CONSULTATION ON CHARGING FOR IMMIGRATION & VISA APPLICATIONS

September 2009
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The biggest shake-up to our border protection and immigration system for over 45 years is well underway. The Borders, Citizenship and Immigration Act 2009, which will fundamentally overhaul the laws regarding obtaining British Citizenship, received Royal Assent on 21st July. We will also look to simplify our immigration laws further through legislation to be published later this year in Parliament.

The UK Border Agency was established in April 2008 to create a strong new force at the border by bringing together immigration, customs and visa checks to strengthen the UK Border. We want the UK to stay open and attractive for both business and visitors, but at the same time we are determined to deliver a system of border control which is among the strongest in the world.

We are all familiar with the high public interest which surrounds immigration as a whole and this is only right. Increased flows of people around the world make securing our border one of our toughest challenges. There is widespread acceptance that migration is a key factor in our economic growth but also concern about the possible impact on public services and communities.

We have made substantial progress in recent years in meeting the challenges posed by migration; asylum applications are less than a third of their 2002 peak; we continue to build on record performance on removals of foreign national prisoners and immigration offenders; since December 2007 we have fingerprinted 100% of visa applicants and since first testing fingerprinting in 2006 we have taken over 4 million sets of fingerprints and detected over 4,000 false identities. The introduction of the Points Based System (PBS) allows us to operate a flexible migration system to the benefit of the UK. PBS helps us support employers who comply with the rules, and targets those who abuse them. PBS also encourages the Government policy to up-skill resident workers and only bring skilled migrant workers where an employer has carried out a resident labour market test or the job is on the shortage occupation list, as identified by the Migration Advisory Committee.

We continue to reform and we will be implementing the framework for the Government’s earned citizenship proposals by July 2011. This will change the way all migrants earn the right to remain in the UK permanently and reward migrants who contribute to UK society.

The Government is committed to boosting Britain’s economy by bringing the right skills from around the world and ensuring that it is easy to visit legally. We want to continue to welcome
the holidaymakers, visitors, investors, business people and students who come here, recognising the valuable contribution they make to economic growth and the way that they enrich our society through cultural exchange. In order to be able to continue to welcome legitimate migrants, we need an immigration system that is trusted and secure. To help achieve this, those who benefit directly from our immigration system (migrants, employers and educational institutions) should contribute to the costs of the system.

In the following pages we set out some options in relation to how we can continue to charge for our immigration and visa services. We want a genuine debate on the most appropriate way to continue charging for the valuable services that we provide and continue to welcome legitimate migrants so that we can balance the interests of those who use our services, in terms of the price paid for consideration of their application with the interests of the general UK taxpayer, who will continue to support the immigration system that brings benefits and enrichment to this country. We hope that you engage with this consultation process and let us know your views and ideas.

We believe that whatever system is decided upon, the aim should be to ensure the UK Border Agency can continue to offer a world class level of service whilst managing the inherent risks to their income and maintain our global position as a country that welcomes the contribution that legal migration can bring.
CONSULTATION ON CHARGING FOR IMMIGRATION & VISA APPLICATIONS

SCOPE OF THE CONSULTATION

**Topic of this consultation:**
Our purpose is to secure our borders and control migration for the benefit of our country. We will do this by delivering three strategic objectives:

- We will protect our border and our national interests
- We will tackle border tax fraud, smuggling and immigration crime
- We will implement fast and fair decisions

The UK Border Agency is equipped to protect our border in the 21st Century. We have a budget of more than £2 billion and 25,000 staff, including more than 9,000 customs and immigration officers. They work in local communities, at the border and in 135 countries around the world. The UK Border Agency currently recovers approximately 30% of this spend through fees charged for the applications and services we offer.

**Scope of this consultation:**
The purpose of the consultation exercise is to get genuine early input into how we continue to charge for our services and contribute towards delivering the above objectives so that we can balance the interests of those who use our services, in terms of the price paid for consideration of their application with the interests of the general UK taxpayer, who will continue to support the immigration system that brings benefits and enrichment to this country.

We are keen to hear from stakeholders on this topic to help shape thinking on the products and services under consideration for possible introduction over the next few years.

