

FOREWORD



I am very pleased to introduce this first version of Operating Standards for the Detention Services Escort Process. The process in developing these standards builds on the existing standards for Immigration Removal Centres.

The aim of standards is to improve performance and compliance across the escort process. The standards have been developed following consultation with contractors, Non Government Offices, Other Government Departments, and the Independent Monitoring Boards. I am grateful to all those who have taken time to offer views on the standards and for the role they have played in their development.

The standards build on and reflect the contractual arrangements we have with those who escort immigration detainees on our behalf. It is important to have clear and transparent arrangements in place, which demonstrate how we wish detainees to be treated and to show how the escort arrangements operate more generally.

It is important that those who have responsibility for escorting detainees to ensure that these standards are promoted applied and maintained.

The standards are a public document and this reflects the Parliamentary and general interest that exists regarding the arrangements we have in place for escorting immigration detainees as well as immigration detention more generally.

A handwritten signature in blue ink, appearing to read 'Brian Pollett'.

Brian Pollett Director, Detention Services

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COMPLAINTS/REQUESTS PROCEDURE

Standard

The investigation of complaints and consideration of requests made by any detainee must be timely, thorough, fair and just.

Minimum Auditable Requirements

- 1** The Contractor must ensure that all detainees are made aware of the procedures for making complaints and requests before the escort commences.
- 2** The Contractor must implement the Detention Services' Complaints Policy as outlined under cover of Detention Services Order (DSO) 9/2006.
- 3** The Contractor must have in place procedures for recording:
 - relevant details of complaints, including when they were made;
 - relevant details of investigations or enquiries;
 - relevant details concerning outcomes; and
 - details of when detainees (or their representatives) and those involved in any investigations or enquiries were informed of the outcome.
- 4** The Contractor must have in place arrangements for acknowledging complaints.
- 5** The Contractor must provide responses to complaints within the timescales prescribed in DSO 9/2006.
- 6** Where delays occur in meeting the requirements of 5 above an interim reply must be sent within the agreed timescales. The reply must explain the reason for the delay in sending a full response. The record must indicate that an interim reply was issued and when.
- 7** Where complaints are concerned with alleged racial discrimination the Contractor must ensure that this is brought to the attention of the officer designated (by the Contractor) to investigate such complaints.
- 8** Where a complaint concerns issues related to the welfare of a child and raises any child protection issue, the matter must be referred to a senior manager for investigation in line with the Detention Services Child Protection Policy (as outlined under cover of DSO 6/2006).

REFERENCES:

Detention Services Order 6/2006
(Child Protection Policy)

Detention Services Order 9/2006
(Complaints Procedure)

COMPLAINTS/REQUESTS PROCEDURE

- 9** Where a detainee makes a complaint during the escort and it relates to a time spent in a removal centre or any other detention facility details must be recorded. The Contractor must pass the details to the relevant Complaints Coordinator at the facility to which the complaint relates and record that they have done so.
- 10** In cases where a detainee makes a complaint concerning an alleged assault or any other serious criminal offence the Contractor must liaise with DEPMU and await instructions before proceeding with arrangements for the removal of the detainee from the UK. The Contractor must record that they have done so and record details of the outcome.
- 11** Where a detainee is returned to a detention facility following such an allegation (as referred to in 10 above) the Contractor must bring the matter to the attention of the receiving authority.
- 12** Where complaints concern allegations of assault or some other serious criminal offence the Contractor must pass details of the allegation to the relevant police force. In such cases CCTV footage must be retained and made available to the police together with all other relevant evidence. The Contractor must also advise the Contract Monitor of such incidents together with details of the action taken.

CUSTODY OF DETAINEES

Standard

To ensure that proper arrangements are in place when taking responsibility for the custody of detainees.

Minimum Auditable Requirements

- 1 The Contractor must before formally taking responsibility for the detainees, make all reasonable enquiries to identify any issues relevant to safeguarding the welfare of the detainees, and particularly any dependent children. The Contractor must record these issues on the escort documentation. See also the standard on Families with Children.
- 2 The Contractor must not assume responsibility for detainees unless authorised to do so through properly completed documentation relating to detention.
- 3 The Contractor must check that the person being collected for escort is the same person identified on the documentation relating to the authority to detain.
- 4 The Contractor must formally record taking responsibility for every detainee collected from the releasing authority.
- 5 The Contractor must ensure that all those being escorted are reminded of the need to visit toilet facilities before the escort commences.
- 6 When either handling over responsibility for the detention of the persons being escorted or releasing them from detention, the Contractor must ensure either that the receiving authority endorses the contractor's records in respect of all detainees concerned, or formally records release on the escort documentation. Records endorsed must also include details of detainees' property, cash, medication and tickets and travel documents.
- 7 Where a detainee has a visible injury or complains of any other injury the Contractor must record this and ensure that the place from where the detainee is being collected provides written confirmation that the injuries were present or that a complaint had been made at the time of handover.

