



Home Office

## **Detention Services Order 02/2018**

### **Detainee Custody Officer and Detainee Custody Officer (Escort) Certification**

November 2025



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## Contents

Document Details .....	5
Contains Mandatory Instructions .....	5
Instruction .....	6
Introduction .....	6
Policy .....	7
Employment Decisions.....	9
Procedures .....	10
Certification Application Process .....	10
Types of certification .....	10
Pre-Employment Checks (Right to Work).....	10
Applications .....	10
Security Vetting .....	11
Disclosure and Barring Service, Disclosure Scotland Certificates and Access NI Disclosure. ....	12
Mandatory Declaration .....	13
Initial Training Requirements .....	14
Decision to Certify .....	14
DCO(Escort) Identity Cards .....	15
Maintaining DCO Certification.....	16
Ongoing Clearance Requirements .....	16
Ongoing Training Requirements .....	16
Notifications to the Vetting and Certification Assurance Team.....	17
Re-Certification process .....	17
Transfer of employment .....	18
Long term absence from duty .....	18
Certification Suspensions, Cancellations, Revocations and Re-instatement.....	19
Suspension of Certification .....	19
Re-instating certification following suspension.....	21
Cancellation of Certification .....	22

Revocation of certification .....	22
Disciplinary action by the Contracted Service Provider .....	24
Resignation of a DCO .....	24
Dismissal of a DCO .....	24
Re-certification following cancellation.....	25
Prison Officers and Prison Custody Officers .....	25
Prison Officers .....	25
Prison Custody Officers.....	25
Compliance.....	26
Compliance Monitoring.....	26
Whistleblowing.....	26
Data Protection.....	26
Self-audit.....	26
Revision History .....	27

# Document Details

**Process:** To provide instructions and guidance to all staff operating in immigration removal centres (IRC), Gatwick pre-departure accommodation (PDA), Short-Term Holding Facilities (STHF), Residential Short-Term Holding Facilities (RSTHF), Residential Holding Rooms (RHR) and during In-Country and Overseas Escort on the procedures of Detainee Custody Officer (DCO) certification.

**Implementation Date:** November 2025

**Review Date:** November 2027

**Version:** 2.0

## Contains Mandatory Instructions

**For Action:** Home Office staff and Contracted Service Providers operating in IRCs, PDAs, STHFs, RSTHFs, RHRs, and during in-country and overseas escorts.

**For Information:** N/A

**Author and Unit:** Redacted, Certification Lead, Vetting & Certification Assurance Team

**Owner:** Redacted, Head of Detention Operations

**Contact Point:** Redacted, Head of Contractor Vetting & Certification Assurance

**Processes Affected:** All processes within the immigration removal estate relating to DCO certification.

**Assumptions:** Centre and Escort Contracted Service Providers and DCOs/DCO(E)s are aware of their duties under section 154, 155 and 156 of the Immigration and Asylum Act 1999 and have completed and passed the appropriate initial and subsequent refresher training (Control and Restraint (C&R)/Home Office Manual for Escorting Safely (HOMES)/First Aid and Minimising and Managing Physical Restraint (MMPR) as required for their role, which is delivered via an Initial Training Course (ITC).

**Notes:** This DSO replaces DSO – 02/2018 Detainee Custody Officer and Detainee Custody Officer (Escort) Certification Version 1.0.

# Instruction

## Introduction

1. This document sets out the Home Office's operational guidance and instructions regarding Detainee Custody Officers (DCOs) in relation to:

- How to apply for certification and re-certification
- Conditions of certification
- Suspension, cancellation, and revocation of certification
- Extended leave, resignation, or changes of employment

2. For the purpose of this guidance, "centre" refers to IRCs, RHRs, STHFs (residential and non-residential) and the Gatwick PDA. Facilities in RHRs, STHFs (residential and non-residential) tend to be more limited than those in IRCs; however, this guidance should be followed as far as reasonably practicable.

3. Two different Home Office teams operate in IRCs:

- Detention Services Compliance team (Compliance team)
- Detention Engagement team (DET)

The **Compliance team** are responsible for all on-site commercial and contract monitoring work. The **DETs** interact with detained individuals face-to-face on behalf of the responsible officers within the IRCs. They focus on communicating and engaging with people detained at IRCs, serving paperwork on behalf of caseworkers and helping them to understand their cases and detention.

There are no DETs at RHRs, STHFs, or the Gatwick PDA. Some of the functions which are the responsibility of the DET in IRCs, are instead carried out by the contracted service provider and overseen by the International Returns Services (IRS) Escorting Operations (Escorting Ops) in RSTHFs. In the Gatwick PDA, the role of detained individual engagement is covered by the local Compliance Team.

