet removed
	<p>Changes to this guidance – This page tells you what has changed since the previous version of this guidance.</p>	
	<p>Contacts – This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.</p>	
	<p>Information owner – This page tells you about this version of the guidance and who owns it.</p>	
	<p>Safeguard and promote child welfare – This page explains your duty to safeguard and promote the welfare of children and tells you where to find more information.</p>	

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### Changes to this guidance

<u>About this guidance</u>	This page lists changes to the appeal outcome guidance, with the most recent at the top.	<b>Related links</b>  <b>See also</b>  <a href="#">Contact</a>  <a href="#">Information owner</a>  Links to staff intranet removed
Determination process		
Allowed appeals		
Dismissed appeals		
Appeal rights exhausted cases		

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### Determination process

<u>About this guidance</u>	This section gives details of the determinations process.	<b>In this section</b>
Determination process	<p>The instructions are for asylum teams, immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)) and presenting officers' units (POUs).</p> <p>After an appeal hearing has been concluded the judge has 10 working days to produce the determination. This will be received in the:</p> <ul style="list-style-type: none"><li>• appeals determination management unit (ADMU) if it is an asylum case</li><li>• POU if it is a non-asylum case and the appeal outcome is dismissed</li><li>• specialist appeals team (SAT) if it is a non-asylum case and the outcome is allowed.</li></ul> <p>The Home Office has different obligations depending on the type of appeal determination:</p> <p><b>Asylum cases</b></p> <p>The Home Office is responsible for serving asylum determinations on the appellant and representative. Her Majesty's Courts and Tribunals Service (HMCTS) send all asylum determinations to the ADMU who serve the determination on the appellant and representative.</p> <p><b>Non-asylum cases</b></p> <p>Determinations are served on the appellant by HMCTS. The Home Office copy is sent to the POU responsible for the case if dismissed or to the SAT if allowed. For entry clearance cases, the POU sends a copy of the determination to the international group office responsible for the case. Often this is overseas.</p>	<a href="#">Service of the asylum appeal determination</a>
Allowed appeals		<a href="#">Serving the appeal determination by post</a>
Dismissed appeals		<a href="#">Asylum determinations – addresses and returned mail</a>
Appeal rights exhausted cases		<a href="#">Serving the asylum determination in person</a>

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### Service of the asylum appeal determination

<u>About this guidance</u>	This page gives an overview of the process for serving asylum determinations on the appellant and representative.	<b>In this section</b>
Determination process	<p>Both asylum team and case resolution directorate cases (CRD) follow this process. CRD has been disbanded. The older live cases unit (formerly the case assurance and audit unit (CAAU)) will deal with residual work on their cases. However, this is only for cases where a decision was made by a former CRD caseworker. Otherwise the unit responsible for making the decision under appeal will assume responsibility. For more information, see related link: Older live cases unit cases.</p> <p>These instructions are for the appeals determination management unit (ADMU), appeals administration teams and caseworkers.</p> <p>Her Majesty's Courts and Tribunal Services (HMCTS) serve all asylum determinations on the Home Office at the ADMU. They are received either electronically or by post. ADMU check the email inbox for determinations twice daily.</p> <p>The Home Office is responsible for serving asylum determinations on the appellant. This can be done either:</p> <ul style="list-style-type: none"><li>• in person by the caseworker, or</li><li>• by post by the ADMU.</li></ul> <p>If a caseworker wants to serve the determination in person, they must record 'service in person' in the special conditions screen on CID and email ADMU to confirm the request. For further details, see related link: Serving the asylum determination in person. If service in person is not requested on CID, ADMU will despatch the determination within 48 hours of receipt by post.</p> <p>A copy of the determination is sent to the asylum caseworker or to the presenting officer units (POUs) or immigration compliance and engagement (ICE) team (formerly the local</p>	<a href="#">Serving the appeal determination by post</a>
Allowed appeals		<a href="#">Asylum determinations – addresses and returned mail</a>
Dismissed appeals		<a href="#">Serving the asylum determination in person</a>
Appeal rights exhausted cases		<b>Related links:</b> <a href="#">Older live cases unit cases</a>

immigration team (LIT)) responsible for the hearing. Allowed determinations are sent electronically and dismissed determinations are sent in hard copy.

On receipt of determinations ADMU will:

- Date stamp the top sheet.
- If the determination is allowed, scan and email a copy to the asylum team's shared email inbox, by 12 noon on the day of receipt when possible, and save a copy of the determination and email to the shared drive. Those received after 3pm will be logged as received, but may not be emailed until the following day. CRD cases go to the POU by hard copy.
- If the determination is dismissed, forward a hard copy to the caseworker by inter dispatch service (IDS).
- Update CID to show the appeal has been allowed – including whether costs have been awarded.
- Update CID admin events screen to show the determination has been received and passed to the asylum team.
- Serve the determination on the appellant and representative within 48 hours of receipt, unless the caseworker has requested to personally serve the determination.

Restricted - not for disclosure - start of section

The information in this page has been removed as it is restricted for internal Home Office use only.

Restricted - not for disclosure - end of section

The following notices are served in this way:

notice reference	notice purpose	old notice reference
IA 60	First-tier determination	AIT 75
IA 66	granted PTA to Upper Tribunal (by the First-tier)	AIT 78

	IA 67	refused PTA to Upper Tribunal (by the First-tier)	AIT 80	
	IA 101	refused PTA to Upper Tribunal (by the Upper Tribunal)	AIT 78 UT	
	IA 102	granted PTA to Upper Tribunal (by the Upper Tribunal)	AIT 80 UT	
	IA 150	Upper Tribunal determination	AIT 76	
	The old notice reference refers to the notices issued by the Asylum and Immigration Tribunal which existed before 15 February 2010.			

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### Serving the appeal determination by post

<u>About this guidance</u>	This page explains how the appeals determination management unit (ADMU) serve asylum determinations on the appellant and representative.	<b>In this section</b>
Determination process		<a href="#">Service of the asylum appeal determination</a>
Allowed appeals	These instructions are for ADMU, asylum teams, immigration compliance and engagement (ICE) teams (formerly the local immigration teams (LITs)) and presenting officers units (POUs).	<a href="#">Asylum determinations – addresses and returned mail</a>
Dismissed appeals	To serve an asylum determination by post, ADMU:	<a href="#">Serving the asylum determination in person</a>
Appeal rights exhausted cases	<ul style="list-style-type: none"><li>• Check the special conditions screen on CID to make sure service in person has not been requested.</li><li>• Include a covering letter (ICD.3818) with allowed appeal determinations to tell the appellant they will not automatically be granted leave to remain in the UK and the Home Office may wish to challenge the determination on the grounds the immigration judge has made an error of law.</li><li>• For IA 60 and IA 150 determinations dispatch within 48 hours of receipt to the appellant and representative by first class recorded delivery.</li><li>• For all other determinations dispatch within 48 hours of receipt to the appellant and representative by first class post.</li><li>• Attach the recorded delivery reference to the kept hard copy of the determination and record in CID notes.</li><li>• After dispatch, update the appeal outcome on CID and the administration events to show the determination as served. Also, record the date and method of service on the key document tracking screen.</li></ul> <b>Recorded delivery process</b> <ul style="list-style-type: none"><li>• Attach the recorded delivery slip to the copy of the determination sent to the file.</li><li>• Send a hard copy of a determination received by email to the asylum team or POU with the recorded delivery slip attached.</li></ul>	<b>External links</b>  Links to staff intranet removed