CUSTODY OF DETAINEES

- 8** At least one member of the escort team must be of the same sex as the detainees being escorted and there must be a record to this effect.
- 9** Where a meal will not be provided under the terms of the removal centre or residential short-term holding facility contract, the escort Contractor must provide food for detainees in their care during the periods between 1130hrs and 1400hrs and between 1730hrs and 1900hrs. Meals must meet the dietary needs of adults and children.
- 10** The use of toilet facilities must be offered at least every two and a half hours and water or other suitable drinks must be available for detainees during the journey.
- 11** When the escort is completed the Contractor must ensure that paperwork and reports are completed and made available to the Contract Monitor on request.
- 12** The Contractor must keep records (which must be retained for six years) relating to each detainee in their custody and this must include:
 - any issues relating to the welfare of the detainees
 - time of departure and arrival at all places of custody en route to the agreed destination.
 - meals, refreshments and comfort breaks offered and when.
 - miscellaneous incidents
 - complaints, including outcomes
 - use of force and restraints
 - information relating to detainees' property.

DETAINEES' PROPERTY

Standard

To ensure that detainees' property is kept safely and securely and that proper arrangements are made to ensure that it travels with the detainee.

Minimum Auditable Requirements

- 1 When taking custody of detainees the Contractor must check detainees' property record sheets and that the seals on the property bags are unbroken, and record that they have done so.
- 2 The Contractor must ensure that property and property records are placed in a safe and secure area within the vehicle.
- 3 The Contractor must check in detainees' property at the airport or at any other point of embarkation. Detainees must be allowed to retain hand luggage unless there are reasons of security or control that advise against this. Where a detainee is not allowed to retain hand luggage the reasons for this must be recorded.
- 4 Where the Contractor accompanies the detainee to the point of destination and it has been necessary to retain hand luggage on the detainee's behalf (for reasons referred to in 3 above), the Contractor must record that the luggage was returned to the detainee on arrival. The detainee must be asked to sign a record to this effect and where he/she refuses to do so the Contractor must record this.
- 5 Should a removal attempt fail the Contractor must take responsibility for retrieving luggage and ensure that it is returned with the detainee to the detention facility specified by the Detainee Escorting and Population Management Unit (DEPMU). There must be a record to this effect.

FAMILIES WITH CHILDREN

Standard
To operate procedures that ensure that families with children are escorted safely and securely.

Minimum Auditable Requirements

- 1** The Contractor must implement the Detention Services Child Protection Policy as outlined under cover of Detention Services Order 6/2006.
- 2** The Contractor must ensure that:
 - all staff coming into contact with children have been CRB checked to enhanced level.
 - all staff coming into contact with children receive training that enables them to implement the child protection policy referred to in 1 above.
- 3** The Contractor must make enquiries to ensure that they have information necessary in order to provide that the welfare of children being escorted is properly safeguarded during the journey. The Contractor must record that they have done so and the record must also include details of the outcome of such enquiries.
- 4** Subject to the requirements of the Child Protection Policy, the Contractor must only apply restrictions relating to the contact between detainees and their dependent children when the risk to detainees and their children would be greater if they are not separated. Where restrictions are applied reasons for this must be recorded together with details of the officer who made the decision. The Contractor must ensure that such decisions are taken at an appropriate and senior level.
- 5** Where the Contractor observes any behaviour which raises concern about the welfare of a child this must be recorded and details passed to DEPMU. DEPMU must pass the information to the Management of Detained Cases Unit (MODCU). Where it is deemed necessary to separate a child from parents as a consequence of this concern the reasons for this must be recorded. Where those concerned are being escorted to a detention facility the details must also be passed to the receiving authority and the record noted to this effect.
- 6** Babies must be provided with a baby seat and placed next to the mother or other adult family member, unless

REFERENCES:

Detention Services Order 6/2006
(Child Protection Policy)

SI 1993/31: The Motor
Vehicles (Wearing of Seat Belts
by Children in Front Seats)
Regulations 1993

SI 2006/1892: The Motor
Vehicles (Wearing of Seat Belts)
(Amendment) Regulations 2006

SI2006/2213: The Motor
Vehicles (Wearing of Seat Belts
by Children in Front Seats)
(Amendment) Regulations 2006

FAMILIES WITH CHILDREN

a prior risk assessment or where during the escort the behaviour of the adult family member indicates otherwise. Where a decision is taken to place children apart from an adult family member reasons for this must be recorded.