4. We will use the following terminology throughout this document:

- Detainee Custody Officers and Detainee Custody Officer (Escort) (DCO(E)) will be collectively referred to as DCOs unless otherwise stated, where it is specific to the role of a DCO(E).

- Immigration Removal Centres (IRCs), Residential Short-Term Holding Facilities (RSTHFs), Short-Term Holding Facilities (STHFs), Residential Holding Rooms (RHRs) and Pre-Departure Accommodation (PDAs) will be referred to collectively as detention centres.
- The term 'detained individual' will be used to describe an individual that is currently detained in the Immigration Removal Estate.
- All Home Office Contract Monitoring Teams will be referred to as 'HO Compliance Teams'.

5. The Home Office Detention Services Vetting & Certification Assurance Team (referred to as VCAT throughout this document) fulfils functions relating to the certification of DCOs on behalf of the Secretary of State. In particular, the team are responsible for the regulation and implementation of appropriate processes to comply with relevant legislation, including:

- Receiving and processing applications for certification submitted by contracted service providers for the prospective DCO.
- Managing administrative workflow relating to security clearance applications.
- Making decisions against the prospective DCOs suitability to hold DCO certification (made against several considerations, a DBS check for example).
- Issuing certification to DCOs against evidence received for completion of all relevant pre-employment checks and ITC training modules.
- Making decisions on cancellation, reinstatement, or revocation of certification, based on information received following investigation.
- Conduct dip sampling against any aspect of the requirement for remaining fit and proper in relation to certification for assurance and compliance.
- Hold responsibility for processes and policies relating to certification and review of any policy documents as required.

## Policy

6. Section 154 of the Immigration and Asylum Act 1999 ('the Act') provides for the appointment of DCOs to exercise custodial powers to hold individuals safely and securely, and to escort them both in the UK and overseas to enforce their removal.

7. Part VIII of the Act sets out the principles of certification, whereby individuals are recognised as DCOs by the Secretary of State. Part VIII of the Act sets out the requirements for the certification of DCOs undertaking custodial and escorting duties on behalf of the Home Office. Section 154 sets out that:

- A person must apply to the Secretary of State for a certification letter – a certification letter cannot be issued automatically.
- The Secretary of State may not issue a certification letter unless he is satisfied that the applicant:
  - Is a fit and proper person to perform the functions to be authorised; (Section 154(2)(a)) and
  - Has received training to such standard as the Secretary of State considers appropriate for the performance of those functions (Section 154(2)(b)).

8. The Schedule 11 to the Immigration and Asylum Act 1999 sets out the powers of a certified DCO:

“A detainee custody officer exercising custodial functions has power—

- to search (in accordance with rules made by the Secretary of State) any detained person in relation to whom the officer is exercising custodial functions; and
- to search any other person who is in, or is seeking to enter, any place where any such detained person is or is to be held, and any article in the possession of such a person

The power conferred by sub-paragraph (1)(b) does not authorise requiring a person to remove any of his clothing other than an outer coat, jacket or glove.

As respects a detained person in relation to whom he is exercising custodial functions, it is the duty of a detainee custody officer—

- to prevent that person's escape from lawful custody.
- to prevent, or detect and report on, the commission or attempted commission by him of other unlawful acts.
- to ensure good order and discipline on his part; and
- to attend to his wellbeing.



The powers conferred by sub-paragraph (1), and the powers arising by virtue of sub-paragraph (3), include power to use reasonable force where necessary.”

9. Sections 154 and 155 of Part VIII of the Act provide for Prison Officers and Prison Custody Officers to work in IRCs:
  - “The Secretary of State may confer the functions of DCOs on Prison Officers or Prisoner Custody Officers (Section 154 (5))”
  - “A Prison Officer or Prison Custody Officer may exercise custodial functions at an IRC in accordance with section 154(5) or at a contracted-out centre under section 150 (Section 155).”

## Employment Decisions

10. Contracted service providers are responsible for all employment decisions related to DCOs. The contracted service provider must only apply for DCO certification directly from VCAT and only on completion of initial pre-employment checks.
11. All DCOs must be over the age of 18, due to the operational requirement of night working.
12. Until the employee has been certified as a DCO by VCAT, they must not:
  - Work on a Home Office contract without valid security clearance or a security clearance dispensation (for critical posts).
  - Work as or exercise the powers of a DCO.
  - Have access to detained individuals within a Home Office detention centre unless they are escorted (during initial training for example).
13. The decision to certify an individual as a DCO is made by the Home Office and serves as an independent assessment of suitability that is separate from the initial employment decision made by the contracted service provider. This suitability assessment includes, but is not limited to, any adverse immigration history, declarations of criminal offences or matters relating to the safety of vulnerable individuals and minors, and satisfaction that the individual has successfully passed the DCO Initial Training Course (ITC).
14. If certification is not granted, it is the contracted service provider’s decision to redeploy the individual in another capacity elsewhere within their business in a suitable post that does not require certification.