	<ul style="list-style-type: none"> <li>• ADMU must list the recorded delivery reference number in the CID reference screen and update CID notes.</li> <li>• ADMU will send all determinations processed before 1pm to the Lunar House post room on the same day. Any determinations processed after 1pm will be sent to the post room the following day.</li> <li>• The caseworker or POU on receipt of the determination must minute the file with the recorded delivery reference number.</li> </ul> <p><b>Audit trail</b></p> <ul style="list-style-type: none"> <li>• ADMU maintain a spreadsheet recording every asylum team determination sent out, including those sent to caseworkers for service in person. It must be copied each day to the asylum team's determinations inboxes and the specialist appeals team, SAT (POISE) inbox.</li> <li>• The asylum team will make sure the relevant caseworkers are made aware their determinations have been served. If you would like to be added to the distribution list, contact ADMU, see related link: Email: ADMU Determinations.</li> <li>• Following service of the determination the asylum team caseworker must plan a contact management event. They must not contact the appellant before the determination is deemed to have been served, which is two days after the date of posting, unless they feel it is right to do so.</li> <li>• At this reporting event, the caseworker must check the appellant has received the determination. If they claim they have not received it, the caseworker will give them a copy and record on CID notes that they have done so.</li> </ul> <p>For more information, see related links:</p> <ul style="list-style-type: none"> <li>• Asylum determinations – addresses and returned mail</li> <li>• Serving the asylum determination in person.</li> </ul>	
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### Asylum determinations – addresses and returned mail

<u>About this guidance</u>	This page explains what to do with undelivered determinations.	<b>In this section</b>
Determination process	The instructions are for the appeals determination management unit (ADMU), asylum teams, immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) and presenting officers units (POUs).	<a href="#">Service of the asylum appeal determination</a>
Allowed appeals		<a href="#">Serving the appeal determination by post</a>
Dismissed appeals	To assist ADMU, caseworkers must make sure contact addresses for appellants and their representatives are kept up to date and any changes are entered on CID carefully and quickly.	<a href="#">Serving the asylum determination in person</a>
Appeal rights exhausted cases	<p><b>Absconders</b></p> <p>In cases where the appellant is believed to have absconded, serve the determination or notice following the guidance in serving the appeal determination by post, see related link, to the appellant's last known address. The determination is then deemed to have been served. If returned undelivered, follow the returned determinations and notices guidance below.</p> <p><b>Returned determinations and notices</b></p> <p>When determinations or notices are returned by the Royal Mail as undeliverable, whether the representative's or appellant's copy, check the envelope is correctly addressed to the last known address on CID:</p> <ul style="list-style-type: none"><li>• If it is not correct, resend the determination by recorded delivery to the correct address. Record this re-service in the CID reference and notes screens and on the daily spreadsheet.</li><li>• If it is correct, send the determination together with the envelope marked undeliverable to the asylum team to be linked to the file. Record this both in CID notes and in the daily spreadsheet as served to file. For casework resolution directorate (CRD) cases, search the record management system (RMS) to find the location of the file before sending it to older live cases unit (formerly case assurance and audit unit (CAAU)) for linking.</li></ul>	

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### Serving the asylum determination in person

<u>About this guidance</u>	This page explains the process for serving asylum determinations in person.	<b>In this section</b>
Determination process	These instructions are for asylum team caseworkers, the appeals determination management unit (ADMU), presenting officers units (POUs) and immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)).	<a href="#">Service of the asylum appeal determination</a>
Allowed appeals		<a href="#">Serving the appeal determination by post</a>
Dismissed appeals	Action required by the caseworker to alert ADMU to a service in person request:	<a href="#">Asylum determinations – addresses and returned mail</a>
Appeal rights exhausted cases	<ul style="list-style-type: none"><li>• Update the special conditions screen in CID to note service in person of asylum determination.</li><li>• Email ADMU Determinations (see related link) to confirm the request noting the Home Office reference and appeal reference number. This makes sure ADMU are notified of the need of service in person, in the event of a CID outage.</li><li>• If personal service is only required when permission to appeal has been refused by the Upper Tribunal, this must be specified in the additional notes section of the special conditions screen. Otherwise, ADMU will consider that personal service is required for all determinations and notices.</li></ul> <p>Where there is no indication the caseworker wishes to serve in person, ADMU will serve the determination by post within 48 hours of receipt.</p> <p>Action required by ADMU:</p> <ul style="list-style-type: none"><li>• Each morning check the ADMU Determinations inbox and record requests for personal service. This provides a back up in the event of a CID outage.</li><li>• Check the special conditions screen in CID when each notice is received to identify service in person requests.</li><li>• Where service in person is requested, scan the notice and email it to the asylum team's determinations inbox. Workflow managers are responsible for making sure the notices are passed to the relevant caseworker immediately.</li><li>• For ongoing case resolution directorate (CRD) cases, refer the case to the older live</li></ul>	<b>External links</b>  Links to staff intranet removed

	<p>cases unit (formerly the case assurance and audit unit (CAAU)) caseworker for service in person, including following up where necessary.</p> <p>The caseworker must:</p> <ul style="list-style-type: none"> <li>• Serve the notice on the appellant in person within 14 days of receipt in ADMU.</li> <li>• Fax the notice to the representative or send it by recorded delivery on the same day that the notice is served in person.</li> <li>• Complete the appeal outcome field and the key document tracking screen on CID on the same day as they serve the notice. Failure to do this may result in the tribunal serving a duplicate determination on the appellant after 28 days.</li> </ul>	
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### Allowed appeals

<u>About this guidance</u>	This section explains the role of the caseworker and the specialist appeals team (SAT) when an allowed appeal is received.	<b>In this section</b>
Determination process		<a href="#">Allowed determinations – appellant in UK when appeal lodged (in-country appeals)</a>
Allowed appeals	These instructions are for asylum caseworkers, the appeals determination management unit (ADMU), the SAT, presenting officers units (POUs) and immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)).	<a href="#">Special provisions for asylum cases</a>
Dismissed appeals	All allowed determinations go to the specialist appeals team (SAT) who decide whether to make an application for permission to appeal. SAT have five working days from the date the determination is first received by the Home Office to do this.	<a href="#">Missing SAT minutes</a>
Appeal rights exhausted cases	<ul style="list-style-type: none"><li>• Asylum determinations are received through ADMU.</li><li>• All other determinations are received direct from Her Majesty's Court and Tribunals Service (HMCTS).</li></ul> <p>For further guidance, see the related links on:</p> <ul style="list-style-type: none"><li>• Allowed determinations – appellant in UK when appeal lodged (in-country appeal)</li><li>• Special provisions for asylum appeals</li><li>• Missing SAT minutes</li><li>• Processing allowed appeal determinations</li><li>• Notifying entry clearance officer (ECO) posts of allowed appeals.</li></ul>	<a href="#">Processing allowed appeal determinations</a> <a href="#">Notifying entry clearance officer (ECO) posts of allowed appeals</a>

