EXPLANATORY MEMORANDUM TO

THE IMMIGRATION (BIOMETRIC REGISTRATION) (AMENDMENT) REGULATIONS 2010

2010 No. 2958

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 These Regulations continue the incremental rollout of biometric immigration documents to include additional groups of foreign nationals who are subject to immigration control and who have limited leave to stay in the United Kingdom. The biometric immigration document issued under the Regulations takes the form of a card with a chip containing biometric data (fingerprints and a digital facial image).

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Context

4.1 The UK opted in to European Council Regulation (EC) No 1030/2002 of 13 June 2002 – laying down a uniform format for residence permits for third-country nationals – which requires the standardisation of residence permits. This Regulation has been amended (April 2008) by Council Regulation (EC) No 380/2008 to upgrade the security features, introducing a requirement to contain certain biometric data; fingerprints and digital facial image.

4.2 These Regulations are the fifth set of regulations to be made under the biometric registration provisions of the UK Borders Act 2007. They make further amendments to the Immigration (Biometric Registration) Regulations 2008 which enable the UK to comply with the EC regulations it opted into. This enables us to move a step closer towards complying with the EU requirement for Member States to confirm leave through the issue of a residence permit in the form of a card from May 2011 and with a biometric card from May 2012.

4.3 These Regulations build upon commitments to expand the rollout of the biometric immigration documents to certain categories of foreign nationals. Individuals applying for further leave to stay in the UK for more than 6 months under the Immigration Rules in Tiers 1 and 5 of the Points Based System for migration will now have to apply for a biometric immigration document.

5. Territorial Extent and Application

5.1 This instrument extends to all of the United Kingdom.

6. European Convention on Human Rights

6.1 Damian Green, Minister of State for Immigration, Home Office, has made the following statement regarding Human Rights:

In my view the provisions of the Immigration (Biometric Registration) (Amendment) Regulations 2010 are compatible with the Convention rights.

7. Policy background

- ***What is being done and why***

7.1 These Regulations build on previous Regulations which enable the UK to comply with EU law by rolling out biometric immigration documents to immigration categories of applicants extending their stay in the UK

These regulations impose a requirement to apply for a biometric immigration document to the following categories of migrants:

- Foreign nationals from outside of the European Economic Area (EEA) who are subject to immigration control and are applying for further leave to remain in the United Kingdom for more than 6 months under Tiers 1 and 5 of the Points Based System for migration, and;
- Dependants of these applicants applying under the immigration rules.

7.2 These changes only apply to foreign nationals subject to immigration control and who are applying for further leave to remain in the UK in the categories described.

7.3 PBS Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work. Tier 5 is for certain types of sponsored temporary worker whose stay helps to satisfy cultural, charitable, religious or international objectives. The specific categories of the PBS tiers covered by the regulation are:

Tier 1 (General) Migrant;
Tier 1 (Entrepreneur) Migrant;
Tier 1 (Investor) Migrant;
Tier 1 (Post-Study Work) Migrant; and
Tier 5 (Temporary Worker) Migrant.

7.4 Having a biometric immigration document will make it easier for foreign nationals granted an extension of stay in these categories to demonstrate their status in the UK to their sponsor and others to access benefits and services to which they are entitled. It makes it easier for employers of migrants in these categories to make right to work checks as the card clearly sets out the holder's entitlements. Employers do not need to undertake any more checks than already required, but the document issued is more secure and straightforward than other paper-based status documents issued. Employers are also becoming increasingly familiar with the biometric immigration document as the numbers in circulation have increased following previous roll outs.

- ***Consolidation***

7.5 These Regulations amend The Immigration (Biometric Registration) Regulations 2008, by adding additional categories required to apply for a biometric immigration document. These are the third set of amendments made to the Immigration (Biometric Registration) Regulations 2008, but the majority of the

original Regulations remain unchanged. If further substantive amendments are necessary in the future, consolidation will be considered at that stage.

8. Consultation outcome

8.1 The UK Border Agency has not undertaken a formal consultation, however, the rollout strategy and policy have been discussed with internal and external stakeholders.

9. Guidance

9.1 We will continue to liaise with our stakeholder groups including the Business Advisory Panel, Joint Education Taskforce, Arts & Entertainment Taskforce, employers, sports representatives, religious organisations, overseas governments and their embassies and organisations representing foreign nationals through stakeholder events and through publications on the UK Border Agency website.

10. Impact

10.1 The impact on business, charities or voluntary bodies is expected to be minimal as these regulations affect individuals.

10.2 The impact on the public sector is expected to be small as public sector organisations, such as the police, local authorities, NHS, DWP have become more familiar with the biometric immigration document since the beginning of its rollout in November 2008. Any impact will largely fall to learning and awareness issues. However, we have mitigated against this by continuing to work with organisations providing additional guidance and through continued stakeholder liaison.

10.3 An Impact Assessment and Equality Impact Assessment Report are attached to this memorandum and will be published alongside the Explanatory Memorandum on the OPSI website.

11. Regulating small business

11.1 The legislation does not apply to small businesses.

12. Monitoring & review

12.1 The UK Border Agency continues to monitor the rollout of the biometric immigration document for foreign nationals against its delivery targets and the impact of the policy.

13. Contact

13.1 Eleanor West at the UK Border Agency Tel: 0208 760 2244 or e-mail: eleanor.west16@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.

Title:	IA No: HO0019
Impact Assessment of Biometric Residence Permits - Tiers 1 and 5 of Points Based System	Date: 8/10/2010
	Stage: Final IA
	Source intervention: EU
Lead department or agency: Home Office / UK Border Agency	Type of measure: Secondary legislation
Other departments or agencies:	Contact for enquiries: Eleanor West 0208 760 2244

Summary: Intervention and Options

What is the problem under consideration? Why is government intervention necessary?

EU regulations require member states to issue foreign nationals from outside the European Economic Area (EEA) granted residency on their territories for more than 6 months a standalone residence permit containing the biometric features (two fingerprints and a facial image) of the holder stored in a chip in the permit. This document is known as a Biometric Residence Permit (BRP) in the UK and is issued by the UK Border Agency. To date the UK has only partially complied with the EU regulation as the rollout of the permit is being undertaken incrementally by immigration application category. To enable the rollout of the BRP to continue to more categories of (non-EEA) foreign nationals granted an extension of stay in the UK further secondary legislation is required.

What are the policy objectives and the intended effects?

To introduce a secure immigration document that provides a foreign national with evidence of their status and entitlements. This in turn provides employers and other organisations with a secure document that they are able to readily recognise and easily check. The permit makes it easier for businesses to check whether foreign nationals are entitled to work in the UK, while making it more difficult for those not entitled to be in the UK to access employment and benefits. Issuing the permit to further categories of (non-EEA) migrants extending their stay in the UK enables the UK to meet its legal obligations under EU legislation to roll out BRPs to all new applicants by 2012.

What policy options have been considered? Please justify preferred option (further details in Evidence Base)

Option 1: Do nothing: not recommended as this would continue to leave a multitude of immigration documents which employers would have to check. It could also open up the UK to infraction proceedings from the EU as we would fail to comply with the EU regulation.
Option 2: Implement EU minimum: issue standalone Biometric Residence Permits (initially without fingerprints) only where required by EU regulations. This would leave older, less secure immigration documents in circulation and would continue to leave employers with a multitude of documents to check. These would have to be replaced by Biometric Residence Permits in May 2012.
Option 3: Implement Biometric Residence Permit before EU deadline and phase out older, less secure types of immigration document: continue to issue a high quality secure document to all third country nationals who are here legally, that is easily recognisable by employers through an incremental rollout. This option avoids having to create two types of permit in quick succession.

When will the policy be reviewed to establish its impact and the extent to which the policy objectives have been achieved?	It will be reviewed Ongoing
Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review?	Yes

SELECT SIGNATORY Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister: Damian Green…. Date: 11 October 2010 ..

Summary: Analysis and Evidence

Policy Option 3

Description: Option 3: Implement Biometric Residence Permit before EU deadline and phase out older, less secure types of immigration document: continue to issue a high quality secure document to all third country nationals who are here legally, that is easily recognisable by employers through an incremental rollout

Price Base Year 2007	PV Base Year 2007	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	**High:** Optional	**Best Estimate: -£6.8m**

COSTS (£m)	Total Transition (Constant Price)	Yea	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional		Optional	**Optional**
High	Optional		Optional	**Optional**
Best Estimate	£4.2		£3.2	**£30.4**

Description and scale of key monetised costs by 'main affected groups'

Tiers 1 and 5 constitute approximately 16% of the total projected number of BRP applicants. :
1. Social costs of £8.1m (PV) relate to the costs of travelling to enrol biometrics.
2. An increase in operational costs of £17.5m (PV)
3. Share in set-up costs of £4m (PV).

Other key non-monetised costs by 'main affected groups'

The fee paid by applicants is not included as it is a cost to individuals. This is assumed to be £30 per applicant and amounts to £38.6m for all Tier 1 and 5 applicants at current cost.

BENEFITS (£m)	Total Transition (Constant Price)	Yea	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional		Optional	**Optional**
High	Optional		Optional	**Optional**
Best Estimate			£3.0	**£23.6**

Description and scale of key monetised benefits by 'main affected groups'

The key monetised benefits are:
Improvement in efficiency of enforcement operations (UKBA), reduction in benefits fraud (UK economy), fewer removals of illegal immigrants (UKBA), reduction in foreign national migrant prison population (UK economy).

Other key non-monetised benefits by 'main affected groups'

If UKBA does not meet the EU regulations for issuing BRPs, there is a strong possibility financial penalties will be incurred. An estimate of £10m a year, from the Home Office Legal Advisers Branch, as appropriate for modelling cost avoidance. Income for applications from groups other than students is excluded (as that money will be earned in the UK). This amounts to £8.5m (NPV). Similarly, income to Post Offices is excluded but calculated as being £430,000 (£13.56 for 45% of Tier 1 and 5 applications in 2010/11).

Key assumptions/sensitivities/risks **Discount rate (%)** 3.5

IT costs are already included in the model (£9,000).
Biometrics capture locations will change, but not as a result of the introduction of tiers 1 and 5.
Around 85% of applications will result in a BRP being issued and around 45% of applicants will have biometrics recorded at a Post Office.
From 2011, biometrics capture will be through a concession route that is currently under commercial consideration and therefore not modelled.
Volumes of PBS Tier 1 and 5 applicants are based on internal management information.
Volumes are based on current business operations and do not reflect any potential policy changes.

Impact on admin burden (AB) (£m):			Impact on policy cost savings	In
New AB:	**AB savings:**	**Net:**	**Policy cost savings:**	Yes/No

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?			United Kingdom		
From what date will the policy be implemented?			14/12/2010		
Which organisation(s) will enforce the policy?			The UK Border Agency		
What is the annual change in enforcement cost (£m)?			£0		
Does enforcement comply with Hampton principles?			Yes		
Does implementation go beyond minimum EU requirements?			Yes		
What is the CO_2 equivalent change in greenhouse gas emissions? (Million tonnes CO_2 equivalent)			**Traded:** n/a	**Non-traded:** n/a	
Does the proposal have an impact on competition?			No		
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?			**Costs:** n/a	**Benefits:** n/a	
Annual cost (£m) per organisation (excl. Transition) (Constant Price)	**Micro**	**< 20**	**Small**	**Medium**	**Large**
Are any of these organisations exempt?	n/a	n/a	n/a	n/a	n/a

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on…?	**Impact**	**Page ref within IA**
Statutory equality duties[1] Statutory Equality Duties Impact Test guidance	No	19-20
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	19
Small firms Small Firms Impact Test guidance	No	19
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	21
Wider environmental issues Wider Environmental Issues Impact Test guidance	No	21
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	21
Human rights Human Rights Impact Test guidance	No	21
Justice Justice Impact Test guidance	No	21
Rural proofing Rural Proofing Impact Test guidance	No	21
Sustainability Sustainable Development Impact Test guidance	No	21

[1] Race, disability and gender Impact assessments are statutory requirements for relevant policies. Equality statutory requirements will be expanded 2011, once the Equality Bill comes into force. The statutory equality duties part of the Equality Bill applies to GB only. The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Evidence Base (for summary sheets) – Notes

References

No.	Legislation or publication
1	EC Regulation 1030/2002
2	EC Regulation 380/2008
3	Immigration (Biometric Registration) Regulations 2008
4	Immigration (Biometric Registration) (Amendment) Regulations 2009
5	Immigration (Biometric Registration) (Amendment) (No.2) Regulations 2009
6	UK Borders Act 2007
7	Impact Assessment of Identity Cards for Foreign Nationals - Tier 2 of Points Based System v4.8
8	Impact Assessment of Identity Cards for Foreign Nationals - PBS Tier 4 (Student), Marriage Categories and Others v2.1
9	Impact Assessment of Identity Cards for Foreign Nationals - Student and Marriage Categories v1.6

Evidence Base

Ensure that the information in this section provides clear evidence of the information provided in the summary pages of this form (recommended maximum of 30 pages). Complete the **Annual profile of monetised costs and benefits** (transition and recurring) below over the life of the policy (use the spreadsheet attached if the period is longer than 10 years).

The spreadsheet also contains an emission changes table that you will need to fill in if your measure has an impact on greenhouse gas emissions.

Annual profile of monetised costs and benefits* - (£m) constant prices

	Y_0	Y_1	Y_2	Y_3	Y_4	Y_5	Y_6	Y_7	Y_8	Y_9
Transition costs	0.972	1.525	1.440	0.252	0.011					
Annual recurring cost	0	0.961	2.363	3.229	4.659	4.267	4.143	4.082	4.060	4.042
Total annual costs	0.972	2.486	3.803	3.481	4.670	4.267	4.143	4.082	4.060	4.042
Transition benefits	0	0	0	0	0	0	0	0	0	0
Annual recurring	0	0.117	0.579	1.572	2.886	3.544	4.347	4.667	5.191	6.721
Total annual benefits	0	0.117	0.579	1.572	2.886	3.544	4.347	4.667	5.191	6.721

* For non-monetised benefits please see summary pages and main evidence base section

Summary: Analysis and Evidence

Policy Option 2

Description: Option 2: Implement Biometric Residence Permit without collecting fingerprints until the EU requires this. This option has not been adopted.

Price Base Year 2007	PV Base Year 2007	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	**High:** Optional	**Best Estimate: -£8.1m**

COSTS (£m)	Total Transition (Constant Price)	Yea	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional		Optional	**Optional**
High	Optional		Optional	**Optional**
Best Estimate	£5.2		£3.2	**£31.3**

Description and scale of key monetised costs by 'main affected groups'

Tiers 1 and 5 constitute approximately 16% of the total projected number of BRP applicants. :
1. Social costs of £8.1m (PV) relate to the costs of travelling to enrol biometrics.
2. An increase in operational costs of £17.5m (PV)
3. Share in set-up costs of £4m (PV), plus £1m one-off costs.

Other key non-monetised costs by 'main affected groups'

The fee paid by applicants is not included as it is a cost to individuals. This is assumed to be £30 per applicant and amounts to £38.6m for all Tier 1 and 5 applicants at current cost.

BENEFITS (£m)	Total Transition (Constant Price)	Yea	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional		Optional	**Optional**
High	Optional		Optional	**Optional**
Best Estimate			£3.0	**£23.2**

Description and scale of key monetised benefits by 'main affected groups'

The key monetised benefits are:
Improvement in efficiency of enforcement operations (UKBA), reduction in benefits fraud (UK economy), fewer removals of illegal immigrants (UKBA), reduction in crime by migrants (UK economy), reduction in foreign national migrant prison population (UK economy)

Other key non-monetised benefits by 'main affected groups'

If UKBA does not meet the EU regulations for issuing BRPs, there is a strong possibility that financial penalties will be incurred. An estimate of £10m a year has been provided (by LAB) as appropriate for modelling cost avoidance. Income for applications from groups other than students is excluded (as money will be earned in the UK). This amounts to £8.5m (NPV). Similarly, income to Post Offices is excluded but calculated as being £430,000 (£13.56 for 45% of all Tier 1 and 5 applications in 2010/11).

Key assumptions/sensitivities/risks **Discount rate (%)** 3.5

Costs of enabling validation without fingerprint capture are at least £1m. Some benefits are reduced.
Biometrics capture locations may need to change to enable facial-only capture this would increase social costs. This has not been modelled.
Around 85% of applications will result in a BRP being issued and around 45% of applicants will have biometrics recorded at a Post Office. From 2011, biometrics capture will be through a concession route that is currently under commercial consideration and therefore not modelled.
Volumes of PBS Tier 1 and 5 applicants are based on internal management information.
Volumes are based on current business operations and do not reflect any potential policy changes.