# Procedures

## Certification Application Process

15. Individuals who wish to work as DCOs must make an application via their contracted service provider to VCAT for DCO certification. Under no circumstances can an individual be certified without a formal application being made.

## Types of certification

16. Although legislation makes no distinction in their title, for the purposes of this document an individual is issued a certificate to conduct either:
  - Custodial and local escorting duties (e.g., hospital visits)
  - Custodial and in-country escorting duties (e.g., STHF, RHR, pre-planned transfers)
  - Overseas escorting duties.

## Pre-Employment Checks (Right to Work)

17. Before submitting an application, contracted service providers must satisfy themselves as to the identity of the applicant and that they have the right to work in the UK. Contracted service providers are reminded that it is an offence to employ someone who does not have the right or permission to take employment in the UK. [www.gov.uk/prove-right-to-work](https://www.gov.uk/prove-right-to-work)

## Applications

18. Contracted service providers are to prepare applications on behalf of the prospective DCO and must verify all documents as original prior to submission. The following documents are required as part of the certification application:
  - The Vetting & Certification Request Form (VCRF) form, which includes any history of employment with the Home Office (Civil Servant or Contractor of all Home Offices directorates e.g., Police, Border Force etc) or another Government Department (e.g., HM Prison and Probation Service).
  - An Enhanced Disclosure and Barring Service (DBS), Disclosure Scotland or Access NI (depending on location). The disclosure certificate must have been issued within the last 3 months or be subscribed to the DBS Update Service which confirms the certificate is still valid and there is no new information, the

original certificate must also be seen in conjunction with the update service check as the update service does not show the level of certificate held.

- Identification documentation and proof of address as set out within the VCRF.
- A signed copy of the mandatory declaration form (Annex B).

19. Applicants and contracted service providers should be reminded that it is an offence to make a false statement when applying for DCO certification, either for themselves or on behalf of any other person (Section 154(7), Schedule 11(1) of the Act).

## Security Vetting

20. VCAT will sponsor prospective DCOs applying for security clearance. National Security Vetting (NSV) checks will be completed on the applicant to the appropriate level required for the role and location. This is usually to Counter Terrorist Check (CTC) level for most centres. The contracted service provider should only liaise with VCAT during the security clearance process unless they are contacted directly by the Protective Security Centre (PSC) or UK Security Vetting (UKSV).

21. The applicant must provide identification documents, proof of address and proof of NI number as part of the VCRF. The accepted documents are listed on the VCRF. Other identification documents may be considered, at the discretion of a VCAT Manager only when the applicant cannot produce documents listed on the VCRF form. These documents will be subject to additional scrutiny.

22. Contracted service providers must complete clearance requests via the e-vetting process by submitting a fully complete VCRF to VCAT. The following requirements must be met to progress security vetting checks:

- The applicant should have at least 3 years physical residency within the UK immediately prior to applying for NSV clearance. If they have been out of the country for a significant period of time (usually up to a year) they may still be considered for vetting clearance, following submission of a residency business case application.
- The applicant should enter their personal email address on the VCRF. Multiple access, generic, or ambiguous email addresses such as [team@company.com](mailto:team@company.com) **will not** be accepted. It is also advised that icloud.com and me.com are not used for clearance applicants as their security functions

do not align with those of UKSV. If an applicant changes their email address during the application process, VCAT must be informed immediately.

- Protective Security Centre will send the applicant a security questionnaire link directly to the individual's personal email address listed on their application form. This must be completed by the individual applying for clearance, no one else should complete this form on behalf of the applicant. This action is time sensitive and must be completed as soon as possible. Failure to comply may result in the application being cancelled resulting in delayed onboarding.

23. On completion of NSV checks, Protective Security Centre will inform VCAT of a successful outcome. If further information is required or an application requires further scrutiny, VCAT will not be informed, and the onus is on the applicant to communicate with the Protective Security Centre to progress their application. VCAT will only be contacted once the final decision is made on the security clearance application.

24. Where an applicant is unable to obtain security clearance, the certification application will not be progressed. VCAT are not directly involved in security clearance considerations and therefore the individual should follow instructions received from the Protective Security Centre.

## **Disclosure and Barring Service, Disclosure Scotland Certificates and Access NI Disclosure.**

25. An Enhanced Disclosure and Barring Service check (DBS) for employment within England and Wales is required as part of the certification process. For employment in Scotland, a Level 2 Disclosure Scotland check must be applied for. For employment in Northern Ireland an Enhanced Access NI check must be applied for. Where the role meets the criteria for an adult or child's barred list check (or PVG check in Scotland) this must also be applied for.