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### Allowed determinations – appellant in UK when appeal lodged (in-country appeals)

<u>About this guidance</u>	<p>This page explains the process followed by the specialist appeals team (SAT) following an allowed appeal. It applies to appeals where the appellant is in the UK and equally to asylum and non-asylum cases.</p> <p>The SAT may seek permission to appeal if the immigration judge has made a material error of law in the determination. SAT screen the determination to identify any potential errors in law, using the presenting officers (POs) hearing minute to assist. The electronic hearing minute should be available in CID doc gen.</p> <p>When SAT have considered the determination and made a decision about seeking permission to appeal, CID will be updated to show whether a challenge is or is not being made, and whether costs against the Home Office have been awarded. CID must be updated to show 'appeal allowed costs awarded' or 'appeal allowed no costs awarded'. SAT attach a minute (SAT minute) to the determination before forwarding to the presenting officers' unit (POU) or asylum team responsible for the case. This will be either:</p> <ul style="list-style-type: none"><li>• a SAT 'no challenge' minute (ICD.3782 on doc gen) explaining the reasons, or</li><li>• a copy of the grounds of appeal which have been lodged with the tribunal (ICD.2958 on doc gen).</li></ul> <p>You must not take action on an allowed determination until you have confirmation from SAT stating whether a challenge is being made. This will be either the SAT minute or grounds of appeal. When receiving an allowed determination with no minute attached follow the guidance in the missing SAT minutes section, see related link.</p> <p><b>If there is to be no challenge</b> When the decision is not to challenge the allowed determination, SAT take no further action.</p> <p>For more information, see related link: Special provisions for asylum cases.</p>	<b>In this section</b>
Determination process		<a href="#">Special provisions for asylum cases</a>
Allowed appeals		<a href="#">Missing SAT minutes</a>
Dismissed appeals		<a href="#">Processing allowed appeal determinations</a>
Appeal rights exhausted cases		<a href="#">Notifying entry clearance officer (ECO) posts of allowed appeals</a>

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### Special provisions for asylum cases

<u>About this guidance</u>	This page outlines the special procedure followed by the specialist appeals team (SAT) following an allowed asylum appeal.	<b>In this section</b>
Determination process		
Allowed appeals	These instructions are for the SAT, administration teams within presenting officers units (POUs) or immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) and asylum caseworkers.	<a href="#">Allowed determinations – appellant in UK when appeal lodged (in-country appeals)</a>
Dismissed appeals	The SAT receives a copy of allowed immigration judge asylum determinations from the appeals determination management unit (ADMU) by email.	<a href="#">Missing SAT minutes</a>
Appeal rights exhausted cases	<p>For asylum cases SAT are required to include in any application for permission to appeal:</p> <ul style="list-style-type: none"><li>• the date the determination was served</li><li>• the method by which the determination was served, and</li><li>• the recorded delivery number (if applicable this is on the front page of the determination).</li></ul> <p>Asylum caseworkers will need to monitor the appeals screen in CID to check if an application is being made. If it is an asylum team case, the SAT senior executive officer (SEO) will confirm their decision to the asylum caseworker by email. The asylum caseworker can contact the SAT SEO if they have any queries about the application.</p>	<a href="#">Processing allowed appeal determinations</a>  <a href="#">Notifying entry clearance officer (ECO) posts of allowed appeals</a>

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### Missing SAT minutes

About this guidance	This page explains what to do if a specialist appeal team (SAT) minute is not received ten working days after the determination was received by the Home Office.	In this section
Determination process	<p>The instructions are for presenting officers units (POUs), immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) and asylum teams.</p> <p>Check whether a determination has been received and whether the case has been considered for permission to appeal on the appeals screen on CID.</p> <p>If the case is not on CID, look for a copy of the minute in SAT’s shared folder on the transfer drive. These are saved under the Home Office (HO) reference, but if that is not available, they are saved under Her Majesty’s Court and Tribunal Service (HMCTS) appeal reference number. To search for a HMCTS appeal reference number, exclude the prefix and year. For example, to find a minute for case AA/12345/2009 search for ‘12345’.</p> <div><div>Restricted - not for disclosure - start of section</div><div>The information in this page has been removed as it is restricted for internal Home Office use only.</div><div>Restricted - not for disclosure - end of section</div></div> <p>If you cannot obtain a copy of the minute from CID or the transfer drive, you may email the SAT allowed appeals review team (SAT AART), see related link: Email: SAT admin enquiries.</p> <p>For SAT to prioritise requests, explain why a request is urgent. If a case is the subject of a judicial review (JR) or a member of parliament’s (MP’s) enquiry, mention this in the subject box. Email requests must contain the following information:</p> <ul style="list-style-type: none"><li>• in the subject box: JR/MP interest (if appropriate), Home Office (HO) reference, the</li></ul>	<a href="#">Allowed determinations – appellant in UK when appeal lodged (in-country appeals)</a>
Allowed appeals		<a href="#">Special provisions for asylum cases</a>
Dismissed appeals		<a href="#">Processing allowed appeal determinations</a>
Appeal rights exhausted cases		<a href="#">Notifying entry clearance officer (ECO) posts of allowed appeals</a>
		External links
		Links to staff intranet removed

	<p>date of promulgation</p> <ul style="list-style-type: none"> <li>• a scanned copy of the determination</li> <li>• confirmation that checks on the transfer drive have been carried out.</li> </ul> <p>A maximum of three requests can be made in each email. Do not make duplicate requests. A period of two weeks should be given before any follow up requests are made (unless the case is urgent).</p> <p>If the case refers to a criminal matter contact a member of the SAT workflow team directly by telephone.</p>	
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### Processing allowed appeal determinations

