

REPORT TO: Cabinet Member – Corporate Services
Cabinet

DATE: 3 March 2010
4 March 2010

SUBJECT: Nationality Checking Service

WARDS AFFECTED: All

REPORT OF: Legal Director

CONTACT OFFICER: Andrea Grant
Assistant Legal Director (Democratic Services)

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To seek approval for the implementation of a new discretionary service.

REASON WHY DECISION REQUIRED:

To allow for the implementation of a new service.

RECOMMENDATION(S):

1. The Cabinet Member for Corporate Services agrees that the Nationality Checking Service be introduced on the basis set out within the report and ; and
2. That subject to agreement to enter the scheme, Cabinet approve the level of fees suggested for charging applicants, as set out in paragraph 9.2 of the report.

KEY DECISION: No

FORWARD PLAN: Not appropriate

IMPLEMENTATION DATE: Following the expiry of the call-in period for the Minutes of this meeting.

ALTERNATIVE OPTIONS: None.

IMPLICATIONS:

Budget/Policy Framework:

Financial: The costs to the Council for registration into the scheme will be £550 pa. This would be more than recouped from fees and charges applicable to applicants.

<u>CAPITAL EXPENDITURE</u>	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: N/A

Risk Assessment: There are no risks arising from this report.

Asset Management: None

CONSULTATION UNDERTAKEN/VIEWS

FD 308 - The Acting Finance and Information Services Director has been consulted and his comments have been incorporated into this report

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	

4	Improving Health and Well-Being	√		
5	Environmental Sustainability		√	
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None.

1. Introduction

- 1.1 The Nationality Checking Service (NCS) initiative is a partnership between the Home Office UK Border Agency and local authorities across the United Kingdom.
- 1.2 NCS is aimed at people wishing to apply for British Citizenship and is intended to increase the proportion of applications received by the UK Border Agency which may be completed without further enquiry.
- 1.3 In return for an administration fee, local authorities will check Citizenship applications for completeness and accuracy before forwarding them to the UK Border Agency. They will also photocopy valuable documents such as passports before returning the originals to their owners.
- 1.4 Local authorities offering the service are registered with the Office of the Immigration Services Commissioner (OISC) to check nationality applications.
- 1.5 It is expected that each applicant requires approximately 45 minutes of Citizenship Office time. Each local authority is responsible for setting its own fees. The applicant would pay this directly to the local authority.
- 1.6 Applications are forwarded to the Nationality Group by Royal Mail Special Delivery or by a Secure Mail Service. Following receipt by The Home Office the application is treated in the same way as all other applications. The Nationality Group gives no priority to NCS applications. The Nationality Group is part of the UK Border Agency that deals with citizenship applications.

2. BACKGROUND

2.1 Office of the Immigration Services Commissioner (OISC)

- 2.1.1 The OISC is an independent public body set up under the Immigration and Asylum Act 1999.

2.1.2 The OISC is responsible for regulating immigration advisors. Local authorities participating in the NCS are deemed to be immigration advisors by the OISC and must register for that purpose. They may not offer the service until the registration service is complete and the application approved. Local authorities using NCS will complete the Level 1 registration process, enabling them to offer basic levels of advice. A fee is payable for registration, which is currently £550 per annum.

2.2 Nationality Group

2.2.1 The Nationality Group (NG) is responsible for the receipt and consideration of applications for British Citizenship. NG supports integration and community cohesion objectives as well as management of migration. The introduction of citizenship ceremonies in 2004 necessitated a closer working relationship with local authorities.

2.2.2 A review of the working processes of the NG to improve customer service was undertaken and one area that was identified for improvement was applications received with incomplete documentation.

3.0 AIMS AND OBJECTIVES

3.1 NCS is a partnership between NG and local authorities in England, Scotland and Wales. It is designed to increase the proportion of correctly completed applications submitted to the NG.

