



Home Office

Post deportation action

Version 9

Archived

Contents

Contents	2
About this guidance	4
Contacts	4
Clearance	4
Changes from last version of this guidance	5
Section 1: confirming and recording the deportation	6
Confirmation of deportation and updating CID	6
Updating the Removals, Special conditions, Restriction, Breaches and Calendar events screen on CID	6
Section 2: paperwork to be issued after deportation	7
Summary of removal documents	7
This information has been removed as it is restricted for internal Home Office use.	7
This information has been removed as it is restricted for internal Home Office use.	8
This information has been removed as it is restricted for internal Home Office use.	8
This information has been removed as it is restricted for internal Home Office use.	8
Contacting the offender manager	9
Cancellation of a biometrics residence permit (BRP) card	9
Notification to the court where there was a court-recommendation for deportation	10
Section 3: preparing the Home Office file for lay-by	11
Disposal of PNC printouts and other official and official-sensitive documents	11
This information has been removed as it is restricted for internal Home Office use.	11
Record Management System (RMS) actions	12
Update CID – completion of action	12
Section 4: contacts	13
This information has been removed as it is restricted for internal Home Office use.	13
This information has been removed as it is restricted for internal Home Office use.	13
This information has been removed as it is restricted for internal Home Office use.	13

This information has been removed as it is restricted for internal Home Office use.
..... 13

This information has been removed as it is restricted for internal Home Office use.
..... 14

This information has been removed as it is restricted for internal Home Office use.
..... 14

Archived

About this guidance

This guidance outlines the policy and processes that must be completed following the deportation of a foreign national and the deportation or removal of any family members.

Those who have a signed deportation order against them but decide to depart voluntarily must still be treated as having been deported and are covered by this guidance. This will prevent them returning to the UK and avoiding the consequences of the deportation order against them.

This guidance also includes those who have been deported or removed as a family member and:

- have no right of appeal
- are appeals rights exhausted
- have a non-suspensive right of appeal

This guidance provides information on:

- post-deportation and removal actions on CID
- paperwork to be issued after deportation or removal
- preparing the case file for lay-by

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 Criminality Policy Team.

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 guidance – making changes.

Clearance

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

- version 9
- published for Home Office staff on 19 January 2016

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- approved on 18 December 2015

Changes from last version of this guidance

- removal of all out of date CID related guidance

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Section 1: confirming and recording the deportation

This section of the guidance tells staff about the updating of the Home Office computer system – CID, after the confirmed deportation of the foreign national and the deportation or removal of any family members.

Confirmation of deportation and updating CID

No updates to CID should be made relating to the deportation of the foreign national and the deportation or removal of their family members until you have received written confirmation that this has actually taken place.

On receiving written confirmation you must update all the [CID screens below](#) with the relevant information and outcomes for the departure.

The CID outcome must be 'deportation' where a deportation order has been signed and served against a foreign national as they would have been deported if they leave the UK by any of the following methods:

- at public expense
- at their own expense (they paid for their own ticket on deportation from prison)
- of their own accord

A valid deportation order must be revoked before the foreign national can legally re-enter the United Kingdom.

Updating the Removals, Special conditions, Restriction, Breaches and Calendar events screen on CID

You must fully update the following screens before you undertake any of the further actions set out in sections 2 and 3:

- Removals
- Special conditions
- Restrictions
- Calendar events
- Breaches

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Related external links

Section 2: paperwork to be issued after deportation

This section of the guidance tells staff about the paperwork that needs to be completed and sent after the deportation of a foreign national and deportation or removal of their family members.

Summary of removal documents

In every case following the deportation of the foreign national and the deportation or removal of their family members you must complete the appropriate paperwork set out in this section and send it to the relevant area or government department.

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Which of the other areas or government departments listed below you tell about the deportation will depend on the individual circumstances of the case. For a full list of notices and letters and to whom they must be issued, see Summary of notification of removal.