<u>About this guidance</u>	<p>This page explains what to do with an allowed appeal determination when received in the presenting officers unit (POU) or immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)).</p>	<b>In this section</b>
Determination process		
Allowed appeals	<p>The instructions are for POUs, ICE teams and the specialist appeals team (SAT).</p>	<p><a href="#">Allowed determinations – appellant in UK when appeal lodged (in-country appeals)</a></p> <p><a href="#">Special provisions for asylum cases</a></p> <p><a href="#">Missing SAT minutes</a></p> <p><a href="#">Notifying ECO posts of allowed appeals</a></p>
Dismissed appeals	<p>The SAT send the determination with the appropriate minute attached to the POU responsible for the case. The minute will outline whether permission to appeal is sought and, if not, any leave to be granted.</p>	
Appeal rights exhausted cases	<p>On receipt of the determination from SAT:</p>	
	<ul style="list-style-type: none"><li>• Retrieve the Home Office (HO) file from the 'awaiting determination' hold.</li><li>• Check the appeal details on the minute and determination match.</li><li>• Check the appeals screen on CID has been updated and if there is a record of whether costs have been awarded. If this has not been done you must update the 'Record' screen to say either 'appeal allowed costs awarded' or 'appeal allowed no costs awarded'.</li><li>• Link the determination and minute to the file.</li></ul>	
	<p><b>Asylum cases</b></p> <p>You will receive two copies of the allowed appeal determination in asylum cases. Take no action on the file until both copies of the determination have been received:</p> <ul style="list-style-type: none"><li>• The appeals determination management unit (ADMU) copy of the determination can be identified from the ADMU date stamp. You will receive this when the determination has been served. These are normally served within 48 hours of receipt unless the asylum caseworker has requested to serve the determination in person.</li><li>• The SAT copy of the determination will have the SAT minute attached. This confirms SAT have seen the determination and checked for potential errors in law.</li></ul>	

	<p>If only one copy of the determination is received you will need to return the file to the 'awaiting determination' hold (filed under the same hearing date) to wait for the other copy of the determination. You can check whether a determination was served on the appellant using the key document tracking screen on CID.</p> <p>If SAT is seeking permission to appeal the determination, this will be accompanied by a copy of the grounds of appeal (ICD.2958 on doc gen).</p> <p>You will need to:</p> <ul style="list-style-type: none"> <li>• For all case types, track the file to the 'PTA sought hold' to await the outcome. Files are stored under the date permission to appeal was sought.</li> <li>• For entry clearance officer (ECO) cases, email a copy of the determination and minute to the ECO. This will inform them that SAT is seeking to challenge the appeal outcome and stop them from issuing a visa. The SAT team member who has made the decision to challenge the appeal will also email the ECO to inform them that a challenge is being made.</li> <li>• For port cases you will need to fax or post a copy of the determination to the relevant port.</li> </ul> <p>If an application for permission to appeal is made to Her Majesty's Courts and Tribunals Service (HMCTS), the outcome should be known within 10 working days.</p> <p>If SAT is not seeking to challenge, the determination is accompanied by a 'no challenge minute' (ICD.3782 on doc gen).</p> <p>You will need to:</p> <ul style="list-style-type: none"> <li>• Check the bottom of the SAT minute for instructions on where to send the file or determination.</li> <li>• For immigration group cases where the decision was made in the UK, the file will need to be sent to the caseworker or case working unit responsible for the case for leave to be implemented.</li> <li>• For case resolution directorate (CRD) cases, telephone or email the relevant older live</li> </ul>	
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	<p>cases unit (formerly case assurance and audit unit (CAAU)) caseworker to tell them an allowed appeal is being sent for a grant of leave to be implemented.</p> <ul style="list-style-type: none"> <li>• For overseas ECO cases, you will need to send the determination and SAT minute to the ECO post responsible for the case and send the file to Layby.</li> </ul>	
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### Notifying entry clearance officer (ECO) posts of allowed appeals

<u>About this guidance</u>	<p>This page explains the process for forwarding an allowed entry clearance appeal determination to the overseas post where the decision was made.</p>	<b>In this section</b>
Determination process		
Allowed appeals	<p>The instructions are for presenting officers units (POUs), immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) and the specialist appeals team (SAT).</p>	<a href="#">Allowed determinations – appellant in UK when appeal lodged (in-country appeals)</a>
Dismissed appeals		
Appeal rights exhausted cases	<ul style="list-style-type: none"><li>• Attach covering letter ICD.0116 from doc gen to the determination.</li><li>• Scan the determination, minute and covering letter and save as a PDF file.</li><li>• Email the determination to the post responsible for the case using the list of designated email inboxes (see related link: ECO determinations mailbox addresses, for the email address list). You may send up to four determinations in each email depending on the size of the files. Foreign &amp; Commonwealth Office (FCO) reference numbers must be quoted in the title of the email along with 'Allowed' or 'Dismissed'. To avoid confusion, use separate emails for allowed or dismissed determinations.</li><li>• Send emails from the POU's shared determinations mailbox not your individual email account.</li><li>• Save a copy of the email to the POU's shared drive, stored in folders according to post.</li><li>• If the appeal is on CID record the despatch time and method on the notes screen. Alternatively complete the 'determinations sent to posts' spreadsheet to record the date and method of despatch (see related link: ECO determinations mailbox addresses, for a copy).</li></ul> <p>By close of business each Friday POU's or ICE teams send the completed 'determinations sent to posts' spreadsheet by email to visa services directorate (see related link).</p> <p>It is recommended that POU's or ICE teams compile the spreadsheets at the end of each week to provide a monthly or quarterly spreadsheet which can be searched if the delivery of the determination is later queried by an ECO post.</p> <p>If the scanning technology fails, send allowed determinations by diplomatic bag or by fax,</p>	<a href="#">Special provisions for asylum cases</a> <a href="#">Missing SAT minutes</a> <a href="#">Processing allowed appeal determinations</a>  <b>Downloads</b>  Links to staff intranet removed

	<p>and notify visa services using the above email address.</p> <p>If SAT have decided to challenge and the determination is delayed in reaching the POU or ICE team, the outcome of the application may already be on CID when the determination arrives. This is a rare occurrence but if it happens, process the determination as normal, making sure the correct minute is sent with the determination.</p>	
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### Dismissed appeals

<u>About this guidance</u>	This section gives details of the dismissed determinations process.	<b>In this section</b>
Determination process	The instructions are for presenting officers' units (POUs) or immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) and asylum caseworkers.	<a href="#">Receiving non asylum dismissed determinations</a>
Allowed appeals		<a href="#">Recommendations</a>
Dismissed appeals	<b>Asylum cases</b> Appeals determination management unit (ADMU) send hard copies of dismissed determinations to: <ul style="list-style-type: none"><li>• the POU or ICE team for former case resolution directorate (CRD) cases, and</li><li>• the asylum caseworker for asylum team cases.</li></ul>	<a href="#">Notifying entry clearance posts of dismissed determinations</a>
Appeal rights exhausted cases	<b>Non asylum and entry clearance cases</b> The tribunal hearing centres send dismissed determinations to the POUs on a daily basis. Each batch of determinations is sent with a list of case reference numbers. The batch must contain duplicate copies of each determination.  See related links: <ul style="list-style-type: none"><li>• Receiving non asylum dismissed determinations</li><li>• Recommendations</li><li>• Notifying entry clearance posts of dismissed determinations</li><li>• Paper cases</li><li>• Permission to appeal.</li></ul>	<a href="#">Paper cases</a> <a href="#">Permission to appeal</a>

