



Home Office

IMMIGRATION ENFORCEMENT MAKING A COMPLAINT

Please read these notes before you complete a complaint form.

1. Immigration Enforcement is committed to providing a professional, fair, efficient, courteous and helpful service and expects a similar commitment from its suppliers. The definition of a complaint is “*any expression of dissatisfaction about the service we provide, or about the professional conduct of our staff and contractors.*”

2. This form is for complaints within the immigration removal estate, including during escort. Separate guidance covers wider Home Office complaints management procedures (UK Visas and Immigration, Immigration Enforcement, Border Force) and can be found at <https://www.gov.uk/government/publications/complaints-management-guidance-version-7>.

Making a complaint

3. Complaints will generally be made by people in the detention estate but may also be made by other individuals or groups on their behalf.
4. Your complaint should be made within three months of the date of an incident happening [12 months in the case of a complaint about healthcare in England]. Complaints received after this period may not be accepted unless there are exceptional circumstances.
5. Complaint forms and guidance notes are available in a range of languages to help you, but if your complaint is written in a language other than English, it will need to be translated. This may result in it taking us longer to provide you with a reply.
6. Please provide as much detail as possible about your complaint. We will contact you if we require more information.
7. If you are still detained, both Home Office and supplier staff are available to help you complete the form.
8. You should provide details of people who saw the incident you are complaining about or who were with you at the time of the incident. When you have completed the form, sign and date it and place it in the locked yellow Home Office Immigration Enforcement complaints box. Complaints boxes are located in all immigration removal centres, short-term holding facilities and holding rooms. Boxes are opened once a day. Complaint forms completed during an escort journey can be handed to the staff who will send it on to the Home Office. Where detained individuals are being taken to an IRC or short-term holding facility, they should be advised to post their form in one of the yellow complaint boxes on arrival. Please note that email responses will not be sent by a secure channel.

You can also send the form directly to the following address:

Detention Services Complaint Team
3rd Floor, Apollo House, 36 Wellesley Rd, Croydon CR9 3RR.
Email: DetentionServicesComplaints@homeoffice.gov.uk

9. Making a complaint will not affect any decision relating to your immigration status nor will it delay any decision to either grant you admission or to remove you from the United Kingdom.

Investigating your complaint

10. A letter will be sent to you to acknowledge your complaint, to inform you who will be investigating your complaint and when you are likely to receive a response.

11. Any complaint which makes an allegation of criminal behaviour will be referred to the police and, where appropriate, you can request the police reference number. It is your choice if you want to tell the police yourself and staff can help you to do so.

12. To investigate your complaint, you may need to be interviewed. If you are concerned about this, then please speak to the Immigration Enforcement manager where you are detained.

13. When we write to you about your complaint, our letters will be provided in English only. You can ask staff or the Independent Monitoring Board and welfare groups to help translate this for you. Responses to healthcare complaints (England) will be provided in both the original language and in English.

14. We will deal with your complaint as quickly as we possibly can.

- a. If the matter is about a service provided or the conduct of staff (of a minor nature) - 20 working days
- b. If the matter is about the conduct of staff but is of a serious nature – 12 weeks.
- c. If the matter is for another part of the Home Office – 20 working days. Please note the response will be allocated to the relevant team and you will not be contacted by Detention Services Complaint Team.
- d. If the matter is about healthcare or a member of healthcare staff while you are in detention you may complain directly to the healthcare provider or (for detention facilities in England) to NHS England. If you use this form and post your complaint in the yellow Home Office Immigration Enforcement complaints box, your complaint will be passed to the healthcare manager who will contact you to discuss your complaint. Healthcare complaints in England will be answered by NHS England – usually within 40 working days. Timescales for responding to healthcare complaints in detention facilities in Scotland or Northern Ireland are subject to locally agreed processes. Complaints about healthcare should be placed in an envelope clearly marked 'medical complaint'.

The above timescales are calculated from the day we receive your complaint.

15. Your complaint will be investigated thoroughly, and the response will explain what we did. The outcome will be substantiated (we have upheld your complaint), partially substantiated (we have upheld certain some parts of your complaint) or unsubstantiated (we have not upheld any part of your complaint).

16. In certain circumstances it may not be possible to take your complaint forward. For example, if you do not assist or co-operate with any investigation.

