



Home Office

Detention Services Order 01/2017

Arrangements for families to undertake activities away from Gatwick pre departure accommodation

June 2017



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Contents

Contents	3
Document Details	4
Instruction	5
Introduction	5
Purpose	5
Procedures	7
Safeguarding	7
Legislative framework	7
Definitions	5
Arrangements for the service	7
Service provision	7
Companions	8
Supervision of children	9
Providing the service	9
Considering requests from families to leave the centre	9
Risk Assessment	10
Refusing a request	11
Preparation	12
Where a child is being accompanied by a parent	12
Where a child is not being accompanied by his or her parents	13
Undertaking an activity/temporary discharge	13
The activity	15
Return to the centre	16
Annex A: Gatwick PDA family activity request form	17
Annex B: Parental consent (if not accompanying the children):	18
Annex C: Parental responsibility agreement (if accompanying children)	19
Annex D: Risk Assessment	20

Document Details

Process: To provide information for staff and suppliers on the arrangements for families to undertake activities away from Gatwick pre departure accommodation (PDA).

Implementation Date: June 2017

Review Date: June 2019

Version: 1.0

Contains Mandatory Instructions

For Action: All staff working in pre-departure accommodation

For Information: Relevant Home Office, Immigration Enforcement and Border Force staff

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Owner: Alan Gibson, Head of Detention Operations

Contact Point: Michelle Smith

Processes Affected: Gate security. Safeguarding children.

Assumptions: All staff will have sufficient knowledge to follow these procedures

Notes:

Instruction

Introduction

1. This Detention Services Order (DSO) provides operational guidance for all Home Office, centre supplier and healthcare staff working in pre departure accommodation when dealing with arrangements for families to undertake activities away from Gatwick pre departure accommodation.
2. This DSO requires that the Home Office is able to identify individuals who are suitably vetted to act as companions to deliver the service. If no such individuals can be identified, the Head of Detention Operations may suspend the Order at any time until such time as suitable companions have been identified and appointed.

Purpose

3. It sets out instructions on the arrangements for families with children aged under 18 years of age to leave the PDA for short periods of time to participate in an approved activity, subject to a risk assessment and suitable supervision.

Definitions

4. For the purposes of this DSO only:

Family	<ul style="list-style-type: none">• Two parents who are living together, married or unmarried, and their dependent children; or• A single parent or other adult/ guardian with dependent children; or• An extended family unit that may include, for example, one or two parents with dependent children, plus grandparent(s), aunt(s), uncle(s) – or any combination of extended family members; or• An older sibling (18 or over) with dependent younger siblings who are themselves children. <p>For the purposes of this DSO, reference to the word “family” shall mean a family group as defined above or an individual member of a family, unless otherwise stated.</p>
Child	Person under the age of 18
Parent	Person with parental responsibility for a child

Companion	Somebody appointed by the Home Office to supervise families and children who have been authorised to leave the centre for short periods to undertake specified activities.
Activity	An activity taking place outside of the centre which has been approved by the Home Office.
Home Office Immigration Enforcement manager	The person appointed as the Contract Monitor at the Gatwick PDA.
Child Safeguarding manager	The person with overall responsibility for the safeguarding of children at the Gatwick PDA.

Procedures

Safeguarding

5. Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the Secretary of State to make arrangements for ensuring that specific functions are discharged having regard to the need to safeguard and promote the welfare of children who are in the UK. It requires those exercising such functions to follow guidance designed to meet this requirement.
6. It is essential that all those involved in delivering this service follow this guidance and the general guidance on section 55 and have completed the required training in safeguarding and promoting the welfare of children provided by their organisation. This includes those who are appointed as companions.

Legislative framework

7. Children and adults resident in the Gatwick PDA are held under Immigration Act powers and, as such, are detained persons as defined by section 147 of the Immigration and Asylum Act 1999. They will remain so whilst temporarily outside the Gatwick PDA, whether under escort, accompanied by a person appointed by the Home Office to act as a companion or otherwise.