## Appeal outcome

### Receiving non asylum dismissed determinations

<a href="#">About this guidance</a>	This page explains what to do when you receive a dismissed IA60 determination from Her Majesty's Courts and Tribunal Service (HMCTS).	<b>In this section</b>
Determination process	<p>The instructions are for administration teams within presenting officers' units (POUs) or immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) and presenting officers (POs).</p> <p>When you receive dismissed determinations:</p> <ul style="list-style-type: none"><li>• Date stamp each determination.</li><li>• Check determinations against the enclosed list to make sure you have received all the determinations listed.</li><li>• Report any missing determinations to the tribunal hearing centre.</li><li>• Keep the lists in a folder to provide an audit trail.</li><li>• Separate the duplicate copies and attach one copy to the Home Office (HO) file and archive one copy. Keep archived determinations for a minimum of 12 months before destroying.</li><li>• Update CID with the hearing outcome.</li><li>• Make a copy of the determination for the PO who presented the case if it has been requested (some regions do this for all cases).</li><li>• Check if the immigration judge has made a recommendation (see related link: Recommendations).</li><li>• For ports cases fax or post a copy of the determination to the relevant port.</li></ul> <p><b>Determinations for other POUs</b></p> <p>If you receive a determination for an appeal presented by a PO from another POU, forward the determination to the correct POU with a note to explain the reason why you are sending it and make a note on the notes screen in CID. You should not return determinations issued in error to HMCTS unless it is an asylum case received at a POU instead of at the appeals determination management unit (ADMU).</p>	<a href="#">Recommendations</a>
Allowed appeals		<a href="#">Notifying entry clearance posts of dismissed determinations</a>
Dismissed appeals		<a href="#">Paper cases</a>
Appeal rights exhausted cases		<a href="#">Permission to appeal</a>
		<b>External links</b>
		Links to staff intranet removed

	<p><b>Allowed determinations received at the POU in error</b></p> <p>If an allowed or part-allowed determination is sent to the POU in error, scan the determination and email it to the workflow team in the specialist appeals team, SAT (see related link: Email: SAT admin enquiries). Do this on the day you receive it with an explanation that it was received by the POU in error. Put a note on the notes screen in CID.</p>	
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## Appeal outcome

### Recommendations

<a href="#">About this guidance</a>	<p>This page explains the process to follow when you receive an asylum or non asylum determination containing a recommendation.</p>	<b>In this section</b>
Determination process		<a href="#">Receiving non asylum dismissed determinations</a>
Allowed appeals	<p>The instructions are for asylum caseworkers, presenting officers unit's (POUs) administration teams or immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) and presenting officers (POs).</p>	
Dismissed appeals	<p>If an immigration judge has made a recommendation in the determination, pass the determination and Home Office (HO) file to a PO. The PO will consider whether to follow the recommendation.</p>	<a href="#">Notifying entry clearance posts of dismissed determinations</a>
Appeal rights exhausted cases	<p>If the PO agrees with the recommendation they will:</p> <ul style="list-style-type: none"><li>• Consult and get approval from a senior executive officer (SEO).</li><li>• Draft a full minute to the caseworker or decision maker to explain why the recommendation should be accepted.</li><li>• The minute must be signed by an SEO and forwarded to the caseworker or decision maker with the file and a copy of the determination.</li></ul> <p>If the PO disagrees with the recommendation they will:</p> <ul style="list-style-type: none"><li>• Consult and get approval from an SEO.</li><li>• Draft a full minute to the caseworker or decision maker to explain why the recommendation should be rejected.</li><li>• Write to the appellant or representative rejecting the recommendation.</li><li>• Attach a copy of the letter to the HO file.</li></ul> <p>For entry clearance officer (ECO) cases, the ECO will consider the recommendation. You will need to forward the determination to the post and send the file to Layby.</p>	<a href="#">Paper cases</a> <a href="#">Permission to appeal</a>

## Appeal outcome

### Notifying entry clearance posts of dismissed determinations

<u>About this guidance</u>	This page explains how to send a dismissed entry clearance officer (ECO) determination to an entry clearance post by diplomatic bag.	<b>In this section</b>
Determination process	The instructions are for appeals administration teams.	<a href="#">Receiving non asylum dismissed determinations</a>
Allowed appeals	Send the dismissed determination with the appropriate covering letter to the post that made the decision. Send dismissed determinations by diplomatic bag, if you do not have the capacity to scan and email them.	<a href="#">Recommendations</a>
Dismissed appeals		<a href="#">Paper cases</a>
Appeal rights exhausted cases	<p>The template for this covering letter is on the appeals process maps and guidance webpage, see related link.</p> <p>To record how the determination was sent to the entry clearance post, action the following:</p> <ul style="list-style-type: none"><li>• If the appeal is on CID record the despatch time and method on the notes screen. Alternatively complete the 'determinations sent to posts' spreadsheet to record the date and method of despatch. See related link: ECO determinations mailbox addresses for a copy.</li><li>• Forward the spreadsheet by email to visa services directorate (international group), by close of business each Friday. See related link: Email: Visa services directorate.</li></ul> <p>It is recommended that presenting officer units (POUs) or immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) compile the spreadsheets at the end of each week to provide a monthly or quarterly spreadsheet which can be searched if the delivery of the determination is later queried by an ECO post.</p> <p>Do not send duplicate copies of determinations unless requested by the post.</p> <p>If the appellant seeks permission to appeal against the determination you will need to inform the post only if the case is later allowed and the specialist appeal team (SAT) do not challenge the appeal further.</p>	<a href="#">Permission to appeal</a>
		<b>Related links</b>
		Links to staff intranet removed
		<b>Downloads</b>
		<b>External links</b>
		<a href="#">Foreign &amp; Commonwealth Office BFPO numbers</a>

	<p>To send a determination by diplomatic bag, place the determination in an envelope labelled with the relevant British Forces Post Office (BFPO) number, and write in the right hand corner 'by dip bag' to make sure the envelope does not go out in the normal post. See related link: <a href="#">Foreign &amp; Commonwealth Office BFPO numbers</a>.</p>	
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## Appeal outcome

### Paper cases

<a href="#">About this guidance</a>	<p>This page explains the processes to follow if you receive dismissed or withdrawn determinations for paper cases, or if you receive a determination in error.</p>	<b>In this section</b>
Determination process	<p>The instructions are for appeals administration teams.</p>	<a href="#">Receiving non asylum dismissed determinations</a>
Allowed appeals	<b>Dismissed paper cases</b>	<a href="#">Recommendations</a>
Dismissed appeals	<p>Home Office (HO) files and CID records do not need creating for dismissed entry clearance paper cases.</p>	<a href="#">Notifying entry clearance posts of dismissed determinations</a>
Appeal rights exhausted cases	<p>When you receive the determination from the tribunal hearing centre, send it to the entry clearance officer (ECO) post that made the decision using a covering letter to inform the post that the case is dismissed. Do not hold the determination in the presenting officer unit (POU) or immigration compliance and engagement (ICE) team (formerly local immigration teams (LITs)) to await a possible appeal by the appellant.</p> <p>The template for this covering letter can be found on the appeals process maps and guidance webpage using the related link.</p> <p>When sending the determination to the post:</p> <ul style="list-style-type: none"><li>• Send one covering letter for each envelope of dismissed determinations.</li><li>• On the letter, list all the Home Office &amp; Foreign and Commonwealth Office (FCO) references of the determinations contained within the envelope.</li><li>• Complete the 'determinations sent to posts' spreadsheet to record the date and method of despatch, see related link: ECO determinations mailbox addresses.</li><li>• Forward the spreadsheet by email to visa services directorate by close of business each Friday. See related link: Email: Visa services directorate.</li><li>• It is recommended that POUs or ICE teams compile the spreadsheets at the end of each week to provide a monthly or quarterly spreadsheet which can be searched if the delivery of the determination is later queried by an ECO post.</li></ul>	<a href="#">Permission to appeal</a> <b>Downloads</b> <p>Links to staff intranet removed</p> <b>Related links</b>  <b>External links</b>

