


Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		


Temporary Confinement

DATE EFFECTIVE FROM:


CONTACT POINT: Head of Safeguarding

RESPONSIBLE MANAGER: Centre Director

Site: Gatwick IRC / Brook House / Tinsley House (<i>delete as applicable</i>)			Date published	
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Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

AMENDMENTS TO POLICY			
Amended Section:	Page:	Date	Reason for & Description of update:
Index	3	08/09/16	Change terminology from cell to room, Detainee Information System to Detainee Administrative Tool and Residential Manager
Introduction	5	08/09/16	Inclusion of Detention Centre Rule 42 (sections 1 – 8)
Allocation of cells	6	09/09/16	Changed wording from cells to rooms and continuous observations
Security	10	09/09/16	Inclusion of Body Worn Cameras
Medical	12	09/09/16	Inclusion of Healthcare Assessment screening within two hours.
Annex A /B	16	09/09/16	DCF3 and Healthcare Assessment

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

INDEX:


<u>Section</u>	<u>Description</u>
1.	Introduction
2.	Responsibilities
3.	Allocation of Rooms
4.	Bed Linen Issues
5.	Description of accommodation
5.	Cleaning Regime/Hygiene
6.	Detainees without funds or clothing
7.	Telephone Calls
8.	Visits
9.	Interviews
10.	Detainee Administrative Tool
11.	Movements Log
12.	Temporary Confinement Unit Security
13.	Patrols
14.	Access to Recreational Facilities and
15.	Religious Observance
16.	Mail

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

17. Medical
18. Requests/Complaints/Grievances
19. Dining Arrangements
20. Library
21. Shop
22. Exercise
23. Daily Visitors to Temporary Confinement Unit
24. Residential Manager /Duty Director

Annex A – Temporary Confinement Form DCF3

Annex B – Healthcare Assessment Screening

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

This policy is in accordance to Detention Centre Rule 2001 – Temporary Confinement (Rule 42)


- (1) The Secretary of State (in the case of a contracted-out detention centre) or the Manager (in the case of a directly managed detention centre) may order a refractory or violent detained person to be confined temporarily in special accommodation, but a detained person shall not be so confined as a punishment, or after she/he has ceased to be refractory or violent.
- (2) In cases of urgency, the manager of a contracted out detention centre may assume the responsibility of the Secretary of State under paragraph (1) above shall notify the Secretary of State as soon as possible after giving the relevant order.
- (3) A detainee person shall not be confined in special accommodation for longer than 24 hours without a direction in writing given by an office of the Secretary of State (not being an office of a detention centre)
- (4) The direction shall state the grounds for the confinement and the time which it may continue (not exceeding 3 days)
- (5) A copy of the direction shall be given to the detained person before the 27th hour of the confinement.
- (6) Notice of the direction shall be given to without delay to a member of the visiting committee, the medical practitioner and the manager of religious affairs.
- (7) Particulars of every case of temporary confinement shall be recorded by the manager in a manner to be directed by the Secretary of State.
- (8) The manager, the medical practitioner and (at a contracted out detention centre) an officer of the Secretary of State shall visit all detained persons in temporary confinement at least once each day for as long as they maintain so confined.

1. INTRODUCTION

Use and Management of the Care and Separation Unit

This document sets out the use and management of the Care and Separation Unit (CSU) providing guidelines for the efficient running of the unit by staff, the care of detainees allocated to it, their reintegration back into the residential unit and the protection of those detainees that require it.

The regime within the CSU will be flexible and able to adapt to the particular needs of the individual. All staff will encourage a speedy return of the Detainee to normal accommodation in the Removal Centre.

Division	Operational Instructions	
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

All staff will ensure that detainees accommodated in CSU are offered their basic entitlement to meals and refreshments, medical treatment, exercise, laundry, incoming and outgoing telephone calls, social and official visits, religious observance, library and the shop.

Gatwick IRC will have a dedicated CSU for detainees.

The Home Office form DCF 3 will be used to record the reasons for the initial confinement and the subsequent behaviour of the detainee. It will be the intention of all staff to return the detainee to normal accommodation or at least to downgrade to Removal from Association at the earliest opportunity; this decision will be guided by the behaviour of the detainee.