Impact on admin burden (AB) (£m):			Impact on policy cost savings	In
New AB:	**AB savings:**	**Net:**	**Policy cost savings:**	Yes/No

Note: Only the Summary: Analysis and Evidence page is provided here because **Option 2** is not the 'preferred option' and is not recommended for implementation. The purpose of this sheet is simply to present details of the EU minimum policy as the recommendation is to go beyond this.

Evidence Base (for summary sheets)

A. Strategic Overview

A.1 Background

Foreign nationals come to the United Kingdom for a wide range of reasons such as to study or work. The Biometric Residence Permit (BRP) uses technology that enables UKBA to comply with European Union legislation, reinforce its business processes, cut illegal working, protect legal migrants and identify those trying to evade our rules and laws. In addition, it provides employers and other organisations with a simple means of checking whether a foreign national is entitled to work in the UK or access certain services and/or benefits.

EU regulations (EC regulation 380/2008), require member states to issue foreign nationals subject to immigration control and granted residency on their territories for more than 6 months a standalone residence permit of a uniform format and containing fingerprints and a digital photograph. This document is known as a Biometric Residence Permit (BRP) in the UK and is referred to as a Biometric Immigration Document within the UK Borders Act 2007. As BRPs are governed by European legislation, the UK Border Agency is still required by European law to provide and issue BRPs if it is to avoid infraction proceedings by the EU.

A.2 Groups Affected

This impact assessment supports regulations that widen the categories of applicant required to apply for a BRP as part of an immigration application. These regulations incorporate those applying for an extension of stay in the UK under Tiers 1 and 5 of the Points Based System (PBS) for migration and their dependants within the scheme, applying on or after 14 December 2010. PBS Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work. PBS Tier 5 is for certain types of sponsored temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives.

Since the initial rollout of BRPs on 25 November 2008, the UK Border Agency (UKBA) has issued BRPs to over 265,000 non-EEA migrants including those granted an extension of stay in the UK, mainly to students and marriage/partnership applicants and skilled workers applying under PBS Tier 2.

B. Rationale

In May 2008, the EU approved the regulations that require member states, including the UK, to issue uniform format BRPs to (non-EEA) foreign nationals granted leave for more than 6 months. Full implementation is required by May 2012. The EU Commission is seeking to raise the minimum standards of immigration documents issued by member states to improve the security of documentation. In addition, having a standalone permit makes it easier for migrants resident in member state countries to move around the EU.

These regulations act as another milestone towards complying with the regulation. Rolling out BRPs to migrants granted further leave in the UK under PBS Tiers 1 and 5 will complete the rollout of permits to all of the operational PBS categories. PBS Tier 3 (low skilled migrants) is currently suspended indefinitely.

BRPs support the Government's commitments to securing our borders and controlling migration. They help strengthen immigration controls, reduce the burden on businesses and enable migrants lawfully in the UK to access employment and other benefits to which they are entitled. As more BRPs are rolled out to foreign nationals granted an extension of their stay in the UK, it will become even easier for employers to establish whether their foreign national employees are entitled to work in the UK.

We are already using biometrics both overseas during the visa application process and in-country. Using biometric technology has helped the UK Border Agency to take action against those submitting fraudulent or multiple applications.

C. Objectives

I) Complying with EU Regulations

In June 2002, Council Regulation (EC) 1030/2002 laid down a uniform format for vignettes issued to foreign nationals subject to immigration control. This set out the format and security features of the vignette (sticker) in a passport or as a standalone permit. These regulations were amended on 18 April 2008, by Council Regulation (EC) No 380/2008, which introduced a time-frame of 2–3 years from the agreement of technical standards to implement the later regulation requiring that member states only issue as standalone Biometric Residence Permits containing fingerprints and digital facial image. The EU Commission signed the technical specifications on 20 May 2009.

This Impact Assessment is concerned with amending the Biometric Registration Regulations made under the 2007 Act to deliver the rollout of Biometric Residence Permits in accordance with the UK Border Agency's business plans based on existing and new category types which match up to the Agency's biometric enrolment capability. This is to enable the Government to meet its obligations under EU legislation.

The EU is updating the residence permit to improve its security and usage for migrants with permission to stay on a member state's territory.

II) Expanding Coverage

Biometric regulations rolled out incrementally to date enable the UK Border Agency to require those applying to extend their stay in the UK under certain immigration categories to enrol their biometric features (ten fingerprints and facial image) as part of that application. Already covered by the scheme are applications made under the immigration rules to extend for more than 6 months in the following categories:

- Tier 2 of the Points Based System - skilled worker (general), minister of religion, sportsperson and intra-company transfer;
- Tier 4 of the Points Based System - student (general, including postgraduate doctors and dentists) or student (child);
- Spouses and civil, unmarried or same-sex partners;
- Academic visitor;
- Visitor for private medical treatment;
- Domestic worker in a private household;
- United Kingdom ancestry;
- Retired persons of independent means;
- Representative of an overseas business;
- Dependant of a main applicant in a category that requires a BRP; and
- Transfer of conditions (from a passport or other such document).

The new regulation will introduce the requirement to enrol biometrics to foreign nationals applying for further leave under Tiers 1 and 5 of the Points Based System (PBS), who will receive a Biometric Residence Permit if successful. PBS Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work. PBS Tier 5 is for certain types of sponsored temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives.

The addition of these categories in the regulations will enable the majority of temporary migrant categories from outside the EEA to be required to apply for a BRP when applying to extend their stay in the UK. This approach will enable the continued roll out to expand in a manageable means and continues to support the Government objective of meeting its obligations under EU legislation.

D. Options

Option 1: Do nothing – This option is not possible, as the UK must comply with EU regulations on the format of biometric residence permits. There are no additional costs and benefits associated with Option 1 – do nothing. However, option 1 is not recommended for two reasons: firstly, it would continue to leave a multitude of immigration documents which employers would have to check; secondly, it could also open up the UK to infraction proceedings from the EU as we would fail to comply with the EU regulation.

Option 2: Implement EU Minimum - This option assumes we issue a standalone permit where EU regulations require it, e.g. where a migrant makes an application for leave to stay for more than 6 months, but do not issue it where not required by the EU regulations e.g. where a migrant already has leave and does not make a further application. Additionally under this option, the UK Border Agency would only issue permits with facial biometrics (photo) and widen the scope to include fingerprints in line with the EU deadline (thus missing out on at 1 to 2 years worth of enrolling and checking fingerprints, and therefore reducing some benefits for that period). It would also create a two-tier system as many migrants already in the UK already have a BRP that includes their fingerprints.

Option 3: Implement EU minimum plus *(phase out older, less secure types of immigration document by extending scope of roll out)* – This means we issue a high quality secure document to those legally here, easily recognisable by employers and others which includes fingerprints before the deadline set by the EU, in May 2012. Unlike other EU member states the UK has not previously issued a standalone residence permit. This option avoids the intermediate stage of issuing a permit which only contains a photograph. This option to enrol and check migrants' fingerprints is necessary to reduce abuse of the system as it allows the UK Border Agency to verify the customer journey.

The Preferred Option

The preferred option, as per previous impact assessments, is to fully implement the policy (option 3). In proceeding, UKBA has considered the impact of the policy and the costs and benefits of implementing the scheme above the EU minimum, and considers the additional benefits to justify the additional costs.

E. Appraisal (Costs and Benefits)

General Assumptions and Data

<u>Overall approach to costs</u>

In this impact assessment, we have included the proportion of costs and benefits of the full Biometrics Residences Permits Programme that are relevant for the Tier 1 and 5 groups. This approach has been used in previous impact assessments and will be repeated as and when new groups are introduced into the scheme. The costs set out in this IA are part of the wider costs of introducing Biometric Residence Permits. The latest estimate of costs for the whole scheme are shown below (costs have been scrutinised by Parliaments EU scrutiny committee as part of the introduction of biometric residences permits). The volumes assumed for the ten year period covered in this impact assessment for these regulations are a subset of the whole BRP implementation which covers several other categories. Benefits are proportionately reduced in line with expected volumes for Tiers 1 and 5, or removed where not relevant for this group.

Full costs

For clarity, the full cost estimates of rolling out BRPs over 10 years are as follows. As with any estimates, these are reviewed against actual costs, and will be changed as new and revised information becomes available.

	Full Implementation
Total one-off costs over 5 years (PV)	£24.8m
Total running costs over 10 years (PV)	£130.3m
Average Annual cost (excluding one-off PV)	£13m
Total Cost (PV) over 10 years	£155.1m
Average annual benefit	£17.1m
Total benefit (PV) over 10 years	£171.3m
Net Cost (NPC) over 10 years	£16.2m

The total cost over a 10-year period (on a present value basis) is £155.1 million and includes:

- Set-up costs £ 24.8m
(to design, build and roll out the BRP system)
- Operational costs £109.4m
(costs of making appointments, processing applications, enrolling applicants' biometrics, validating identity, production and despatch of permits, continuing IT and application support)
- Social costs £ 50.7m
(cost of applicant travel and enrolment time)

The case for Biometric Residence Permits has been developed over a number of years. Assumptions that supported the modelling of impacts are documented within the model. Key assumptions include:

- Discount rate of 3.5%;
- The modelling is based on a 10-year time horizon from 2007/08 to 2016/17;
- Only student application fees are treated as income (and therefore a financial benefit), as other application fees are from income earned in the UK (a transfer of resources with no net impact on the UK economy);
- We assume no migrants are deterred by the cost of the application and BRP fee;
- It is assumed that any administrative costs of capturing photographs for the two options would be cost neutral as provision of a photograph by the applicant could have a higher error rate than current arrangements and
- Enrolment of biometrics at different locations follows the profile provided in the table below, with enrolment from 2011/12 onwards being 100% through Front Office Services (FOS).

	2007/08	2008/09	2009/10	2010/11	2011/12
PEO (standard)	100%	100%	50%	25%	0%
Post offices (standard)	0%	0%	19%	45%	0%
IPS (standard)	0%	0%	31%	30%	0%
FOS (standard)	0%	0%	0%	0%	100%
Other 2 (standard)	0%	0%	0%	0%	0%
Mobile enrolment (standard)	0%	0%	0%	0%	0%

Source: BRP Scenario Model v 1.1 – the financial model that identifies costs and benefits associated with BRP. This profile is based on analysis of BRP applicants travel and operational modelling. It was last updated in 2009.

Option 2 – EU Minimum

This option assumes UKBA issues a standalone permit where EU regulations require it, e.g. where a migrant makes an application for leave to stay for more than 6 months, but do not issue it where not required by the EU regulations e.g. where a migrant already has leave and does not make a

further application. Additionally under this option, the UK Border Agency would only issue permits with facial biometrics (photo) and widen the scope to include fingerprints in line with the EU deadline (thus missing out on at 1 to 2 years worth of enrolling and checking fingerprints, and therefore reducing some benefits for that period). It would also create a two-tier system as many migrants already in the UK already have a BRP that includes their fingerprints.

Now that UKBA is already issuing BRPs containing fingerprints, it would increase costs and reduce benefits if we introduced permits without fingerprints. This option would also reduce the significant additional non-monetised benefits in the area of reduction of fraud, crime and illegal working through the introduction of a non-biometric permit.

Policy Costs
All costs are borne by the public sector.

Administrative Burdens
All costs are borne by the public sector so there will be no impact on private sector administrative burdens.

TOTAL COSTS

The majority of costs fall to the public sector, including;

- **Set-up costs** - including additional IT costs to change the IT systems to enable BRPs to be produced without biometrics - **£5.2m**;
- **Operating costs** - including capturing and verifying migrant identities and providing applicants with BRPs - **£17.5m**;
- **Enforcement costs** - covered in business as usual; and
- Loss of income and added costs to businesses providing existing enrolment capability (non-monetised)

In addition, there are additional **wider social costs** associated with the requirement to make individuals spend time travelling to locations where they can enrol their biometrics. These wider impacts are estimated at **£8.1m** over 10 years.

The total costs of option 2 are estimated at **£31.3m** over 10 years.

Administrative Savings

Increased use of BRPs will make it easier for employers to check eligibility to work in the UK. However, this is not quantified, as benefits in this area will be realised more fully once there is a larger critical mass of foreign nationals with BRPs. Rollout to tiers 1 and 5 will contribute to this. Other initiatives (such as an on-line checking service) will help to realise additional benefits in the longer-run but are not attributable to this policy change and hence not included in this impact assessment.

TOTAL BENEFITS

The total value of benefits for Option 2 is estimated at around **£23.2m** over 10 years.

Benefits that can be modelled by volume and therefore quantified proportionately for tiers 1 and 5 are listed below, with the financial value of the benefit for Tiers 1 and 5 provided for Option 2. Because this option delays capture of fingerprints until 2012, benefits associated with enforcement, removals and deterrence from entering the UK or committing benefit fraud have been reduced by 50% for the first financial year.

Policy Benefits
Benefits are experienced by the UK economy and include:

- Easier right to work checks for employers;
- Confirmation of status for foreign national residents with little biographic footprint (for example, when entering into a commercial agreement) and

- Income to organisations capturing biometrics.

The list of monetised benefits is included below:

- **Improvement in efficiency of Enforcement Operations** - the number of illegal working operations that enforcement teams could mount would increase with the growing availability of the BRP and the use of readers to authenticate permits, allowing officers to check the status of foreign nationals, their entitlements to work and benefits and the authenticity of the BRP. The BRP will mean that officers can clear legitimate workers and identify illegal migrants faster. This benefit is estimated at around £5.7m over the 10 year period.

- **BRPs will deter some illegal immigrants from entering the UK and will therefore reduce crime** – The introduction of BRPs will make life in the UK for an illegal migrant increasingly difficult without a BRP. Some of those seeking to abuse the system will therefore decide not to come and this will help to reduce crime figures currently associated with this group. This benefit has been estimated at around £4.2m over 10 years.

- **Less migrants intending to abuse UK immigration laws and rules coming to UK** – Publicity surrounding the introduction of BRPs will make it clear that life in the UK for an illegal migrant will be increasingly difficult without a BRP. As a result, fewer illegal immigrants will come to the UK and therefore there will be a reduction in the costs as these people will not need to be detained and removed by UK Border Agency. Over 10 years this is expected to be close to £2.3m.

- **Reduction in immigration related benefit fraud -** Publicity surrounding the introduction of BRPs will make it clear that life in the UK for an illegal migrant will be increasingly difficult without a BRP. This deterrent effect will reduce the amount of benefit fraud. This will be a benefit to the wider UK economy and other government departments who are able to crack down on abuse as a result of checking more secure documents. This could total £0.4m over 10 years.

- **Extended share of operational efficiency savings,** specifically from the initiative to provide more secure delivery of BRPs. This is relatively insignificant in terms of value at £0.003m.

- **Other Benefits** – there are a number of other benefits that have been monetised including benefits reducing the foreign national prisoner population, not having to replace BRPs lost in the post through the use of a secure delivery system, the ability to capture, store and match biometric information and cost savings from not having to produce vignettes. These are estimated at around £10.6m over 10 years.

Non-Monetised Benefits

There are a significant number of non-monetised benefits associated with option 2. These are described below:

- **UK Reputation** - if the UK does not comply with EU regulations in issuing BRPs, there will be a reputational impact.

- **Reduced illegal working** - by extending the number of foreign nationals who have valid documents that confirm employment status, it will be easier for potential employers to check work status.

- **Align with EU partners** - Using a common standard for design of the BRP will allow the UK to introduce systems which are interoperable with those in place across the EU. The BRP will also be interoperable with other international standards and systems. There is benefit to the UK and the EU by using standards aligned with the EU whereby all migrants can establish their status, right to work and entitlements using secure biometric residence permits (BRPs). Aligned standards enable all BRPs to be checked for authenticity with the

same BRP readers loaded with the appropriate certificates. However, this would not be realised until 2012.

- **Increase confidence in immigration system** - The UK's immigration system has been the focus of much media scrutiny in recent years. The introduction of BRPs is a key part of this and will build public confidence as BRPs will reduce the harm that accrues from illegal migration. Checking against police fingerprint records plays an important part in increasing confidence.

- **Attract migrants by ensuring a secure immigration document** – research evidence suggests that those living here legally and playing by the rules can sometimes have concerns regarding the security of their information and their ability to prove their status, right to work and entitlements. BRPs provide this security and an easier method of evidencing a migrant's rights and entitlements. These BRPs will continue to be made of polycarbonate which contains a highly secure embedded chip and incorporates sophisticated security safeguards to combat tampering. This means that BRPs will be more resistant to attack than the existing vignettes and other UK immigration status documents. As the BRPs will confirm both a person's immigration status and entitlement to work and/or public funds in the UK, we will be able to link a person securely to their biographic and photograph.