	<p><b>Withdrawn paper cases</b></p> <p>Occasionally a paper case may be withdrawn. In most cases it will be the appellant who withdraws their appeal.</p> <p>If you receive notification an appellant has withdrawn a paper appeal, you will need to forward the determination to the post with a covering letter. The template for this covering letter is on the appeals process maps and guidance webpage (see related link).</p>	
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## Appeal outcome

### Permission to appeal

<u>About this guidance</u>	<p>This page explains the process to follow if the appellant seeks permission to appeal against a dismissed appeal. The instructions are for appeals administration teams.</p>	<b>In this section</b>
Determination process	<p>If an appeal is dismissed, the appellant has five days in which to seek permission to appeal, if the appellant is in the UK (in-country appeal), and 28 days if the appellant is outside the UK (out-of-country appeal). The time limit for seeking permission to appeal starts from the date the appellant is deemed to have received the determination.</p> <p>For further information see the related link: Onward appeal rights.</p> <p><b>The appellant seeks permission to appeal</b></p> <p>When the appellant seeks permission to appeal, Her Majesty's Courts and Tribunal Service (HMCTS) notifies appeals units by a daily email known as the 'UK Border Agency daily report'. The report is circulated to the email group 'Appeals PTA Notification Team' and gives advance notice an application has been lodged with the tribunal. The hard copy of the notification is sent direct to the appeals unit responsible for the case and will arrive around two days after the email. When you receive the email:</p> <ul style="list-style-type: none"><li>• Retrieve the file. The file will usually be in the 'awaiting ARE hold'.</li><li>• Print the email, highlight the relevant case and link the email to the Home Office (HO) file.</li><li>• Minute the file to say that permission to appeal has been sought.</li><li>• Update CID.</li><li>• Track the HO file to the 'PTA sought hold' to await the outcome of the application for permission to appeal.</li><li>• Link the hard copy of the notice to file, and check CID has been updated from the email notification.</li></ul> <p>For entry clearance officer (ECO) cases, it may be necessary to request the HO file from Layby and forward the file to the PTA sought hold.</p>	<a href="#">Receiving non asylum dismissed determinations</a>
Allowed appeals		<a href="#">Recommendations</a>
Dismissed appeals		<a href="#">Notifying entry clearance posts of dismissed determinations</a>
Appeal rights exhausted cases		<a href="#">Paper cases</a>
		<b>Related links</b>
		Links to staff intranet removed

	<p><b>Late applications for permission to appeal</b></p> <p>If an application for permission to appeal has been made late, HMCTS may decide to accept the application. The application will appear on the 'UK Border Agency daily report' in the same way as an application made in time see above: The appellant seeks permission to appeal. In these cases, the appeals right exhausted (ARE) date may have already been entered on CID when the daily report is received. You will need to retrieve the file. This may mean calling the file back from the enforcement team, and notify the caseworker of the late application, then:</p> <ul style="list-style-type: none"> <li>• Print the email, highlight the relevant case and link the email to the HO file.</li> <li>• Minute the file to say that a late application for permission to appeal has been sought.</li> <li>• Update CID with the details of the application.</li> <li>• If the ARE date has been entered on CID do not remove it.</li> <li>• Track the HO file to the 'PTA sought hold' to await the outcome of the application for permission to appeal.</li> <li>• Link the hard copy of the notice to file, and check CID has been updated from the email notification.</li> </ul> <p>If a late application for permission to appeal is later granted, the ARE date must be removed. For further information, see related link: Onward appeal rights.</p> <p><b>The appellant does not seek permission to appeal</b></p> <p>If the appellant does not seek permission to appeal by the ARE date:</p> <ul style="list-style-type: none"> <li>• Pull the file from the ARE hold on the ARE date.</li> <li>• Check the file does not have an application for permission to appeal attached to it.</li> <li>• Update CID with the ARE details and enter the 'appeal concluded' date.</li> <li>• Minute the file.</li> <li>• Forward the file to relevant unit for removal action.</li> </ul>	
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## Appeal outcome

### Appeal rights exhausted cases

<a href="#">About this guidance</a>	<p>This section explains the processes to follow to store Home Office (HO) files for cases where the appellant is in the UK (in-country appeals) when a dismissed determination is received.</p>	<b>In this section</b>
Determination process		<a href="#">Sending UK based (in-country) cases for removal action</a>
Allowed appeals	<p>These instructions are for administration teams within presenting officers units (POUs) and immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)).</p>	<a href="#">Older live cases unit cases</a>
Dismissed appeals		<a href="#">Sending non-asylum cases for removal action</a>
Appeal rights exhausted cases	<p><b>For non-asylum cases where the appellant is in the UK (in-country appeals):</b></p> <ul style="list-style-type: none"><li>• Link the determination to file.</li><li>• Calculate the appeal right exhausted (ARE) date using the ARE business definitions, or use the ARE calculator to assist with the calculation. See related link.</li><li>• Write the ARE date on the front of the HO file and track the file to the “Awt ARE Hold” to be stored under the ARE date.</li><li>• Retrieve the file from the hold on the ARE date.</li><li>• Check CID to confirm an application for permission to appeal has not been made.</li><li>• Enter the ARE date and appeal concluded dates on CID.</li><li>• Send the file for removal action, see related link: <a href="#">Sending UK based (in-country) cases for removal action</a>.</li></ul> <p><b>For asylum cases where the appellant is in the UK (in-country appeals)</b></p> <p>If the case is owned by an asylum team, the caseworker is responsible for managing the ARE process. If the case is owned by the older live cases unit (formerly case assurance and audit unit (CAAU)), the POU will need to manage the ARE process. Local variations may apply with regards to who is responsible for managing the ARE process.</p> <p>From 15 November 2010 the appeals determination management unit (ADMU) took responsibility for updating the ARE date on CID for asylum cases, unless the caseworker elected to personally serve the determination. For all cases, the POU or ICE team will need to continue to follow the process below on receipt of the file copy determination from ADMU.</p>	<a href="#">Routing temporary migration cases</a> <b>Related links:</b>  Links to staff intranet removed

- To calculate the ARE date you must use the ARE business definitions or current ARE calculator to assist with the calculation. See related link: ARE calculator.
- Write the ARE date on the front of the HO file and track the file to the “Awt ARE Hold” to be stored under the ARE date.
- Retrieve the file from the hold on the ARE date.
- Check CID to confirm an application for permission to appeal has not been made.
- Enter the ARE date and appeal concluded dates on CID, or check the dates have been entered by ADMU.
- Send the file for removal action. See related links:
  - Sending UK based (in-country) cases for removal action
  - Sending non-asylum cases for removal action.

