



Home Office

# **Detention Services Order 03/2020**

## **Whistleblowing – The Public Interest Disclosure Act 1998**

November 2025



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# Document details

**Process:** To provide instructions and operational guidance on whistleblowing procedures, for all staff<sup>1</sup> within the immigration removal estate and escorting services. -

**Publication Date:** November 2025

**Implementation Date:** July 2020 (reissued November 2025)

**Review Date:** November 2027

**Version:** 3.0

## Contains Mandatory Instructions

**For Action:** All staff (including escorting officers) working in Immigration Removal Centres, Pre-Departure Accommodation and residential Short-Term Holding Facilities who maintain oversight of those detained for the purposes of removal. Home Office staff who are responsible for authorising, managing and reviewing detention.

**For Information:** Immigration Prison Teams (IPTs). Whilst this DSO incorporates mandatory actions for Home Office immigration responsible caseworkers, this guidance is for information purposes only.

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**Processes Affected:** All processes relating to whistleblowing procedures.

**Assumptions:** All staff will have the necessary knowledge to follow these procedures.

**Notes:** N/A

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<sup>1</sup> “staff” are defined as any individual employed or contracted to provide services within the immigration removal estate and/or during escorting to or from establishments within the estate.

# Instruction

## Introduction

1. This Detention Services Order (DSO) provides operational guidance for all staff in immigration removal centres (IRCs), pre-departure accommodation (PDA), residential short-term holding facilities (RSTHFs) and short-term holding facilities (STHF) at sea/airports and reporting centres. In addition, it applies to staff providing escorting services to or from those establishments and overseas. Home Office staff involved with STHFs at ports and reporting centres should also follow Home Office whistleblowing procedures and familiarise themselves with this guidance.
2. Staff working with detained individuals accommodated in prison are subject to the separate His Majesty's Prison and Probation Service (HMPPS) guidance.
3. This instruction **does not** apply to Residential Holding Rooms (RHRs).
4. For the purpose of this guidance, "centre" refers to IRCs, RSTHFs and PDA.
5. 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 within the IRCs on behalf of responsible officers. They focus on communicating and engaging with people detained at IRCs, helping them to understand their cases and detention.

There are no DETs at the Gatwick PDA or RSTHFs; Functions which are the responsibility of the DET in IRCs, are instead carried out by the contracted service provider in RSTHFs and overseen by the International and Returns Services (IRS) Escorting Operations (Escorting Ops). In the Gatwick PDA, the role of detention engagement is covered by the local Compliance team.

## What is whistleblowing?

6. 'Blowing the whistle' occurs when a person raises a concern about past, present, or imminent wrongdoing, or an attempt to cover up wrongdoing, in an organisation or a body of people. **To attract the legal protection discussed below, the information disclosed must be in the public interest, broadly meaning that the issue must affect people at large in some way.** In the context of the immigration removal estate, this might include, for example organisations (Home Office, contracted service providers, healthcare etc), colleagues, detained individuals or the general public. All civil servants must also ensure they are adhering to the civil service code. Personal

grievances and individual complaints that only impact the individual making the complaint are not usually covered by whistleblowing law. DSO 03/2015, Handling of Complaints sets out the separate procedures for making such a complaint.

7. Each organisation with staff working in the immigration removal estate, has its own whistleblowing policies and processes in place. This DSO does not supersede those individual policies and procedures but rather seeks to establish consistent overarching principles for reporting a concern about wrongdoing.
8. All staff must know how to report a concern about a member of staff in their own organisation and must follow their organisation's policy and process for doing so. Whilst they should also be aware of which other organisations in their establishment have whistleblowing policies in place, as a general rule, people should report concerns of wrongdoing via their own parent organisation who will then liaise with other organisations as appropriate.

## Definitions and examples of staff groups in the immigration removal estate

9. For the purpose of this DSO, the term "Organisation" is defined as an employer which provides services to the Home Office or detained individuals at the centre. The term "Staff" is defined as any individual employed or contracted to provide services within the immigration removal estate/during escorting to or from establishments within the estate (and international escorting). Mandatory actions for "all staff" are applicable to the following groups:
  - staff directly employed by the Home Office
  - staff based in the IRCs (DS Compliance team (Compliance team) and Detention Engagement team (DET), or Home Office staff working in the IRCs (e.g., Detained Asylum Casework staff carrying out interviews including other DS staff)
  - staff in the RSTHFs (Escorting Ops) and the Gatwick PDA (the local Compliance Team)
  - staff employed by contracted service providers
  - people who are not directly employed by the Home Office or by one of the Home Office's contracted service providers but who provide core or auxiliary services including (but not limited to):
    - general contractors (e.g., catering, healthcare staff and workers, education, employment, maintenance)
    - consultants

- agency staff, including those employed by contractors in the first bullet point
- locum staff

Thereafter referred to as “non-directly employed persons”.