- **Detect other immigration offences** – if a BRP holder who has overstayed their leave presents a BRP at the border or an immigration office, it will trigger an enforcement action. Several cases have already been successfully prosecuted. This will be a benefit to the wider UK economy.

- **Make life easier for the BRP holder** – migrants here legally who are issued with a BRP will, over time, find it easier to deal with government and to travel as they have a secure document showing their entitlements. This will be achieved by phasing out the wide range of old style documents it makes it easier for those checking the BRP to deal with migrants quickly and confidently, thereby benefiting migrants and those checking the BRP.

- **Easier employer or education sponsor checks –** phasing out the whole range of old style insecure documents will make it easier for employers and educational establishments to check entitlements and so reduce the administrative burden of these checks. This will be a benefit to the wider UK economy. Employers already have an obligation to check right to work documents, the introduction of BRPs will standardise the documentation and as verification services develop it will become quicker and easier. Over time, we would expect to be able to quantify this benefit.

- **BRPs will deter illegal immigrants from entering the UK and will reduce illegal working and increase tax revenues -** businesses will be more likely to use legal workers and this could lead to increased tax revenue. Where it is not replaced there will still be benefits from reducing illegal working in the UK. This will be a benefit to the wider UK economy.

Policy Benefits

Benefits are experienced by the UK economy and include:

- Easier right to work checks for employers;
- Confirmation of status for foreign national residents with little biographic footprint (for example, when entering onto a commercial agreement) and
- Future income to organisations capturing biometrics

Option 3 – EU minimum plus

Option 3 will mean UKBA issue a high quality secure document to those legally here, easily recognisable by employers and others which include fingerprints before the deadline set by the EU,

in May 2012. Unlike other EU member states the UK has not previously issued a standalone residence permit. This option avoids the intermediate stage of issuing a permit which only contains a photograph. This option to enrol and check migrants' fingerprints is necessary to reduce abuse of the system as it allows the UK Border Agency to verify the customer journey.

Policy Costs
All costs are borne by the public sector.

Administrative Burdens
All costs are borne by the public sector so there will be no impact on private sector administrative burdens.

TOTAL COSTS
The key operating difference between options 2 and 3 is the capture of fingerprints. The majority of costs again fall to the public sector, including:

- **Set-up costs** - **£4.2m**
- **Operating costs** (capturing and verifying migrant biometrics identities and providing applicants with BRPs) - **£17.5m**;
- **Enforcement costs** - covered in business as usual

In addition, there are additional **wider social costs** associated with the requirement to make individuals spend time travelling to locations where they can enrol their biometrics. These wider impacts are estimated at **£8.1m**.

The total costs of option 3 are estimated at **£30.4m** over 10 years.

Administrative Savings

Increased use of BRPs will make it easier for employers to check employment eligibility. However, this is not quantified as benefits and this will largely be realised once there is a critical mass of foreign nationals with BRPs. Rollout to tiers 1 and 5 will contribute to this. Other initiatives (such as an on-line checking service) will help to realise additional benefits in the longer-run but are not attributable to this policy impact assessment.

TOTAL BENEFITS

The total value of benefits for option 3 is estimated at around **£23.6m** over 10 years.

In addition to all of the benefits identified for Option 2, the earlier adoption of BRPs and fingerprint capture will result in the following benefits being realised:

- **Improvement in efficiency of Enforcement Operations** This is similar to option 2, but increases to ability to check for imposters as this option will enable fingerprints to be checked. The estimated value of this benefit is £6.0m - £0.3m more than for option 2.

- **BRPs will deter some illegal immigrants from entering the UK and will therefore reduce crime** – similar to option 2, but the added benefit of fingerprint checks prior to 2012 improves capability of checking for imposters. Assessing this gives a value of £4.3m - an increase of £0.1m over Option 2.

- **Less migrants intending to abuse UK immigration laws and rules coming to the UK** – In addition to the benefits identified for option 2, the ability to check fingerprints against the permit will add as a further deterrent factor particularly against imposters. This may be worth £2.4m - an increase of £0.1m over Option 2.

- **Reduction in immigration related benefit fraud –** As with option 2, but with the additional benefit of being able to check fingerprints to prevent abuse by imposters. The estimate of this benefit is £0.4m, which is an increase of £9,000 over option 2.

Non-Monetised Benefits

There are a significant number of additional non-monetised benefits associated with option 3, over and above those identified for option 2. These are described below:

- **Advanced alignment with EU partners** - Using a common standard for design of the BRP will allow the UK to introduce systems which are interoperable with those in place across the EU. The BRP will also be interoperable with other international standards and systems. There is benefit to UK and the EU by using standards aligned with the EU whereby all migrants can establish their status and entitlements through the use of secure BRPs. Aligned standards enable all BRPs to be checked for authenticity with the same readers loaded with the appropriate certificates. This would be realised immediately.

- **Increased volume of biometric records** - It is intended that the additional information that will be provided by recording of biometric data for foreign nationals could be made available to other bodies, such as the police within the limits of legislation. The information will contribute to the strengthening of border controls and help reduce crime.

- **Greater increase in confidence in immigration system** - Including fingerprint enrolment enables checks against police fingerprint records, which plays an important part in increasing confidence.

- **Identify multiple and fraudulent applications** - biometric data is tied to an individual applicant so checks undertaken when a person applies for a residence permit will automatically identify individuals who have previously had their biometrics recorded (either in-country or out-of-country) and who are now claiming as someone else. This will benefit the wider UK economy. This also links with initiatives such as 'Five Countries Conference' approach.

- **Detect other immigration offences** - if a BRP-holder who has overstayed their leave presents a BRP at the border or an immigration office, it will trigger an enforcement action. Several cases have already been successfully prosecuted. This will be a benefit to the wider UK economy.

- **Easier employer or education sponsor checks** - this will also offer the ability for improved checks against impostors.

- **Secure documents** - The BRP is designed in such a way that it is inherently more secure than the old style paper based immigration documents. The secure BRP design is supported by more secure issuing processes and the verification of biometric data, as well as the ability to 'lock' an individual to their biometric data. This will be a benefit to the wider UK economy.

- **Additional criminal and counter terrorism record checks -** The additional steps introduced to enable all applicants' biometrics to be checked against criminal and counter terrorism records. In addition, the biometrics registered from foreign nationals can be checked against scene of crime fingerprint records.

Policy Benefits

Benefits are experienced by the UK economy and these include.

- Easier right to work checks for employers;
- Confirmation of status for foreign national residents with little biographic footprint (for example, when entering into a commercial agreement) and
- Income to organisations capturing biometrics.

Overall we expect the monetised and non-monetised benefits associated with option 3 to significant exceed those associated with option 2.

F. Risks

Option 1 – Do Nothing

Whilst option 1 (do nothing) has no additional costs associated with it, there is the risk of a potential punitive fine from the EU for non-compliance. UKBA legal advice is that £10m a year is a reasonable assumption for this fine as it is likely to be set at a rate that at least matches the cost of progressing the roll-out of BRPs. **There is hence a significant risk of increased costs to UKBA associated with doing nothing and not complying with EU legislation.**

Option 2 – Implement EU minimum

The current system capability is based on fingerprint capture. If the option of not capturing fingerprints were to be considered, further analysis of system impact would need to be carried out. This in itself would incur a cost, and would result in additional IT costs.

In addition, there is a risk associated with option 2 that it would not enable the full non-monetised benefits associated with capturing migrants' fingerprints. These are necessary to reduce abuse of the system as it allows the UK Border Agency to verify the legality of the migrant.

Option 3 – Implement EU minimum plus

This option is based upon issuing BRPs containing fingerprints before the deadline required by the EU regulation. This option enables earlier enrolment of fingerprints than required by the EU regulations.

If the rollout of BRPs were delayed, it would risk the operational delivery of the programme in ensuring there is sufficient capacity to enrol the biometric features of migrants seeking to extend their stay in the UK.

G. Enforcement

The UK Border Agency already manages Biometric Residence Permits on behalf of the Government. It interacts with business, migrants and employers in a proportionate, fair and transparent method. It also carries out enforcement activity as well as policy guidance, operations and the provision of advice and assistance. The policy change does not alter any of the UK Border Agency's enforcement and management activities therefore it will continue to conduct its business in line with Hampton principles.

The number of illegal working operations that enforcement teams could mount would increase with the growing availability of BRPs and the use of handheld fingerprint and BRP readers allowing officers to quickly establish the status of foreign nationals, their entitlements to work and benefits and the authenticity of the BRP. The production of the BRP by the holder will mean that officers can clear legitimate workers and identify illegal migrants faster.

H. Summary and Recommendations

The table below outlines the summary monetised costs and benefits of the options.

Table H.1 Costs and Benefits (at constant prices), millions

Option	Costs (m)	Benefits (m)
2		

	Transition Costs	£5.2	Improvement in efficiency of enforcement operations	£5.7
	Operational costs	£18	Deterrence of illegal immigrants	£4.2
	Total Social costs	£8.1	Fewer removals of illegal immigrants	£2.3
			Reduction in benefit fraud	£0.4
			Identified benefits	£12.6
			Other benefits	£10.6
	Total Costs	**£31.3**	**Total Benefits**	**£23.2**
3				
	Transition Costs	£4.2	Improvement in efficiency of enforcement operations	£6.0
	Operational Costs	£18	Deterrence of illegal immigrants	£4.3
	Total Social costs	£8.1	Fewer removals of illegal immigrants	£2.4
			Reduction in benefit fraud	£0.4
			Identified benefits	£13.1
			Other benefits	£10.6
	Total Costs	**£30.4**	**Total Benefits**	**£23.6**

Source: Scenario Model for BRP v 1.01 – the financial model that identifies costs and benefits associated with BRP. Note – numbers may not add due to rounding

The preferred option, as per previous impact assessments, is to fully implement the policy (option 3). In proceeding, UKBA has considered the impact of the policy and the costs and benefits of implementing the scheme above the EU minimum, and considers the additional benefits to justify the additional costs.

Option 3 allows the early capture of fingerprints and hence will increase the non-monetised benefits associated with establishing status and entitlements through enforcement activity. Changes in technology and process (to remove the need for fingerprint capture) are avoided, saving £1m. There is also no limit on where BRP applicants visit to have their identity validated (if Option 2 is chosen, the contract with POL would need to be re-negotiated or this route removed for Tiers 1 and 5. It also enables the UK to comply with the EU regulations in a phased approach.

This option reduces project implementation risks (and costs) by rolling out on a less steep curve and enables the UK Border Agency, the customer, employers and other government departments to adapt the enabling technology, biometric records being collected and documents being issued. It avoids the need to incur costs of having an interim solution, and given we are already issuing biometric residence permits, we would incur additional costs having to change the design of the permit and IT systems. Furthermore, there is a risk that we would be required to recall previously issued biometric residence permits, if having two systems is deemed discriminatory.

This option also enables the UK Border Agency to enhance security through checks against criminal and counter terrorism records. Without including all groups extending their stay there would be a gap in the system that could be exploited by those seeking to avoid having their identities checked and fixed and those attempting to abuse less secure documents to access employment or benefits illegally.

I. Implementation

The Government plans to implement these changes on 14 December 2010. The Biometric Residence Permit Central Operations Unit will oversee the implementation.

Applicants will be able to make premium applications including having their biometric details taken as from 14 December 2010. Postal applications will also be able to be made on 14 December 2010 but will not be able to have their biometric details taken until they are notified. Telephone and online booking facilities for making appointments for biometric details to be taken will be available from 9 November 2010.

J. Monitoring and Evaluation

The effectiveness of the new requirement will be monitored by UKBA through the collection and analysis of Management Information. Similar data for previous rollouts is already used to monitor demand, identify trends, and analyse and evaluate the effectiveness of the policy. It will also be used to monitor the effectiveness in identifying illegal activity.

K. Feedback

Feedback of the impact of the policy to rollout BRPs will be undertaken after the BRP is rolled out to all the categories required by the EU regulations after May 2012.

L. Specific Impact Tests

The results of these are presented in Annex 2.

Annexes

Annex 1 should be used to set out the Post Implementation Review Plan as detailed below. Further annexes may be added to provide further information about non-monetary costs and benefits from Specific Impact Tests, if relevant to an overall understanding of policy options.

Annex 1: Post Implementation Review (PIR) Plan

A PIR should be undertaken, usually three to five years after implementation of the policy, but exceptionally a longer period may be more appropriate. A PIR should examine the extent to which the implemented regulations have achieved their objectives, assess their actual costs and benefits and identify whether they are having any unintended consequences. Please set out the PIR Plan as detailed below. If there is no plan to do a PIR please provide reasons below.

Basis of the review: [The basis of the review could be statutory (forming part of the legislation), it could be to review existing policy or there could be a political commitment to review];
Review objective: [Is it intended as a proportionate check that regulation is operating as expected to tackle the problem of concern?; or as a wider exploration of the policy approach taken?; or as a link from policy objective to outcome?]
Review approach and rationale: [e.g. describe here the review approach (in-depth evaluation, scope review of monitoring data, scan of stakeholder views, etc.) and the rationale that made choosing such an approach]
Baseline: [The current (baseline) position against which the change introduced by the legislation can be measured]
Success criteria: [Criteria showing achievement of the policy objectives as set out in the final impact assessment; criteria for modifying or replacing the policy if it does not achieve its objectives]
Monitoring information arrangements: [Provide further details of the planned/existing arrangements in place that will allow a systematic collection systematic collection of monitoring information for future policy review]
Reasons for not planning a PIR: [If there is no plan to do a PIR please provide reasons here] A PIR has not been completed at this stage, as the policy has not been implemented for at least three years. A PIR should be undertaken after May 2012, when UKBA has completed the rollout of BRPs to the categories of migrants required to have a BRP under the EU regulations.

Annex 2. Specific Impact Tests

Small Firms Assessment

The policy on BRPs will be applied to all non-EU nationals in the same way across all nationalities by the published criteria. Overall, the impacts of these proposals on non-EU nationals should not be any greater than the normal adverse impacts they would encounter from the implementation of regulations when they are first introduced.

This policy is focussed on the public sector and should not have any significant impact on the private sector (even though non-EU BRP applicants use someone from the private sector as an agent then the impact will be negligible). Therefore it could not be argued that the effect of these changes is to place an unfair additional burden on smaller firms. There will be very little impact on the private sector at all. This means there is no discrimination against smaller firms or institutions and that the impacts will not be any greater than any previous legislative changes. In this way the Government and the UK Border Agency are minimising the impact of the burden on small businesses.

Competition Assessment

The proposals for BRPs will have virtually no effect on competition at all as the policy is focussed on the public sector. This has been tested using the guidance on competition assessment from the Department for Business, Innovation and Skills.

The conclusion is that there are no serious or significant adverse competition effects with reference to the 'competition guidance' framework set out by the Office of Fair Trading (see the Department for Business, Innovation and Skills website).

There are four main questions that are used to assess the impact of the policy change on competition:

- Will the policy proposal directly limit the number or range of suppliers?
- Will it indirectly limit the number or range of suppliers?
- Does it limit the ability of the suppliers to compete? and
- Does the policy change reduce the suppliers' incentives to compete vigorously?

Directly limit the number or range of suppliers

The supplier in this case is the UK Border Agency so there is no impact here.

Indirectly limit the number or range of suppliers

Similarly there will be no indirect restrictions or adverse impacts as the policy will affect how UKBA operates and what documentation non-EU applicants will require.

Limit the ability of the suppliers to compete

There will be no controls, limits or restrictions that will impede suppliers competing geographically or in specific channels.

Reduce the supplier's incentives to compete vigorously

The UK Border Agency is the sole supplier of the BRP so there will be no reduction in incentives for suppliers to compete vigorously.

Statutory Equality Duties

Equality Impact Assessment

A full Equality Impact Assessment has been completed and is published alongside this Impact Assessment. It has been prepared and approved by Jeremy Oppenheim, Regional Director, North East, Yorkshire & the Humber, National Lead: Temporary Migration. This was based on responses to a questionnaire of 1,400 BRP applicants in autumn/winter of 2009. The issues of age, race, nationality, gender, disability, sexual orientation and minorities were considered. A summary of the main points is included below:

Initially it could be perceived that this policy will impact on foreign nationals and therefore could have negative equality impacts however, the rollout of the policy has not been on a nationality basis but on

immigration category type. There is no indication that any particular community would be disproportionately affected.

The EIA has provided valuable input to the formulation of policy regarding the rollout of BRPs. Following the EIA and analysis of the concerns raised by the stakeholders the following recommendations are made:

- The UK Border Agency should continue with its work to introduce the Biometric Residence Permit, which provides convenient and secure evidence of right to work and other entitlements to the many here legally who contribute to the prosperity of the UK.