You must use the relevant minute sheet and update it as the listed actions are completed. There are separate minute sheets to use depending on whether the case is:

- part of the early removal scheme (ERS) - ICD.4258
- part of the tariff-expired removal scheme (TERS)- ICD.4258A
- or a non-ERS or non-TERS case- ICD.4259

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Contacting the offender manager

Where there has been or is an offender manager assigned to a foreign national offender (FNO), you must inform them that the FNO has been deported. This includes cases where the FNO's licence has expired because the offender manager also acts as the link between the FNO, victim liaison and MAPPA (where applicable). Without this information the offender manager will not be able to pass on information about the FNO's deportation.

For further information see Multi agency public protection arrangements (MAPPA) and Contacting offender managers.

Any actions you take must be updated on CID notes.

Cancellation of a biometrics residence permit (BRP) card

When a deportation order comes into force, any extant leave held by the deportee be (limited or indefinite leave to enter or remain) becomes invalid as per [section 5\(1\)](#) of the Immigration Act 1971, regardless of the fact that there may be a non-suspensive appeal. As they no longer have any leave, where a biometric residence permit (BRP) has been issued or you believed one to have been issued to the foreign national or any of their family it must be cancelled on CID and by the Biometric Immigration Document Management Unit (BIDMU).

Even if an appeal is allowed and the deportation order is revoked, the foreign national's previous leave will not be re-instated.

For these reasons, any BRP belonging to the foreign national or any of their family that is in the possession of the Home Office at the time of deportation must be sent to BIDMU to be cancelled on the Identity Card for Foreign Nationals (ICFN) system and securely destroyed. For information on the process of cancelling a BRP and returning it to BIDMU see Cancellation of a biometrics residence permit card.

All BRPs that you return to BIDMU must be sent via the government Internal Delivery Service (IDS) to the address given in [Section 4: contacts](#). Royal Mail **must not** be used.

You must send an email to BIDMU to tell them the card is being returned. The email must state the reason for the card being returned and contain the subject's:

- full name
- nationality
- date of birth
- Home Office (HO) reference
- BRP card number

You must also email BIDMU where you have not been able to obtain the BRP card prior to deportation or where it has been claimed one was never issued, unless you

are absolutely sure that is true. For example the foreign national is a known illegal entrant and has never been granted any form of leave.

The email must contain the same data as if you had sent the card for destruction. The only difference will be the reason for the email. In these cases it will be a 'request for a cancellation of an unknown BRP'. In the email you must explain the reason for the request and the reason you do not have the card

Notification to the court where there was a court-recommendation for deportation

Where the court has made a recommendation to deport under sections 3(6) of the Immigration Act 1971, even if the recommendation was not acted upon, the court must be notified (using ICD.0337) that deportation has taken place.

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[Contents](#)

Related external links

Archived

Section 3: preparing the Home Office file for lay-by

This section of the guidance tells staff how to prepare the Home Office file for lay-by

Once you have completed all of the post deportation or removal actions in Sections 1 and 2 that are applicable to your case, you must make the paper file ready to send to lay-by. Information on the actions and checks that you need to complete can be found within the policy for the management of immigration case files and in the rest of this section. Where the actions apply to the file they must be undertaken.

Disposal of PNC printouts and other official and official-sensitive documents

Where Police National Computer (PNC) printouts, copies of documents from the foreign national's prison file (for example visitation records) or other official or official-sensitive documents are still on the Home Office file and these are not being actively used for legitimate purposes (such as an appeal), then you must remove and securely dispose of or shred them before the file is sent to lay-by. See: Secure disposal of information.

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Record Management System (RMS) actions

You must make checks to locate all the sub-files (that are not being used) and these along with all the dummy files must be attached to the main file. Any associated cases attached to the foreign national's file (indicated by them being blue-taped together with files in other names) must be separated both physically and on RMS. The files can then be marked to lay-by on RMS and should be immediately sent there. For further information on RMS systems, how to split blue tape and if required white tape files, see sections 07: white tape groups (relationship management) and 08: blue tape groups (relationship management) of the Record management system (RMS) quick reference guides.

Update CID – completion of action

On sending the file to lay-by, CID notes and admin events screen must be updated to show that the file has been sent to lay-by.

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[Contents](#)

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Section 4: contacts

This section of the guidance contains useful contact information for units and departments referred to in this guidance.

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[Contents](#)

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