Arrangements for the service

Service provision

8. The Home Office recognises that, in certain circumstances, children staying at the Gatwick PDA may benefit from being able to leave the centre in order to take part in activities. In these cases a service will be provided to enable a family, or children of a family, to leave the centre for a short period of time to participate in an activity approved by the Home Office. This service will be subject to suitable arrangements being made, an individual risk assessment and suitable supervision by a companion appointed by Home Office.
9. The Head of Detention Operations will approve a list of activities which may be offered to families. This list will be maintained locally at the Gatwick PDA by the Home Office Immigration Enforcement (HOIE) on site manager. Such activities will be kept under review but may include things like a visit to a local:
 - park
 - cinema

- shops
- swimming pool
- café
- ten pin bowling
- youth club
- sports club or activity/event
- children's play centre

Other activities suggested by families will be assessed on a case by case basis

10. An activity will only be approved if it meets the following criteria:

- It is appropriate for a child to participate in.
- It is within reasonable travelling distance of the Gatwick PDA (this will depend on anticipated duration of the activity and ages of the children taking part and will be decided by the HOIE manager).
- There are a sufficient number of companions and appropriate transport available to undertake the activity.

11. A family will only be authorised to leave the centre following a risk assessment led by the centre's HOIE manager. If authorised to leave, a family must be accompanied by the companion at all times.

12. Although family members may participate in the service individually (i.e. not all families members need request to leave the centre together), it is not available to those who are not accompanied by a child. A child may, however, participate in the service alone, but will require permission to do so from one parent, and will still be subject to supervision by a companion.

13. The ratio of companions to family members will be dictated by the risk assessment for the activity and number of participants. An appropriate gender mix of companions will be provided dependent on the gender of the family members taking part and the nature of the activity being undertaken.

Companions

14. Only those appointed by the Head of Detention Operations may act as companions. Before appointing an individual as a companion, the Head of Detention Operations must be satisfied that the person:

- Is sponsored by an organisation which has partnered with the Home Office to provide the service and which has satisfactorily completed pre-employment checks to confirm the suitability of the individual to undertake the role, including an appropriate level of child safeguarding training.
- holds Home Office CTC Security Clearance
- holds an enhanced Disclosure and Barring Service (DBS) certificate issued within the last three months
- holds adequate indemnity insurance
- can provide evidence of recent professional experience of working with children and young people if taking children out without their parents

Supervision of children

15. Parents remain legally responsible for their children when they accompany them outside the centre. They therefore remain responsible for their supervision and welfare.
16. The companion's role will be to ensure the family only undertakes the activity approved by the HOIE manager and that they return to the centre at the given time. However, where a child is allowed to leave the centre without a parent present, the companion takes on additional responsibility for his or her supervision and welfare and will be expected to act in accordance with this guidance and to have regard to the need to safeguard and promote the welfare of the children on the activity at all times.
17. A child will only be allowed to leave the centre without his or her parent/guardian where written parental consent is given for the child to do so.
18. Parents/guardians may change their mind at any stage, including after the child has left the centre. In such circumstances, the centre will contact the companion to return the child as quickly as is reasonably possible, although it is recognised that this may not be able to happen immediately depending on the nature of the activity and number of people participating.

Providing the service

Considering requests from families to leave the centre

19. Families must be informed of the service on arrival at the centre. Specifically they should be advised of how the service operates; the nature of the activities approved by Home Office; and how to make a request.

20. Given the limited timescale that families will be resident in the PDA, it is essential that requests are considered promptly in order to ensure that children and families are able to take advantage of the service wherever possible.
21. Requests must be submitted to the HOIE manager in writing using the activity request form at annex A. Forms may be completed by a parent or by a member of staff on behalf of the child using an interpreting service if necessary.
22. The form must set out:
 - the name and age of the family members who wish to participate in the service
 - the activity they wish to undertake
 - where parents are not accompanying, written parental consent for the child to be taken out of the centre, including permission for the companion to act in the event of an emergency and confirmation that they have instructed their child to comply with the instructions of the companion accompanying them
23. Once a family has indicated a desire to participate in the service, the child safeguarding manager or their deputy should speak to the parent or guardian, using an interpreting facility if necessary, to ensure that they understand how the service is provided. The child safeguarding manager should also identify any information relevant to the risk assessment which will be conducted, and to confirm that the family and their children will follow the instructions of the companion at all times. Feedback from this interview should be recorded on the request form.
24. The request form should be signed by the Child Safeguarding manager and then passed to the HOIE manager for consideration and completion of the risk assessment.
25. Children may make an application on their own behalf, but the request must also be signed by a parent to give consent.

