

DWP Department for
Work and Pensions



Home Office

**SUPPLEMENTARY MEMORANDUM OF
UNDERSTANDING:
NATIONAL INSURANCE NUMBER VERIFICATION
IN RESPECT OF: PHASE 1 IN-COUNTRY
VERIFICATION PROCESS**

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1. Introduction

1.1 This Supplementary Memorandum of Understanding (SMoU) sets out the In - Country Verification process of introducing National Insurance Number (NINo) onto Biometric Residence Permits (BRP).

1.2. The parties to this SMoU are:

(A) **THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** of [2 Marsham Street, London SW1P 4DF] referred to as '**Home Office**' throughout

And

(B) **THE SECRETARY OF STATE FOR THE DEPARTMENT FOR WORK AND PENSIONS** of Caxton House, Tothill Street, London, SW1H 9NA referred to as '**DWP**' throughout this document

1.3. This SMoU also sets out the data sharing commitments agreed between the aforementioned party in relation to the implementation and management of the In - Country Verification BRP –NINo initiative .

1.4 This SMoU is intended to be read alongside and not replace the current Umbrella MoU between DWP and Home Office.

2. National Insurance Numbers

2.1 For a Third Country National to be issued with a National Insurance Number an individual has to be over 16 and must have the right to work in the UK. It is expected that only those over 16 successfully applying for a BRP, as part of an immigration application, will have a verified NI Number.

3. Biometric Residence Permits

3.1 The BRP is proof of the holder's right to stay, work or study in the UK. It can also be used as a form of identification (for example, if they wish to open a bank account in the United Kingdom). The holder is not required to carry their permit at all times, but they must show it at the border, together with their passport, when travelling outside of, and when returning to, the UK.

4. Purpose of SMoU

4.1 The purpose of this exchange is for DWP and Home Office to work in partnership to verify NINos for Tier 2 applicants, held on Home Office systems (CID), through the process described in section 7. In cases, where Home Office do not hold a NINo, for DWP to provide a 'Tracing' and/or 'Allocation' service (where appropriate).

4.2 These on-going data share processes will enable the Home Office to have up-to-date records of NINos verified by DWP in preparation for the introduction of NINos on BRP cards.

5. Benefits of the exchange

5.1 Home Office will obtain a verified NINo that can be recorded as such, against the applicants' name on their permanent Home Office record and used in any future communications with OGD partners, including being physically recorded on the BRP

5.2 The alignment of the issue of BRPs and NINos will make sharing information with OGDs more effective; improve customer service in terms of making their future interactions with OGD's swifter and easier and will assist in establishing a common form of identification across government.

6. Legal Basis for Sharing Information

6.1 **Home Office to DWP:** The legal basis permitting disclosure of information from Home Office to DWP is Home Office Common Law powers

6.2 **DWP to Home Office:** The information is requested under section 20 of the Immigration & Asylum Act 1999 (includes amendments included in section 131 of the NIA 2002.): Immigration purposes as defined by section 20(3): (a) the administration of immigration control under the Immigration Acts.

7. Process and method of In- Country NINo Verification

7.1 The In- Country verification process will be applied to all Tier 2 main applicants (but see paragraph 7.3 below) who have applied for Leave to Remain (LTR) or Indefinite leave to remain (ILR) in the UK.

7.2 Tier 2 includes the following four categories of applicants:

- 1) General Migrant (ILR & LTR)
- 2) Minister of religion, (LTR)
- 3) Sportsperson (LTR)
- 4) Intra-Company Transfer (LTR).

7.3 Data on the first three Tier 2 categories of applicants will be provided to DWP as the first step of the In- Country verification process followed by the last category (Tier 2 Intra Company Transfer) at a later stage.

7.4 The In- Country verification process will be applied to the above four categories of applicants who:

- have applied for LTR/ILR under the above three Tier 2 categories and whose applications are under consideration by the Home Office.
- were granted LTR/ILR or are in the process of being granted LTR/ILR or have extant leave to remain in the UK under the above three Tier 2 categories.

7.5 The NINo verification process will be established through a 'Verification', 'Tracing' and 'Allocation' process: The verification process will be undertaken by **DWP, Data & Analytics Services (formerly Information Exploitation and Security (IES))** and the trace and allocation process will be undertaken by **DWP, NINo Provision**. Each of these processes are described under separate headings below and are additionally covered in more detail in the respective Detailed Business Requirements (DBR) for: a) data matching: IES in house data matching service

AOBWR542 01; and for in country 'trace & allocate': b) the In Country – Trace and Allocate requirements.

Verification Process

7.6 The verification process applies to individuals that have applied under the Tier 2 category in instances where:

- i. The individual has provided a NINo on their tier 2 renewal application form or:
- ii. A NINo is recorded on Home Office Casework Information Database (CID) for the individual

7.7 The data set for these applicants will be sent to **DWP, IES** to undergo a matching process to verify the NINo.

Tracing and Allocation Process

Tracing Process

7.8 Tier 2 applicants that do not have a NINo recorded on their tier 2 application form or CID or where DWP IES have returned a 'no match' through the verification process will go through the 'Tracing' process to carry out detailed trace action to establish whether a NINo exists.