2. RESPONSIBILITY


The Care and Separation Unit Officers are responsible for:

- Providing a safe, secure and friendly environment for Detainees
- Complete Detainee personal unit file system and entering the Detainees details in the unit monthly logbook
- Ensure that all visits of authorised personnel are recorded in the unit diary
- The recording of all staff on duty, and all detainees held in CSU
- Providing a focal point for information for Detainees
- Ensuring Detainees where applicable, receive the appropriate hygiene packs and, where it is deemed necessary, clothing and shoes
- Ensuring Detainees are advised and made ready for activities, particularly interviews, during their stay.
- Monitoring the use of recreational facilities in the Care and Separation Unit
- Ensuring Detainees receive incoming mail and accept outgoing mail for despatch.
- Ensuring that all Detainees located in the Care and Separation Unit have appropriate documentation completed, and are authorised to be located there.
- Ensuring that only authorised personnel have access to the unit and all visitors to a detainee complete the appropriate section of Form DCF3 as well as note all visitors are recorded in the unit diary.

The Residential Detainee Custody Manager is responsible for the day-to-day supervision of the Care and Separation Unit and ensuring all Officers understand and are competent in carrying out their duties

After placing a detainee into CSU – Rule 42, it will be the responsibility of the Detainee Custody Manager to submit relevant Part C's and notify the IMB, Home Office Manager, Healthcare and the Religious Affairs Manager that a Detainee has been placed on Rule 42 and that action has been recorded. . The DCF paperwork will include what other measures have been considered prior to locating a Detainee in CSU (Rule 42)

Detainees will receive written confirmation of the justification of Temporary Confinement within two hours of placement into CSU – Rule 42.

Division	Operational Instructions	
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

The DCM responsible for placing a Detainee on Rule 42 will ensure the appropriate documentation has been completed and authority obtained to be located there. The DCM will also ensure that only authorised personnel have access to the unit and all visitors to a detainee in the unit complete an entry on the form DCF3, and all visitors are recorded in the unit diary and the CSU official visitors log. All authorised official visitors are laid out in section 22 of this document.

Where deemed necessary for Detainees to remain in CSU – Rule 42 for periods exceeding 24 hours – the responsible Detainee Custody Manager will present reasons to the Secretary of State and request an extension. This will also apply for detainees exceeding 3 days on Rule 42.

3. ALLOCATION OF ROOMS

When a Detainee is allocated to the Care and Separation Unit – Rule 42 - the Unit Officer will allocate a room to each Detainee.

When not in use all other bedrooms in the CSU unit must be kept locked.

On arrival to the CSU Unit, the Escorting Officer will hand over to the CSU Unit Officer a unit file which carries a photograph of the Detainee and the following information:

- Detainees full name and any known alias;
- Full Port Reference;
- Nationality;
- Arrival date at Brook House


A separate file will be opened which will contain detailed information regarding the behaviour and attitude of the detainee, any observations and comments and any visitors to the detainee other than official visitors, this file will be maintained whilst the detainee is located in the CSU (Annex A)

Should force be used on a detainee, they will be constantly observed by a Detainee Custody Officer for a minimum of one hour, unless deescalated before that time.

4. BED LINEN ISSUES

Each bed is fitted with a mattress and a pillow. Bed linen issues as a minimum will consist of a sheet and duvet cover, a pillowslip, 1 towel and a duvet

A supply of clean bed linen, will be provided to detainees on Rule 42 in the same manner and at the same frequency as on ordinary accommodation. Should a detainee be refractory or violent,

Division	Operational Instructions	
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

Detainee Custody Officers will wait for the individual to deescalate and it is deemed safe to open the door to issue.

5. DESCRIPTION OF ACCOMMODATION

The CSU (Rule 40 /42) Unit is located on the Ground Floor of B wing at the far end of Eden Wing.


There is a small association area. Detainees on Rule 42 will not be able entitled to association. The servery is located in Eden Wing – Detainees on Rule 42 will be provided meals in their rooms.

6. CLEANING REGIME/HYGIENE

- Each Detainee will be offered the opportunity to shower each day unless in exceptional circumstances instructed otherwise by the Centre Director or Duty Director. (i.e. Detainees presenting a serious threat to the safety of others or themselves).
- Showers will be searched immediately before and after use by a detainee
- Detainees will be subject to a rub down search before and after using the shower
- The Cleaning Sub Contractors and /or Paid work orderlies are responsible for all cleaning tasks within the Care and Separation Unit. It is the responsibility of the Care and Separation Unit Officers to monitor the cleanliness of the accommodation and to bring to the attention of the Detainee Custody Manager any defects in cleaning.
- The Care and Separation Unit will be cleaned in accordance with an agreed schedule.
- It is the responsibility of cleaning staff to adhere to all of the requirements of the Health and Safety Act and regulations, particularly in relation to the safeguarding of cleaning fluid and materials. Wet floors should be adequately sign-posted. It is the responsibility of the Unit Officer to monitor compliance by the Cleaning Sub Contractor with the Health and Safety Act and Regulation requirements.
- If the detainee requests the laundering of their personal clothing then unit staff will make provisions for this. The unit Detainee Custody Manager is to be consulted for such requests.