26. Disclosures of convictions, cautions, offences (including spent convictions) must be made to the contract service provider when applying for a disclosure certificate. Failure to disclose this information in the initial application may impact the suitability of the applicant to be certified.

27. The disclosure certificates must be sent electronically by the contracted service provider to VCAT. The disclosure certificate must be received by VCAT within 3 months of the disclosure certificate being issued.

28. VCAT will accept disclosure certificates dated more than three months if the individual has signed up to the DBS update service. They must provide a copy

of their original certificate and be able to evidence via the update service that their certificate remains valid and there has been no new information or change of circumstance since the certificate was issued. VCAT retains the right to request a new DBS certificate if there are any doubts on the validity of a disclosure certificate. For further information on the update service see the DBS website: <https://www.gov.uk/dbs-update-service>

29. Contract service providers must consider any adverse disclosures against the risk of employing the individual as a DCO and send their recommendations to VCAT if they still wish to employ the individual as a DCO. This recommendation must be sent to a VCAT and must include an evaluation of the risk and any risk mitigations.
30. Any convictions, cautions, offences noted on the certificate will be considered by a VCAT on a case-by-case basis on whether the applicant is deemed a suitable person to be certified, depending on the nature and circumstances around what has been disclosed. ([Rehabilitation of Offenders Act 1974](#) ([legislation.gov.uk](https://legislation.gov.uk))).

## Mandatory Declaration

31. DCOs are required to uphold standards and values expected of someone who is deemed fit and proper to exercise the powers and duties of a DCO. As part of their application to be certified as a DCO they must sign and return a copy of the Mandatory Declaration (Annex B) with their application. The declaration will include:
  - Membership of prohibited organisations declaration
  - Official Secrets Act declaration
  - Professional Standards declaration
32. DCOs are prohibited from being members of or affiliated with groups or organisations which have extremist, racist or anarchic philosophies, principles, aims or policies or which overtly campaign against immigration controls or the Home Office's policies. Affiliation with such organisations includes membership by a spouse, partner or other individuals who reside with the applicant. A list of proscribed groups can be found at the following link: [Proscribed terrorist groups or organisations - GOV.UK](#)
33. DCOs have a duty to protect official information with which they come into contact and are also bound by the provisions of the Official Secrets Act 1989.

## Initial Training Requirements

34. Applicants must have completed and passed all elements of the required initial training course stated in Annex C before they can be certified as a DCO. Evidence of this must be sent by the contracted service providers to VCAT before a DCO can be certified.

## Decision to Certify

35. VCAT must be satisfied that the applicant is a suitable person to hold DCO certification and will confirm the following before issuing certification:
- The applicant has signed the mandatory declaration.
  - The applicant has passed all required security vetting checks and holds the required security clearance level for the role and location.
  - Has no criminal convictions (according to the enhanced disclosure certificate) that would suggest they could pose a risk to detained individuals, other staff or the safety and integrity of the detention estate.
  - The applicant has been assessed as a 'fit and proper' person following VCAT suitability checks.
36. The applicant has completed and passed all elements of the required training for their role (as listed in Annex C). Once VCAT are satisfied the individual has met the criteria above and is a 'fit and proper' person to be a DCO, VCAT will usually certify the applicant for a period of 5 years from the date of their Disclosure Certificate or up to their Security Vetting Clearance expiry date, whichever is sooner. The conditions of this DSO apply to all certified DCOs and will need to be adhered to in order to maintain their certification. Failure to comply with this DSO will lead to the certification being invalid.
37. Where VCAT are not able to satisfy themselves that the applicant is a 'fit and proper' person to be a DCO or the criteria in paragraph 35 has not been met, the individual will not be certified.
38. VCAT will inform the contracted service provider of the certification decision, it is the responsibility of the contracted service provider to inform the applicant.

## DCO(Escort) Identity Cards

39. DCO(E)s are issued HO identity cards to enable them to access areas to carry out their functions as a DCO(Escort). The contracted service providers must

apply for an identity card for each DCO(E) they employ as soon as they are issued with DCO(E) certification. The DCO(E) must read and sign the identity card agreement (Annex D). A signed copy of this agreement must be held by the contracted service provider which must be made available for inspection when requested and a copy must be given to the DCO(E).

40. The following procedures apply for the administration of identity cards:

- Identity card photographs must comply with Home Office Security guidelines listed in Annex D.
- DCO(E) identity cards will expire in line with the individual's certification expiry, on re-certification contracted service providers must apply for a new identity card and return the expired one as soon as possible to the HO ID Pass Office, notifying the HO Compliance Team and VCAT.
- Contracted service providers must ensure that if a staff member leaves their employment all identity cards are returned to the HO ID Pass Office, notifying the HO Compliance Team and VCAT.
- Where there are significant changes in the DCO(E)s appearance, a new photograph must be sent to VCAT to be forwarded to the HO ID Pass Office to update their identity card. The original card must be returned to the HO ID Pass Office, with contracted service providers responsible for notifying the HO Compliance Team and VCAT once they are returned.
- Identity cards must only be used to gain access to restricted areas when on official duty, where there is a need to access those areas. Misuse of the card may result in its withdrawal and a review of the person's suitability to continue to hold DCO(E) certification.