Allocation Process

7.9 Where tracing is unsuccessful and a NINo is not traced, the applicant will be allocated a NINo if DWP are requested to do so by the HO and DWP are satisfied there is no overriding reason why a NINo cannot be allocated to the individual. Home office will carry out further checks on CID to determine that the individual was granted leave and send a further file to DWP NINo Provision of the cases that require NINo allocation.

7.10 The data exchange with DWP will be facilitated through Home Office Management Information and Data Analysis Service (MIDAS)

7.11 MIDAS will extract the following three data files from CID and send to DWP: Further details of the specific data fields contained in each data file are detailed in the respective DBRs (see section 7.5)

Data File 1

MIDAS will send data file 1 to DWP IES for the VERIFICATION only process. Data file 1 will contain data on all T2 cases created on CID during the previous day where applicant is **over 16** and a NINo **is present**.

Data File 2

MIDAS will send data file 2 to DWP NINo Provision for the TRACING only process. Data file 2 will contain all cases from the previous Extract/File 1 which failed VERIFICATION indicated by response sent from DWP IES and for those applicants who haven't provided their NINo on their application form. .

Data File 3

MIDAS will send data file 3 to DWP NINo Provision for the ALLOCATION PROCESS. Data file 3 will contain the following cases:

- a. Cases from a previous Extract/File 2 which failed TRACE indicated by response sent from DWP Provision.
- b. Case that have been granted leave by a caseworker

7.12 Home Office MIDAS will send a pipe delimited text file for the VERIFICATION process and two Microsoft excel spreadsheets for the TRACING and ALLOCATION process to the two designated areas of the DWP as specified in paragraphs 7.5 and 7.11.

7.13 It is anticipated that the exported data from Home Office to DWP will contain in the region of 145 cases a day in total (approximately 129 cases will go to DWP, IES and 16 cases will go to DWP,NINo Provision). Any significant fluctuations in volumes will be discussed and agreed with DWP in advance.

7.14 The pipe delimited text file and two Microsoft excel files will be supplied to the nominated official for the two designated areas of DWP by 10.00 am on a daily basis. The files will be sent by secure GSI email outlook account with the subject line marked as OFFICIAL SENSITIVE. This secure email account will only be accessed by designated DWP users.

7.15 On receipt of the data from MIDAS, DWP will for the VERIFICATION process:

- Match the inbound data against DWP records to check if a corresponding NINo is held on DWP systems.
- Where a NINo is matched DWP will conduct further matching against an agreed set of variables. DWP will provide Home Office with confirmation, a agreed set of variables through a match score, to allow Home Office to decide if this match level meets their requirements to state the NINo has been verified.
- Return the results within 5 working days of receipt to Home Office
- DWP will send the return data in Microsoft Excel format transferred by secure GSI email from and to agreed contact points.

7.16 On receipt of the data from MIDAS DWP will, for the TRACING and ALLOCATION process:

- For cases, where the NINo supplied with the other biographical information of an individual by the Home Office is not matched against that individual, but DWP have successfully traced a record of a NINo to that named individual and are satisfied it is an exact match; DWP will supply the Home Office with the correct 'traced' NINo for that applicant.

- Where a NINo is not traced through the process described above and DWP have been requested to allocate a NINo to the applicant by the Home Office, DWP to provide Home Office with details of that NINo
- Return the results within 5 working days of receipt to Home Office.

DWP will send the return data in Microsoft Excel format transferred by secure GSI email from and to agreed contact points.

Partial Trace Process

7.17 In order for DWP to successfully establish if a NINo exists for the applicant through the TRACE and ALLOCATE process the following three data sets must match a record on DWP Customer Information System (CIS) to be a confirmed match:

1. Name,
2. Date of Birth,
3. Address.

7.18 Where the first two elements (i.e. Name and Date of Birth) match what is held on DWP CIS records, but the 3rd element (i.e. the Address field) does not match what is held on CIS, this would be termed as a 'Partial Trace' result.

7.19 Where the trace action process does not match an address provided by the HO with an address on the DWP CIS system, DWP NINo Provision will contact HO at the following two email addresses: and to carry out an address verification check with the applicant.

7.20 DWP NINo Provision will provide Home Office with a series of questions adapted to the applicant. Home Office will arrange to contact the applicant either by phone, e-mail or by post with the specific questions provided by DWP. Once the applicant has responded, Home Office will send the applicant's response to DWP NINo Provision at

7.21 From the information provided by the applicant, DWP NINo Provision will confirm whether a NINo was traced or not traced. If a NINo is successfully traced, the traced NINo will be entered on the next available excel output file against the record for the relevant applicant for return to the Home Office.

