

Hayden Walton

request-17799-bbd13dc7@whatdotheyknow.com

Web:

www.ukba.homeoffice.gov.uk

15 March 2010

Re: 14094

Dear Mr Walton

Thank you for your letter from September 2009, in which you ask for information relating to the Concessionary Same Day Third Party Legal Representatives Service available in the Public Enquiry Office Croydon. Your request has been handled as a request for information under the Freedom of Information Act 2000.

You have asked for information concerning the criteria for determining how pre-approved slots are allocated to individual representatives. All Third Party Representatives who request registration to use the Premium Same Day Third Party Representative Concessionary Service must be registered with the Office of Immigration Service Commissioner (OISC) or Law Society. These bodies regulate the actions of individual companies. As our service is concessionary the UKBA reserve the right to remove access to a representative at any time. Companies with the correct registration are admitted to our list and sent an induction letter outlining an acceptable code of conduct, contact details and present acceptable appointment types. Misconduct by a representative or courier will result in a warning or expulsion from the service. Representatives who attempt to sell or pass on there slots to other companies will be removed from our list.

You have further requested information as to what procedures - given the fact that some companies have more slot allocations than others -are in place to ensure fair and open competition among the individual companies to submit applications, the criteria used for establishing how many slots an individual company receives and the processes that we follow.

The service allocates slots to representatives to present applications on behalf of clients through a Regular User and Ad Hoc list. Regular users have previously shown commitment to the presentation of a set amount of cases each week and are placed on the Regular User List. Other companies seek the advantages of this service but

are not in a position to commit to a weekly presentation and are therefore placed on the Ad Hoc list.

From February 1st 2010 - 250 individual companies were registered on the Regular User List and 359 on the Ad Hoc List.

New representatives are initially placed on the ad hoc list but if it is shown that they regularly submit cases each week the company will be offered a regular slot when available. Slot allocations on the regular user list average 3 to 4 each week.

Ad hoc users send an email request to a pre-assigned Third Party In Box where each request is dealt with on a first come first served basis. Representatives receive a reply with a date and slot allowance to return. The target time is within 48 hours.

The amount of slots available is dictated to by the amount of officers available to consider the cases. An average daily target for the team is 80 main applications excluding the dependents. To increase our slot allocation the Third Party Service has offered weekend slots to those companies who were unable to secure a slot during the week days.

To ensure equal distribution of slots all allocations are carefully balanced. The Ad Hoc list offers an average of 40 slots a day this is approx half of the total available daily allocations. The Ad Hoc list is reserved only for it's users but because the nature of this list allows the representative maximum flexibility the UKBA must balance this with a required daily intake of applications. The regular users provide a regular guaranteed 50% of our daily workload.

The Third Party Service requires all companies to equally request via e mail the application types that fall under new rules or require additional casework time and are the most sought after slots. The introduction of the Points Based System is the latest change to the Immigration Rules. All Representatives whether listed as a regular user or ad hoc user are required to e mail a request for this slot type.

We review our entire data base twice a year. Based on the last three months presentation of cases a company who is presently on the regular user list may be advised that they will have there slot allowance either reduced or increased. Those using their slot allowance will not be affected. Companies on the ad hoc list who have regularly submitted cases will be offered a place on the Regular user list with a slot allowance. According to the amount of slots available new companies will then be added to the ad hoc list. The numbers of slots available will always be reflective of the number of staff and case types acceptable to the premium service.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 14094. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

UK Border Agency cases:

The Deputy Director

UK Border Agency

Freedom of Information Team

11th Floor

Lunar House

40 Wellesley Road

Croydon CR9 2BY

e-mail: Freedom.Informationteam@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Evelyn Flynn

Third Party Representatives Manager.