- 7** The Contractor must provide suitable and correctly positioned child restraints for all babies and children up to 135cms in height (approximately 4ft 5ins) in line with current legislation (SI 1993/31, SI2006/1892 and SI2006/2213)
- 8** Where food is required to be provided under the terms of the escort contract this must include foods suitable for children. Babies' nappies and women's sanitary protection must also be available.
- 9** It will only be necessary to use physical restraints on children in exceptional circumstances where there is imminent danger to the child or others. Where physical restraint is used on a child only approved techniques may be used and details of their use must be fully accounted for and recorded. Mechanical restraints must not be used on minors.
- 10** After every incident in which a child has had to be restrained, the Contractor must make an immediate assessment as to whether the child has been injured. Where it is thought a child has suffered physical injury, the Contractor must obtain medical attention for the child as soon after as the nature of the injury and circumstances allow.
- 11** Where it has been necessary to employ control and restraints on a minor and where the child is destined for a removal centre the Contractor must notify the receiving authority that control and restraint techniques were used and request that this is brought to the attention of the health care team at the centre. The Contractor must record that they have done so.

FAMILIES WITH CHILDREN

12 The Contractor must ensure that vehicles used for transport are fit for purpose enabling families to travel together to intended destinations. Cellular vehicles with single cubicles will not be utilized for escorting a family unit.

MEDICAL CARE

Standard
To ensure that the medical needs of detainees are met when required.

Minimum Auditable Requirements

- 1** Where the healthcare team at the sending centre judge that it is appropriate for a detainee to have medication in possession sufficient medication will be prescribed for the duration of the escort. The Contractor will retain any remaining medication that the healthcare team provides and either hand it to the detainee at the point of removal or to the receiving authority on arrival. DCOs must not administer medication.
- 2** The Contractor must ensure that they are aware of those detainees who have medication in possession before the escort commences and note their records to this effect.
- 3** The Contractor must ensure that where a detainee is taken ill while under escort appropriate medical treatment is made available. If necessary this will include taking the detainee to hospital.
- 4** The Contractor must ensure that records are kept of any incidents where medical treatment is sought or required.
- 5** In the event that a detainee is kept in hospital the Contractor must contact DEPMU who will make a decision as to whether a bed guard is necessary. The Contractor must record that DEPMU were consulted together with details of the outcome.
- 6** Where it is necessary to take a detainee to hospital the Contractor must comply with any instruction (from those with direct responsibility for treating the detainee) to remove handcuffs and inform DEPMU accordingly. There must be a record to this effect.
- 7** Where there is any doubt about a detainee's fitness to travel the Contractor must seek medical advice before the journey commences or continues. The Contractor must record that they have done so and record details of the outcome.
- 8** Where the outcome under 7 above is that the detainee should not travel the Contractor must seek instructions

MEDICAL CARE

from DEPMU. There must be a record of this together with details of the outcome.

- 9** Where required the Contractor must make arrangements for qualified medical staff to be in attendance during escort. There must be a record to this effect.
- 10** Escort vehicles must be equipped with a First Aid box, the contents of which must be in date.

PERSONNEL: STAFF TRAINING

Standard
Staff must undertake training in order to meet the aims, objectives and needs of the escort process.

Minimum Auditable Requirements

- 1** The Contractor must make appropriate arrangements for planning and the management of training and produce plans
- 2** Staff training must take account of the diverse nature of those they will be escorting, which will require the provision of background information about the many different cultures staff are likely to come into contact with.
- 3** All training must incorporate the need for escort staff to understand the impact of their role and so help better communication with detainees.
- 4** The Contractor must maintain records of all individual training undertaken and when.
- 5** The Contractor must have systems in place for recognising when individuals are required to take refresher training.
- 6** The Contractor must implement training and refresher training programmes which include, but are not limited to, the following elements:
 - child protection and supervision
 - communication and interpersonal skills, including with children
 - complaints handling.
 - conflict management
 - control and restraint (including approved control and restraint techniques for use on minors)
 - escort procedures
 - First Aid training to approved standards
 - race and cultural awareness training
 - suicide awareness
 - security training and practice
 - values and principles underpinning the treatment of detainees

SECURITY

Minimum Auditable Requirements

Standard

Arrangements for detainees under escort must be based on the safety and security of the detainees as determined by individual risk assessments.