Risk Assessment

26. No child or family will be authorised to leave the centre without having first undergone a risk assessment. Responsibility for conducting the assessment will rest with the HOIE manager at the centre who will then decide whether or not to grant the request to leave.
27. Although the decision as to whether or not a child or family may leave the centre will be taken by the HOIE manager, he or she must consult other relevant professionals to consider all relevant information. In particular, this should include input from healthcare and any other relevant staff working with the family in the family unit. The input of other relevant professionals who are currently, or have previously been involved with the family should also be considered where this information can be obtained in a reasonable time frame without preventing the activity from proceeding.

28. The assessment should consider:

- The nature of the proposed activity.
- Previous levels of compliance by the family with requirements to report to Home Office as a condition of temporary admission and/or bail.
- Any known child protection issues with the family or the proposed activity.
- Any health issues which might affect the family's ability to complete the activity and whether these can be reasonably managed.
- Any views of the organisation providing welfare support to the family in the PDA.
- The behaviour of the family since its arrival at the centre or in previous engagement with Home Office or another agency.
- Any criminal record on the part of a family member which would indicate a risk to the public.
- Any intelligence relating to the family and their likelihood to comply with any restrictions placed upon them while away from the centre and a requirement to report back at a given date and time.
- The timing of the activity in relation to any operational incident at the centre or scheduled event such as an interview or discharge from the centre for removal,
- The proposed transport arrangements for the child/family to and from the activity;
- The supervision arrangements in place by a companion.

29. In deciding whether or not to allow the activity to take place, the HOIE manager should balance the findings of the risk assessment against the benefits to the family members of undertaking the activity.

30. Permission to leave the centre may be withdrawn at any time should new information become available which is relevant to the risk assessment.

Refusing a request

31. A request must be refused if the risk assessment indicates that:

- There are reasonable grounds to suspect that the family will fail to comply with a restriction placed upon them, in particular a requirement to report back to the centre at a given date and time.
- There is a risk to the welfare of any child.

- There are inappropriate or inadequate arrangements in place for their supervision while away from the centre.
 - There is insufficient time for the activity to take place before the family is required either to attend an interview or is scheduled to leave the centre for removal.
 - The activity requested is unsuitable or dangerous.
32. Where the risk assessment indicates that it is not appropriate to agree to a whole family leaving the centre together, the HOIE manager must consider whether the assessment would change if individual members were allowed out at different times. If this is the case, and where appropriate, it should be offered as an alternative to the family in order to ensure that wherever possible children are able to benefit from the service.
33. Where a request is to be refused, the HOIE manager must also consider whether the proposed activity could be satisfied in another way without the need for the family to leave the centre.
34. Parents/guardians must be advised in writing of the decision using the decision form attached to the activity request form. Parents must be advised that they may ask for the refusal to be reviewed by the HOIE Area Manager (SEO).
35. Where the Area Manager upholds the decision of the HOIE manager, there is no formal right of appeal thereafter. Families should, however, be advised of their right to make a complaint in accordance with the Detention and Escorting Services complaints procedures (see DSO 03/2015 'Handling of complaints').

Preparation

Where a child is being accompanied by a parent

36. The HOIE manager must notify the family and service provider in writing where a request to leave the centre has been approved. The notification must set out clearly:
- the details of the approved activity
 - the date and time when the family will be allowed to leave the centre and the date and time by which they must have returned to the centre
 - the name of the companion who will supervise them while away from the centre
 - any requirements or conditions to be placed upon the child or family.