10. Examples of the type of concern that might be raised under this policy include:

- a threat to national security, e.g. leaking of classified information
- theft, corruption or fraud
- failure to comply with legal obligations
- danger to the environment or people
- abuse, exploitation or mistreatment of children or vulnerable people

11. Bodies with statutory oversight functions in the IRCs and STHFs (e.g., His Majesty’s Inspectorate of Prisons (HMIP) and Independent Monitoring Boards (IMB)) have different arrangements in place. As an independent body, HMIP follows its own procedures for safeguarding referrals and whistleblowing and is also covered by Ministry of Justice (MoJ) policies. IMBs are also covered by their own arrangements, following IMB Secretariat processes and MoJ policies where appropriate. In respect of safeguarding, arrangements are the same as for HMIP, with IMBs also having a statutory power to escalate to the Minister.

12. Independent charities providing volunteer services (including, for example, befriending services) have different arrangements in place. As independent bodies, charities follow their own procedures for safeguarding referrals and whistleblowing, in line with the requirements of the Public Interest (Disclosure) Act.

13. If any mandatory actions are **only** applicable to Home Office staff, this is stated.

## Purpose – why is whistleblowing important?

14. It is vital that detention and removal are carried out with dignity and respect. The Home Office takes the welfare and safety of people in detention very seriously and will accept nothing but the highest standards from staff working in the removal estate and the escorting process. The Home Office also takes any behaviour that falls short of the professional standards of staff very seriously and is committed to addressing wrongdoing – intentional or unintentional - at the earliest possible opportunity. The Home Office will not hesitate to take the necessary action if staff are found to be treating detained individuals without appropriate dignity or respect.

15. To ensure these standards are upheld, good whistleblowing processes are vitally important to the Home Office for the following reasons:

- safeguarding detained individuals by enabling prompt, impartial and effective investigation of alleged wrongdoing
- an early warning system: Whistleblowers can enable the Home Office to address problems before they escalate. A culture open to whistleblowing is likely to: deter wrongdoing; demonstrate the organisation's accountability; reduce the risk of anonymous and malicious leaks; and minimise costs and compensation from accidents, investigations, litigation and regulatory inspections
- ensuring transparency: A robust whistleblowing process creates transparency and reduces the risk of wrong doings being covered up despite concerns being raised. Where arrangements are poor, the first staff may learn of a potentially serious problem is when an employee has raised the matter with a regulator, a lawyer or the media; impacting on the organisation's reputation or resulting in a regulatory investigation
- distance from front-line staff: The complexity of Home Office work can mean there is a distance between those who are accountable and those who are delivering services, making reporting processes even more important for effective oversight
- informs oversight bodies: Whistleblowers can be a vital source of information as they can provide a perspective that is not readily available in other ways

16. Any whistleblowing cases/concerns raised within contracted service provider channels that are defined under the Public Interest Disclosure Act 1998 (PIDA), must be conveyed to the Home Office (HO) Compliance Team's DS manager (grade G7) operating within IRCs, in addition to the DS Counter Corruption and Investigations Unit , to ensure awareness and that any subsequent actions required by the Home Office are undertaken. The Contracted Service Provider (CSP) will initially share the concern immediately and then share a monthly return by the 7<sup>th</sup> day of each month with the Home Office Compliance Team and the DS Counter Corruption and Investigations Unit (CCIU) outlining all the concerns.

17. This DSO does not cover complaints by detained individuals about the behaviour or conduct of individual members of staff. Such concerns should be raised under the separate complaints process (DSO 03/2015 Handling of Complaints refers). If, however, a concern is raised under whistleblowing processes that should instead be investigated as a complaint, the concern will be transferred into the complaints process by the person receiving it. A complaint which constitutes a public interest (whistleblowing) disclosure (see paragraph 23 below) will attract statutory protection, even if the disclosure is characterised as a "complaint" and initially reported through the complaints process. In such cases, the concern should be treated as whistleblowing by the receiving organisation once transferred into that organisation's whistleblowing process.

18. For organisations with staff employed at HO locations, as stated earlier this also covers those who do not have staff permanently located at the HO locations, where reasonably possible are required to identify a nominated officer(s) who can signpost and provide advice on the appropriate channel for raising a concern. Details of those people should be made available to all staff within the removal estate, and those nominated officers should regularly meet staff in the establishment to ensure that they understand when and how to raise a concern. Whistleblowing is covered within the Home Office Maintaining a Healthy Staff Culture online.
19. CSPs must inform the authority of a whistleblowing concern. CSPs are contractually required to:
- publish a whistleblowing policy and to promote this regularly to staff
  - issue a staff code of conduct that covers the reporting of conflicts of interest, misconduct, illegal activity and other disreputable behaviours
  - hold staff engagement forums monthly, that reenforce the code of conduct and promote whistleblowing procedures

