

Inspection Report Published: An inspection of the Home Office's processing of family visas September 2021 – February 2022

News story

This inspection examined the Home Office's processing of indefinite leave to remain applications on the family visa route.



The inspection report focused on:

- the efficiency of the process and the quality of decisions
- the accessibility of the application process for applicants
- the impact on an applicant (and their family) when they are placed on a 10-year route to settlement
- whether assurances are in place to ensure that discretion is being exercised in decision-making, where appropriate, to put the applicant at the forefront of the process.

Publishing the report, David Neal, the Independent Chief Inspector of Borders and Immigration (ICIBI), said:

I welcome the publication of my report into the processing of indefinite leave to remain (ILR) applications on the family visa route (under Appendix FM).

This was a positive inspection and my inspectors found that decision makers were employing evidential flexibility rather than automatically refusing applications. This demonstrates a team that is taking steps to see the 'face behind the case' and is encouraging to see in the post-Windrush era.

However, clearer and more readily accessible guidance on how to submit an application and the evidence required, with updates on application progress from the Home Office, would represent better 'value for money' for the applicant. I hope that the focus on Customer Services as part of the transformation of the Home Office ("One Home Office") will go some way to address the complexity of the application process.

Home Office data indicates that the vast majority of applications that reach the ILR stage are granted, so delay, complexity and barriers to full integration into our society seem unnecessary.

I find the 6-month service standard difficult to reconcile when compared with the shorter service standards for entry clearance and further leave to remain applications on the same route. The lack of an effective triage system, which results in straightforward applications (95% of which will be granted ILR) sometimes being delayed until the 5-month point, is unfair and needs to be fixed quickly.

Finally, given that it is 10 years since Appendix FM was introduced, the Home Office should collect targeted data to understand the impact of the 10-year route on low-income families and those who become undocumented due to the protracted route to settlement, which should inform a refresh of the Equality Impact Assessment.

This report made 4 recommendations. The Home Office has accepted 2 of them and partially accepted 2. I am pleased that work is already underway to implement them.

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