41. Any lost or stolen identity cards must be reported by the DCO(E) to their employer as soon as possible. The contracted service provider must inform VCAT by completing a Security Breach form, within 48 hours of the DCO(E) discovering the card has been lost or stolen. Home Office Security will then issue the DCO(E) with a Breach of Security Letter. The DCO(E)'s employer should then make an application to VCAT for a new card to be issued.

42. The individual's employer is responsible for collecting the DCO(E)s identity card and holding it securely if a DCO(E) is suspended. If the individual is reinstated, it can be returned. If the individual is dismissed/revoked, the contracted service provider must allow the appeal process to conclude before returning it to the HO ID Pass Office.

43. The contracted service provider is jointly responsible along with the HO ID Pass Office for the logistics (despatch and return) of identity cards, where cards are lost, stolen or cannot be accounted for. The contracted service provider must evidence every effort to identify its whereabouts as it is they who are responsible for any consequential data breach actions. The HO Compliance Team must have oversight for all contracted service provider compliance with this instruction and take the appropriate action where trends are identified.
44. The following conditions apply when DCO(E) holding identity cards are absent from work:
- Under no circumstances must identity cards be taken overseas whilst not on duty.
  - Where there is a prolonged absence over 28 days, the identity card is to be surrendered to the contracted service provider and HO Compliance Team to be informed within 48 hours. The HO Compliance Team must inform VCAT of prolonged absences over 28 days within 48 hours of notification.
  - Identity cards can only be returned to a DCO(E) on agreement by VCAT when the DCO(E) resumes their duties.

## Maintaining DCO Certification

45. A DCO's certification will usually remain valid for a period of 5 years from the date of their Disclosure Certificate or up to their Security Vetting Clearance expiry date, whichever is sooner, unless it is suspended, withdrawn, cancelled or revoked as long as they maintain their required training (as per Annex C).

## Ongoing Clearance Requirements

46. If a DCO's security clearance is cancelled or withdrawn, their DCO certification will be automatically deemed as invalid.

## Ongoing Training Requirements

47. Failure to meet the ongoing training requirements will render a DCO's certification invalid and the officer will no longer be permitted to work as or exercise the powers of a DCO. The HO Compliance Team and VCAT must be informed when a DCO's training has been refreshed or has expired.



## Notifications to the Vetting and Certification Assurance Team

48. The contracted service provider must notify the HO Compliance Team and VCAT within 2 working days of any changes in circumstances for certified DCOs. Where a National Security Vetting (NSV) clearance holder is required to inform NSV of a change of circumstances, they must do this themselves via the link, in addition to the contracted service provider informing VCAT of changes. [UKSV National Security Vetting: change of personal circumstances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/uksv-national-security-vetting-change-of-personal-circumstances)

49. Disclosures of changes in circumstances are to be sent to the VCAT Workflow email inbox. Examples of disclosures to be made to VCAT include (but are not limited to):

- A change in name, address, or living with a new partner.
- Change in employment status including change of role/grade, location or contracted service provider (Annex E)
- A change in financial circumstances.
- Any arrest, police investigation, charges, cautions or convictions for criminal offences.
- Changes to health or fitness which may affect the ability to work as a DCO.
- Membership or affiliation with prohibited organisations (personally or extended to close family such as a spouse).
- Any change which may affect security clearance (such as travelling to a country considered to be a risk).

50. If any of the information disclosed calls in to question the suitability of the DCO to be certified, the DCO may be suspended pending a review by VCAT.

## Re-Certification process

51. DCOs are required to renew their certification three months before their current certification expires in line with paragraph 33. This is to allow sufficient time for the renewal process to conclude before the original certification expires. The same process as for the initial certification application process is followed.

## Transfer of employment

52. Where a DCO transfers from one contracted service provider to another during the validity of their certification, the new contracted service provider must notify VCAT of the transfer using Annex E. A confirmation of certification letter allowing them to work for the new contracted service provider will be issued with the original expiry date unchanged.
53. A DCO(E) who wishes to take up a position as a DCO or a DCO who wishes to take up a position as a DCO(E) must undergo all elements of the relevant training. A new certificate relevant to their new role must be issued before the individual can undertake the duties of the new role.
54. VCAT must be notified if a DCO is transferring internally from one centre to another even if there is no change of contracted service provider, and a new certification letter detailing the change of location will be issued.