- Engagement with groups representing disability and age on the subject of access to enrolment facilities will continue as the plans for expansion are developed. The UK Border Agency will monitor the uptake and operation of the non-chargeable mobile biometric enrolment service to ensure it continues to fulfil the needs of our customer base.

- The UK Border Agency will continue its involvement with gender, to ensure that up to date operational guidance is available to staff to remove the potential for having adverse affects on the transgender community, but will continue to maintain its wider objectives.

- The UK Border Agency should ensure continued public access to information about the introduction of the BRP, and should continue to monitor and review arrangements. Guidance and information about the BRP should be updated on a regular basis, and communications should continue to clarify that the BRP is not an identity card in the light of the scrapping of the National Identity Service.

- The UK Border Agency should continue to ensure that foreign nationals issued with the BRP are fully aware of the rights and obligations it carries. Sources of information, such as internet pages, should be kept updated and references to the identity card for foreign nationals should be removed.

- The UK Border Agency should continue to actively engage with the established stakeholder groups and identify additional groups where appropriate.

- The UK Border Agency should undertake or commission a customer survey to establish empirical evidence from foreign nationals around the impact of having a BRP and whether they have been either beneficial or adverse documents to hold to demonstrate the right to live, work and receive other benefits to which they are entitled in the UK. This will aim to identify any trends which suggest negative or positive impacts on both the immigrant and wider community. It should also consider any equality impacts raised.

Environmental Impacts
Negligible

Social Impacts
Health and Well-being
None

Human Rights
None

Justice
None

Rural Proofing
None

Sustainability
Sustainable Development
None

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HOME OFFICE
EQUALITY IMPACT ASSESSMENT

Directorate	Identity Management Directorate
Unit	Biometric Strategy Team
Date	13 September 2010

Name of Policy/Guidance/Operational activity

Rollout of Biometric Residence Permits (BRP) to in-country extensions of leave under Tiers 1 and 5 of Points Based System (PBS).

What are the aims, objectives & projected outcomes?

To issue secure, reliable Biometric Residence Permits (BRP) to migrant workers subject to immigration control and extending their stay in the UK under Tiers 1 and 5 of the Points Based System (PBS), and their dependants. Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work. Tier 5 is for certain types of sponsored temporary workers whose entry helps to satisfy cultural, charitable, religious or international objectives. The issuing of BRPs will also help to phase out less secure documents which are used to evidence a person's immigration status and enable the UK to comply with its obligation under European Union legislation to issue a uniform residence permit to nationals of countries from outside the European Economic Area.

The UK Border Agency obtained powers in the UK Borders Act 2007 to enable the Secretary of State to make regulations which require third country foreign nationals subject to immigration control to apply for a BRP (known as a "Biometric Immigration Document" (BID) in the Act), and to register their biometric identifiers (facial image and fingerprints) for verification purposes.

The Immigration (Biometric Registration) (Amendment) Regulations 2010 are the next set of the regulations continuing the incremental rollout of the BRP by requiring third country foreign nationals to simultaneously apply for one when making their immigration application. The rollout began on 25 November 2008 to third country foreign nationals extending their stay as students or on the basis of marriage or partnership. From the 31 March 2009 several further categories of applicant were added, including all students applying for an extension under Tier 4 of PBS, and those seeking to transfer their conditions of leave into a passport or other such document. The most recent stage of the rollout was to skilled workers under PBS Tier 2. The current regulations will be the fourth such set of regulations laid before Parliament since the start of the scheme. All roll outs have been to those extending their stay in the UK by more than six months (non-EEA nationals).

The aim of this rollout is to provide more employees with a secure document that proves their entitlement to work in the UK and which enables employers and others to readily confirm the holder's entitlements.

1 SCOPE OF THE EIA *(see Module 5 of the EIA e-Learning)*

1.1 Scope of the EIA work

- *Ensure coverage of all equality strands and human rights*
- *Include any links to previous EIA or work delivered by another unit/Agency/Government Department. This may be particularly relevant where guidance is being produced that brings together several areas of policy.*
- *Identify beneficiaries/stakeholders.*
- *Include details of people involved doing the EIA*
- *Describe approach to data collection, stakeholder involvement, monitoring and review and publication*

Background

This Equality Impact Assessment (EIA) builds on the previous EIAs produced for the previous Immigration (Biometric Registration) Regulations 2008 which came into force on 25 November 2008; the Immigration (Biometric Registration) (Amendment) Regulations 2009 which came into effect on 31 March 2009; and the Immigration (Biometric Registration) (Amendment) (No.2) Regulations 2009 which came into effect on the 6 January 2010.

The EIA for the first regulations focused on the initial rollout of BRPs to foreign nationals in "student" and "marriage/partnership" categories. The second one built on the first. The last EIA took forward that work and considered the impact on those applying for further leave to stay in the UK under Tier 2 of the Points Based System, which includes skilled employees, intra-company transfers and ministers of religion.

The last EIA particularly focussed on potential positive and negative impacts the rollout may cause for workers applying under PBS Tier 2 from an equality perspective. As Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work and Tier 5 is for certain types of sponsored temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives, those affected by the rollout of the previous set of regulations are likely to be very similar to those affected by the current regulations. This EIA continues to build on the last EIA, widening the opportunity for input to further corporate partners and reviewing and adding to the previous action plan.

Methodology:

The EIA was undertaken through the use of questionnaires, discussions and meetings with internal and external stakeholders to assess the impact that this policy is likely to have upon those applying for further leave to stay in the UK under Tiers 1 and 5 of the Points Based System.

Consultation & Involvement:

Annex C and Annex D detail the significant activity undertaken by the UK Border Agency with corporate partners and communications both since the early stages of the wider rollout and with many of the same contacts affected by the rollout to Tiers 1 and 5. This is particularly relevant to this EIA in terms of the work in advance of the rollout to Tier 2 applicants as the affected groups are similar. On this occasion the group of contacts invited to participate was widened and a further opportunity given to contacts within various groups representing employers, cultural, sporting and religious groups which were provided with background information about our rollout plans. In addition to this, the UK Border Agency continued with the work begun with A:Gender. Many other groups were contacted but only the above-mentioned has continued to engage with the UK Border Agency on a regular basis with respect to the particular concerns of the transgender community.

The customer base for the current regulations is again similar to that affected by the last stage of the rollout. For this reason we have referred to the results of a customer questionnaire circulated for the previous EIA, and which continued for some weeks after the most recent roll out.

1.2 Will there be a procurement exercise? No

*Consider whether there will be a **procurement** exercise, and once the EIA is completed:*

- *Ensure equality and diversity requirements are reflected into the procurement specification.*
- *Demonstrate how to monitor the successful inclusion of any equality and diversity requirements through delivery i.e. the specification must include something to be contained within the evaluations process and contractual monitoring*

2 COLLECTING DATA *(see Module 6)*

2.1 What relevant quantitative and qualitative data do you have?

This may include national research, surveys or reports, or research done by colleagues in similar areas of work. Please list any evidence in the boxes below (complaints, satisfaction surveys, focus groups, questionnaires, meetings, email, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy/guidance/operational area.

Race	*Consider impact on people of different ethnic groups, nationalities, Gypsies, Travellers, languages etc* When we sent out a pre-BRP pilot questionnaire in 2008 to corporate partners , responses stated that there was a perception that when BRPs were introduced, certain nationalities would be targeted (e.g. people from South Asia and Africa) by the police, potentially causing an adverse

	impact on community relations and cohesion. Of the responses to the questionnaire circulated to representative organisations for groups affected by the rollout to Tiers 1 and 5 of PBS, nearly all envisaged that no particular racial groups would be either beneficially or adversely affected. However, one respondent was concerned that "requiring BRP for short term placements may mean that these individuals [from different ethnic groups from a variety of countries] were unable to pursue the opportunity of gaining work experience in the UK. Another respondent noted "It is necessary to look at the range of nationalities who apply under the tiers in question". They stated that any general adverse effects such as any increase in processing times as a result of increased volumes required to enrol biometrics would have the greatest effect on those nationalities that make most use of the particular tiers. They also stated "The Biometric Identity Document, where it is required to be produced, marks out the holder as a non-EEA national, which in turn could reinforce stereotypes of certain migrant groups as needing to identify themselves as such and to always be able to show their permission to stay in the UK." They suggested that the scrapping of the national ID card scheme now marks out migrants as the only group in possession of such cards and thus marks them as different from British nationals. A similar possibility of perceived inequality was noted by another respondent, although their comment was more balanced, "Some may view this as divisive, ie. that only immigrants have to carry this…others however may be reassured that there is no illegality". Crucially, an analysis of 1400 customers responding to a questionnaire circulated to applicants applying for a BRP in autumn/winter 2009-2010 showed the vast majority were made up of nationalities from South Asia and Africa and indicated that they understood why they were providing their biometrics and were content with the process and the requirement to have a BRP.
Religion/ belief & non belief	*Consider impact on people with different religions or beliefs or none.* Perception expressed by corporate partners during previous EIAs in relation to BRPs that young men were often targeted by the police, particularly young Muslim men, and the introduction of BRPs would make this situation worse. We have not had any specific feedback from customers to indicate that this is the case. Again, in response to the

	customer survey noted above, by far the majority of young Muslim men indicated that they understood why they were providing their biometrics and were content with the process and the requirement to have a BRP. Comments from respondents to the questionnaire sent to corporate partners in summer 2010 for the most part indicated no adverse or beneficial concerns in this area. One respondent indicated that there would need to be consideration of the appointment day / time for giving biometrics. Another organisation responded that consideration of religious needs be noted in the process for digital photo capturing, for example in respect of head-covering. The same respondent also stated "We do not identify any ways in which the taking of biometrics from those applying for further leave under Tiers 1 and 5 of the Points Based system will give rise to any new beneficial or adverse effects as a result of religious faith or belief that are not already encountered in the taking of biometrics from groups currently required to give them."
Disability	*Consider environmental, social and attitudinal barriers.* The Home Office Disability Support Network previously advised of the potential adverse impact on disabled people when BRPs were introduced unless:- - suitable arrangements were made for the disabled to enrol their biometrics at the various locations; - we considered what to do about those unable to attend due to their particular disability; - we considered that fingerprints would be difficult to obtain from those with upper limb deformities; - we considered what to do about persons who come under the Mental Health Act. Although a significant number of people failed to indicate their circumstances on this point within the customer questionnaire, of the 15 people who stated they had a disability, none of them have raised any concerns about the process. Most representative groups who responded to the questionnaire circulated in August 2010 envisaged no impact for this group as long as there was suitable access. Two respondents wished to see more information on the (non-chargeable) mobile enrolment service available to those who are physically unable to travel. One of these respondents considered there is a need to take account of those who find travelling difficult because of a disability but are not physically unable to travel. They stated that such

	people may also have difficulty with queuing or waiting for long periods, which they envisaged that the rollout to further categories could lead to. Another respondent noted that restricted vision and hearing should be considered.
Gender	*Consider impact on men and women; working arrangements e.g. part-time, shift working, caring responsibilities.* One of the organisations contacted in summer 2010 mentioned the financial impact of the fee for a change of details which they stated would be more likely to have an adverse effect on females as a result of taking a married name.
Gender Identity	*Consider impact on transsexual and transgender people including bullying, harassment and discrimination issues not least ensuring privacy of data to avoid disclosure of gender history.* Gender Identity and other groups have previously raised concerns that a person's gender on the BRP would be "fixed" thus potentially causing an adverse impact on the individual who subsequently changed gender. One of the respondents to the questionnaire that was circulated to interested parties in August 2010 commented that there may be a problem if the gender on the application documentation, such as passport, differed from that previously provided and asked how this would be handled. Another respondent raised the impact of changing permit details (as noted above for women), as being more likely to have an adverse effect also on transgender individuals.
Sexual Orientation	*Consider impact on bisexual, gay, heterosexual or lesbian people.* In response to the question on sexual orientation posed in the UK Border Agency's customer survey in autumn/winter 2009, a large number of people (roughly a third) either left this blank or indicated that they preferred not to say. However, of those who identified as either gay men or women or bisexual, the great majority indicated that they were content with the application and enrolment process. Less than one per cent of this group indicated that the process was not clear in some way. The isolated scores were not indicative that there was a problem for this group in comparison with similar isolated scores across the board. None of the groups responding to the questionnaire circulated to corporate partners in summer 2010 identified either any positive or negative effects to attribute to this

	group as a result of the current proposed policy.
Age	*Consider impact on people of different ages, e.g. young/old.* A concern has previously been raised that the elderly may feel uncomfortable being made to carry a BRP, potentially causing an adverse impact. We have no evidence to either support or refute this. However, our findings on the analysis of the responses given to the customer questionnaire across age groups did not indicate any particular concerns. All but a small fraction of all respondents across the board indicated that they were content with the biometric enrolment process. A concern was raised by one of the corporate partners responding to the questionnaire that any increase in the numbers required to enrol biometrics could lead to "long delays" which children and the elderly may find particularly difficult.
Welfare of Children [THE UK BORDER AGENCYONLY]	*[This is a specific UKBA Duty. Other areas may consider this particular impact above.]* *Consider the impact on children and also the need to safeguard and promote welfare of children*. Previously concerns were that child friendly facilities and child protection workers be made available, and that the whole process was carried out in a sensitive manner. One of the corporate partners responding to our questionnaire suggested that "if the purpose of providing biometric data is to help the UKBA identify applicants and their immigration status…biometric data should be enrolled more frequently for children."
Socio-economic	*Consider impact of strategic decisions e.g. high level priorities, funding etc on different social and economic groups. E.g. inequalities arising from social class, family background, where people were born, where they live, income, barriers to social mobility.* The policy assists with the UK Border Agency's priority to secure our Borders and prevent abuse of the immigration rules. It helps third country foreign nationals demonstrate their entitlements and employers check right to work. There are no perceived socio-economic inequalities.

Human Rights	*Consider decisions relating to the way people are treated, absence of torture, inhuman and degrading treatment, right to respect for private and family life, freedom of expression, respect for cultural and religious requirements, provision of culturally appropriate facilities, access to appropriate communication aids, access to information, rights to representation, discrimination in employment or service outcomes. (see Module 2)* A Privacy Impact Assessment was conducted prior to the initial rollout of BRPs. The enrolment process is quick and clean, there is no wet ink involved, and the enrolling officer does not need to touch the applicant to facilitate the enrolment. Photographs are taken which reveal the face but the process of taking the photograph reflects cultural sensitivities. Special arrangements may be made for those who require them by virtue of disability or illness. A significant majority of 1400 respondents to the customer questionnaire circulated in autumn/winter 2009 indicated positive responses to the process of applying for a BRP and providing biometrics with only a small fraction providing any negative feedback.

2.2 What are the overall trends/patterns in this data?

Consider:

- *Disproportionality;*
- *Regional variations;*
- *Different levels of access, needs or experiences;*
- *Combined impacts;*
- *Barriers to engagement.*

Some perception of discrimination on the grounds of ethnicity.
Some perception of discrimination on the grounds of religion.
Some perception of discrimination on the grounds of age, disability and access.
Impacts on transgender groups, including the financial impact of applying for an updated document (which could also apply disproportionately to women when marrying).
A common theme in response to the questionnaire sent to corporate partners and representative groups was should be growth in readily available and accessible biometric enrolment facilities in line with the expansion of the scheme.
BRP customers are largely content with the application and enrolment process.
Employers welcome the document.

2.3 Please list the specific equality issues and data gaps that may need to be addressed through consultation and/or further research?

For example, you may need to ensure qualitative data groups include stakeholders with respect to this policy/guidance/activity.
NB. Include any recommendations in your action plan.

The issue of gender being a 'fixed' data item on the BRP and the potential adverse affect this may have on transgender groups is an area which continues to require further consideration and research. Work has been conducted in conjunction with the Passport Service and other Government Departments, Gender Identity Research and Education Society (GIRES), Press for Change, and other stakeholders representing the transgender community and A:Gender, a pan-Civil Service transgender organisation, and work continues with representative groups to ensure up to date and comprehensive guidance is available to UK Border Agency employees required to assess applications and to facilitate border entry.

With increased numbers required to enrol biometrics, one theme was availability of suitable appointments within close proximity to the applicant, particularly where age or disability may be a factor. We are continuing to look at further opportunities to increase biometric enrolment capacity as the numbers of those required to enrol biometrics increases. 17 Crown Post Offices are now available offering biometric enrolment for adult postal applicants as part of a pilot, providing more opportunities for enrolment services that many customers find more convenient. We are also currently discussing a date for when children will be able to be enrolled at these Post Offices. These add to 11 – Disability Discrimination Act (DDA) compliant - Home Office Biometric Enrolment Centres. A mobile biometric enrolment service has been established and is available on a non-chargeable basis for those physically unable to travel, and a chargeable super premium service is also in operation, where the UK Border Agency visits the applicant at a time and location of their choosing to enrol their biometrics and a decision is subsequently made within 24 hours of that appointment.