**Geographical scope:**
The guidance covers applications made within the United Kingdom and at posts overseas.

**Impact assessment (IA):**
An Impact Assessment accompanies this consultation document.

**BASIC INFORMATION**

**To:**
The consultation exercise is aimed at key local, national and international stakeholders who have a contribution to make with regard to charging for our services. In particular, we are looking for responses from customers who use or will use the immigration system.

**Duration:**
The consultation will run for 12 weeks between 9 September and 1 December 2009.

**Enquiries:**
Enquiries about the content or scope of the consultation, and requests for hard copies should be made to: Charging.Consultation@homeoffice.gsi.gov.uk
How to respond: Should you wish to respond to this consultation exercise, please email your reply to: Charging.Consultation@homeoffice.gsi.gov.uk

Alternatively, if you wish to respond by post, please send your reply to: Charging Consultation Team
Block B, 10th Floor East
Whitgift Centre
15 Wellesley Road
Croydon CR9 1AT

Additional ways to become involved: If requested, a copy of the consultation document will be made available in Welsh, Braille, Large Font or Audio. You should contact the Charging Consultation Team by email on Charging.Consultation@homeoffice.gsi.gov.uk or by phone on 0208 604 6709.

After the consultation: Responses will be considered and we will produce a summary of responses. These will be published on the UK Border Agency website. Where possible, participants to the consultation will be informed of the publication of the response.

BACKGROUND

Getting to this stage: To maintain our world class immigration system currently costs over £2 billion per annum. We consider that those who benefit directly from our immigration system (including migrants, and those who act as sponsors under the Points Based System) should contribute to the costs of the system so that we can balance the interests of those who use our services, in terms of the price paid for consideration of their application, with the interests of the general UK taxpayer, who will continue to support the immigration system that brings benefits and enrichment to this country.

We set application fees on the basis of a number of factors, working within strict financial limits agreed with HM Treasury and Parliament. We have made carefully considered decisions to set some fees at or below the cost of delivery and some fees, such as the fee for British Citizenship above the cost of delivery, to reflect the value of the product.

We take into account a range of factors, to ensure that fees are fair to our customers, and that the UK Border Agency can continue to offer a world class level of service.

Our method of fee setting contributes to the revenue needed to fund other areas of the immigration system such as enforcement as well as to finance other necessary improvements to the immigration system.

Previous engagement: The Home Office has previously consulted a range of national and local stakeholders about charging for Immigration & Visa services. In particular:

1. New Charging Regime for Immigration and Nationality Fees – October 2006.
2. A targeted consultation exercise on fees and charges to support the Points Based System and Biometric Identity Documents – October 2007.

Previous consultations may be found on the UK Border Agency website at: www.ukba.homeoffice.gov.uk/aboutus/consultations/closed/
HOW TO RESPOND

The aim of this consultation paper is to seek a wide range of views to inform the continued development of the charging strategy. This will support our Immigration and Visa system and ensure that the UK Border Agency can continue to offer a world class level of service.

A separate pro forma for responses is included with the document; please feel free to provide comments on additional sheets of paper if there is not sufficient space. The pro forma is also available in electronic format on our website www.ukba.homeoffice.gov.uk/aboutus/consultations/current

The consultation period for responding to this document ends on 1 December 2009. This duration meets the standard twelve week period set out in Home Office guidance. The UK Border Agency will be responsible for receiving, processing and analysing responses to this survey.

A consultation stage impact assessment accompanies this consultation. Both documents are available from www.ukba.homeoffice.gov.uk/aboutus/consultations/current

Closing date for responses: 1 December 2009. A summary of responses will be published on the UK Border Agency website within three months of the consultation closing.

Charging Consultation Team
Block B, 10th Floor East
Whitgift Centre
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Croydon CR9 1AT

Charging.Consultation@homeoffice.gsi.gov.uk

RESPONSES: CONFIDENTIALITY & DISCLAIMER

The information you send us may be passed to colleagues within the Home Office, the Government or related agencies.

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 [FOIA], the Data Protection Act 1998 [DPA] and the Environmental Information Regulations 2004).

If you want other information that you provide to be treated as confidential, please be aware that, under the FOI Act, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.
The UK welcomes people from all over the world who come here for pleasure, to visit their families, and to do business. We need workers to fill skills gaps and migrant workers make an important contribution to the economy of this country. We also want to encourage students from all over the world to study in our world-class educational institutions. Visiting artists, entertainers and sportsmen and women enrich our cultural life.