## Long term absence from duty

55. Where a DCO has not worked or exercised the functions of a DCO for longer than six months (for any reason), their certification will be considered lapsed, and a notification must be sent by the contracted service provider to the HO Compliance Team within 48 hours. The HO Compliance Team must inform VCAT of the lapsed certification and the DCO must not work as or exercise the powers of a DCO whilst their certification has lapsed.
56. For DCO(E) with issued identity cards these must be surrendered for prolonged absences over 28 days in line with paragraph 39.
57. When a DCO is returning to the role after long term absence, the contracted service provider is responsible for ensuring their knowledge and practical ability for the role is of an acceptable standard prior to recommencing in their role. Where concerns are identified refresher training should be considered. Contracted service providers must complete Annex F to confirm individuals returning from long term absence are still competent and confident to conduct the role of a DCO.

# Certification Suspensions, Cancellations, Revocations and Re-instatement

## Suspension of Certification

58. Only HO IRC Compliance, Counter Corruption and Investigations (CCIU), and Security & Use of Force Compliance Team managers (of at least Higher Executive Officer grade) are authorised to suspend a DCO's certification, **where on the balance of probabilities there is a reasonable assertion that the DCO may not be** a fit and proper person to perform his or her duties, pending a decision by the Secretary of State on whether to revoke the DCO's certification under paragraph 7 of Schedule 11 to the Immigration and Asylum Act 1999. A DCO's certification may be suspended where:

- There is an allegation of misconduct made against a DCO that calls in to question their suitability to be certified as a DCO.
- The DCO is by reason of physical or mental illness or for any other reason incapable of satisfactorily carrying out their duties.
- Annex G contains a non-exhaustive list of offences deemed to be serious or gross misconduct.

59. Where a contracted service provider has received information (e.g. via a security information report) that brings the DCO's suitability into question, such as an allegation of misconduct/actions that fall short of professional standards, or they are subject to investigation, suspension from duty by the contracted service provider, or other mitigating action, they must inform the relevant HO Compliance Team manager within 48 hours. This includes local action taken by the contracted service provider where they decide not to suspend a staff member but place them on non-DCO duties pending any investigation. Any suspension letters or investigation reports must be sent to the relevant HO Compliance, or CCIU Team manager at the earliest opportunity. The HO Compliance Team manager must then forward the notification (including all mitigations taken) onto the VCAT Manager, within 48 hours. Contracted service provider led investigations must be robust enough to allow the HO decision maker to make a fully informed decision regarding the individual's ongoing suitability to hold DCO certification.

60. Cases of serious and gross misconduct which involve residents will be referred to the HO Professional Standards Unit (PSU) for investigation by the relevant HO Compliance or Complaints Team manager, alongside the contracted service provider's own investigation. The HO Counter Corruption and Investigations

(CCIU) will be informed of any cases that involve allegations of corruption or professional standards.

61. The decision to suspend a DCO's certification will be taken by an authorised manager (of at least Higher Executive Officer grade). The manager's decision to suspend certification must be independent from any precautionary or disciplinary action on the part of the contracted service provider (although mitigating actions may mirror one another given the risk factors surrounding the case). The circumstances of the allegation, including the weight of any evidence available, should be considered before taking a decision. A decision to suspend an individual's certification must not be taken purely because the contracted service provider is taking disciplinary action against them. The decision should be taken based on the risk of them being able to exercise the powers of a DCO, when their suitability as a 'fit and proper' person is under consideration.
62. The HO Compliance or CCIU Team manager must inform VCAT within 48 hours of them receiving a notification from the contracted service provider of a suspension/ removal from DCO duties. In addition, they must inform VCAT as to whether they have suspended certification or not. The HO Compliance Team manager must provide rationale for either decision.
63. Where the HO Compliance or CCIU Team manager decides to suspend certification, the DCO must be informed in writing. A copy of the letter must be sent to the contracted service provider and to the VCAT Manager.
64. Suspension of DCO certification does not remove the right to work for the contracted service provider in a non-DCO capacity, however, individuals must not:
  - Exercise the powers of a DCO
  - Work with detained individuals
  - Enter residential areas of detention centres
65. When deciding on whether a DCO can remain on site in a non-DCO capacity whilst an investigation takes place, the contracted service provider must consider the following risks and provide rationale for their decision:
  - Where multiple staff who are subject to the same investigation are working in a shared environment, they may be able to converse freely with the potential to frustrate the integrity of the investigation.
  - The possibility of evidence tampering, or intimidation of complainants or witnesses may compromise their willingness to contribute to the investigation.