3.2 In order to improve the processing times for the customer and improve the quality of the application forms submitted, NCS will:

- Provide blank application forms and leaflets when required;
- Check that application forms have been completed correctly and that they have been signed;
- Confirm the identity of the applicant;
- Check that all relevant documents are present;
- Check that the correct fee has been submitted;
- Photocopy valuable documents, such as passports, certify the copies and return the originals to the applicant;
- Forward original documents relating to the knowledge of English requirement directly to the NG;
- Forward applications to the NG by Special Delivery.

3.3 As part of NCS, local authorities will not offer advice on any other matters such as visas, immigration or asylum. Local authorities will normally refer any such enquiries to the UK Border Agency.

4.0 BENEFITS

4.1 Applicants gain from the fact that their applications proceed efficiently through the nationality process, with minimum disruption and duplication, as no further documentation should be requested. Applicants also retain their original documents after the local authority has copied them.

- 4.2 The Home Office receives better quality applications that require less follow up action which means resources can be devoted to making quicker decisions on cases.
- 4.3 The local authority is able to offer a value added service to its potential citizens and is able to recover the full cost of providing it. A quicker turnaround of citizenship decisions will enable local authorities to plan citizenship ceremonies more efficiently.

5.0 LEGAL IMPLICATIONS

- 5.1 There is no express provision in legislation regarding citizenship ceremonies that confers a power on local authorities to provide or charge for a service of this kind. Despite this lack of provision NCS can be provided under the well being power (s2 Local Government Act 2000) if provision of such a service is considered likely to achieve the promotion or improvement of the economic, social and/or environmental well being of the area.
- 5.2 It is considered that the service will promote the social well being of the area. The acquisition of citizenship has been identified by government as an important aspect in promoting community cohesion and if the local authority is able to make the process of applying for citizenship less problematic it will contribute to this aim.

6.0 NORTH WEST PROVIDERS OF NCS

- 6.1 A number of local authorities throughout the North-West currently offer NCS checking. These authorities are: Liverpool; Manchester; Trafford; Salford; Halton; Oldham; Lancashire; Cumbria; Bolton; Cheshire East.
- 6.2 Each authority charges a range of fees for NCS ranging from £36 - £50 for a single adult application; £51 - £60 for a joint application (husband and wife); £61 - £73 for a family application (husband, wife and 2 children).
- 6.3 Most authorities take a deposit when booking the appointment ranging from £25 to the full cost of the application. In almost all cases this deposit is non-refundable. Lancashire NCS also charge £5 for secure postage in addition to the NCS fee.
- 6.4 Not all authorities offer NCS on all days. Liverpool Register Office, for example, offer appointments on 3 – 4 days each week, with appointment times taking between 30 minutes for a single application to 60 minutes for a joint/ family application.
- 6.5 Whilst demand for the service is largely unknown, evidence from a larger local authority indicates that income from NCS could be around £50,000 per year.

7.0 TRAINING

- 7.1 The NG provide full training and back up support at all times and will train as many people as we require.

8.0 COSTS

8.1 Apart from the registration fee of £550 to the OISC any other costs, such as staffing and photocopying, would be recouped through the NCS fee.

9.0 IMPLEMENTATION IN SEFTON

9.1 Due to the uncertainty around the levels of demand, it is proposed that the service be introduced initially for one day per week in Sefton South (Waterloo Town Hall). This will enable demand to be gauged and the level of staffing resources required to meet that demand to be assessed. One day per week at Sefton South could be managed within existing resources.

9.2 It is suggested that the following fee structure be implemented:

- £45 single adult application;
- £60 joint application (husband and wife);
- £70 family application (husband, wife and 2 children);
- £20 each additional child on parents' application;
- £25 one or more children under the age of 18 who are applying separately from their parents (per child);
- £60 one parent and up to two children;
- £70 one parent and up to three children.

9.3 After 6 months of operation, the success of the service will be reviewed and an expansion proposed if demand is evident.