#### **Entry clearance officer (ECO) cases**

- Calculate the ARE date using the ARE business definitions, or use the current ARE calculator to assist with the calculation. See related link: ARE calculator.
- Write the ARE date on the front of the HO file.

There are two options available for storing HO files for dismissed entry clearance cases:

Option one:

- track HO file to ‘ARE hold’ and file in line with ARE definitions
- keep HO file in the hold to wait for an application for permission to appeal by the appellant.

Option two:

- send HO file directly to Layby
- keep a record of the HO reference and ARE date
- on the ARE date, update CID and enter the appeal concluded date

	<ul style="list-style-type: none"><li>• if an application for permission to appeal is sought, request the HO file to be sent back to the POU.</li></ul>	
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## Appeal outcome

### Sending UK based (in-country) cases for removal action

<u>About this guidance</u>	<p>This page tells you which units are responsible for removal action and the checks needed before a file can be sent for removal action.</p>	<b>In this section</b>
Determination process	<p>The instructions are for appeals administration teams within immigration compliance and engagement (ICE) teams (formerly local immigration teams (LITs)) or presenting officers' units (POUs).</p> <p>When an appellant who is living in the UK (in-country appeal) has exhausted their appeal rights, they are removable. Responsibility for removal action falls to different units depending on the case type.</p> <ul style="list-style-type: none"><li>• For ongoing case resolution directorate (CRD) cases where the appellant is in the UK, send the file to the older live cases unit (formerly the case assurance and audit unit (CAAU)) that own the case.</li><li>• For criminal casework (CC) cases, send the file to the CC caseworker responsible for the case.</li><li>• For temporary migration (TM) cases follow the single case ownership (SCO) guidance.</li><li>• Asylum cases may already be with the asylum caseworker. If the asylum case is within the POU or ICE team send the file to the asylum caseworker.</li></ul> <p>If you have not received the refusal notice IA67 (not granted permission to appeal) from Her Majesty's Courts and Tribunals Service (HMCTS), the Home Office (HO) file can still be sent for removal action provided the following checks are made to make sure there are no appeal rights:</p> <ul style="list-style-type: none"><li>• carry out internal checks to find the IA67 notice</li><li>• confirm with HMCTS when permission to appeal to the Upper Tribunal was refused</li><li>• confirm with HMCTS if the appellant has made a further application for permission to appeal.</li></ul> <p>The ICE team will accept HO files in these circumstances if you:</p>	<a href="#">Older live cases unit cases</a>
Allowed appeals		<a href="#">Sending non-asylum cases for removal action</a>
Dismissed appeals		<a href="#">Routing temporary migration cases</a>
Appeal rights exhausted cases		<b>Related links</b>  Links to staff intranet removed

- Complete the checks above.
- Attach a full minute to the file confirming that permission to appeal to the Upper Tribunal has been refused. Include the date you spoke to HMCTS to confirm this information.
- Update CID to show the appellant is appeal rights exhausted.

If the appellant has made a further application, and it has not been decided, the file cannot be sent for removal action.

If neither the file nor CID has been updated, nor is it clear whether the appellant has become ARE, the file will be returned to the relevant POU by the ICE team with a minute asking for details of the current status of the case.

### **Sub ownership**

Before you send a file to another unit, request on CID for that unit to take sub-ownership. Use the 'request to unit' field on the ownership tab. Blank out your entry as a sub-owner in the current user field and save. This will end sub-ownership. If you have not previously registered as a sub-owner on CID, do this first and then end sub-ownership.

Before sending a file out from your unit, which does not have an owner recorded in the ownership tab on CID you must make a request for the appropriate regional case owning unit or team to take ownership.

The unit or team will decide which caseworker will be responsible for the case. There is no need to send the file to the regional case owning unit or team for it to accept ownership.

For further guidance on single case ownership, see related link: [Case ownership processes and instructions](#).

## Appeal outcome

### Older live cases unit cases

<p><u>About this guidance</u></p> <p>Determination process</p> <p>Allowed appeals</p> <p>Dismissed appeals</p> <p>Appeal rights exhausted cases</p>	<p>This page explains what constitutes a case resolution directorate (CRD) case and how to identify the correct caseworker.</p> <p>CRD has now been disbanded. The older live cases unit (OLCU) (formerly the case assurance and audit unit (CAAU)) will deal with residual CRD work. The OLCU will generate any appeals and the presenting officers (POs) will be responsible for up-dating the case. Any appeals outstanding from CRD will be dealt with by OLCU, including:</p> <ul style="list-style-type: none"><li>• commissioning removal when they are appeal rights exhausted (ARE), and</li><li>• implementing any allowed appeals.</li></ul> <p>The OLCU will only be dealing with cases where the decision had been made by a former CRD caseworker. Where the initial decision was taken by another unit or directorate, they will take responsibilities for these appeals and not the OLCU.</p> <p>These instructions are for appeal administration teams and presenting officers (POs).</p> <p>An OLCU case is either:</p> <ul style="list-style-type: none"><li>• A case where an asylum application was made before 5 March 2007, but has not been allocated to an asylum team and had not previously been concluded.</li><li>• Non-asylum case where the appellant is in the UK and asylum grounds have been raised before the case has entered the appeals process.</li></ul> <p>An OLCU case is identified on CID by a tick in the legacy box on the case maintenance screen. If the case is allocated to a caseworker, the case can be found on the legacy allocation finder. See related link: Case resolution directorate allocation finder.</p> <p>Case owner details for both OLCU and asylum team cases are on the ownership tab on CID.</p>	<p><b>In this section</b></p> <p><a href="#">Sending UK based (in-country) cases for removal action</a></p> <p><a href="#">Sending non-asylum cases for removal action</a></p> <p><a href="#">Routing temporary migration cases</a></p> <p><b>Downloads</b></p> <p>Links to staff intranet removed</p>
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	<p>For cases that fit the remit of an OLCU case but are not identified in the legacy box or cannot be located on the allocation finder, complete the standard form and forward to the 'CRD Non Allocation (IND)' inbox which can be found in the global address list. There is a related link for the Non cohort legacy case form.</p> <p>If the case you are forwarding is an allowed appeal, title your email as 'allowed – urgent action required'.</p>	
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## Appeal outcome