Further options are being considered for expansion, including increasing the number of Post Offices participating in the pilot and approaching the market for provision of front office services, so that the recording of biometric features for postal applicants is undertaken by a commercial partner.

It is recommended that engagement with groups representing disability and age on the subject of access to enrolment facilities continues as the above plans are developed. It is also recommended that the uptake and operation of the mobile biometric enrolment service be closely monitored to ensure it meets the needs of our customer base.

Now that the numbers of BRPs in circulation have increased to more than 275,000, further research on the experiences of those required to have a BRP and whether they have been either beneficial or adverse documents to hold to demonstrate the right to live, work and receive other benefits to which they are entitled in the UK would be useful. This would be particularly to ascertain whether the perception that there may be discrimination, for instance on

account of ethnicity, religion or gender identity (transgender) is well founded. Although there is evidence from customers regarding the application process which does not support this, the specific issue raised regarding the perceived targeting of particular groups to have and produce the BRP would benefit from customer feedback.

3 INVOLVING AND CONSULTING STAKEHOLDERS

(see Module 7)

In this section, describe the data you have gathered through stakeholder involvement and engagement.

3.1 Internal consultation and Involvement: e.g. with Other Government Departments, Staff (including support groups), Agencies & NDPBs

In planning, carrying out and recording internal consultation and involvement, you may wish to consider the following:

- *Does this initiative affect the experiences of staff? How? What are their concerns?*
- *How have you consulted, engaged and involved internal corporate partner s in considering the impact of this proposal on other public policies and services?*
- *What forms of consultation, engagement and involvement have been most effective?*
- *What positive and adverse impacts were identified by your internal corporate partner s?*

Throughout the rollout of the wider scheme, the UK Border Agency has consulted with its Legal Adviser Branch, representative groups from the UK Border Agency, Home Office and Civil Service wide equality strands, the DVLA, DWP, MOJ, BERR (now BIS), NI Court Service & Scottish Executive Justice Dept as part of its work to develop the BRP policy. As the rollout of the wider scheme has progressed our corporate partners are increasingly familiar with the aims of the policy and engagement is more generally in terms of regular updates, particularly as the customers affected by this stage of the rollout are similar to those affected by the previous rollout to PBS Tier 2.

Internal training and guidance has been developed with the staff within the UK Border Agency to ensure that they are aware of the reason for BRP policies and enable them to recognise the different groups of people that they are dealing with and their diversity issues.

A positive impact from the engagement with internal consultees enabled development of sound policy for example around how to deal with those who were unable to give their biometrics ("Exemptions and Exceptions policy"), and in developing policy around the handling of applications from transgender customers.

Engagement with internal consultees has also confirmed that the secure reliable BRP is welcomed by employers who are required to undertake right to work checks and facilitates employment for foreign nationals entitled to undertake it.

Research evidence gathered previously during EIAs conducted for earlier stages of the BRP rollout suggests that legal economic migrants to the UK have concerns about the security of their identity. There is also a risk that other EU countries might refuse entry to persons awarded UK residence if they do not have a biometric document to prove they have a right of return to the UK. The BRP helps address concerns regarding security of identity by providing a secure biometric document which links to the holder and which also acts as proof that the migrant has a right of return to the UK. The BRP improves the

capability of legal migrants to be able to move within the EU and further afield.

Feedback what you plan to do as a result of this internal consultation and use it as a basis for work on external consultation.
We will continue to engage with staff and internal groups to ensure operational training and guidance remains effective.

Any survey of how those who hold a BRP find it adversely or beneficially affects them will consider requesting information on the previously raised points about security of identity and ease of movement within the UK and beyond, along with ease of demonstrating right to work or access other privileges.

3.2 External consultation and involvement: strand specific organisations e.g. charities, local community groups, third sector

In planning, carrying out and recording external consultation and involvement, you may wish to consider the following:

- *How did you ensure that different external corporate partner s and community groups had access to your public consultation process?*
- *Did consultation show that the proposal could present social or physical barriers to any communities or groups?*
- *What positive impacts were identified during consultation?*
- *Who have you engaged and involved in developing your proposals? When and how was this done? e.g. focus groups, panels, project board etc*
- *What opportunities for positive impact were identified during this engagement? E.g. opportunities to eliminate unlawful discrimination, promote equal opportunity and good community relations.*
- *What concerns were identified during this engagement exercise? Describe potential impact, mitigating existing disproportionality etc*

Feedback what you plan to do as a result of the engagement to all participants including internal and external corporate partner s.

Corporate partner events and communications throughout 2008 to 2010 (see Annex C and D) have raised awareness and understanding about the BRP and ensured partners are updated with the latest developments in the roll out. The key audiences were:

- business - as employers and providers of services
- education sector
- foreign nationals
- media
- the public
- Member of Parliament caseworkers
- legal organisations
- sports representatives
- healthcare
- faith groups

- airline industry

With the rollout to PBS Tiers 1 and 5 engagement has continued through regular forums such as Education, Employer and Arts and Entertainment Taskforces, regular meetings with Sports Groups and The Business Advisory Panel, and through the questionnaire asking for feedback on impacts on groups affected which was sent to representatives of the sectors noted above as well as faith groups (see Annex A and B to EIA report).

Positive impacts confirmed by external engagement are that the increasing numbers of BRPs make it easier for employers to check right to work and for migrants to prove it, and the BRP is a more convenient document to use to demonstrate entitlement than a passport.

Perception of discrimination on the grounds of ethnicity and/or religion: Clarification about the purpose of the BRP, the legislation from which it comes and the effect of the scrapping of the National Identity Service for British Nationals has been reinforced through national press and media, regular forums and communications to corporate partners and web stories. As a result of the responses to the questionnaire returned by corporate partners and the continuance of evidence that the BRP continues to be associated with the National Identity Service and the effect that this has on a perception that migrants are "singled out" to hold/carry a card, it is recommended that the communications in relation to this stage of the rollout reinforce clarification of the purpose and legislative basis for the BRP.

Reassurance has previously been offered through national communications, in guidance to police forces and at workshops that the BRP does not need to be carried at all times. Fact sheets have been provided to police forces across the country setting out the purpose and usage of the BRP.

Perception of discrimination on the grounds of age, disability and access: A common theme in response to the questionnaire sent to corporate partners and representative groups was should be growth in readily available and accessible biometric enrolment facilities in line with the expansion of the scheme, and that this applied generally to all those required to enrol biometrics but may have a particularly adverse impact on those with disabilities or mobility problems, the elderly or very young, and those with caring responsibilities. It is recommended that communications in advance of the rollout to new categories are clear about the enrolment options, including the spread of locations available and the non-chargeable service, and as plans for increasing biometric enrolment opportunities develop engagement with representative groups for these equality strands continues.

Impacts on transgender groups, including the financial impact of applying for an updated document (which could also apply disproportionately to women when marrying): Engagement is ongoing with representative groups in respect of transgender issues.

4 ASSESSING IMPACT *(see Module 8)*

In this section please record your assessment and analysis of the evidence. This is a key element of the EIA process as it explains how you reached your conclusions, decided on priorities, identified actions and any necessary mitigation.

4.1 Assessment of the impact

In assessing and analysing impact of your proposals consider the following:

- *Does the result of this EIA work show a potential for differential impact? If yes, state whether impact is adverse or positive and in what equality areas [response to follow from consultation].*
- *Do the proposals have the potential to cause unlawful discrimination? E.g. could the proposals exclude certain groups of people from obtaining services or limit their participation in any aspect of public life?*
- *How will you mitigate any negative impacts this proposal may have?*
- *How does the proposal promote equality of opportunity?*
- *How does the proposal promote good community relations?*
- *In the light of consultation and data gathering, what changes will you make to the policy?*
- *Are there any concerns from consultation and data gathering that have not been taken on board? (Please justify and explain the reason for your decision.)*

The rollout is based on those employed as highly skilled workers, investors, entrepreneurs and for post-study work, as well as for certain types of sponsored temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives. Preliminary analysis suggests that this will effect upwards of 75,000 people each year (estimates).

There is no indication that any particular community would be disproportionately affected. The proposals should have a positive impact for those subject to immigration control and lawfully residing within the UK. Given the UK Border Agency has already rolled out BRPs to other categories, including to skilled workers under Tier 2 of the Points Based System and students under Tier 4, as well as spouses, civil partners and unmarried partners, it is unlikely to disadvantage this group in terms of accessing their entitlements in the UK, particularly as those affected by the rollout of the previous set of regulations are likely to be very similar to those affected by the current regulations. Many employers have indicated that it makes their checks easier to undertake which should make it easier for an employee to show that s/he is entitled to work in the UK.

Concerns have been raised about the impact on particular nationalities applying under the tiers in question. The rollout has not been on a nationality basis but on immigration category type. However, results from a customer satisfaction survey regarding the process of applying for a BRP were extremely positive and by far the majority of respondents identified themselves as coming from Africa and South Asia.

Perceptions have been reported around the “singling out” of migrants to hold

(and/or carry) a document which British nationals will not hold. However, this is not supported by customer feedback on the requirement to apply for a BRP and in large part arises from the presentation of the BRP as an identity card under the former government. The BRP will replace the vignette (or sticker) which is currently placed in the passports of those granted an extension of their stay in the UK under Tiers 1 and 5. The BRP is a more secure and convenient way of providing proof that a migrant has the right to live, work and access any other benefits of being in the UK. Positive impacts confirmed by external engagement are that the increasing numbers of BRPs make it easier for employers to check right to work and for migrants to prove their right.

The regulations will promote equality of opportunity by extending the rollout of a document demonstrating entitlement to work to further PBS Tiers of migrant workers, and assists migrants in obtaining employment and services to which they are entitled, rather than excluding them. Mitigation against the perception that migrants are being "singled out" will be taken by reinforcing this message through engagement and communications.

However, concerns were raised about the biometric enrolment process requiring business people to take time out of work and pressure on the system as a result of the increased volumes of applicants. This affects foreign national workers who are required to apply for a BRP. The UK Border Agency has taken steps to mitigate against such concerns by increasing the number of Home Office centres that enrol biometrics, the launch of the Post Office enrolment pilot scheme, which enables enrolment during participating branches' usual opening hours including Saturdays, and a mobile service which may be used in a variety of ways, e.g. for those physically unable to attend a centre and for those wanting an exclusive service. The UK Border Agency is also planning to expand the options for enrolment in line with the increased need by increasing the number of Post Offices participating in the pilot and looking to the market to provide third party enrolment in due course.

The growth of readily available and accessible biometric enrolment facilities in line with the expansion of the scheme has also been noted within the context of the perception of discrimination on the grounds of age, disability and access. The plans to increase options for enrolment through expansion of the Post Office pilot and opening the market to other third party providers will only assist those who may be more challenged by the requirement to provide biometrics. We are also working with Post Office Ltd to agree a date for when dependants can use the service. The growth of enrolment facilities throughout the rollout to date, along with these future plans evidences the UK Border Agency's commitment to providing a suitable service, however, any development of expansion plans will include engagement with representative groups to mitigate against any potential discrimination. The UK Border Agency's 'Exemptions and Exceptions' policy which was developed as a result of feedback from previous EIAs, also exists to address these concerns, as does the provision of a non-chargeable mobile biometric enrolment service.

Impacts on transgender groups continue to be mitigated through close working with representative groups to implement sound and up to date practical

guidance.

The policy promotes good relations by giving more foreign nationals who are lawfully in the UK the ability to demonstrate their legal status which in turn will build confidence in the system. Over time the policy will enable employers to be more confident of the documents provided by foreign nationals subject to immigration control when seeking employment and will facilitate making checks on employees. The uniform format of the document will build employer confidence in the holder's entitlements and the security of the document.

Now complete the report and Action Plan.

5 REPORT, ACTION PLANNING AND SIGN OFF *(see Module 9)*

5.1 EIA Report

The EIA Report is a concise summary of the results of the full EIA. A template is provided at Annex A.

5.2 Sign-off

Now submit your EIA and related evidence for clearance

Date of completion of EIA	10 September 2010
Compiled by	Eleanor West
SCS sign-off	Jeremy Oppenheim
I have read the Equality Impact Assessment and I am satisfied that all available evidence has been accurately assessed for its impact on equality strands. Mitigations, where appropriate, have been identified and actioned accordingly.	
Date of publication of EIA Report	
Review date	

5.2 Publication and Review *(see Module 10)*

Ensure that the EIA Report including the Action Plan are published alongside your policy/guidance/operational activity.

IMPORTANT - Review, revise and update annually!

EQUALITY IMPACT ASSESSMENT REPORT FOR THE ROLLOUT OF BIOMETRIC RESIDENCE PERMITS (BRP) TO EXTENSIONS OF LEAVE UNDER TIERS 1 AND 5 OF POINTS BASED SYSTEM (PBS)

BACKGROUND

The UK Border Agency obtained powers in the UK Borders Act 2007 to enable the Secretary of State to make regulations which require foreign nationals subject to immigration control to apply for a Biometric Residence Permit (known as a "Biometric Immigration Document" (BID) in the Act), and to register their biometric identifiers (facial image and fingerprints) for verification purposes.

The Immigration (Biometric Registration) (Amendment) Regulations 2010 are the next set of the regulations continuing the incremental rollout of the BRP by requiring migrants to simultaneously apply for one when making their immigration application. The rollout began on 25 November 2008 to migrants extending their stay as students or on the basis of marriage or partnership. From the 31 March 2009 several further categories of applicant were added, including all students applying for an extension under Tier 4 of the Points Based System for migration (PBS), and those seeking to transfer their conditions of leave into a passport or other such document. The most recent stage of the rolloutwas to skilled workers under PBS Tier 2.

The current regulations aim to roll the BRP out to applicants extending their stay in the UK under Tiers 1 and 5 of PBS and will be the fourth such set of regulations laid before Parliament since the start of the scheme. All roll outs have been to those extending their stay in the UK by more than six months (non-EEA nationals). The aim of this rollout is to provide more employees with a secure document that proves their entitlement to work in the UK and which enables employers and others to readily confirm the holder's entitlements and to phase out less secure evidence of a person's immigration status. This enables the UK to comply with its obligation under European legislation to issue a uniform residence permit to nationals of countries from outside the European Economic Area.

Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work. Tier 5 is for certain types of sponsored temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives.

SCOPING THE EIA

This Equality Impact Assessment (EIA) builds on the previous EIAs produced for the previous Immigration (Biometric Registration) Regulations 2008 which came into force on 25 November 2008; the Immigration (Biometric Registration) (Amendment) Regulations 2009 which came into effect on 31 March 2009; and the Immigration (Biometric Registration) (Amendment) (No.2) Regulations 2009 which came into effect on the 6 January 2010.

The EIA for the first regulations focused on the initial rollout of BRPs to foreign nationals in “student” and “marriage/partnership” categories. The second one built on the first. The last EIA took forward that work and considered the impact on those applying for further leave to stay in the UK under Tier 2 of the Points Based System, which includes skilled employees, intra-company transfers and ministers of religion.

The last EIA particularly focussed on potential positive and negative impacts the rolloutmay cause for workers applying under PBS Tier 2 from an equality perspective. As Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work and Tier 5 is for certain types of sponsored temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives, those affected by the rollout of the previous set of regulations are likely to be very similar to those affected by the current regulations. This EIA continues to build on the last EIA, widening the opportunity for input to further corporate partner s and reviewing and adding to the previous action plan.

COLLECTING DATA

The EIA was undertaken through the use of questionnaires, discussions and meetings with internal and external corporate partner s to assess the impact that this policy is likely to have upon those applying for further leave to stay in the UK under Tiers 1 and 5 of the Points Based System.

INVOLVING AND CONSULTING CORPORATE PARTNERS

Annex A is a copy of the questionnaire sent to corporate partners and Annex B shows the list of those organisations to whom it was sent. Annex C and Annex D detail the significant activity undertaken by the UK Border Agency with corporate partners and communications both since the early stages of the wider rollout and with many of the same contacts affected by the rollout to Tiers 1 and 5. This is particularly relevant to this EIA in terms of the work in advance of the rollout to Tier 2 applicants as the affected groups are similar. On this occasion the group of contacts invited to participate was widened and a further opportunity given to contacts within various groups representing employers, cultural, sporting and religious groups which were provided with background information about our rollout plans. In addition to this, the UK Border Agency continued with the work begun with A:Gender. Many other groups were contacted but only the above-mentioned has continued to engage with the UK Border Agency on a regular basis with respect to the particular concerns of the transgender community.