66. If a DCO resigns before an investigation into their conduct is completed, the contracted service provider should where possible continue their investigations with the available evidence in addition to encouraging involvement from the DCO. The findings of the investigation must be sent to the relevant HO Compliance or CCIU Team manager, who will in turn share the outcome with the VCAT Manager with any recommendations.
67. The contracted service provider is responsible for recovering any HO property including identity cards. Identity cards must be returned to the HO ID Pass Office, notifying the relevant HO Compliance Team and VCAT once they are returned.
68. There is no right of appeal against the decision to suspend an individual's certification.

## Re-instating certification following suspension

69. Where the VCAT decides not to revoke certification, following completion of the investigation, the DCO will be notified in writing that their certification has been:
- Reinstated with the original expiry date, if they are still employed as a DCO, or
  - Cancelled if they are no longer employed as a DCO.
70. Where certification is being reinstated, the VCAT may set conditions to the reinstatement such as attending refresher training. Confirmation must be made to the HO Compliance Team manager that this has taken place before any reinstatement action is completed. A copy of the reinstatement letter will be sent to the relevant HO Compliance Team manager and the contracted service provider. A DCO who is to be reinstated must not be returned to DCO duties until VCAT has issued the reinstated certification letter.

## Cancellation of Certification

71. DCO certification will be cancelled under the following circumstances:
- The DCO has left employment with no further intention to take up a similar position with another contracted service provider. The DCO will not receive formal notification of this action and should be assumed standard practice upon leaving employment.
  - The DCO no longer holds the required security clearance level for their role and there is no other security clearance application pending.

- The DCO has left employment because they were dismissed, and revocation was not deemed necessary by a VCAT, following the outcome of any disciplinary investigation.
- The DCO has resigned whilst under investigation for disciplinary consideration, and revocation was not deemed necessary by VCAT.
- Evidence of anomalies within the original certification process and revocation was not deemed necessary by VCAT.

## Revocation of certification

72. HO Compliance and CCIU Team managers are not authorised to revoke a DCO's certification, they may only refer the matter to VCAT, acting on behalf of the Secretary of State, to consider such a decision under paragraph 7 of Schedule 11 to the Immigration and Asylum Act 1999.

73. On completion of an investigation or disciplinary hearing, a copy of the investigation report and/or hearing notes, including full details of the case against the DCO and any relevant evidence must be submitted by the contracted service provider to the relevant HO Compliance or CCIU Team manager within 48 hours.

74. The relevant HO Compliance or CCIU Team manager should then submit a copy of the investigation report, including full details of the case against the DCO and their recommendation on whether to revoke or reinstate an individual's certification to VCAT within 48 hours of receiving the documents from the contracted service provider.

75. Before taking a decision, VCAT must:

- Consider the weight of the evidence, including the findings of the investigation report.
- Make further enquiries where they deem information to be missing and/or questions remain unanswered.
- Consider any recommendations made by the relevant HO Compliance or CCIU Team manager.

76. Where the certification is being revoked VCAT will set out the reasons (including an exclusion term) for the decision in writing and send a letter to the DCO. A copy of the outcome letter must also be sent to relevant HO

Compliance or CCIU Team manager for them to notify the contracted service provider.

77. A DCO whose certification has been revoked shall have 10 working days from the date of the letter to submit an appeal. All appeals must be made in writing. Appeals will be heard by a head of unit (who must be at least a Grade 7). The appeal decision will be final, and the certification will remain revoked throughout the appeal process. The DCO will be notified in writing of the outcome of the appeal. A copy of the outcome letter must also be sent to relevant HO Compliance or CCIU Team manager for them to notify the contracted service provider.
78. Where an appeal against the decision to revoke certification is overturned, the individual will be notified in writing. A copy of the outcome letter must also be sent to relevant HO Compliance or CCIU Team manager for them to notify the contracted service provider. If the DCO remains in employment throughout the appeal process, their certification will be reinstated with the original expiry date, otherwise it will be cancelled as the DCO is no longer employed in the role.
79. Once a DCO's certification has been revoked and the appeal process has been exhausted, an individual will not be considered for re-certification throughout the exclusion term stated on the revocation letter. Revocation terms are set by the VCAT, on a case-by-case basis.

## **Disciplinary action by the Contracted Service Provider**

80. The decision to suspend, cancel, reinstate or revoke a DCO's certification is entirely separate from the contracted service provider's decision to initiate disciplinary action. The consideration of disciplinary action is the sole matter for the contracted service provider.

## **Resignation of a DCO**

81. The contracted service provider is required to notify the HO Compliance Team within 1 calendar month of a DCO resignation where there is no ongoing investigation or formal action. Where the DCO who resigns is under investigation the notification must be made within 48 hours. This notification must include the date of the last working day and the reason for the resignation. VCAT will either:
- Where there is no ongoing investigation, cancel the DCO's certification following their last working day as they will no longer be employed as a DCO.

- Where there is an ongoing investigation, consider revocation of their certification based on the information available and assess the ability to determine if the individual is still a fit and proper person if the investigation has not been able to be concluded due to their resignation.