REFERENCES:

Detention Services Order 1/2002
(Guidelines on the use of handcuffs on immigration detainees under escort)

Detention Services Order 11/2006
(Immigration Escorting and STHF Searching Policy)

Detention Services Order 3/2007
(Reporting and handling of incidents)

SI 1993/31: The Motor Vehicles
(Wearing of Seat Belts by Children in Front Seats)
Regulations 1993

SI 2006/1892: The Motor Vehicles
(Wearing of Seat Belts)
(Amendment) Regulations 2006

SI2006/2213: The Motor Vehicles
(Wearing of Seat Belts by Children in Front Seats)
(Amendment) Regulations 2006

- 1 The local security strategies for the Contractor must set out the procedures involved in the planning of escorts. The strategy must include:
 - a risk assessment of the detainee(s) to be escorted with reference to any security intelligence or any other relevant information such as behaviour whilst in detention and any other relevant background information.
 - the risk assessment must pay particular attention to the need to obtain information that will assist in ensuring the welfare of children is properly safeguarded.
 - the vehicle is safe and secure.
 - instructions about the taking of breaks.
 - instructions on what to do in the event of an incident.
 - reporting arrangements and emergency contact numbers.
 - checking of restraints, if used, throughout the journey.
 - risk assessments on the circumstances in which restraints should be used.
- 2 The strategy must also define the duties of the officer in charge of the escort including:
 - receipt of the Movement Order or equivalent details.
 - receipt of documentation including the detainee's description and clothing form, the documentation relating to the authority to detain, the gate pass or equivalent authority, the detainee(s) escort record and security information.
 - ensuring that detainees are searched according to the searching policy covered in DSO 11/2006 (Immigration Escorting and STHF Searching Policy)
 - ensuring that CCTV equipment is in working order before the commencement of the escort.
 - ensuring that the vehicle is searched, checked and has sufficient fuel for the journey
 - ensuring the vehicle is suitable for the journey and the passengers
 - checking the security arrangements including where possible those of the destination

SECURITY

- ensuring that seatbelts are worn by all staff and detainees
 - seating arrangements for staff and detainees during the escort
 - the correct use of handcuffs should they be required
 - that the driver is clear about the route to the destination
 - ensuring that a no smoking policy is observed in the vehicle during the escort.
- 3** The application of restraints must be strictly in line with Detention Services Order 1/2002 (Guidelines on the use of handcuffs on immigration detainees under escort).
 - 4** At least one member of the escort team must be of the same sex as the detainees being escorted.
 - 5** All detainees must be searched (generally a rubdown and where required with a hand held metal detector) prior to the escort in accordance with the searching policy.
 - 6** There must be arrangements in place to prevent contact between detainees who have been searched and those who have not been searched prior to escort.
 - 7** An officer must be designated for the purposes of ensuring that:
 - the identities of detainees are confirmed
 - escort staff have been briefed in writing on any security or relevant healthcare issue.
 - escort staff are provided with specific details about the escort and destination
 - sufficient refreshment is available for the journey for all detainees and staff
 - escort staff must ensure that property and records are placed in a safe and secure area within the vehicle.
 - 8** Babies must be provided with a baby seat and be placed next to the mother or other adult family member, unless a risk assessment states otherwise.

SECURITY

- 9** The Contractor must provide suitable and correctly positioned child restraints for all babies and children up to 135cms in height (approximately 4ft 5ins) in line with current legislation (SI 1993/31, SI2006/1892 and SI2006/2213).
- 10** Incidents of any kind must be reported in accordance with Detention Services Order 3/2007.
- 11** If the detainee remains in UK detention following the escort and any further risk factors are identified these must be recorded on form IS91 RA Part C and faxed to DEPMU. They must also be recorded on the relevant detainee's transferable record.
- 12** The escort vehicle must be equipped with a First Aid box and a fire extinguisher.

STANDARDS AUDIT

Standard
That audit arrangements reliably measure compliance with the requirements of the Detention Services operating standards and support continuous improvement.

