



Home Office

**General instructions
Removals, enforcement and detention**

Post enforcement visit actions

Version 1.0

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About this guidance

This guidance tells you about actions to be taken following general enforcement visits and illegal working visits.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Enforcement Policy.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Clearance and publication

Below is information on when this version of the guidance was cleared:

- version **1.0**
- published for Home Office staff on **29 September 2016**

Changes from last version of this guidance

New guidance

Related content

[Contents](#)

Post enforcement visit: OIC actions

This page tells the officer in charge (OIC) of the enforcement visit or operation what they must do once it is over.

General responsibilities

Once the visit or operation is over, the OIC must ensure that:

- all intelligence is passed to the intelligence unit using the Intelligence Management System (IMS), see Intelligence referral form
- computer records are updated
- any seized material is recorded and stored securely
- local visit record files are created
- searches records (PSB) and/or pocket notebook (PNB) entries are appended to the visit record
- warrants are disposed of correctly, see Warrants: procurement and use
- referrals to employers or landlords civil penalty compliance teams (CPCTs) are made in a timely manner
- any false documents encountered are reported, including copies, to the forgery team
- the family welfare form (FWF) is updated with any information relevant to the safeguarding children duty (where relevant), see Safeguarding children: advice from the Office of the Children's Champion

Operational debriefing

Circumstances in which a debriefing must be conducted

There are many benefits to holding a debriefing after an operation (deployment). It:

- gives all team members the chance to give feedback
- identifies areas that worked well
- identifies areas where things need to be improved
- helps make changes to future operations
- helps future work to be conducted more efficiently and safely
- helps to identify any actions needed as a result of the operation

Following an arrest team visit an operational debriefing is mandatory:

- following a family detention visit
- following a visit on which a critical incident occurred
- where there has been non-compliant use of force
- following an arrest visit containing newly trained arrest staff who have yet to complete the mentoring period
- where the visit OIC, or another member of the team, has identified an area of concern from the visit that requires a debriefing to be held and recorded

The debriefing must be conducted as soon as practicable after returning to the office.

Planning and conducting a debriefing

The debriefing should normally be lead and conducted by the OIC. However, where there has been a critical incident or non-consensual use of force the debriefing must be conducted by a senior investigation officer (SIO) or Her Majesty's inspector (HMI).

See:

- [Debriefing following use of force or critical incident](#)
- Arrest and restraint

You must encourage officers to identify and highlight good practice, as well as to raise problems or incidents which may have occurred, and to put into place any appropriate remedial action.

It is the responsibility of the OIC to ensure all relevant intelligence from the deployment is recorded on the Intelligence Management System (IMS) using the intelligence referral form. IMS is the **only** vehicle for recording intelligence in Immigration Enforcement, information is not regularly retrieved from national operations database (NOD).

If you do not arrange a debriefing you must still make sure officers have some way to give you feedback. For example, you could distribute a debriefing sheet by email.

When planning a debriefing you must consider the same things as when planning a briefing.

In addition you must:

- make sure everybody who was on the operation (deployment) is able to attend the debriefing or they are able to give their feedback separately if they cannot attend
- consider:
 - using a minute taker to record what is said and to note any action points
 - if it was a very large operation, asking individual team leaders to hold separate debriefings and feed the results back to you

Timing of the debriefing

It is best to hold a debriefing as soon as possible after the operation has finished so that:

- events are still fresh in the minds of the officers who took part
- any relevant evidence is submitted to the criminal investigation team as early as possible
- any intelligence is submitted to the intelligence unit as early as possible

Performance issues

You must not single out individuals for criticism during a debriefing. If the team identify performance issues, it is essential you hold a full and honest discussion of

what happened. If you have concerns about how an individual has acted you must deal with this separately and privately with the person concerned and their line manager, if appropriate.

Debriefing following use of force or critical incident

All and any use of force must be reported in accordance with the instructions contained in Arrest and restraint without exception.

Where a person complies in being handcuffed or otherwise physically led or restrained it is not necessary to conduct a formal debrief, but the fact that handcuffs have been applied with consent and the reasons for this must be recorded.

Any critical incident or incidence of **non-compliant** use of force to arrest a suspect during an operation must be subject to a formal debriefing held by Her Majesty's inspector (HMI) or the senior investigation officer (SIO). The following must attend:

- all staff who used force against the suspect
- all staff who witnessed others using force against the suspect
- the bronze commander responsible for the location where the incident occurred
- the silver commander for the operation, where practicable

Similarly, any use of force against a minor, including those claiming to be minors whose age is disputed, and any instance where a baton is drawn, must be subject to a formal debriefing.