## Dismissal of a DCO

82. The contracted service provider must notify the relevant HO Compliance Team manager within 48 hours of the outcome letter being sent where a DCO is dismissed from their employment. They must state the reasons for the dismissal and send copies of any investigation documents and disciplinary hearings. The HO Compliance Team manager must then consider suspending certification if they haven't already done so. The HO Compliance Team manager must inform VCAT within 48 hours of their decision along with a recommendation on whether their certification should be revoked.
83. VCAT will consider whether revocation of their certification is appropriate based on all available evidence from the contracted service provider's investigation and a recommendation from the HO Compliance Team manager.
84. A DCO who has been previously dismissed may still apply to become a DCO with another contracted service provider if their certification was not revoked. However, if a DCO's certification has been revoked, they will not be able to reapply until the exclusion term stated in their revocation letter has passed.

## Re-certification following cancellation

85. A DCO whose certification is cancelled due to resignation, who secures new employment as a DCO, may apply to VCAT for re-certification. VCAT will need confirmation that the individual:
  - Holds valid security clearance to the required level; and
  - Is up to date with all relevant training for the role (as per Annex C)
  - Has an enhanced disclosure certificate dated within three months.
  - Is still a fit and proper person to be certified as a DCO.



## Prison Officers and Prison Custody Officers

86. Section 154(5) and (6) of the act states the Secretary of State may confer functions of detainee custody officers on prison officers and prisoner custody officers. Prison officers and prison custody officers do not routinely work as DCOs, although prison officers from the National Tactical Response Group (NTRG) may be deployed to incidents on request where they will act as a DCO. There are different requirements for prison custody officers from prison officers to be conferred the functions of a DCO which are set out below.

### Prison Officers

87. Prison officers employed by HM Prison and Probation Service (HMPPS) working in the immigration removal estate or on the escorting contract, may be authorised to act as a DCO:

- HMPPS is responsible for ensuring that all prison officers are appropriately cleared and authorised to carry out their function.
- The HO Compliance Team (acting on behalf of the Secretary of State) may give a prison officer the authority to act as a DCO while working within a detention centre or on escort with a detained individual. In this instance a certificate issued by VCAT is not required.
- A prison officer acting as a DCO has all the powers, authority, protection and privileges of a constable.

### Prison Custody Officers

88. Prison custody officers working in the immigration removal estate or on the escorting contract, must also be authorised to act as DCOs:

- Prior to a prison custody officer working as a DCO, VCAT must be informed by the centre manager of the intention to do so and provide evidence to confirm that the prison custody officer is cleared, authorised and trained to perform the DCO function. Only on receipt of such evidence will a prison custody officer be permitted to work as a DCO.
- Prison custody officers must be issued with a certificate from VCAT giving the prison custody officers the authority to act as a DCO while working within a detention centre or on escort with a detained individual.

## Compliance

### Compliance Monitoring

89. HO Compliance Teams will undertake regular spot checks of DCOs to confirm they hold valid certification, that training records are up to date and that when on duty they are wearing their identity cards openly. Contracted service providers will be notified of the outcome of these checks and are required to take appropriate remedial action, where appropriate. All compliance checks and measures are to be reported to VCAT.

### Whistleblowing

90. In line with Detention Services Order 03/2020 about whistleblowing and the Public Interest Disclosure Act 1998 c23, any wrongdoing – intentional or unintentional – or concerns must be reported and addressed at the earliest opportunity. The contracted service provider is expected to establish procedures if not already in place to facilitate concerns from DCOs.

### Data Protection

91. The processing of any personal data related to the certification of DCOs should comply with the principles of UK General Data Protection Regulation (UK GDPR) and the Data Protection Act (DPA) 2018.
92. The disclosure of special category data such as medical information should be limited to only what is relevant and absolutely necessary. Article 9 of UK GDPR allows for special category data to be shared in certain circumstances. Article 9(2)(g) (“processing is necessary for reasons of substantial public interest”) and enables the contracted service provider and Home Office staff to process this information to fulfil/their obligations regarding certification of DCOs under the Immigration and Asylum Act 1999.

### Self-audit

93. An annual self-audit of this DSO is required by contracted service providers to ensure that the processes are being followed. This audit should be made available to the Home Office on request.
94. Compliance teams must also conduct annual audits against their respective responsibilities stated within this DSO for the same purpose.

## Revision History

Review date	Reviewed by	Review outcome	Next review
08/2018	Redacted, Head of Certification, Detention Services Certification Team	This guidance replaces DSO 10/2014 Detainee custody officer certification and DSO 13/2011 - Wearing identity badges	08/2020
11/2025	Redacted, Certification Lead, Vetting and Certification Assurance Team	Standardised Changes and updates to certification processes.	11/2027