## Reporting suspicions of wrongdoing

20. All staff and non-directly employed persons must report suspicions of wrongdoing at the earliest opportunity through the appropriate channels as set out through their individual organisation's policies, including internal reporting mechanisms. The HO and CSPs have their own internal policies, details of which can be accessed via their internal intranet. All staff (including staff of contracted service providers and non-directly employed persons) must have access to and be aware of the available reporting mechanisms so that suspicions of wrongdoing can be reported in a timely manner. This information should be displayed in staff rooms and offices in each centre.
21. Although policies and processes will differ, it is essential that suspicions of wrongdoing are formally reported using the established reporting process. Concerns about staff members can be reported and handled through local management. Complaints from detained individuals about staff should go through the formal complaints process and standard disciplinary procedures. Any issue which meets the whistleblowing criteria must be formally reported in accordance with the relevant policies and guidance of the organisation involved.
22. **Wrongdoing – intentional or unintentional – or concerns must be reported and addressed at the earliest opportunity.** Reports for Home Office staff and CSPs should be made using the most appropriate channel, these channels include:
- calling the confidential Home Office whistleblowing hotline
  - adhering to internal reporting where appropriate such as Line Management, HR
  - speak Up, which is the channel for CSPs

- E-mailing the HO whistleblowing e-mail address
- for internal HO staff by using the online form
- contacting a Nominated Officer from within or outside your business area (see “Raising a Concern (Whistleblowing)” on the internal HO HR system for details)
- E-mailing DS Counter Corruption hub

If a report is received through the wrong channel (e.g., if an issue relating to an individual’s employment terms and conditions is made through whistleblowing procedures), this should be re-routed appropriately by the person receiving it. The person making the report should be notified that it has been re-routed.

## The law – what protections exist for whistleblowers?

23. The Public Interest Disclosure Act 1998 (PIDA) protects whistleblowers from detrimental treatment by their employer (amending the Employment Rights Act 1996) as a result of making a public interest disclosure. To be counted as a public interest disclosure / “whistleblowing” disclosure, information must be disclosed; it is not sufficient to gather information or threaten to make a disclosure. The individual reporting must reasonably believe that the information relates to one of six categories listed in PIDA:

- commission of a criminal offence (i.e., a criminal offence that has been committed, is being committed or is likely to be committed)
- failure to comply with a legal obligation (i.e., that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he/she is subject)
- that a miscarriage of justice has occurred, is occurring or is likely to occur
- that the health and safety of any individual have been, is being or is likely to be endangered
- that the environment has been, is being or is likely to be endangered
- that information falling within any of these preceding categories has been, is being or is likely to be deliberately concealed

24. A public interest disclosure must be made in the public interest (see above). It will not be a public interest disclosure if the person making the disclosure commits an offence by making the disclosure. A public interest disclosure must be made to certain people (e.g., the employer) in order to attract statutory protection; this requirement should be covered in detail in the relevant policies of individual organisations.

25. Home Office staff should refer to the Home Office whistleblowing policy, - which is located on the Home Office internal HR system for guidance, which will assist in understanding if a disclosure is protected by PIDA and covered by the whistleblowing

policy (including legal protection) and how a disclosure should be made. As stated above, this DSO is not intended to supersede that policy, to which Home Office staff should refer.

26. Whistleblowers who **maliciously or deliberately** raise a matter that they know to be untrue are not covered by whistleblowing protection.

## Conduct of legal representatives

27. All concerns regarding the conduct of legal representatives etc, should be reported via the Intelligence referral form via the Migrations and Borders site for Home Office employees. Any evidence of abuse will be assessed by the Professional Enabler Disruptions team (PED), who support regulators in investigating potential regulatory and criminal impropriety.

Examples of areas of concern could be where it is suspected that an individual is involved in:

- providing unregulated advice
- advising clients to lie or exaggerate their claims
- fabricating medico-legal reports
- submitting last-minute claims despite having ample opportunity to do so earlier
- making totally without merit applications

28. Anyone providing immigration advice or services should be qualified to do so in the UK. Any such person or organisation must be one of the following:

- regulated by the Immigration Advice Authority (IAA – formerly known as the Office of the Immigration Services Commissioner or OISC)
- authorised to practice by an approved registered body (or a person acting on their behalf or under their supervision) such as the Solicitors' Regulatory Authority (SRA) or Bar Standards Board (BSB)
- exempted by a Ministerial Order

29. Those providing immigration advice without meeting the above criteria may be guilty of a criminal offence.

30. In order to establish that a representative is qualified to provide advice it is essential that they complete and return a Section 84 form in advance of their visit. The form should be returned to the site they intend to visit with sufficient time for staff to complete checks against the online registers held by the regulatory bodies. Please see the [Visits and Visiting Procedures](#) DSO for further information

31. Any cases where an unqualified representative has attempted to gain access to a site or individual should be reported in the same manner as the other types of abuse mentioned above.