The HMI must hold a debriefing as soon as reasonably practicable, and must ensure all officers who used force have completed the 'use of force' reporting form correctly. Forms must be completed and submitted within 2 working days of the incident. It is a serious disciplinary offence amounting to serious misconduct if you fail to either:

- complete a report on time
- provide full and accurate information

For more information on completing the form, see: Completing the 'use of force' reporting form.

Use the debriefing meeting to:

- discuss what happened
- confirm whether any officers have been injured as a result of the incident
- detail the level of force used
- determine whether any lessons can be learned from the incident

Make and keep a record of what was discussed and agreed at the debriefing meeting.

Staff welfare: family removal work

Family removal work is a difficult, sensitive area of work, you can use the debrief to explore any issues or concerns of team members, and advise that emotional support can be sought from:

- line manager or colleagues
- care teams (available in some locations)
- the 24 hour Health and Welfare provision, see Health, Safety and Wellbeing guidance

Following the debriefing

Once the debriefing is finished you must make sure:

- you pass any relevant information to the intelligence unit using the Intelligence Management System (IMS), see Intelligence referral form
- you update interested parties, for example caseworkers and criminal investigation teams, with results
- you allocate any action points
- there is a procedure in place to advise officers about learning points and any resulting changes
- you store the debriefing notes with your case papers

After you have conducted an effective debriefing you should be able to:

- confirm if the pre-operation planning and operational briefing could have been improved with hindsight
- explain where things:
 - went well, and why
 - did not go well, and why
- identify:
 - better ways of doing things
 - learning points
- implement:
 - changes you can make so identified issues do not happen again

Post enforcement visit: updating records

This page tells Immigration Enforcement officers how to create and update physical and computer records of any enforcement visit or operation.

Enforcement case file management

Create an enforcement sub-file

To create an enforcement sub-file, you must:

- not use the HO file for ongoing enforcement action
- work on an existing enforcement sub-file, if already created:
 - use a flag to indicate the first document on the right hand side after a decision to remove was taken
- include a plastic wallet at the bottom of the right hand side to hold master copies of papers that will require faxing to other corporate partners
- tie the new enforcement sub-file to any Home Office files on the subject
- flag all documents on the Home Office file that are relevant to the subject being considered for removal
- minute the enforcement sub-file to say which documents on the Home Office file are relevant to the decision
- create the IS.126E on Doc Gen
- use the IS.126E to summarise the subject's progress to appeal rights exhausted (ARE) or point of detection
- minute the file to index the IS.126E and enforcement papers served on detection as ARE or offender on the right hand side
- note on the minute sheet and CID that these papers have been served
- include a harm matrix

Record actions

When recording actions on the enforcement sub-file, you must:

- place minutes on the left of file, papers on the right
- write minutes in plain English, avoiding jargon, arcane abbreviations and 'text speak'
- if the information fits on the IS.126E or IS.93E, use these forms
- if the information **does not** fit on the IS.126E or IS.93E, record the principal file minute describing actions and events on CID notes
- prepare written file minutes principally to document the papers present on file
- make sure the narrative on CID follows a sequence of events:
 - such as receipt of representations, their consideration, a decision and proposal, manager's agreement
- note use of offensive language, include if it was directed at the officer as a personal threat
- repeat key points and nothing else on the file minute

- make sure scheduled reviews, for example of the harm score, are visible on the minute even if there is no change
- make sure authority vested in specific grades is evident at first hand, either on the essential form, on CID, or on file:
 - a senior officer working at a distance from the file must provide a CID note or email for file, and their approval for the action recorded accordingly
- must not use stock minutes created elsewhere, including enforcement actions

Dummy Files

When using dummy files, you must:

- retain all minutes up to the point of creation of the dummy file
- use a file cover, duly marked, do **not** barcode it
- retain a copy of any papers with signatures or manual annotation
- minute the enforcement file to show why it was created and the dummy file's location:
 - record its creation and location on CID
- on return of the file, copy any papers placed on the dummy to the master, additional minutes to right hand side as 'Note for file' with reference minute on left hand side and destroy the now unnecessary dummy file:
 - do **not** send the dummy file to WiPs or Lay By

Document management

As part of file management, you must:

- use the minute sheet to record every item placed on the right hand side:
 - keep these in date sequence
- maintain a parallel record on CID
- retain all forms served on the subject on file in the exact form in which the subject received them
- maintain detention reviews while current in a plastic wallet attached to the inside of the front file cover:
 - place all detention review papers in this plastic wallet including 28-day restatement of reasons
- transfer to the right hand side if released, and minute the file accordingly:
 - create a new IS.93E for a further detention
- retain only the fax transmission report of a fax bundle on the right hand side and minute the nature of what was sent and to whom on the left:
 - only retain photocopies on file if there is no file copy

Updating CID

It is essential that CID is fully updated. CID is the central record to store data on all asylum, immigration and temporary migration applications. It is the responsibility of caseworkers and administrative staff to update CID notes, and other relevant sections relating to removal and detention, at every stage during the life of the case.