The customer base for the current regulations is again similar to that affected by the last stage of the rollout. For this reason we have referred to the results of a customer questionnaire circulated for the previous EIA, and which continued for some weeks after the most recent roll out.

ASSESSING IMPACT

Customer Satisfaction Survey – Biometric enrolment at Home Office Biometric Enrolment Centres

Key findings from an analysis of 1400 customers responding to a questionnaire circulated to applicants applying for a BRP in autumn/winter 2009-2010 showed:

- a significant majority of the 1400 respondents indicated positive responses to the process of applying for a BRP and providing biometrics with only a small fraction providing any negative feedback;
- the vast majority were made up of nationalities from South Asia and Africa and indicated that they understood why they were providing their biometrics and were content with the process and the requirement to have a BRP (nationality/race has been identified in previous EIAs as having potential for discrimination by the requirement to have a card);
- by far the majority of young Muslim men indicated that they understood why they were providing their biometrics and were content with the process and the requirement to have a BRP (this group have been identified in previous EIAs as potentially discriminated against by the requirement to have a card);
- although a significant number of people failed to indicate their circumstances on this point within the customer questionnaire, of the 15 people who stated they had a disability, none of them raised any concerns about the process;
- in response to the question on sexual orientation posed in the UK Border Agency's customer survey in autumn/winter 2009, a large number of people (roughly a third) either left this blank or indicated that they preferred not to say. However, of those who identified as either gay men or women or bisexual, the great majority indicated that they were content with the application and enrolment process. Less than one per cent of this group indicated that the process was not clear in some way. The isolated scores were not indicative that there was a problem for this group in comparison with similar isolated scores across the board;
- our findings on the analysis of the responses given to the customer questionnaire across age groups did not indicate any particular concerns. Again, all but a small fraction of all respondents across the board indicated that they were content with the biometric enrolment process;
- as any negative comments were both rare and isolated, there were no trends identifying that any equality strands were adversely affected by the requirement to enrol biometrics.

Questionnaire circulated to corporate partners and representative groups
The majority of respondents to the questionnaire (Annex A) circulated to the corporate partners and representative groups listed at Annex B stated that they had no concerns or envisaged no adverse impact as a result of the current proposal to rollout BRPs to foreign nationals from outside the EEA extending their stay in the UK for more than six months under Tiers 1 or 5 of PBS. Positive impacts identified were:

- Makes it easier for employers to distinguish who is allowed to work here
- Safer than carrying around a passport

- Natural progression of technology

Key responses from corporate partners and representative groups that raised concerns are as follows, along with the UK Border Agency's response:

Concern raised	The UK Border Agency's (UKBA) response
1. General - Processing times will increase when the volume of applications increases because Tier 1 and Tier 5 applicants will also need to enrol biometrics, which creates a barrier to working in the UK. (Immigration Law Practitioners' Service ILPA, but also a concern expressed by British Universities North America Club BUNAC,)	Throughout the rollout of the BRP to date the UK Border Agency has increased the capacity of enrolment facilities and options as the volumes required to enrol biometrics have increased. Upon receipt of a postal application the UK Border Agency issue a letter to advise the applicant that they must provide their biometrics within 15 working days. Applicants are able to either use the walk-in service at one of 17 Crown Post Offices across the UK as part of a pilot, or book an appointment at one of 11 Home Office Biometric Enrolment Offices where there are sufficient appointments available to book immediate appointments and demand on all of the biometric enrolment offices is monitored to ensure there is sufficient capacity to meet demand, even in peak periods. It is possible to book premium (24 hour decision) appointments up to six weeks in advance. We are working towards improving the service offered by the UK Border Agency's Public Enquiry Offices and increasing capacity. We have also introduced a representatives service and in emergency situations we will provide a walk-in service to applicants from our PEO in Croydon. As part of our attempts to increase capacity, we are working to expand the pilot of biometric enrolment at Post Offices to another eight branches, as well as approaching the market for the provision of front office enrolment services, so that the recording of biometric features is undertaken by a commercial partner and enabling Public Enquiry Offices to focus on provision of additional premium appointments. The UK Border Agency also operates a super premium service in which we will visit the applicant to record his/her biometric features at a time and location of the applicant's choosing, and a decision is made within 24 hours of that enrolment. This service is chargeable but there is also a non-chargeable service for those who are physically unable to travel.
2. General – The requirement for a BRP, because it adds an extra stage to the application process, will adversely affect frequent business travellers: Small businesses, investors, entrepreneurs and self-employed individuals,	Feedback from businesses and employers has generally been positive in response to the introduction of the BRP, which makes checking the right to work easier. The processing times involved in the BRP system do not add significantly to the processing times of immigration applications. However, as well as the response to the previous general point 1 above, as part of our review of the front office biometric enrolment service we will be looking to further

businesses run by or employing significant numbers of staff from ethnic minorities. (ILPA)	improve the service offered to applicants, including increasing the availability of enrolment offices and faster processing times.
3. General – the range of locations at which biometric data can be enrolled is limited. This will have a particularly adverse effect on: Those remote from the locations at which biometric enrolment data can be taken, those based in rural areas, those with mobility problems making travel difficult; those with caring responsibilities (our understanding is that more carers are women than men). (ILPA)	The responses to points 1 and 2 above set out the UK Border Agency's current biometric enrolment service and plans for expansion. The strategy for rolling out biometric enrolment facilities has always been demand led and is under constant review. Following the Post Office enrolment pilot we will assess how well it has worked and if it has achieved the required objectives. The pilot has so far been successful and we hope to subsequently to run a procurement exercise in order for a commercial partner to operate the front office biometric enrolment service. One requirement of this would be that the organisation is able to provide sufficient services to cope with both demand and geographical issues. The current arrangements for biometric enrolment include consideration of eligibility for a non-chargeable biometric enrolment service on request by those unable to travel, and a chargeable mobile service for those willing to pay for an exclusive service. Appointments at enrolment centres and opening hours of Post Offices participating in the pilot are quite flexible and offer a range of times and some weekend opening hours. As such there are varied options for all of our customers.
4. General – Employers with restricted capacity for HR administration may find it difficult to manage the additional requirements of BRP. That is, smaller businesses are likely to be adversely affected. (The Law Society)	The introduction of BRPs to further categories of applicant does not require employers to make any changes to the checks they currently undertake for right to work checks. The BRP replaces existing documentation and actually reduces the administrative burden on employers and others required to check right to work or other entitlements in the UK, as feedback from corporate partners has confirmed. We continue to recommend that document checks are conducted on all prospective employees. This establishes a statutory excuse against liability for payment of a civil penalty for employing illegal migrants. BRPs are included on the list of documents employers can check when establishing an entitlement to work. To make it easier for employers we require foreign nationals with limited leave, where they have been issued with a BRP, to show their document to employers once a year.
5. Race – It is necessary to look at the range of nationalities who apply under the tiers in question. Any general adverse effects will have the greatest effect on those nationalities that make	The rollout strategy for the wider scheme has been on the basis of application type, not nationality and the UK Border Agency have already worked extensively with the Commission for Racial Equality (CRE) who are satisfied that the rollout is not in breach of CRE requirements. The rollout of Tiers 1 and 5 should not have an effect on the range of nationalities applying under those tiers. It is also notable that, of 1400 respondents to

most use of the particular tiers, giving rise to risks of indirect discrimination. (ILPA, with the British Council also requesting clarification on whether applications are dealt with on the basis of nationality)	a questionnaire circulated to customers during autumn/winter 2009-2010 the vast majority were made up of nationalities from South Asia and Africa and gave positive responses to the process of applying for a BRP and providing biometrics with only a small fraction across the board providing any negative feedback.
6. Race – Tier 5 is used to offer placements to students, interns or foreign lawyers from different ethnic groups form a variety of countries. Requiring BRP for short-term placements may mean that these individuals are not able to pursue the opportunity of gaining work experience in the UK. The Lawyers for Africa Programme may be affected. (The Law Society)	Only applicants extending their stay in the UK for more than six months are affected by this proposal. It is not clear nor is any evidence provided as to why these groups should be affected in this way. The requirement to apply for a BRP will also affect migrants staying in other EU member-state countries.
7. Gender and Gender Identity (transgender) – the impact of changing permit details will be dependant on whether there is a fee for the change and the fee amount. This is more likely to have an adverse effect on transgender individuals and females wishing to record a name change after marriage for example. (Archbishops council of the Church of England)	In order for the holder to benefit from the advantages of having a BRP it is important that the details on it and those held by the UK Border Agency are kept up to date. Customers are required to apply for a replacement document if they change their name, for example because of marriage or by deed poll, if they change gender legally or permanently, if they change their nationality, or if their facial appearance changes significantly. The fee for a replacement BRP application is currently £30 and is set to recover the administrative costs of this service. We consider this to be a proportionate cost to recoup from the BRP holder in the event that such a change occurs during the validity period of the BRP.
8. Gender Identity (transgender) – concern around how applications which may rely on documentation which differs from an acquired gender would be handled. (British Council)	The UK Border Agency has worked closely with the Passport Service and other Government Departments, Gender Identity Research and Education Society (GIRES), Press for Change, and other corporate partner s representing the transgender community and A:Gender, a pan-Civil Service transgender organisation, and continues to work with representative groups to ensure up to date and comprehensive guidance is available to UK Border Agency employees required to enrol biometrics and assess applications. The BRP offers the potential of being of great assistance to the transgender community in helping them establish their identity.
9. Disability – That the UK Border Agency undertake a Disability Impact Assessment and that the agency should ensure that it is properly	The UK Border Agency has previously undertaken a Disability Impact Assessment during the rollout of Home Office Biometric Enrolment Centres. We also worked closely with The Home Office Disability Support Network (HODS) who previously advised of the potential adverse impact on disabled people

advised to process applications from those with may not be able to provide fingerprint data because of disability (eg. missing or damaged). (ILPA, with concerns around disability also raised by the Archbishops council of the Church of England)	when BRPs were introduced unless:- - suitable arrangements were made for the disabled to enrol their biometrics at the various locations; - we considered what to do about those unable to attend due to their particular disability; - we considered that fingerprints would be difficult to obtain from those with upper limb deformities; - we considered what to do about persons who come under the Mental Health Act. We have worked with HODS to check the suitability of new biometric enrolment centres as they have come on line, implemented the non-chargeable mobile biometric enrolment service, and developed 'Exemptions and Exceptions' policy in response to these recommendations.
10. Disability – Current access to biometric centres, such as wheelchair access, parking for disabled badge holders should be extended, as should the use of the mobile biometric enrolment service. We note the assessment of the service is on a case by case basis. It is important that there is no invasive questioning and that people are not put to difficult and complicated proofs of their need for the service. We should appreciate more information on this. (ILPA, with the British Council also commenting that the criteria for the non-chargeable mobile service should be set out and an appeal structure for those refused the option)	All of the Home Office's biometric enrolment centres are compliant with the Disability Discrimination Act, as are all of the booths at the Post Office's participating in the pilot for biometric enrolment. As the mobile biometric enrolment service is available free of charge, it is necessary for an assessment of the need of the individual or individuals requesting it. However, the UK Border Agency is aware of the need for sensitivity around establishing such a case. Given the nature of the immigration application categories rolled out to date the numbers of applicants requesting this service has been sufficiently low as to allow for a personalised case-by-case consideration process, and we are not aware of any complaints about this approach to date. As the rollout progresses to other categories will review the service and its operation.
11. Religious faiths and beliefs – Photo requirements should not be changed; the possibility of wearing a head-covering for religious (or medical) reasons should remain. Facilities are available in the visa application centres for biometric information to be collected discreetly by trained staff of the same gender. (ILPA)	There are no plans to change the current guidance regarding the taking of biometrics including photographic requirements. Therefore, the option of wearing a head-covering for religious or medical reasons will remain. The biometric enrolment process is quick and clean, there is no wet ink involved and the enrolling officer is not required to touch the applicant to facilitate the enrolment. Photographs are taken which reveal the face but we are extremely aware of the need to protect the dignity, privacy and modesty of applicants, and the facilities available at the Home Office's biometric enrolment centres and the trained staff employed take account of religious sensitivities.

Appointment should not be made on any religious day (British Council)	Appointments for the same day premium service or mobile biometric enrolment are made by the applicant at their convenience, along with appointments for postal applicants (although these must be made within 15 days of being advised of the need to provide biometrics). Enrolment at Post Offices participating in the pilot does not require an appointment to be booked and is a walk-in service available during the usual opening hours of these branches. As such, the biometric enrolment is dictated by the customer.
12. Age – Difficulties for elderly dependants and dependant children in providing biometrics and difficulties associated with arranging care or taking time off work to accompany dependants to an appointment. (ILPA)	The UK Border Agency constantly reviews its strategy for the provision of biometric enrolment services and any necessary expansion. We acknowledge that dependant children are currently unable to use the biometric enrolment service at the Post Office branches participating in the pilot but we are currently in discussions with the Post Office to agree a date for this service to be extended to dependants. We are also negotiating with the Post Office to add a further eight Post Office branches to the pilot which will assist with the spread of options for biometric enrolment in the short term and will provide biometric enrolment within the normal opening hours of those branches. Longer term we will introduce further offices throughout the UK that are aligned with the demographic of our customer base to allow easy access to foreign nationals and their dependants, and which meet required demand.
13. Age – if the purpose of providing biometric data is to help the UK Border Agency identify applicants and their immigration status, we would suggest that biometric data should be enrolled more frequently for children. (The Law Society)	Fingerprints are taken for all children aged six years and over, with a facial image being taken for those under six years old. In the case of children, we are issuing BRPs for no longer than five years. This enables us to update the facial image to ensure that we capture any natural alterations with age. We will also take this opportunity to update the fingerprints. This approach reflects the lifespan of a child's passport.
14. Community Relations – the BRP marks the holder out as a non-European Economic Area national, particularly since the scrapping of the (voluntary) National Identity Card Service for British nationals. (ILPA) This may be viewed as divisive, ie) only immigrants have to carry this. (British Council)	The UK needs to provide legitimate migrants with evidence of their permission to be in the UK. The BRP will replace the vignette (or sticker) which is currently placed in the passports of those granted an extension of their stay in the UK under Tiers 1 and 5. The format of the BRP has been set by the European law and all EU member states are required to issue biometric residence permits in this uniform format from May 2012. The BRP is not an identity card, it is a way of providing proof that a migrant has the right to live, work and access any other benefits of being in the UK. BRPs contain features that are more secure and convenient to check than those in a vignette, so they make it easier for employers and public bodies to check the status of migrants and for migrants. As more than 275,000 such residence permits have now been issued since November 2008, employers and others required to check the status of migrants are familiar with them. Positive impacts confirmed by external

	engagement are that the increasing numbers of BRPs make it easier for employers to check right to work and for migrants to prove it. This in turn makes it easier for migrants holding them to access their entitlements in the UK. The regulations will promote good community relations and equality of opportunity by extending the rollout of a document demonstrating entitlement to work to further PBS Tiers of migrant workers, assisting migrants in obtaining employment and services to which they are entitled, rather than excluding them. It is not a requirement to carry a BRP at all times although it is necessary to produce it at certain specified times, such as when taking up employment in the UK. The UK Borders Act does not introduce any new powers for the police to stop and search individuals; the use of stop and search powers solely based on nationality would be a breach of the statutory powers available to the police and the officer may be subject to disciplinary proceedings. The UK Border Agency has worked with the Association of Chief Police Officers to produce guidance for Police Officers in England, Wales and Northern Ireland and Scotland about how the police should treat the BRP and to remind them that they cannot stop someone to see the person's BRP.
15. Community relations – long term impact is unknown but may be seen as an unnecessary level of bureaucracy. (British Council)	As the UK needs to provide legitimate migrants with evidence of their permission to be in the UK and the UK Border Agency is committed to securing our borders and controlling migration, we consider that the process we require the customer to undertake, including the use of biometric technology, is proportionate to these aims. The BRP replaces existing documentation and actually reduces the administrative burden on employers and others required to check right to work or other entitlements in the UK, as feedback from corporate partners has confirmed.

Recommendations

The EIA has provided valuable input to the UK Border Agency's work on implementing Biometric Residence Permits. Following the EIA and analysis of the concerns raised by the corporate partners the following recommendations are made:

- The UK Border Agency should continue with its work to introduce the Biometric Residence Permit, which provides convenient and secure evidence of right to work and other entitlements to the many here legally who contribute to the prosperity of the UK.