37. Where one or both parents have been authorised to leave, they must sign a parental responsibilities agreement agreeing to those requirements and to their responsibilities while outside of the centre, including:
- that they remain responsible for the supervision and welfare of their children;
 - only to undertake the activity for which they have been approved to leave the centre;
 - to meet any costs associated with the activity not agreed in advance with the HOIE manager;
 - that they and the family remain detained and in the custody of Home Office at all times and are aware of the requirement for them to return to the accommodation at the end of the activity as agreed or as instructed by the companion and that they are to follow the companion's instructions throughout the activity.
 - to advise the companion immediately of any incident affecting any family member whilst out of the centre.

Where a child is not being accompanied by his or her parents

38. Where a child is being allowed to leave the centre in the care of a companion without a parent, written parental consent must be obtained for the child to leave the centre and for any emergency medical treatment to be administered if required, prior to the activity taking place.
39. Notification of the planned activity should be given by the Child Safeguarding manager to the dedicated points of contact with the police and the Local Authority's Children's Services in accordance with locally agreed protocols. Written confirmation should also be provided to the HOIE manager as set out in paragraph 36.
40. Arrangements should be made to enable the parents to meet the companion before the activity takes place. An interpreter should be provided if necessary. This will ensure parents understand who will be supervising them/their child, where they will be going, what they will be doing, and that they continue to give consent for the child to participate in the activity.

Undertaking an activity/temporary discharge

41. Only the approved companion/s will be allowed to take the family/child on the activity. The activity will be cancelled where other or additional person/persons arrive to collect the child or seek to participate in the activity.
42. The centre must confirm the companion:

- Knows how to contact the centre, including the name and contact telephone number of a given member of staff. The companion should ensure these numbers are stored in their mobile phone which should be checked for charge.
- Has the full postal address of the PDA.
- Understands the date and time by which the child/family must return to the centre.
- Understands their responsibilities, namely:
 - to use the time allocated for the activity solely for the purpose for which approval has been given and not take the family/child anywhere which has not previously been authorised without approval
 - to only engage in activities which are lawful and appropriate to the age of any children present
 - to meet any costs associated with the activity not agreed in advance with the HOIE
 - to ensure that the family/child is returned to the centre on time
 - to advise the centre immediately of any incident affecting the family/child
 - to follow missing persons protocols if necessary
 - to work within agreed and authorised care and control policies and procedures
 - to advise the centre on return of any welfare concerns that have arisen during the activity
 - to return if requested to do so.

And specifically where a child is not being accompanied by his or her parents:

- To supervise, safeguard and promote the welfare of the child whilst in their care and to have regard to the Home Office guidance on section 55 of the Borders, Citizenship and Immigration Act when doing so.
- To have responsibility for the welfare of the child from the point of leaving the centre until he or she returns and responsibility is transferred back to the parents.

43. The centre must provide the child/family with:

- the name and telephone number of their companion(s)

- the full postal address of the PDA
 - the date and time by which they must return to the PDA.
44. The Centre must ensure the child/family understands the above arrangements, using an interpreter as necessary.
 45. Older children who are not being accompanied by their parents must also sign the declaration so long as they are old enough to understand what they are doing.
 46. Apart from small toys and music or other entertainment items e.g. iPods or other small items, the child/family will only be permitted to take with them property necessary for the purpose of the activity.
 47. Where a child is not being accompanied by his/her parents, the parents should be provided with the mobile telephone number of the companion so that they can contact the child at any time if they so wish.