Minimum Auditable Requirements

- 1** The Contractor must have a system of self-audit for approval by Detention Services.
- 2** The Contractor must appoint a member of staff for the audit programme.
- 3** The frequency of self-audit must be agreed with Detention Services.
- 4** Details of audit findings must be recorded on Form DCF 14, the audit worksheet.
- 5** Worksheets must contain evidence that each minimum auditable requirement has been thoroughly evaluated.
- 6** Records of audit findings, including action plans, must be maintained for a period of at least two years.
- 7** On completion of the audit, a list of findings must be submitted to the Contract Monitor.
- 8** Within 28 days of the submission of audit findings the Detention Services Assistant Director with responsibility for escorts must agree the dates by which any outstanding action must be completed.
- 9** Further self-audits of any minimum auditable requirements identified as requiring action must be completed within one month of the agreed date for completion.

Temporary non-compliance

- 10** Any variances from minimum auditable requirements are authorised by the Assistant Director with responsibility for escorts.
- 11** Compensatory measures for temporary non-compliance and action plans to achieve future compliance must be implemented and must replace original baseline for audit purposes.

STANDARDS AUDIT

Audits by Detention Services Operations

- 12** Detention Services Operations must work to a programme that includes an audit of the audit standards and an audit of other selected standards on escorts every two years.
- 13** Contractors must make available to the Assistant Director responsible for escorts copies of self-audit reports and any other documents on request.
- 14** Contractors must agree an action plan with the Assistant Director responsible for escorts within 28 days of receiving the report of the audit.
- 15** Feedback on the audit of individual standards must be provided to the Contractor during the course of an audit in enough detail to enable improvements to be planned.
- 16** Provisional overall ratings must be given to the Contractor at the end of the audit.
- 17** A final report must be sent to the Contractor within 28 days of the audit finishing.

USE OF FORCE

Minimum Auditable Requirements

Standard

When the application of force is deemed necessary, no more force than necessary will be applied and any such force must be reasonable.

- 1** The Contractor must ensure that force is used only when necessary to search a detainee, to keep a detainee in custody, to prevent violence, to prevent destruction of the property of the contractor or of others and to prevent detainees from seeking to prevent their own removal physically or physically interfering with the lawful removal of another detainee.
- 2** If handcuffs are used as part of use of force Detention Services Order 1/2002 must be adhered to.
- 3** The Contractor must use and purchase training for control and restraint techniques from the Prison Service for England and Wales. Advanced training should be carried out by the Prison Service training establishments for England and Wales. Basic training may be carried out by the contractor's own instructors provided that they have been trained and currently certified by the Prison Service for England and Wales.
- 4** Use of force must only be applied by members of staff who have undertaken necessary training.
- 5** Approved leg restraints must only be used with the approval of a Detention Services Senior Manager and then only by overseas escorts. Where authority is given or refused details of this must be recorded together with details of the officer making the decision.
- 6** All incidents involving the use of force must be properly authorised, recorded by the Contractor and reported to the Contract Monitor. Every such incident must be examined by the Contract Monitor and, where any concerns arise, the incident must be investigated. The Contract Monitor must keep a record of outcomes.
- 7** In cases where it is necessary to control and restrain those under the age of 18 (such use is limited to those situations where it becomes necessary to do so to prevent harm to the child or any individual present) only approved measures for doing so must be applied. There

REFERENCES:

Detention Services Order 1/2002
(Guidance on the use of
handcuffs)

USE OF FORCE

must be a record of use together with reasons why it was necessary to do so. Mechanical restraints must not be used on minors.

- 8** The Contractor must ensure that staff are trained in the use of force (see separate standard on Personnel: Staff Training).
- 9** The Contractor must have a system for recording all incidents where use of force is applied and to monitor that use.

ANNEX A DETENTION SERVICES

OPERATING STANDARDS – AUDIT WORKSHEET

ESTABLISHMENT/ ESCORT PROVIDER

AUDITOR

Signature

STANDARD

Date

MINIMUM AUDITABLE REQUIREMENT

AUDIT FINDINGS

Further details attached

Yes

No

COMMENTS OF MANAGER OF AUDIT PROGRAMMES

Signature

Date

Name

ANNEX B DETENTION SERVICES

OPERATING STANDARDS: NOTIFICATION OF TEMPORARY NON-COMPLIANCE
Continued

Date that temporary non-compliance
will revert to full compliance

Centre manager's/escort service
manager's signature

Date

This Temporary Non-Compliance is
approved by: (NAME)

Area Manager/Director

PRISON SERVICE AREA OR DETENTION SERVICES DIRECTORATE

Area Manager/Director signature

Date

When complete and approved by the Area Manager/Director, this form must
be copied to Detention Services Policy Unit (DSPU) Copy sent to DSPU

Date sent

Signature