- Engagement with groups representing disability and age on the subject of access to enrolment facilities will continue as the plans for expansion are

developed. The UK Border Agency will monitor the uptake and operation of the non-chargeable mobile biometric enrolment service to ensure it continues to fulfil the needs of our customer base.

- The UK Border Agency will continue its involvement with A:Gender, to ensure that up to date operational guidance is available to staff to remove the potential for having adverse affects on the transgender community, but will continue to maintain its wider objectives.

- The UK Border Agency should ensure continued public access to information about the introduction of the BRP, and should continue to monitor and review arrangements. Guidance and information about the BRP should be updated on a regular basis, and communications should continue to clarify that the BRP is not an identity card in the light of the scrapping of the National Identity Service.

- The UK Border Agency should continue to ensure that foreign nationals issued with the BRP are fully aware of the rights and obligations it carries. Sources of information, such as internet pages, should be kept updated and references to the identity card for foreign nationals should be removed.

- The UK Border Agency should continue to actively engage with the established corporate partner groups and identify additional groups where appropriate.

- The UK Border Agency should undertake or commission a customer survey to establish empirical evidence from foreign nationals around the impact of having a BRP and whether they have been either beneficial or adverse documents to hold to demonstrate the right to live, work and receive other benefits to which they are entitled in the UK. This will aim to identify any trends which suggest negative or positive impacts on both the immigrant and wider community.

EQUALITY IMPACT ASSESSMENT ACTION PLAN FOR THE ROLLOUT OF BIOMETRIC RESIDENCE PERMITS (BRP) TO EXTENSIONS OF LEAVE UNDER TIERS 1 AND 5 OF POINTS BASED SYSTEM (PBS)

ACTION / ACTIVITY	OWNER AND INTERESTED CORPORATE PARTNER S	DEPENDENCIES / RISKS / CONSTRAINTS	COMPLETION DATE	PROGRESS UPDATE
This should be a list of recommendations identified in the EIA report. *A short description of the issue being taken forward.*	○ *Unit/Department/organisation* ○ *Internal & External Corporate partner s* ○ *How will you ensure your corporate partner s continue to be involved/ engaged in shaping the development/ delivery of this policy?*	*There may be other projects/initiatives that will deliver the action so make reference to these.*	*The date by which the action is to be completed.*	*Progress to date. Any slippages. New corporate partner s etc* *Give RAG rating if appropriate.* *Details of monitoring and review methods.*
Data Collection of diversity issues - Refocus Customer Satisfaction questionnaire in relation to application and enrolment to include diversity issues.	**Project and Communications Team**	**Closed**	**Closed - End of January 2010**	**A revised questionnaire, which included diversity questions was made available to all Home Office biometric enrolment centres. Final results have been collated and analysed for inclusion in this EIA.**
Data collection of diversity issues - Refocus Customer Satisfaction questionnaire to	**Biometric Residence Permits Central Operations Team (Communications) and Policy.**	**Agreement of Home Office Biometric Enrolment Centres to running another questionnaire process.**	**TBC - A revised questionnaire, which included diversity questions was made available to all Home**	**Work not begun.**

include diversity issues raised in this EIA regarding having a BRP, on the basis of the likelihood that there will by now be customers already holding a BRP applying for another who can provide feedback.		**Resources to collate and analyse results.**	**Office biometric enrolment centres until the end of January 2010. As such negotiations will need to be conducted with Home Office Biometric Enrolment Centres.**	
Publication arrangements of EIA	**Policy**	**None currently**	**w/c 11 October – to coincide with laying of regulations in parliament**	**EIA has been drafted**
Monitoring and reviewing arrangements	**Policy and Biometric Residence Permits Central Operations Team (Communications)**	**Dependant on support from Economic and Family Migration Corporate partners team**	**Ongoing**	**New corporate partners were identified and the group invited to participate in the EIA widened. Engagement continues through established channels.**
Review policy on transgender	**Residence Permits Central Operations and Team**	**Liaison with Modernising Guidance team.**	**September 2010**	**Work to align where possible with other Government departments has been conducted and is being reviewed for publication along with the main BRP guidance.**

Engagement with groups representing disability and age on subject of access to enrolment facilities as expansion plans are developed	**Biometric Residence Permits Central Operations Team and Policy**	**None currently**	**Ongoing**	**Building on established relationships and advice already received and implemented from the Home Office's Disability Support Network**
Monitor uptake and operation of non-chargeable mobile biometric service	**Biometric Residence Permits Central Operations Team (Communications)**	**None currently**	**Ongoing**	**Monitoring of Non-chargeable biometric service in place on a regional basis.**
Communications in relation to this rollout to reinforce the message that the BRP is not an identity card	**Biometric Residence Permits Central Operations Team (Communications)**	**None currently**	**Ongoing**	**All existing comms products updated to reflect the change. Further supplemental messages to be added to core UK Border Agency updates and partner engagement events. Comms plan for implementation in place for rollout during implementation window.**

ANNEX A

Below is a copy of the questionnaire sent to corporate partners and representative groups earlier this year:

QUESTIONNAIRE № 4

Last year we asked a range of interested individuals and organisations concerned with migrant working and education to contribute to our Equality Impact Assessment (EIA) for the rollout of Biometric Residence Permits (BRPs). Under the former government, these documents were known as identity cards for foreign nationals. The current government has discontinued plans for identity cards for British nationals and the National Identity Register, but BRPs are governed by European legislation and the UK Border Agency is still required by European law to provide BRPs to nationals of countries from outside the European Economic Area.

We now wish to ask organisations that may be directly or indirectly affected by a proposal to rollout BRPs to those granted an extension of stay in the UK under Tiers 1 and 5 of the Points Based System (PBS) and their dependants. Tier 1 covers highly skilled workers, investors, entrepreneurs and post-study work. Tier 5 is for certain types of sponsored temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives. Organisations likely to be affected by this proposal may have been approached previously and if so we continue to welcome your views on this occasion.

The most recent phase of the rollout was to skilled workers with a sponsor extending their stay under PBS Tier 2 on 6 January 2010. The current proposal would mean that all applicants and their dependants in the active tiers of PBS would be covered by the scheme by the end of 2010.

The UK Border Agency believes the BRP makes it easier for employers to complete right to work checks for foreign national employees and for migrants who are entitled to work in the UK to access employment.

Applicants for a BRP must enrol their biometrics (fingerprints and digital facial image) before a decision can be made. As with all BRP applications, the fee for the document is incorporated in the immigration application fee.

The UK Border Agency has ensured more options for enrolment have been created, with 17 Crown Post Office locations now offering enrolment to our customers for a handling fee of £9.40. These are in addition to 11 Home Office locations around the UK, of which seven provide a premium service for applicants wishing to apply in person and receive a decision on their immigration application that day. In addition, a mobile enrolment service is available both on a non-chargeable basis for those who are unable to travel for medical or other reasons (assessed on a case by case basis), and as part of an exclusive Super Premium caseworking Service. Further information about application and enrolment, associated fees and the process for applying for a

BRP can be found on the UK Border Agency website at: www.ukba.homeoffice.gov.uk.

The UK Border Agency is committed to equality in the provision of service and your assistance in completing the questionnaire below will help us to monitor fair and effective service delivery and develop our policies and practices. Please return the completed questionnaire by the 25 August 2010 to the Biometric Strategy Team, UK Border Agency, 2nd Floor Green Park House, 29 Wellesley Road, Croydon CR0 2AJ, or by e-mail to: ukbabiometricstrategyteam@homeoffice.gsi.gov.uk.

Q.1 Organisation-specific concerns

Please detail any possible causes for concern that the requirement for a person applying for further permission to stay (leave to remain) in the UK under Tier 1 or 5 of the PBS to simultaneously apply for a BRP might raise for the group(s) you represent. If you are aware of a particular case, please provide anonymised details.

Give details/suggestions around how the concern might be managed, whilst still maintaining the requirement to apply for a BRP.

Q.2 General

Is there any part of the process for applying for a BRP which might raise a potential for adverse impact on a specific group of employees or employers – please give details including any examples.

How can this be overcome whilst still maintaining the requirement to apply for a BRP?

Q.3 Race

Do you think the requirement for those applying for permission for further leave under Tiers 1 or 5 of PBS to apply for a BRP will have any potentially beneficial or adverse impact on any particular ethnic groups amongst foreign nationals subject to immigration control? Is there any evidence you could point to that supports your statement?

Why might this particular ethnic group/s be more vulnerable than other foreign

nationals who are also subject to immigration control?

Q.4 Gender / Gender Identity (transgender)

Do you think the requirement for those applying for permission for further leave under Tiers 1and 5 of PBS to apply for a BRP will have any potentially beneficial or adverse impact on those who are subject to immigration control and of a particular gender / gender identity? What is the impact of the policy to only allow one permit, but allow the holder to request changes to details when they choose?

Why do you think the requirement will impact more on one gender / gender identity than another? Please give examples.

Q.5 Disability

The UK Border Agency already receives applications from those with varying disabilities and levels of severity. In some cases processing the application may already include recording biometric features. It is intended that accommodation for the Home Office Biometric Enrolment Centres will continue to reflect the needs of those who, for example, require access for wheelchairs. The UK Border Agency has mobile biometric enrolment capability to help those physically unable to travel to an enrolment centre.

Do you think the process around applying for a BRP will have any potentially beneficial or adverse impact on those who are subject to immigration control and have a disability or disabilities?

Are there issues other than restricted mobility which ought to be considered?

What reasonable accommodation (social/physical access) might be made to lessen the impact?

Q.6 Religious faith and beliefs

Do you think the requirement for those applying for permission for further leave under Tiers 1 and 5 of PBS to apply for a BRP will have any potentially beneficial or adverse affect on those who are subject to immigration control and have particular religious faiths or other beliefs?

Please give details of what the negative and positive affects might be and how they might be mitigated or supported.

Q.7 Sexual Orientation (bisexual, gay, heterosexual or lesbian)

Do you think the requirement for those applying for permission for further leave under Tiers 1 or 5 of PBS to apply for a BRP will have any potentially beneficial or adverse affect on those who are subject to immigration control and of a particular sexual orientation?

Please give details of what the negative and positive affects might be and how they might be mitigated or supported.

Q.8 Age

The biometric registration provisions do not require fingerprints from children under the age of six. Children under six are required like all applicants under the biometric registration regulations, to have a digital facial image recorded. Children and young people under 16 years of age must be accompanied by a parent, guardian or a person who takes responsibility for the child. Do you think the process for applying for a BRP will have a potentially adverse or beneficial impact on children?

Do you consider the process for applying for a BRP for older people will have an adverse or beneficial affect? Please explain your answer.

How, within the requirements, can a negative impact be lessened? How could we enhance any beneficial effects?

Q.9 In what way do you think the introduction of BRP and biometric enrolment for PBS Tiers 1 and 5 will have a positive or adverse impact on community relations?

In the short term (0-3 years)

In the long term (over 3 years and onwards)

Q10 Do you have any concerns that have not been raised in the questions above?

Thank you for taking the time to complete this questionnaire, your comments will be carefully considered and with your permission and where necessary we may contact you for further information. Please indicate whether or not you are willing to be contacted and if so provide your contact details below:

Willing to be contacted to discuss the EIA further	Name	Position & Organisation	Telephone No	Email address
Yes/No				

ANNEX B

Below is a list of organisations sent the questionnaire in Annex A:

Academy of Medical Royal Colleges

Al-Khoei Foundation

Archbishops Council

Arts campaign/ NCA

Association of Town Centre Management

BAPS Swaminarayan Sanstha

Bishops' Conference of Scotland

Board of Deputies of British Jews

British Beer and Pub Association

British Chambers of Commerce

British Council

British Retail Consortium

British Shops and Stores Association

Buddhist Society

BUNAC

Catholic Bishop's Conference of England & Wales

Churches Agency for Inter Faith Relations in Scotland

Churches Together in Britain and Ireland

Churches Together in England

Circus

Confederation of British Industry

England and Wales Cricket Board

Federation of Small Businesses

Free Churches

Friends of the Western Buddhist Order

Hindu Faiths Body Steering Group

Hindu Forum of Britain

Immigration Law Practitioners' Association

Institute of Directors

International Bar Association

Interfaith Network for the UK

Inter Faith Panel of the Unitarian and Free Christian Churches Faith and Public Issues Commission

Jain Samaj Europe

Muslim Council of Britain

National Council of Gurdwaras

National Council of Hindu Temples

National Spiritual Assembly of the Baha'is of the UK

Network of Buddhist Organisations

Network of Sikh Organisations

Quaker Committee for Christian and Inter Faith Relations

Recruitment and Employment Confederation

Rugby Football League

Rugby Football Union

Scottish Football Association

Scottish Rugby Union

Sri Lankan Sangha Sabha GB

Sikh Foundation

The Football Association

The Football Association

The Football Association of Wales

The Law Society of England and Wales

Theravada Buddhist Sangha in the UK

UK Sport

Vishwa Hindu Parishad (UK)

Volunteering England

Zoroastrian Trust Funds of Europe

ANNEX C

Equality Impact Assessment - Engagement with Corporate Partners and beyond: Up to September 2010

Overview

The launch of Biometric Residence Permits (BRPs) was a key delivery milestone for the UK Border Agency (UKBA), and the Home Office. It marked the next step in delivering a managed migration system which will 'ensure fairness' and allow Government to make sure foreign nationals 'play by the rules' when used as a tool by business and migrants alongside the rollout of the Points Based System. It provides a secure and convenient way for migrants to prove that they have the right to live, work and access other benefits of being in the UK and makes it easier for employers and others to check right to work and other entitlements.

Throughout the rollout of the wider scheme and each new stage of the incremental introduction of BRPs, it is vital that we engage with key national and regional corporate partners and communicate the message to those in specific sectors who need to recognise the document, those who will be using it and to the general public more broadly to reinforce their acceptance of the concept of BRPs in the longer term.

Objectives

The primary objectives for engaging in preparation for the initial rollout of Biometric Residence Permits from November 2008 and which will continue to be for the additional categories as the roll out continues over the next few years are to:

- continue raising awareness about the new BRP;
- increase recognition: this is what the document looks like;
- increase understanding: what the document is for, how it will work, how to check it is valid;
- build advocacy among key corporate partners and what it will mean for the services they provide;
- to provide the follow-up: where to go for more information or help.

Under the former Government, there was also a requirement to place the document within the context of National Identity Service. Following the formation of the coalition government in 2010 identity cards for British nationals have been scrapped along with the National Identity Service. However, the format of the BRP and the requirement to introduce them has been set by European law. All EU member states are required to issue biometric residence permits in this uniform format from May 2012. The BRP is not an identity card, it is a way of providing proof that a migrant has the right to live, work and access any other benefits of being in the UK.

Approach

Our communications approach to ensure these objectives are achieved by reaching our audiences with consistent messages and signposting them to further information has been through a number of different channels including:

- national and regional press and broadcast media
- on-line media
- direct mail
- digital media
- targeted advertising through trade publications (sector focused)
- media relations
- stakeholders' internal publications
- stakeholder events and one to one meetings

Audiences

The key audiences for the wider rollout are:

- business - as employers and providers of services
- education sector
- foreign nationals
- media
- the public
- foreign governments and embassies
- airline and airport industries

As the rollout has progressed to include further categories new corporate partners have been identified and added, including the addition of faith groups.

Business Partner Engagement and Communications – Rollouts from 25 November 2008 to date.

There has been extensive engagement with corporate partners over the past two years, which is ongoing, and work with other Government departments (OGDs) through working groups. As a result, we have worked with our colleagues in the Ministry of Justice (MOJ), Department of Health, Department for Work and Pensions (DWP), the Department for Business, Innovation and Skills (BIS), Department for Culture Media and Sport, Department for Children, Schools and Families and other agencies and continue to do so to ensure that key messages are communicated to all their corporate partners.

The key messages have also been disseminated through our existing strategic stakeholder groups. These include the UKBA Corporate Stakeholder Group (e.g. Confederation of British Industry, Universities UK), the UK Border Force Industry Stakeholder Group (e.g. the Airline Operators Association, DEFRA, Freight Transport Association) and the Home Office Business Advisory Panel (e.g. Recruitment and Employment Confederation,

British Chambers of Commerce, British Retail Consortium), as well as taskforces set up with stakeholders impacted by the introduction of the Points Based System (Employers', Arts and Entertainment, Education). With the rollout to Tiers 2 and 1 and 5 being accelerated as we announced last year, we have also expanded our communications distribution to cover all sponsors on the Points Based System register. We also utilise existing communication channels regular briefings sent out by our central business partner team to reinforce these key messages.