32. If you have any queries regarding Professional Enablers or submitting a report, please contact PE disruptions.

## Staff capability

### All staff

33. Provisions must be in place to ensure that all staff understand the behaviours and cultures expected from them when working within the immigration removal estate, and that this is effectively monitored. Those provisions should include expectations and guiding principles for appropriate workplace behaviour and expected behaviours outside work (e.g., use of social media). The Home Office will also monitor the effectiveness of support mechanisms, such as the use of counselling services, mental health support, and translation services, to assess whether they are meeting the needs of individuals.
34. All staff need to understand and be familiar with what constitutes wrongdoing, including their obligations to report suspicions or incidents and must understand how to follow the appropriate policies and procedures for doing so. Home Office staff must follow the whistleblowing procedures on the company's internal HR system, whilst contracted service providers and NHS staff must follow the procedures set out in **their** published whistleblowing policies where whistleblowing will be referred to as Freedom to speak up (FTSU).

### Directly employed staff

35. The points included here set out the minimum action required. Contracted service provider staff must additionally comply with any specific contractual obligations relating to staff culture. Staff induction, initial training courses and refresher training must include workplace behaviours and the process for raising concerns.
36. Each contracted service provider will deliver an Initial Training Course (ITC) for staff, which must cover whistleblowing policy and procedures.

### Non-directly employed persons

37. Non-directly employed persons must refer to their employer/the organisation which engages them for training but can also seek advice from the people named in paragraph 10 above on how to detect and report suspicions of wrongdoing.

### Safeguarding responsibilities

38. In some circumstances, allegations of wrongdoing can raise safeguarding issues. All staff must be clear about their safeguarding responsibilities including in relation to young people (under 18), to vulnerable adults and to other groups such as pregnant individuals (this list is not exhaustive) and follow the appropriate reporting procedures.

## Anonymity

39. To support the fullest investigation of a report, staff are encouraged to disclose their identity when making a report. The Home Office recognises, however, that staff may wish to retain anonymity when reporting. Anonymous information will be just as important for organisations to act upon. In such instances relevant procedures in whistleblowing policies must be followed (and may, for example, include a dedicated helpline or anonymised email address for raising such concerns). An employee can report anonymously but it will be more difficult for follow up on a disclosure if the whistleblower cannot be contacted. An employee can give their name and request confidentiality; with the person or body they tell making every effort to protect the identity of the person making the report. Staff should note, however, that reporting concerns to the media may mean that whistleblowing law rights are lost unless the method of the disclosure complies with stringent conditions set out in PIDA (see <https://www.gov.uk/whistleblowing/who-to-tell-what-to-expect>).

## Processing reports of suspicions of wrongdoing

### Processing data

40. All staff must ensure that information received is handled and processed in accordance with current data protection legislation and in line with the principles set out in Article 5 (1) of UK GDPR. Individuals should be made aware of their data protection rights via a relevant Privacy Information Notice Personal information charter - Home Office - GOV.UK ([www.gov.uk](http://www.gov.uk))
41. Nominated officers and other individuals handling related documentation should ensure that all correspondence is appropriately secured in a SharePoint folder with appropriate permission settings or other secure record management system, so that only they, or others needing visibility, have access. Any personal data shared should be limited to what is absolutely necessary and should be retained in accordance with current retention policies.
42. Contracted service providers are required to report monthly to their local Detention Services manager (G7) and the DS Counter Corruption and Investigations Unit on professional standard issues, including on any issues that have been reported under whistle blowing procedures and which are being investigated or have resulted in disciplinary action. The Home Office should also be advised of the numbers and outcomes of whistleblowing concerns raised by other organisations where these relate to the running of the centre.

### Learning lessons

43. If a report of whistleblowing under HO processes progresses to an investigation being commissioned, the investigation report may contain recommendations for lessons to be learned, a change in policy or procedure or may recommend disciplinary action be considered against an individual or individuals. Any lessons learned and changes in

policy will be disseminated appropriately by the department, taking issues of anonymity into account. Outcomes are also reported to the Cabinet Office.

## **Self-audit**

44. 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.
45. 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 |
|-------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| July 2025   | Akash Shourie | <p>Updated to reflect:</p> <ul style="list-style-type: none"><li>• Standardised changes to align with DSOs, including the roll out of Home Office teams and individual responsibilities</li><li>• Updates to whom any whistleblowing cases/concerns are raised to within IRCs</li><li>• Updated links to the HO Whistleblowing policy</li><li>• Inclusion of the DS Counter Corruption and Investigations Unit</li><li>• Self-audit requirements updated on the DSO</li><li>• Changes to the format and order of paragraphs to make the document more accessible</li></ul> | July 2027   |