The activity

48. The Home Office will meet the reasonable costs of any travel, entrance fees or incidentals incurred by the child/family or the companion during the activity but these must be agreed with the HOIE manager in advance. This may include a small amount of pocket money for the children, at the discretion of the HOIE manager. Where pocket money is to be given to a child, it will be given in cash. The child may retain any money unspent at the end of the activity. Payment for all other expenses will be made in arrears and must be receipted.
49. During the activity, the companion has responsibility for the welfare of any child not accompanied by his/her parents. They should remain with the child at all times, including discreet supervision if the child asks to go to the toilet.
50. Once out of the centre, the companion should conduct the supervision of the child/family with sensitivity and flexibility in order to ensure that all children present gain maximum benefit from the experience without jeopardising their safety or wellbeing. So for example it may be appropriate to stop en route to an activity to enable the children to watch animals, street entertainment etc.
51. Should it transpire that the planned activity cannot be undertaken the companion should consider if there is any alternative activity in close proximity which the child/family could do and if so, seek agreement from the Home Office for the alternative to be undertaken.
52. Should a child become unwell, distressed or indicate a wish to return to the centre, the companion must act upon this immediately, advise the centre and make arrangements to return the child.

53. In the event of an emergency, including a member of the family separating or running away, the companion must initiate an emergency response by calling the nominated member of staff at the centre. He or she will arrange for assistance to be provided as quickly as possible. The companion should seek to ensure the family stays together, but if this is not possible, (s)he must ensure (s)he is aware of their whereabouts and notify the centre as soon as possible.
54. In the event of a child attempting to run away or otherwise becoming separated from the companion, the companion should do all they reasonably can to maintain contact and care of the child in order to safeguard and promote their welfare.
55. Should a child succeed in running away or otherwise become separated, the companion must contact the police at once, followed by the designated member of staff at the centre for assistance. The centre will provide immediate assistance and arrange for any other children participating in the activity to return to the centre.
56. Under no circumstances should any kind of force be used on any child at any time (e.g. to prevent a child from absconding) other than to protect him/her or others from immediate harm.

Return to the centre

57. The companion must seek to ensure that the child/family returns together to the centre at the agreed time. Any delays caused by an unforeseen emergency must be notified as soon as the situation allows to the designated member of staff at the centre. The Home Office manager will then consider what further action should be taken.
58. Upon return, all family members will be searched with sensitivity in line with normal arrival procedures before returning to their accommodation.

Annex A: Gatwick PDA family activity request form

Family details

	Full name	Gender	DOB	Nationality
Adult taking part in the activity:				
Adult taking part in the activity:				
Children taking part in the activity				

Case references:	
Activity requested:	
Date and time of request:	

Annex B: Parental consent (if not accompanying the children):

I..... hereby give my consent for my child/ren listed above to leave Gatwick PDA accompanied by an approved companion in order to undertake an activity outside of the centre.

I confirm that I have instructed my child to follow the instructions of any companion accompanying them on an activity.

I hereby give parental consent for the remote supervision of my child/children:

Signed	
Print name	
Date	

In the event of an accident or illness which requires emergency medical treatment (including general anaesthetic as considered necessary by the medical authorities) every effort will be made to contact you, and where relevant take you to the hospital or medical centre where your child has been taken.

I do /do not give consent for a companion to consent to emergency medical or surgical treatment for my child/young person on my behalf, should it be necessary and I cannot be contacted. This emergency medical or surgical treatment is to be within the following limits:

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I am willing for information on this form to be shared with third parties on a strict need to know basis.

Signed	
Print name	
Date	

Annex C: Parental responsibility agreement (if accompanying children)

Name of parent(s)	

I/We confirm that:

- I/We will remain responsible for the supervision and welfare of my/our children during the activity;
- I/We will only undertake the activity for which approval has been given;
- I/We will meet the costs of any expense associated with the activity not agreed in advance with the Home Office;
- I/we will stay with and follow the instructions of the staff accompanying my family throughout the activity and behave in a responsible manner throughout the activity;
- I/we will advise the companion immediately of any incident affecting any family member during the activity.

I/We understand that all family members participating in the activity remain detained and in the custody of the Home Office at all times and that we must all return to Gatwick PDA at the end of the activity as agreed or as instructed by the staff accompanying my family.