A core message was communicated to all key partners at the end of August 2008, providing an overview of the document and details about the rollout in November. This was followed with written guidance describing the features of the document, which was circulated following the public launch of the BRP's design on 25 September 2008 by the then Home Secretary, which was covered through the media. The guidance provides specific information about how to check the security features and validity of the BRP to ensure all corporate partners were familiar with its design and recognised the document when presented to them.

An information pack was circulated to partners on 18 November 2008, which provided useful information including:

- Sample insert of text about BRP for websites and internal publications
- A clear visual showing a move from vignettes to the new document
- Information for employers and sponsors
- Guide to carrying out basic visual and physical checks to ensure a BRP presented is genuine
- Information on the telephone verification service
- Remarks that can be expected to be seen on the document.

This pack was refreshed and re-sent as new categories were introduced on 31 March 2009. Following a press release and communication to corporate partners on 24 September 2009 concerning the accelerated roll out, the updated pack was made available on the UKBA website. The UKBA website has been updated continuously to reflect new categories and changes in the scheme. Additionally, information has been made available on the Business Link website. Content on the UKBA website has been updated to reflect the re-naming of Identity Cards for Foreign Nationals to Biometric Residence Permits, and regular briefings sent to corporate partners have reinforced this message along with press releases.

To build advocacy and recognition of the BRP we undertook dialogue with external corporate partners. We invited partners to BRP workshops and engaged with them through sector events (education, employers, arts and culture), one-to-one meetings (such as Deutsche Bank, NUS, LGA, DWP, MoJ), and specific regional events involving large cross-sections of partners.

Road-shows were delivered across the country for corporate partners (both internal and external) during and throughout the latter half of 2008 and 2009. Key BRP messages have been added to UKBA updates at engagement events in 2010.

Annex D contains the events list showing some of the events that have taken place to engage with partners and provide information about the rollout as well as the planned forward looking engagement.

Further communications and events will be undertaken during the period leading up to the rollout of BRPs to those extending their stay in the UK under Tiers 1 and 5 of the Points Based System.

With 275,000 BRPs now in circulation, the core audiences are now increasingly familiar with them and their use and the level of engagement has been adjusted accordingly with updates on the developments in the roll out through established channels being the primary objective and activity.

Marketing

Media channels were used to reach the document-checker audience which included national press, trade press and online advertising. In addition to a direct mail which was sent to 250,000 organisations, we utilised channels through a trade press campaign which ran from late October 2008, which was featured in the following sectors:

- HR Press
- Recruitment Press
- Healthcare Press
- Retail Managers Press
- Management Titles
- Catering and Hospitality Press
- Real Estate Press

We have worked with the Identity and Passport Service to feed into marketing campaigns led by them as in late 2009. This included further direct mail to 9000 targeted businesses in Greater Manchester and national trade press.

ANNEX D

Equality Impact Assessment - Engagement with Corporate Partners and beyond: List of events

Stakeholder Events

2008 Events	*When*	*Audience*
Welsh Assembly Government	9th May	Welsh Assembly Government
National Police Registration Working Group	22nd May	Police Regions
United States (US) Military Forces	30th May	US Military Forces
Stakeholder Event	10th June	Employers, Education, Arts
Metropolitan Police Development Day	1st & 2nd July	Metropolitan Police Registrar Staff
UKBA Corporate Stakeholder Group	3rd July	IAS / BAR / CBI / English UK / ILPA / TUC / Universities UK
Department for Works and Pensions (DWP) National Identity Service (NIS) Working Group	7th July	DWP, JobCentre Plus
Member of Parliament (MP) Caseworkers	9th July	MP Caseworkers
MP Caseworkers	10th July	MP Caseworkers
Joint Education Taskforce	17th July	Universities, Private Colleges, student advisors
National Identity Service	18th July	Deutsche Bank
Business Advisory Panel (Identity and Migration)	30th July	Business Representatives

Employer Taskforce (Central London)	31st July	Employers
Communities & Local Government	8th August	Communities & Local Government
Meeting with National Union of Students (NUS)	15th August	NUS
DWP - Stakeholder Meeting	26th August	DWP, JobCentre Plus
Distribute Core Script to Stakeholders	29th August	Stakeholders
National Points Based System (PBS) Roadshow - Brighton (PBS event led by Managed Migration Stakeholder Mgmt Team)	3rd September	Regional stakeholders
Crown Dependencies Biometrics and Identity Cards meeting	4th September	Isle of Mann, Guernsey
National PBS Roadshow - Regent's Park (PBS event led by Managed Migration Stakeholder Mgmt Team)	5th September	Regional stakeholders
National PBS Roadshow - Glasgow (PBS event led by Managed Migration Stakeholder Mgmt Team)	8th September	Regional stakeholders
National PBS Roadshow - Cardiff (PBS event led by Managed Migration Stakeholder Mgmt Team)	11th September	Regional stakeholders
National PBS Roadshow - Bristol (PBS event led by Managed Migration Stakeholder Mgmt Team)	12th September	Regional stakeholders
Trade Unions Update Meeting	15th September	Trade Unions
Officials Working Group	15th September	Officials Working Group
Employment Consultation Forum	17th September	Employers and their intermediaries (reps for fed of small businesses)
National PBS Roadshow - Belfast (PBS event led by Managed Migration Stakeholder Mgmt Team)	19th September	Regional stakeholders
Ministerial Working Group	19th September	Stakeholders
National PBS Roadshow - Derby (PBS event led by Managed Migration Stakeholder Mgmt Team)	24th September	Regional Directors (UKBA) / stakeholders
Launch of identity card for foreign nationals Home Secretary	25th September	Press
Level 1 Guidance distributed	25th September	Stakeholders

Joint Education Taskforce (at LSC, London)	30th September	Education Sector
British American Business Immigration Conference	1st October	American companies in UK & UK companies in America
Employing and Vetting Non-UK Nationals	7th October	National Health Service; Healthcare & Pharmaceutical; Local Councils; Charities; Banking; Sporting; Arts; education; Cabinet Office; Treasury Solicitors
UKBA Ministerial Event	7th October	c.60 MPs
DWP National Identity Scheme Working Group	7th October	DWP, JobCentre Plus
Meg Hillier meeting with Junior Ministers	8th October	Junior Ministers
Employer Taskforce	8th October	Employment Sector
Arts & Entertainment Taskforce	8th October	Arts & Ents Sector
NIS Officials Working Group Comms Sub Group	14th October	OGD's Communications Teams
Supervisors Forum	14th October	Money Laundering
Ministerial Working Group	15th October	Ministers
Rwanda Chief of Immigration Visit	16th October	Rwanda Chief of Immigration
Kenyan and Ugandan governments	20th October	Kenyan and Ugandan governments
ID Cards for Foreign Nationals Workshop	29th October	External Stakeholders by invitation
Minister & CEO Sit Rep	Monthly	UKBA Board and Senior Management
Care Home Live	5-6th November	Care Sector
NARIC	6th November	Education side - examining board, accrediting bodies

International Marketing Conference for UK boarding school staff (Windsor)	7th November	School Heads (80+)
Business Advisory Panel	7th November	Business Representatives
DWP National Identity Scheme Working Group	10th November	DWP, JobCentre Plus
British Council	10th November	British Council
Arts & Entertainment Taskforce	12th November	Arts and Entertainment Sector
Identity Fraud Forum	12th November	Identity fraud
ACPO Meeting	17th November	Essex Police, North Yorks Police, British Transport Police
PBS Tier 4 National Event - London & The South	17th November	Education Sector
Employer Taskforce	18th November	Employer Sector
PBS Tier 4 National Event - Scotland and Northern Ireland	19th November	Education Sector
MPs Caseworker Event	19th November	HO MPs caseworking teams
LACORS Conference	19th November	Local Authorities Coordinators of Regulatory Services
ICFN Workshop	20th November	Stakeholders responding to invite (mixed)
PBS Tier 4 National Event - Midlands and The North	21st November	Education Sector
Croydon Go-live	25th November	Public
PBS Tier 4 National Event - London & The South	27th November	Education Sector
Sheffield Go-live	28th November	Public
Industry Stakeholder Group	2nd December	Airline Sector
Liverpool Go-live	4th December	Public
Solihull Go-live	8th	Public

	December	
Schengen meetings	8th December	French Presidency of EU / Consuls Generals / Head of the visas sections of all the Schengen countries / a representative of the European Commission.
Welsh Local Authorities	9th December	Welsh Local Authorities
Joint Education Taskforce	9th December	Education Sector (30 attendees)
Cardiff Go-live	10th December	Public
Diplomatic Induction Seminar - consular workshop (FCO)	11th December am	London-based diplomats, FCO staff
Recruitment Managers Event - London Councils	11th December am	Public Sector Recruitment
Glasgow Go-live	12th December	Public
Armagh Go-Live	12th December	Public
Thai Embassy	15th December	Thai Embassy
PS/Ministry of Labour and Home Affairs, Botswana (Visit)	17th December	PS/Ministry of Labour and Home Affairs

2009 Events	***When***	***Audience***
Joint Education Taskforce	10th February	Education Sector
Arts and Entertainment Taskforce	11th February	Arts & Ents Sector
Employers Taskforce	11th February	Employment Sector
Association of British Insurers	13th February	1:1
Interview Office Network (IPS) Annual Conference	13th February	IPS
1:1 Meeting with Foreign and Commonwealth Office Managed Migration	16th February	1:1

Universities UK	18th February	1:1
MP and Caseworks PBS Events - Newcastle	18th February	MPs and their Caseworkers
Meeting with British Banking Association and Meg Hillier	23rd February	1:1
Department for Innovation, Communication and Skills	25th February	1:1
Industry Stakeholder Group - Aviation Sub-group	26th February	Aviation Members
Business Forums International: Employing and Vetting non UK Nationals Workshops	26th February	Business Representatives
Joint Education Taskforce	26th February	Education Sector
Business Advisory Panel	4th March	Business Representatives
Employer Talk 2009 (HMRC) - London	5th March	Employers
Diplomatic Induction Seminar - consular workshop (FCO)	10th March	Diplomats (Head of Missions)
UKCISA Meeting	11th March	Higher Education
British Medical Association	12th March	1:1
MP Caseworkers, Taunton	12th March	MP's and their Caseworkers
MP Caseworkers, Bedford	12th March	MP's and their Caseworkers

PBS Workshop (Bespoke) Independent Schools - Birmingham	16th March	Independent Schools
Employer Talk 2009 (HMRC) - Leeds	17th March	Employers
National Migration Group	18th March	NMG Members
Employer Talk 2009 (HMRC) - Chorley	18th March	Employers
Employer Talk 2009 (HMRC) - Chorley	19th March	Employers
Chevening Fellows - Sussex Centre for Migration Research	19th March	Chevening Fellows FCO
PBS Workshop (Bespoke) NUS Representatives - Birmingham	19th March	NUS Representatives
UKBA London and South East Senior Management Team	23rd March	SMT
PBS Workshop (Bespoke) Independent Schools - Edinburgh	23rd March	Independent Schools
Employer Talk 2009 (HMRC) - Birmingham	31st March	Employers
IPS Retail Stakeholder Event (FOS)	3rd April	Retailers
ICFN Programme Board	7th April	Programme Leads
UKBA Wales & South West Senior Management Team Meeting	7th April	SMT
Asylum and Immigration Tribunal Jurisdictional Meeting	7th April	AIT
Identity Senior Management Team	20th April	SMT

UKBA Mids and East Senior Management Team Meeting	20th April	SMT
UKBA Scot & Northern Ireland Senior Management Team Meeting	21st April	SMT
Meeting with Universities UK	21st April	1:1
Meeting with UK Trade and Investment Policy Section	27th April 2009	Migration Meeting Members for UKTI
UKBA North West Senior Management Team Meeting - Manchester	30th April	Regional Board
Ministerial Working Group	6th May	Ministers
Employer Talk 2009 (HMRC) - Cardiff	6th May	Employers
JET Taskforce 14.00 - 16:00 - London	19th May	Education Sector
Employer Talk 2009 (HMRC) - Edinburgh	20th May	Employers
Visit to Isle Man	28th May	Officials
Employer Talk 2009 (HMRC) - Coleraine, am, University of Ulster	2nd June	Employers
Employer Talk 2009 (HMRC) - Belfast	3rd June	Employers
Business Advisory Panel	4th June	Business Sector
ICFN Programme Board	9th June	Programme Leads
London & South East Region Staff Events	10th - 11th June	L&SE Staff

Croydon PEO Visit - DVLA workstream of POL	11th June	DVLA
Employer Talk 2009 (HMRC) - Manchester, Manchester United FC, Old Trafford	17th June	Employers
NHS Counter Fraud and Security Management Service	17th June	NHS Fraud Community
NW Change Marketplace - Manchester Airport	18th June	Staff
HMRC External Stakeholder Event	18th June	Cross Section of external stakeholders
Northern Ireland Dept for Employment and Learning Migrant Workers' Forum - Belfast	19th June	External Stakeholders and OGDs concerned with impact of migrationary policies in Northern Ireland
Employers Taskforce	23rd June	Employment Sector
Joint Education Taskforce	23rd June	Education Sector
UK Advisory Network Summer Reception	25th June	External UKTI network event
UKCISA Annual Conference Warwick	1-3 July	UKCISA Membership
ICFN Programme Board	7th July	Programme Leads
PBS T4 Events - ICFN	7th July	Licensed Sponsors
Employer Talk 2009 (HMRC) - Tonbridge, The River Centre	8th July	Employers

PBS T4 Events - London	9th July	Licensed Sponsors
PBS T4 Events - London	10th July	Licensed Sponsors
PBS T4 Events - Manchester	14th July	Licensed Sponsors
PBS T4 Events - Queens Hotel Leeds	15th July	Licensed Sponsors
PBS T4 Events - Novotel Birmingham	16th July	Licensed Sponsors
PBS T4 Events - Marriott Cardiff	21 July	Licensed Sponsors
Joint Education Taskforce	29 July	Education Sector
Arts and Entertainment Taskforce	29 July	Arts & Ents Sector
ICFN Programme Board London	11th August	Programme Leads
Business Advisory Panel	2nd September	Business Sector
London Organising Committee of the Olympic Games visit to Stanstead	3rd September	London Organising Committee of the Olympic Games
ICFN Programme Board London	8th September	Programme Leads
Employer Talk 2009 (HMRC) - Exeter	8th September	Employers
Employer Talk 2009 (HMRC) - Newbury	10th September	Employers
Ukraine Delegation	16th September	Officials
Home Secretary event Croydon - Press Release and Stakeholder Communication	24th September	Public, Stakeholders (including 23k sponsors)

Joint Education Taskforce	24th September	Education sector
Employer Talk 2009 (HMRC) - Durham, Ramside Hall Hotel	24th September	Employers
ICFN Programme Board London	6th October	Programme Leads
Employer Talk 2009 (HMRC) - Nottingham, East Midlands Conference Centre	7th October	Employers
Business Immigration Conference 2009	8th October	Tier 2 Sponsors and Businesses

20010 Events	***When***	***Audience***
BRP Tier 2 Launch Communications package	06 Jan	All UKBA Partners
Scottish HEIs Colleges meeting	18th January	Education sector
BFI - Vetting & Screening Non-UK Nationals Employees - London	28th January	Employers
AOC Further Education Workshop	1st February	Education sector
International Student Experience	4th February	Education sector
Joint Education Taskforce meeting	10th February	Education sector
Sport and Governing Body Meeting	February	Sports sector
Employers Taskforce meeting	March	Employers
Arts & Entertainment Taskforce	March	Employers and Tier 5 Partners

UCAS International Conference	22nd June	Education sector
BF Industry Stakeholder Group Aviation Sub-Group	2nd June	Employers
Meeting of Joint Education Taskforce	25th June	Education sector
BUILA Conference	6th July	Education sector
Law Society	8th July	Legal Sector
Meeting of Employer Taskforce	12th July	Employers
Meeting of Arts & Entertainment Taskforce	12th July	Employers and Tier 5 Partners
AOC Further Education Workshop	13th July	Education sector
AOC Further Education Workshop	16th July	Education sector

Planned 2010 events – forward look

NHS Employers Meeting	22nd September	Employers
UK NARIC	23rd September	Education sector
Association of Colleges meeting	24th September	Education sector
Recruitment and Employment Confederation	24th September	Employers
Independent Schools Council	24th September	Education sector
Joint Education Taskforce	28th September	Education sector
The Boarding Schools' Association	28th September	Education sector
5th annual FE and International Markets conference	14th October	Employers

Employer Taskforce Meeting	October	Employers
Arts & Ents Taskforce Meeting	October	Employers and Tier 5 Partners
UK NARIC Annual Conference	8th and 9th November	Education sector

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