7.22 Where a NINo is not traced through the address verification process, DWP NINo Provision will allocate a NINo to the applicant. DWP NINo Provision will enter the allocated NINo against the record for the relevant applicant on the next available excel output file for return to the Home Office.

Weekend Workflow Arrangements

7.23 The Home Office extracts will continue to be sent on a daily basis including on Saturday and Sunday. DWP however, will only process the files on the following

Monday, (working day 1) and in the order they were received, excluding Bank Holidays and office closures. Between 20-50 records will be sent on a Saturday and Sunday

7.24 Saturday and Sunday will not be counted as a working day within this SMoU for DWP purposes.

8. Roles of each party to the SMoU

8.1 The Role of the Home Office

- To ensure all aspects of the current Umbrella MoU and SMoU are adhered to.
- To provide a daily spreadsheet of the three data extracts of Home Office Tier 2 applicants as described in Section 7 to the relevant DWP department by 10am each day to allow DWP to verify, trace or allocate the NINo where appropriate
- Ensure that wherever reasonably possible all data provided to DWP is both accurate and up to date
- Any results to be sent via secure GSI email network to DWP secure GSI email network
- Ensure all verified or allocated NINos are recorded on CID.

8.2. The Role of DWP

- To ensure all aspects of the current Umbrella MoU and SMoU are adhered to
- In response, analyse the results received from the Home Office report and identify cases where NINo can be either verified or traced, for those unconfirmed cases return to the Home Office for further consideration
- Once matched DWP to store results received from Home Office in a secure folder in DWP shared drive with appropriate restricted access and password protected.
- To only allocate a NINo at the further request of the Home Office, after it has been determined by the Home Office that the applicant's application for leave has been granted.
- Ensure that staff handle this data in line with the approved secure transfer method agreed by both departments.
- To return the results within 5 working days of receipt
- Only store the information for as long as there is a business need.
- All designated staff handling Home Office data must have the appropriate level of security clearance determined by their own department

9. Retention and destruction

9.1 DWP will not use Home Office information for any purpose other than it was obtained for i.e. for the **In-Country NINo Verification process**, or share it with any other party without first seeking and obtaining Home Office permission.

9.2 Any information received by the Home Office from DWP will be processed in line with Home Office retention, destruction and storage policies.

9.3 Any information received by DWP from the Home Office will be processed in line with DWP retention, destruction and storage policies

10. Physical Security

10.1 When bulk data checking is carried out by the Home Office and transferred to a designated DWP officer in accordance with this SMoU, the result will be transferred to a DWP system whereupon the DWP becomes the data controller. The method used to transfer the data (secure e-mail or secure spreadsheet) will then be destroyed. No further or additional data may be recorded or transferred without the specific agreement of the Home Office.

10.2 All Home Office data will be stored, moved and disposed of in accordance with the Protective Marking Scheme and in accordance with the Data Protection Act. Home Office records are protectively marked as Official in line with the Government Protective Marking Scheme. Although individual records are not protectively marked, they must be treated as Official. Home Office retains the right to remove or restrict access rights to Home Office systems.

11. Costs

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12. Reviews

12.1 This agreement will be reviewed on a 12 monthly basis or at the request of either of the parties to the agreement.

13. Issues, Disputes and Resolution

13.1. Any issues regarding departmental-level, ongoing delivery aspects of the information supply, such as data integrity or quality, should be addressed through “business as usual” channels as detailed in annex A.

13.2. Where a problem or issue arises it should be reported immediately, in writing to the designated contacts (listed in annex A). The contacts will endeavour to resolve the problem within 2 working days.

13.3. Where it is not possible to resolve the issue within 2 working days or the issue is of such severity that public customers may be negatively affected in terms of the service they receive, the issue will be escalated to the senior management team for each partner. They will be notified with an explanation of why the dispute has not been resolved so that they can take appropriate action for resolution or plan contingency arrangements.

13.4. Where the “business as usual” channels fail to reach agreement, the parties will attempt to negotiate a settlement in the spirit of joint resolution within 20 working days of a formal notification being received. Contacts detailed in annex A.

13.5. Specific strands of activity that may affect this MoU should be discussed at a “business as usual” level to consider the possible impact on the MoU; once the

potential changes have been identified then a formal change notification should be sent to the 'MoU Change Control' contact detailed at annex A .

13.6. External changes affecting the operational delivery responsibilities of the parties may also necessitate the reviewing and potential amendment of this agreement.

14. Signatories

14.1 Signed on behalf of DWP

Name: Andy Lucas.

Title/ Role: Deputy Director Business Transformation Group - Enable

A handwritten signature in black ink, appearing to read 'A. Lucas', with a large, stylized initial 'A'.

Signed:

Date 1st April 2016

14.2 Signed on behalf of Home Office

Name: Michael Wells.

Title/ Role: Chief Operations Officer, UK Visas and Immigration

Signed

Date 1st April 2016