To achieve this, we need to balance the interests of those who benefit directly from our immigration system (including migrants, and those who act as sponsors under the Points Based System), in terms of the price paid for consideration of their application with the interests of the general UK taxpayer, who will continue to support the immigration system that brings benefits and enrichment to this country.

To maintain our world class immigration system currently costs over £2 billion per annum. We believe it is right that those who use the system make an appropriate contribution to meeting these costs, to help manage the burden on the UK taxpayer. The purpose of consulting is to ensure that we’re getting that balance right in the broader interests of the UK and where necessary to change the amount we charge for certain/different types of application.

We set application fees based on a number of factors, working within strict financial limits agreed with HM Treasury and Parliament. We currently set some fees at or below the cost of delivering the services and some fees above the cost of delivery, to reflect the value of the product. Charging above the cost of delivery helps to raise the revenue required to fund the overall immigration system and cross-subsidise lower fees for certain immigration routes.

Our fees reflect the value of the products we offer and balance our international competitiveness with affordability to the UK Border Agency. When considering the services we charge for, we take into account the UK’s international competitiveness, at a challenging time for the global economy, in particular the pressure being felt by UK industry at this time due to currency fluctuations, and other external factors influencing the total cost of coming to the UK to work, study, visit or settle.

With the successful implementation of the Points Based System, we have introduced a greater level of shared responsibility with employers, educational institutions and other organisations to ensure those coming to the UK are genuine in their intentions. Organisations seeking to sponsor migrants under Tier 2 (the skilled work route), Tier 4 (students) and Tier 5 (temporary work) of the Points Based System join a register of licensed organisations and decide, as they are best placed to do, who is most suited to employment or courses of study.

Within three years, everyone who successfully applies to extend their stay in the United Kingdom, or who comes to the United Kingdom for more than six months, will have an identity card for foreign nationals, so we can be sure they are who they say they are.

We continue to look to get best value from our operations both overseas and in the UK, and promote efficiency savings wherever possible, through the better use of technology and increased productivity.

The purpose of this consultation is to look at various options for ensuring those who benefit from the immigration system contribute appropriately to its costs. We welcome your views.

The consultation document does not contain any indicative fees. Actual fees will be determined once the responses to the consultation have been analysed as part of our annual review of UK Border Agency’s fees. For further information on existing products and fee levels, please see our website www.ukba.homeoffice.gov.uk
PROPOSALS AND QUESTIONS

We have identified a number of different options that would generate the level of revenue needed to deliver our strategic objectives while balancing the interests of the UK taxpayer. Below we have set out some of these.

A separate pro forma for responses is included with the document; please feel free to provide comments on additional sheets of paper if there is not sufficient space. The pro forma is also available in electronic format on our website, www.ukba.homeoffice.gov.uk/aboutus/consultations/current

We currently spend over £2 billion per year on securing our borders and managing the immigration system. Approximately 30% of this spend is currently recovered through the fees we charge for applications and services we offer, and the rest is paid for by the general UK tax payer, who benefits from an improved and secure immigration system. Our fees are set within strict HM Treasury guidelines.

We currently set application fees based on a number of factors, we cross-subsidise for certain immigration routes by setting some fees at or below the cost of delivering the service and some fees above the cost of delivery, to reflect the value of the product, for example, students or highly skilled migrants. Charging above the cost of delivery helps to raise the revenue required to fund the overall immigration system and cross-subsidise lower fees for other immigration routes. An overwhelming majority of respondents from our last consultation agreed that we should set fees flexibly. We would like to continue with this approach.

Q1. Do you agree that we should continue to set fees flexibly by taking into account wider policy objectives such as attracting specific groups of migrants that are beneficial to the UK?

- Yes
- No
- Don’t know
- Comments
EARNED CITIZENSHIP

The Green Paper *The Path to Citizenship: Next Steps in Reforming the Immigration System*, published in February 2008 and the response document published last July, both set out the Government’s intentions to develop a clearer journey to British Citizenship. This includes a package of requirements to ensure that migrants who wish to make the UK their home earn that right; balancing migrants’ rights with their responsibilities; and encouraging those who want to remain here, and who meet our stringent requirements, to become British citizens. We have legislated to give effect to these provisions in the Borders, Citizenship and Immigration Act 2009.