Caseworkers and administrative staff must not enter intelligence information that is not to be disclosed on CID. It must be referred to the intelligence unit using the Intelligence Management System (IMS), see intelligence referral form.

Official – sensitive: Start of section

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Official – sensitive: End of section

Notes on files and CID help inform other decisions, for example on whether to continue with removal action or detention. Documents, emails and file notes must be saved and stored in the team's shared folder on the shared drive so that all team members have access to the information.

Notes on CID must be informative, relevant; spell checked and **not** include personal opinion. CID notes and file minutes relating to legal advice must be clearly marked 'Not For Disclosure – Legal Professional Privilege' where appropriate.

Official – sensitive: Start of section

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Post enforcement visit: reports and referrals

This page explains who needs to provide a written referral following a visit or operation and the information that must be included.

Referring illegal working cases

Illegal working: written debrief

The officer in charge (OIC) of the operation must complete a written debrief which will include:

- the names and personal details of the offenders identified
- the potential offences
- the evidence available
- the level of active cooperation provided by the employer as defined in the [Code of practice on preventing illegal working](#)
- evidence of prior reporting of illegal workers before the visit (for which the employer must have a unique reference number)
- the evidence and reasons for issuing any no action notice (NAN-Es) and/or referral notice (RN)
- information of any other concern (for example poorly managed fire escapes or mattresses on the floor of the store room)

The OIC must sign-off the written debrief before it is added to the referral pack.

Referrals to the civil penalty compliance team (CPCT)

See also: NOD civil penalty user guide

Immigration Compliance and Enforcement (ICE) team operations support must send a referral to the civil penalty compliance team (CPCT) (for more information, see Illegal working operations) within 14 calendar days of the visit and, where applicable, criminal and financial investigations (CFI) by email to the Criminal investigation review team, see [illegal working: referral criteria](#). This is a service level agreed timeframe and performance against this will be reported back to ICE teams.

CPCT will consider the referred case and issue the employer with a civil penalty notice (CPN), a no action notice (NAN) or a warning notice (WN) as appropriate concerning the illegal workers referred to in the referral notice (RN).

The referral pack to CPCT must contain the items listed on the fully completed 'CP Referral Form Employers' (see Document (Word) version of Illegal working operations) which must be included in the referral pack.

To contact CPCT, email: Civil penalty compliance team.

Illegal working: referral criteria

The following table tells you where to refer the case depending on the applicable legislation.

Date employment began	Applicable legislation	Refer case to
From 27 January 1997 to 28 February 2008	Section 8 of the Asylum and Immigration Act 1996 (the 1996 Act)	Local CFI
From 29 February 2008 onwards	Sections 15 and 21 of the Immigration, Asylum and Nationality Act 2006 (the 2006 Act)	Section 21 to CFI Section 15 to CPCT (Manchester)
Mix of offenders employed both before and after 29 February 2008	Section 8 of the 1996 Act Sections 15 and 21 of the 2006 Act	Section 8 and section 21 to CFI Section 15 to CPCT (Manchester)
Dates not known or verified	Section 8 of the 1996 Act and/or sections 15 and 21 of the 2006 Act	Section 8 and section 21 to CFI Section 15 to CPCT (Manchester)
For Croatian nationals, fixed penalty notice (FPN): from 1 July 2013 onwards	Regulation 16 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 (the 2013 Regulations)	Fixed penalty coordinator CPCT (Manchester)
For Croatian nationals (prosecution): from 1 July 2013 onwards	Regulations 16 and 17 of the 2013 Regulations	Local CFI (Prosecution cases only)
For Croatian nationals (employer civil penalty): from 1 July 2013 onwards	Regulation 11 of the 2013 Regulations	CPCT

A referral that includes a mix of offenders may be split up so relevant cases and individuals are dealt with by the appropriate unit. For example, section 8 cases would go to the local CFI and section 15 to CPCT.

Referral of intelligence

The feedback of intelligence is essential. All information that you come across during the course of your duties must be passed to the intelligence unit using the Intelligence Management System (IMS), see intelligence referral form.

The form must be completed with as much detail as possible.