Signed	
Print name	
Date	

Signed	
Print name	
Date	

Annex D: Risk Assessment

Welfare Services Provider

	Details
Parent/guardian has been spoken to and confirmed understanding of service and responsibilities?	
If appropriate, has the child been spoken to and confirmed understanding of service and responsibilities?	
Contact phone number for parent(s)	
Any additional information provided by parent/guardian?	
Any safeguarding or welfare concerns?	
Names of companion(s) to accompany:	
Details of transport arrangements:	
Activity risk assessment attached?	

Signed	
Print name	
Job Title	
Date	

Healthcare

Medical in confidence form signed and attached?	
Are there any health issues that may affect the child's/family's ability to take part in the activity? If so, can these be reasonably managed? If so, how?	
GP/consultant details	

Signed	
Print name	
Job Title	
Date	

Social worker (where there has been involvement with the child or family)

Are there any safeguarding or welfare issues which may affect this child's suitability to participate in an activity outside of Gatwick PDA? If so please provide details and if there is a way of managing these?	
--	--

Signed	
Print name	
Job Title	
Date	

Any other relevant professionals involved with the child or family

Name of Organisation	
Are there any safeguarding, welfare or other issues you are aware of which may affect this child's suitability to participate in an activity outside of Gatwick PDA? If so please provide details and if there is a way of managing these?	
Any other information relevant to the risk assessment:	

Signed	
Print name	
Job Title	
Date	

Name of Organisation	
Are there any safeguarding, welfare or other issues you are aware of which may affect this child's suitability to participate in an activity outside of Gatwick PDA? If so please provide details and if there is a way of managing these?	
Any other information relevant to the risk assessment:	

Signed	
Print name	
Job Title	
Date	

Home Office

Activity requested	
Languages spoken	
Proposed date and times of activity (departure from and return to Gatwick PDA)	
Removal directions set for:	
Anticipated collection time from Gatwick PDA for removal:	
Any scheduled interviews or other events the family is required to attend:	
Is there any information or intelligence which indicates the family is likely to seek to abscond?	
Please list previous compliance by the family and child to report to the home Office as a condition of temporary admission and/or bail (if applicable)	
Behaviour of family and child since arrival or in previous engagement with the Home Office/other agency	
Does any family member have a criminal record that may indicate a risk to the public?	

Does the case owner have any objections to the family participating in the activity?	
Any other factors?	

Risk assessment summary (to be completed by Home Office)	Narrative leading to conclusion
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Risk assessment conclusion:

Activity approved (circle as appropriate)

Comments	
Family advised (time, date, by whom)	

Signed	
Print name	
Job Title	
Date	

Activity not approved (circle as appropriate)

Comments	
Family advised (time, date, by whom)	

Signed	
Print name	
Job Title	
Date	

Preparations checklist (to be completed by the Home Office)

	Details	Name	Job Title	Time and date
Police advised of planned details of activity and children taking part?				
Names of companions accompanying the child				
Planned time of departure and return to centre				
Details of the activity to be undertaken				
Welfare Services Provider confirm the family has met the companions?				

Day of activity checklist

	Details	Name	Job Title	Time and date
Welfare Services Provider confirm companion has fully charged mobile phone, contact details for centre and understands their responsibilities; family has contact number for carer				
Pocket money given to child? Amount:				
Companions accompanying child				
Time of departure from centre				
Time of return to centre				

Activity request decision letter

	Details	Name
Adult requesting activity:		
Adult requesting activity:		
Children requesting activity		
Adult requesting the activity on behalf of the child/ren		
Date and time of request		

To:

I am writing to advise you that the Home Office has considered your request to undertake an activity outside of Gatwick PDA.

- Your request has been considered by the Home Office and approved. We will let you know as soon as the arrangements are confirmed. (circle as appropriate)
- After full consideration, the Home Office has not approved your application for the following reasons:

Review of decision

You can ask for this decision to be reviewed by a Home Office senior executive officer. If you wish to do this, please speak to the Home Office team. If you remain dissatisfied with the decision, you may submit a formal complaint in line with the Home Office detention services complaints procedures using one of the complaint forms available in the accommodation.

Signed	
Print name	
Job Title	
Date	