17. Appeal routes

If your complaint was allocated as a **service delivery or minor misconduct complaint**;

If you are not satisfied with the response provided to your complaint, then you have the right to refer your complaint to the Independent Examiner of Complaints (IEC) who is independent of the Home Office.

Details of how to contact the IEC will be provided in your response. The IEC cannot deal with any complaints relating to your immigration status, including any decision to remove you from the United Kingdom, nor does the IEC deal with complaints about healthcare. Complaints from third parties raised on your behalf will be considered, provided that you have given your written consent. The IEC will not accept a complaint for investigation until it has been thoroughly investigated under the complaints process set out in this guidance.

If your complaint was allocated to the Home Office Professional Standards Unit as a **serious misconduct complaint**;

If you are not satisfied with the response provided to your serious misconduct complaint then you have the right to refer your complaint to the Prisons and Probation Ombudsman (PPO), who is independent of the Home Office. Details of how to contact the Ombudsman will be provided with your response. The Ombudsman cannot investigate matters relating to your immigration status, the decision to detain you, or

any decision to remove you from the United Kingdom. The PPO will not accept a complaint for investigation until it has been thoroughly investigated under the complaints process set out in this guidance.

If your complaint was a Healthcare complaint;

If your complaint is about healthcare in England it can be raised directly via the standard NHS England complaints procedure, details of which are available at www.england.nhs.uk/contact-us/complaint which includes information about how to appeal via the independent Parliamentary and Health Service Ombudsman (PHSO). If your complaint is about healthcare delivered in a detention facility in Scotland or Northern Ireland the avenue of appeal is to the Scottish Public Services Ombudsman (for detention facilities in Scotland) or to the Northern Ireland Public Services Ombudsman (for detention facilities in Northern Ireland). Details of how to escalate your complaint will be provided in the letter of response from the healthcare provider responsible for investigating your initial complaint.

18. Other types of complaints

National Health Services (England, Scotland and Northern Ireland);

If your complaint is about external medical treatment that you received in a National Health Service facility (England, Scotland and Northern Ireland) and not in detention (for example in a hospital) you should contact the Health Care Provider at the facility you attend. If you place such a complaint in the yellow Home Office Immigration Enforcement complaints box at an IRC this will be forwarded on your behalf to the relevant external health care provider. Escalation of such complaints (where you are not satisfied with the response) are to the Parliamentary and Health Service Ombudsman (for external healthcare in England) or to the Scottish Public Services Ombudsman (for Scotland) or the Northern Ireland Public Services Ombudsman (for Northern Ireland). Contact details for these Ombudsmen should be provided to you by the organisation that has investigated and responded to your complaint.

The Police;

If your complaint is regarding the conduct of police officers, you should contact the police force responsible for the geographical location where the incident took place. The Independent Police Complaints Commission website gives details of how to make a complaint. Selecting the appropriate police force will take you directly to the complaints section of the force's website <https://www.policeconduct.gov.uk/complaints-reviews-and-appeals/makecomplaint>

Other parts of the Home Office;

Please note that if your complaint is for another business area of the Home Office, we will ensure that your complaint is forwarded to the relevant department to investigate.

19. Complaints from children

We will investigate all complaints submitted by children as seriously as we would a complaint submitted by an adult. Alternative complaint forms are available for children in all facilities where children may be held. A member of staff can help children to write the complaint form.

Family Name:	First Name(s):
Date of Birth:	Nationality:
CID Reference Number: HO Reference Number: NOMIS Number:	Current Location (IRC or STHF name, other):
Location where the incident you are referring to in your complaint occurred (IRC, STHF, other):	
Contact details. Please provide a telephone number and email address so you can be contacted if you have left detention before receiving a response to your complaint.	

The Independent Monitoring Board (IMB) is an independently appointed Non-Government Organisation. Members are responsible for monitoring the conditions in which detained individuals are held, their welfare and the way in which the detention estate operates. Do you wish for your complaint to be shared with the IMB?

Yes No

Is this a complaint about healthcare services or staff?

Yes No

If your complaint is about an incident in which you were injured, the investigating officer may wish to examine your medical records. Do you give permission for the investigating officer to have access to your medical records?

Yes No

Making a complaint will not affect consideration of your immigration status and will not prevent you from being removed from the United Kingdom, unless it is a complaint of a serious assault and involves a police investigation. Making a complaint will have no influence as to whether or not you will be transferred to another immigration removal centre.

Details of your complaint:

Signature:

Date: