


Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		


Age Dispute Policy

DATE EFFECTIVE FROM:

CONTACT POINT: Head of Safeguarding


RESPONSIBLE MANAGER: Centre Director

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Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		


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AMENDMENTS TO POLICY			
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Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

INDEX:

<u>Section</u>	<u>Description</u>	<u>Page</u>
1.	Introduction	4
2.	Home Office Criteria	4 - 6
Annex 1	Age Dispute Notification Form	7
Annex 2	Age Dispute Risk Assessment	8
Annex 3	CARE MAP	9
Annex 4	Observation Support Record	10
Annex 5	Flow Chart	11

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

1. INTRODUCTION

Normally a person will claim to be under the age of 18 early in their immigration case so a detained person does not routinely claim to be under the age of 18, however this can occur. The purpose of the Age Dispute policy is to ensure that, when we do have a detained person who claims to be under the age of 18, we maintain a consistent approach when safeguarding them.

This will provide the opportunity for continuous monitoring and support for these individuals as it is imperative that we care for these vulnerable people and maintain their safety and security whilst they are in our care.

This procedure will assist in ascertaining if the resident has any issues such as, bullying, self-harm, racial abuse and sexual orientation matters. In addition this will ensure that the residents protected characteristics under the 'Single Equality Policy' are managed and achieved.


This Policy should be read in conjunction with 'Detention Service Order 14/2012 (DSO)', 'Children and Family Policy' & 'Memorandum of Understanding between G4S , Home Office & Gatwick Children's Services'.

All agencies will act with the best interests of the individual drawing from the principles of the Children Act and Section 55 of the Borders, Citizenship and Immigration Act 2009.

2. HOME OFFICE CRITERIA

The Home Office considers a person to be over 18 if:

- A. There is credible and clear documentary evidence that they are 18 or over. Acceptable forms of identification could be a passport, birth certificate or other official documentation which confirms a person's identity and date of birth.
- B. Has undergone a Merton Compliant Age Assessment by a local authority and assessed to be 18 years of age or over (NOTE: Assessments conducted by Social Services emergency duty teams are not acceptable).
- C. They have a physical appearance / demeanour which strongly suggest that they are significantly over the age of 18 and no other credible evidence exists to the contrary.
- D.
 - 1. Prior to detention the person provided a date of birth that would make them an adult and/or stated they were an adult.
 - 2. Only claimed to be a child after a decision had been taken on their asylum claim, entry to the UK or immigration status.
 - 3. Only claimed to be a child after they had been detained.

Division	Operational Instructions	
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

4. Has not provided credible and clear documentary evidence proving their claimed age.
5. Does not have a Merton compliant age assessment stating they are a child.
6. Does not have an un-challenged court finding indicating that they are a child.
7. Physical appearance / demeanour very strongly suggest that they are 18 years of age or over.

If one of the categories above applies (with Section D, ALL 7 criteria must apply), the person is to be treated as over the age of 18.


The Home Office considers a person to be under the age of 18 if:

- A. There is credible and clear documentary evidence to demonstrate the he or she is under the age of 18.
- B. The person has had a fully compliant Merton Age Assessment carried out by a Local Authority resulting in them being assessed as less than 18 years of age, irrespective of physical appearance and demeanour.

Residents identified as/or claiming to be a minor will be subject to discussion with the Duty Director and the on-site Home Office manager as soon as possible. The person reporting the Age dispute will complete a notification form (Annex 1) and pass to the Detainee Custody Manager, who in turn will inform the Duty Director and Home Office.

A. A Multi-disciplinary risk assessment (Annex 2) will be carried out (if possible) with the following present:


- Duty Director – Chair of Assessment
- Safer Community Manager
- Safeguarding Manager
- Duty Residential Manager / Family Care Manager
- Home Office Representative
- Senior Healthcare Manager
- Welfare Officer
- Detainee Custody Officer/Care Officer
- Person claiming to be under the age of 18.

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

- B. During this risk assessment (Annex 2) a 'CAREMAP' (Annex 3) will be created detailing any actions that have or need to be carried out to ensure that the safety of the person claiming to be less than 18 years of age is paramount.
- C. A Support Record will be kept by staff detailing relevant information such as how the detainee felt, what they did with their time and any conversations had.
- D. Consideration must be given as to where the resident feels safe and secure. Should the resident not feel safe residing within the main centre then it may be prudent to consider moving the person to Eden Wing (Brook House Only) or Tinsley House pending collection to enable a Merton compliant age assessment to be carried out.
- E. Social Services will be informed of the Age dispute by the Home Office and given a copy of the risk assessment and CAREMAP along with any other relevant reports to aid social services to complete a thorough and accurate assessment.
- F. Social Services will make arrangements to collect the age dispute so that a fully complaint Merton Assessment can take place.
- G. Reviews of the risk assessment and CAREMAP will be completed daily to ensure that the correct level of care for the person claiming to be less than 18 years of age. All reviews will be recorded on the DAT system and History sheet of the Detainee Transferable Document and will be Multi-Disciplinary in approach.

A flow chart (Annex 4) will be displayed in the following areas to aid all staff in completing the Age Dispute Procedure.


- Detainee Reception – Brook House & Tinsley House.
- Immigration Office – Brook House & Tinsley House.
- Healthcare – Brook House & Tinsley House.
- Staff Room or corridor to staff room.

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

ANNEX 1

Age Dispute Notification Form


Name of Detainee	Age claiming to be	Date	Time
What has the detainee said about their situation?			
Reporting Person Name		Reporting Person Signature	
Name of Person Informed		Person Informed Signature	

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

ANNEX 2

Age Dispute Risk Assessment


Concern about Room sharing?	Yes	No
Location: Discuss with detainee where they feel safe. Single Occupation to be granted or move to Eden Wing / Family Care & Observation Room to reduce vulnerability caused by the environment.	Comments:	
Frequency of Support: (Conversations and/or observations)	Comments:	
Action taken to lessen the effects of isolation	Comments:	
Action taken to link the person to people who can provide support	Comments:	
Action taken to build on any strengths or interests the person may have	Comments:	
Name of people attending the Risk Assessment		
Name	Job Title / Role	
Duty Director Name:	Signature:	
Date:	Time:	

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

ANNEX 3


CAREMAP

No.	Issues (Problems, Resources, Risk)	Goals	Action Required	By Whom and When	Status of action
1.					
2.					
3.					
4.					
Detainee Signature:		Chair of Review Signature			
Detainee Name:		Chair of Review Name:			

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

CAREMAP

No.	Issues (Problems, Resources, Risk)	Goals	Action Required	By Whom and When	Status of action
5.					
6.					
7.					
8.					
Detainee Signature:			Chair of Review Signature		
Detainee Name:			Chair of Review Name:		

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		


ANNEX 4

Observation Support Record.


Detainee Name		Room Number:	CID Ref:	
A.M. Morning 0600 – 1200				
DCM / FCO Name		DCM / FCO Signature	Time	Date

P.M. Afternoon 1200 - 1800				
DCM / FCO Name		DCM / FCO Signature	Time	Date

P.M. Evening 1800 - 2300				
DCM / FCO Name		DCM / FCO Signature	Time	Date

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

Night time 2300 - 0600					
DCM/ FCO Name		DCM / FCO Signature		Time	Date

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-001	
Document	Age Dispute Policy	
Issue		

ANNEX 5

Flow Chart (Example)