We will continue to expect migrants to meet the necessary requirements such as learning English and obeying our laws before they are allowed to stay. We will continue to take a firm stance on criminal behaviour so that those who commit minor crimes that receive non-custodial sentences will normally see their journey towards British citizenship slowed down; and those who go to prison will have their journey stopped altogether. We will also reward those who demonstrate that they are active citizens by speeding up their journey.

Under earned citizenship there will be three key routes to naturalisation as a British citizen:

- Highly skilled and skilled workers under the points-based system
- Family members of British citizens and permanent residents
- Those in need of international protection.

And there will be three time limited stages in the journey:

- Temporary residence
- Probationary citizenship
- British citizenship/ permanent residence

Minimum time periods will apply to each of these stages and migrants on the work route will be able to complete their journey to British citizenship in 8 years whilst those on the family route can complete this in 5 years. However, those migrants who also demonstrate active citizenship will be able to complete the journey 2 years earlier.

Under the new earned citizenship provisions, all migrants will normally enter the UK as temporary residents and will be required to complete a new second stage of probationary citizenship, which is a period of further temporary leave, where restrictions on access to benefits will continue to apply. Following completion of these two stages migrants will be entitled to apply to progress to the final stage of becoming either a British citizen, or a new alternative of permanent residence.

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- British citizenship/ permanent residence

We plan to implement these changes from July 2011.

With the legislative framework for earned citizenship in place, the Government intends to take these reforms a stage further, to build upon and strengthen the principle of earned citizenship. That is why we recently published the consultation paper “Earning the right to stay: A new points test for citizenship”, which seeks views on introducing a new, points-based test at the probationary citizenship stage, to better control the numbers allowed to settle permanently in the UK. The consultation also contains proposals on the role of local authorities in delivering earned citizenship, how Government can better support integration for those on the path to citizenship, and mitigating the negative impacts of migration on the developing world.

The consultation document can be found on our website at [www.ukba.homeoffice.gov.uk/aboutus/consultations/current](http://www.ukba.homeoffice.gov.uk/aboutus/consultations/current). We intend to publish the results of this consultation later this year.

We currently charge fees for applications for indefinite leave to remain (ILR) and British citizenship above the cost of processing the application. As ILR is being replaced by ‘permanent residence’ we would anticipate charging, in line with our general policy on immigration and visa fees, for such applications. When we introduce earned citizenship, we propose to continue to take account of a number of factors when setting fee levels,
such as value of entitlements to the applicant, wider policy objectives and our international competitiveness. This would help us meet our objective to recover 30% of our total spend through fees and charges and to cross-subsidise some of the other immigration routes.

Q2. Do you agree that fees for the different stages of the journey to citizenship should be set at different levels to reflect the different benefits provided at each stage?

- Yes
- No
- Don’t know
- Comments

Q3. Do you agree that when setting the fees for the different stages of the journey to citizenship, the UK Border Agency should take into account wider factors?

- Yes
- No
- Don’t know
- Comments

Q4. There are a number of factors that could be used to inform how much the fee for citizenship would cost. What factors, if any, do you think should be used to set this fee?

- Please specify

DIFFERENTIAL PRICING & PREMIUM SERVICES

This approach would be to recover the costs of administering overseas and UK-based applications by setting differential prices for the same product. This approach would have the advantage of greater flexibility in determining fee levels, and would allow us to take account of factors such as different costs in setting fees in different locations depending on, for example, additional costs to meet high local security requirements or of carrying out additional verification procedures on documents in high risk locations. We might also want to take account of different methods of payment, or possibly charging less for on-line applications. On occasions, customers don’t keep the appointments made, without a valid reason, and this incurs a cost to us. By charging extra for missed appointments, we can help mitigate the cost to UK Border Agency.

We could also set a higher price for premium services depending on speed, timing or bespoke delivery of the service. Premium services would be optional to the customer, and offering premium service alternatives would not affect any standard service offered. We believe offering premium services will help us to ensure that the immigration system overall generates the revenue needed, whilst offering greater choice to customers. For example, currently nationality applicants do not have any premium service options, we think it is only fair these applicants are also given a choice.

Q5. Do you agree that the UK Border Agency should set different fees for the same type of application?