### Sending non-asylum cases for removal action

<a href="#">About this guidance</a>	<p>This page explains where to send files for temporary migration cases when the case becomes appeal rights exhausted (ARE) or an appeal is not lodged.</p>	<b>In this section</b>
Determination process	<p>The instructions are for presenting officers unit (POU) administration teams.</p>	<a href="#">Sending UK based (in-country) cases for removal action</a>
Allowed appeals	<p>The routing of a file when appeal rights are exhausted will depend on the harm rating given to the case and the case owning region.</p>	<a href="#">Older live cases unit cases</a>
Dismissed appeals	<p>Caseworkers will have applied the harm assessment matrix to the case to identify the level of harm rating. They will decide whether a case is:</p> <ul style="list-style-type: none"><li>• category A - scores of 150+</li><li>• category B - scores of 100 -150</li><li>• category C - scores of less than 100.</li></ul>	<a href="#">Routing temporary migration cases</a>
Appeal rights exhausted cases	<p>The caseworker will have:</p> <ul style="list-style-type: none"><li>• Attached a flag to the front of the file showing whether the case has been assessed as category A, B or C.</li><li>• Recorded the harm rating on the special conditions screen on CID. A file with a harm score of zero must be treated as a category C case.</li></ul> <p>For further guidance on the harm matrix, see related link.</p>	<b>Related links</b>  Links to staff intranet removed

## Appeal outcome

### Routing temporary migration cases

<u>About this guidance</u>	This page explains where to send files for temporary migration cases which have been assessed as having a category A, B or C harm rating, when the case becomes appeal rights exhausted (ARE).	<b>In this section</b>																		
Determination process		<a href="#">Sending UK based (in-country) cases for removal action</a>																		
Allowed appeals	The instructions are for presenting officers unit (POU) administration teams, and for appeals processing centre staff.	<a href="#">Older live cases unit cases</a>																		
Dismissed appeals	Category A cases are identified as posing the most risk to our communities and therefore their removal is priority for immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)). All category A harm files are managed by the regional caseworker.	<a href="#">Sending non-asylum cases for removal action</a>																		
Appeal rights exhausted cases	<p>The region that owns the case is the one where the applicant lives, not where the decision was made.</p> <p>You can find the region that will own a case by using:</p> <ul style="list-style-type: none"><li>• The related link to the ICE finder. The ICE finder shows the region that each local enforcement office belongs to.</li><li>• The table below, showing the caseworking team according to the harm rating of the case.</li></ul> <table><tr><th rowspan="2">Region where applicant lives</th><th colspan="2">Harm Category</th></tr><tr><th>Harm Category A</th><th>Category B and C</th></tr><tr><td>London and South East</td><td>HCT</td><td rowspan="6">TM12</td></tr><tr><td>Midlands and East</td><td>RCT East Mid / MEU</td></tr><tr><td>South West</td><td>South West Case Ownership Unit</td></tr><tr><td>Scotland and N Ireland</td><td>RCT Glasgow</td></tr><tr><td>North West</td><td>NW COU (LCC1)</td></tr><tr><td>Wales</td><td>Wales Case Ownership Unit</td></tr></table>	Region where applicant lives	Harm Category		Harm Category A	Category B and C	London and South East	HCT	TM12	Midlands and East	RCT East Mid / MEU	South West	South West Case Ownership Unit	Scotland and N Ireland	RCT Glasgow	North West	NW COU (LCC1)	Wales	Wales Case Ownership Unit	<b>Related links</b>  Links to staff intranet removed
Region where applicant lives	Harm Category																			
	Harm Category A	Category B and C																		
London and South East	HCT	TM12																		
Midlands and East	RCT East Mid / MEU																			
South West	South West Case Ownership Unit																			
Scotland and N Ireland	RCT Glasgow																			
North West	NW COU (LCC1)																			
Wales	Wales Case Ownership Unit																			

	<table><tr><td>North East, Yorkshire and the Humber</td><td><b>NEYH COU</b></td></tr></table>	North East, Yorkshire and the Humber	<b>NEYH COU</b>	
North East, Yorkshire and the Humber	<b>NEYH COU</b>			
<p>Send harm category B and C files to TM12 unless:</p> <ul style="list-style-type: none"><li>• the case is owned by North East, Yorkshire and the Humber region</li><li>• the person is under 18 and not accompanied by an adult.</li></ul> <p>In both these cases send the file to the regional caseworker.</p> <p>In the Midlands, the removals and cessation team (RCT) Midland East unit (MEU) manages cases for MEU and Stoke local enforcement offices. RCT West Midlands manages the others.</p> <p>You must transfer ownership on CID when transferring a case to a regional caseworker.</p> <ul style="list-style-type: none"><li>• Use the Ownership tab on the Case Maintenance Screen on CID, enter the CID unit in the 'Request to Unit' field on the 'owner' line.</li><li>• Complete the 'Allocated to (unit)' field, to show the next unit to take action on the case.</li></ul> <p>For further information, see related links:</p> <ul style="list-style-type: none"><li>• Information management instructions (UK Border Agency)</li><li>• Transfer or refer a case.</li></ul>				

## Appeal outcome

### Contact

<u>About this guidance</u>	This page explains who to contact for more help with appeal outcome.	<b>Related links</b>
Determination process	If you have read the relevant Immigration Rules and this guidance and still need more help, you must first ask your senior caseworker or line manager.	<a href="#">Information owner</a>
Allowed appeals	If the question cannot be answered at that level, you may email the operational policy and rules unit using related link: Email: Appeals operational policy for guidance on the policy.	<a href="#">Changes to this guidance</a>
Dismissed appeals	Entry clearance officers can email: Visa services directorate (see related link).	<b>External links</b>
Appeal rights exhausted cases	Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the operational policy and rules unit, who will ask MGT to update the guidance, if appropriate.  The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.	Links to staff intranet removed

## Appeal outcome

### Information owner

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Determination process																			
Allowed appeals																			
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	<table><tr><td>Version</td><td>8.0</td></tr><tr><td>Valid from date</td><td>8 July 2013</td></tr><tr><td>Policy owner</td><td>Appeals operational policy</td></tr><tr><td>Cleared by director</td><td>Amelia Wright</td></tr><tr><td>Director's role</td><td>Head of unit, central appeals and litigation</td></tr><tr><td>Clearance date</td><td>8 July 2011</td></tr><tr><td>This version approved for publication by</td><td>Mark Voce</td></tr><tr><td>Approver's role</td><td>Deputy director, Rules and guidance unit</td></tr><tr><td>Approval date</td><td>26 June 2013</td></tr></table>	Version	8.0	Valid from date	8 July 2013	Policy owner	Appeals operational policy	Cleared by director	Amelia Wright	Director's role	Head of unit, central appeals and litigation	Clearance date	8 July 2011	This version approved for publication by	Mark Voce	Approver's role	Deputy director, Rules and guidance unit	Approval date	26 June 2013
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	<p>Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the operational policy and rules unit using related link: Email: Appeals operational policy, who will ask the MGT to update the guidance, if appropriate.</p> <p>The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.</p>																		