- Yes
- No
- Don’t know
- Comments
Q6. For which of the following methods, if any, do you think we should offer different fee levels? Please tick all that apply

- Method of application
- Methods of payment
- Timing of application
- Location of application
- Other option
- Please specify

Q7. Do you agree that we should set fees flexibly, setting fees for optional premium services at a higher level than equivalent standard applications, depending on the speed/tailoring/convenience of service received?

- Yes
- No
- Don’t know
- Comments

CONSULTANCY SERVICES AND DOCUMENT VERIFICATION

The UK Border Agency offers consultancy-type services to employers and customers alike. These consultancy services might include bespoke training and expert advice provided by the UK Border Agency staff. We currently provide training, run advice telephone lines and send speakers to annual conferences. We also run open days and seminars for target groups. These are all provided in addition to the normal support we provide to customers as part of their normal application process. Charging a fee would allow us to contribute to our strategic objectives, and provide improved services in response to customer needs.

We are constantly looking at ways to improve the service we provide to our customers. One such way is to provide an optional checking service. For example, when an applicant wants to make an application, they could go to a location where all the documents are checked (and photocopied) so that the applicant keeps hold of their original documents. An example of this type of service is the Nationality Checking Service offered through Local Authorities, whereby local authorities receive and verify an application before it is submitted to the UK Border Agency. We also provide an employers’ checking service, by which an employer can obtain confirmation from us that employees’ documents are genuine and valid. After a decision is made the applicant can submit their passport to the UK Border Agency for endorsement.

Q8. Do you agree that we should charge for consultancy services provided to customers and third parties?

- Yes
- No
- Don’t know
- Comments

Q9. What types of consultancy and document verification services, if any, do you think the UK Border Agency should charge for?

- Please specify
ACCESS TO INFORMATION

UK Border Agency may wish to allow certain third parties access to some of the information we hold in a format which would exclude personal data and would comply with Data Protection and Freedom of Information Legislation. Examples could include aggregated immigration data which would assist other Government Departments, for example, the police. We are looking to charge for providing access to the information based on the principle that those who benefit from our information should contribute towards the cost of providing it.

Q10. Do you agree that the UK Border Agency should charge third parties to access the information we hold, within the confines of the Data Protection Act?

- Yes
- No
- Don’t know
- Comments

DEPENDANTS

In June 2006, the Home Affairs Select Committee recommended that there should be greater alignment between overseas and in country pricing structure.

At present, in the UK, if the main applicant submits the application and includes their dependants’ at the same time, one fee is charged for processing all of the applications. But overseas each application is charged for separately. We would like to align the pricing structures for our services between those both in and out of the UK.

Some migration fees are set on the basis of value to the applicant, above the cost of delivery. There may be a case for charging some applicants more at the point for application to reflect differences in this value. For example, parent dependants who are over the general working age and may not possess the knowledge of English language required under other routes and it may be fairer to charge them more at the point of application to reflect the value of the visa they apply for.

Q11. What type of fee, if any, do you think third parties should pay to access the information held by the UK Border Agency?

- One-off subscription fee
- Annual subscription fee
- Fee for each information request
- Fee based on how much information is required
- None of the above
- Comments

Q12. Do you agree that each dependant applying for leave to remain in the UK should pay an additional, separate fee for their application in line with the practice overseas?

- Yes
- No
- Don’t know
- Comments

Q13. Do you agree that migrants who come under the dependant relative route, and who are over the standard age of retirement, should pay more at the point of application?

- Yes
- No
- Don’t know
- Comments
CHARGING FOR OVER-STAYERS

Some migrants overstay for short periods of time beyond their current leave and then submit a late application to regularise their stay in the UK. Processing these types of applications is more costly and complex for the UK Border Agency. Whilst for very minor late applications, we don’t necessarily want to curtail their leave altogether, we think it is reasonable for us to charge migrants who submit such late applications a premium fee to cover the extra costs.

Q14. Do you agree that we should charge over-stayers more than the cost of consideration of such applications?

- Yes
- No
- Don’t know
- Comments

SPONSORSHIP UNDER THE POINTS BASED SYSTEM

Under the Points Based System, we undertake ongoing compliance activity to ensure that each sponsoring organisation is staying within the rules. Those who fully comply are classified as ‘A’ rated sponsors. Those who have some room for improvements are classified as ‘B’ rated sponsors. We work closely with B rated sponsors to help them move back to an A rating. This work brings an extra cost to the UK Border Agency. We believe that the costs associated with the sponsorship regime should be borne by those who benefit from this system. To achieve this, we need a pricing policy that gives us the flexibility to charge sponsors at different stages, depending on the degree to which they comply with their responsibilities. Under this approach, fully compliant sponsors might pay less than non compliant sponsors.

Q15. Do you agree that we should charge sponsors of migrants in accordance with how well they comply with their sponsorship responsibilities?

- Yes
- No
- Don’t know
- Comments
CERTIFICATES OF SPONSORSHIP

We issue certificates of sponsorship to Sponsors who wish to bring migrants into the UK under Tiers 2, 4 and 5 of the Points Based System. We currently apply a different certificate fee in Tier 2 to that which we apply in Tiers 4 and 5, but within each Tier the fee is the same. We could price certificates of sponsorship, issued within the same tier, in a flexible manner taking a number of factors into consideration.

Q16. Do you agree that the certificate of sponsorship should be priced more flexibly?

- Yes
- No
- Don’t Know
- Comments

ADMINISTRATIVE REVIEW / RE-CONSIDERATION / APPEAL

There are occasions when applicants do not accept the decision made on their application by the UK Border Agency. Consequently, they seek to have the decision re-considered. In some cases individuals submit less substantiated appeals against decisions, and this has an impact on the end to end costs of the system.

Depending on whether the applicant is outside or inside the UK and the type of application made, if an application is refused, the applicant may have a right to an administrative review, re-consideration or a right to appeal. These services are currently provided free of charge to the applicant/appellant.

By introducing a fee for administrative reviews, reconsideration or appeals, we could improve the efficiency of the immigration system and deter people from lodging a weak claim to have their decision overturned.

At present the cost of the independent appeals system is wholly funded by the taxpayer. We are considering how users of the immigration system could contribute towards the cost of the end to end process including appeals. We consider that this could best be achieved by either, making an adjustment to visa application fees to include a contribution towards the cost of this system or, we could charge a larger amount for appeals brought to the Asylum and Immigration Tribunal.

Q17. Do you agree that a fee should be charged to applicants who request an administrative review of an application that has been refused?

- Yes
- No
- Don’t know
- Comments

Q18. Do you agree that a fee should be charged to applicants who request a reconsideration of an application that has been refused?

- Yes
- No
- Don’t know
- Comments
Q19. Do you agree that users of the immigration system should contribute to the costs of the appeal system and, if so, should the costs be paid for by:

A. All visa and immigration applicants by ensuring that visa fees contribute towards the cost of the whole system by a small increase
B. Those visa and immigration applicants who have a right to appeal against their decisions by increasing the relevant visa fees
C. Only those who wish to make an appeal against their original decision by charging a larger fee on appeal

• Yes. If so please specify (A), (B) or (C)
• No
• Don’t know

Q20. Do you think that any proposal outlined above could have an impact upon community relations?

• Yes
• No
• Don’t Know

Q21. Do you think that any proposals outlined above would impact adversely upon small/medium sized businesses? Please provide comments on how this impact might be minimised.

• Yes
• No
• Don’t Know

Q22. Do you think any proposals outlined above would have a disproportionate effect upon any particular group according to:

• Race
• Gender
• Age
• Disability
• Religion
• Belief
• Sexual orientation

• Comments

Q23. Are there any other products or services that we should charge for?

• Comments
This consultation follows the Government’s Code of Practice on Consultations – the criteria for which are set out below:

THE SEVEN CONSULTATION CRITERIA

Criterion 1: When to consult
Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Duration of consultation exercises
Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Clarity of scope and impact
Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Accessibility of consultation exercises
Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: The burden of consultation
Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees’ buy-in to the process is to be obtained.

Criterion 6: Responsiveness of consultation exercises
Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Capacity to consult
Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

The full Code of Practice on Consultation is available at: www.berr.gov.uk/files/file47158.pdf
If you have a complaint or comment about the Home Office’s approach to consultation, you should contact the Home Office Consultation Co-ordinator, Nigel Lawrence. Please **DO NOT** send your response to this consultation to Nigel Lawrence. The Co-ordinator works to promote best practice standards set by the Government’s Code of Practice, advises policy teams on how to conduct consultations and investigates complaints made against the Home Office. He does not process your response to this consultation.

The Co-ordinator can be emailed at: Nigel.Lawrence@homeoffice.gsi.gov.uk or alternatively write to him at:

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