When deemed safe - Whilst a detainee is in CSU at the request of the detainee the laundering of clothing can be facilitated.

6. DETAINEES WITHOUT FUNDS OR CLOTHING

Division	Operational Instructions	
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

If it appears that a Detainee is without funds or adequate clothing, the Officer on duty should examine the Detainee's database on the Detainee Administrative Tool to ascertain if they have any property in safekeeping. If this is the case, arrangements should be made for the Detainee to have access to their property – if the detainee is presenting as a threat to themselves or others, then the supervising DCO will wait until the Detainee deescalates and it is considered safe to open the door before issuing.

Clothing will not be issued to Detainees who have adequate changes of clothing but all requests will be dealt sympathetically.

7. TELEPHONE CALLS

Telephone calls to or by Detainees in Temporary confinement will be permitted, subject to the behaviour of the detainee. Assessment of the amount of risk posed by the Detainee to the safety of themselves and others when being given access to the telephone must always take place. **Under no circumstances is an occupied room to be unlocked without authorisation from the responsible Detainee Custody Officer or Duty Director**

8. VISITS

Social Visits

Social visits for Detainees located on Rule 42 will be subject to an individual risk assessment and agreed by the Duty Director and Detainee Custody Manager.

Consideration will be given to the current risk they pose and should it be agreed, the location of the social visit. It may be necessary for the visit to occur under the closed /non contact visit. If this is the case, the applicable policy relating to closed visits will be adhered to.

All Detainees will be escorted to and from visits by CSU staff, and will be subject to a rub down search before and after each visit


In order to prevent potential problems in the visiting hall or closed visits area, only one Detainee from Temporary Confinement will be allowed a visit at any one time.

Official Visits:

There are official visits rooms available in the centre. These will be used to facilitate private interviews between a Detainee and an official visitor. The same criteria as above will be used to assess the individual threats to self and others prior to agreeing this.

It is the responsibility of the unit staff to ensure that the Detainee is aware of the official visit.

All Detainees will be escorted to and from visits by CSU staff, and will be subject to a rub down search before and after each visit.

Division	Operational Instructions	
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

The detainee's behaviour may be an overriding factor to determine the location of the official visit or whether, in consultation with the Secretary of State, the visit takes place. In the absence of any Home Office officials, the decision will be made by the Duty Director and Detainee Custody Manager.

The Secretary of State will be alerted at the earliest opportunity should a Detainee present a significant risk that either a social or official visit cannot be accommodated.

9. INTERVIEWS

It is critical to the operation of the Centre that Detainees attend all the interviews arranged for them. Failure to attend or attending the interviews late will seriously disrupt the interview process and it therefore follows that particular care needs to be exercised to ensure all Detainees scheduled attend those interviews.

It is the responsibility of the unit staff, to ensure that all Detainees scheduled for interview attend their interview at the appointed time. The Residential Detainee Custody Manager and the unit staff are responsible for ensuring that they make themselves aware of the day's interviews by consulting the DAT, and any other unit/daily diaries.

The Detainee Custody Manager in consultation with unit staff, will make the necessary arrangements to authorise the unlocking of a room door in order that a detainee can be escorted to the interview. The detainee's behaviour may be an overriding factor to determine the location of the interview or whether, in consultation with Home Office, the interview takes place.

10. DETAINEE INFORMATION SYSTEM (DAT)

The computerised Detainee Application Tool with printing facility will be available in the CSU Office.


11. MOVEMENT LOG

All movements of detainees that are held in the CSU – Rule 42 will be recorded in Eden Wing diary and their Temporary Confinement file

Room doors are not to be unlocked without the authorisation of the Detainee Custody Manager or the Duty Director

12. CSU - SECURITY

- The Care and Separation (Rule 40/42) Unit is located on the Ground Floor of B wing and is accessible through two points, staff should not be present in the unit, unless on official business. All visitors to the unit must be logged in the Eden Wing Unit Diary.
- There are CCTV cameras positioned strategically in the unit that are monitored in the Control Room.

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

Detainees who are residing in the CSU Unit under Rule 42 will not have access to association; however, consideration will be given to visits and access to prayer rooms.

Vigilance must be maintained by all staff to prevent unauthorised access into the CSU Unit.

All visitors to the CSU Unit will be required to report to the Unit Officer. As a general rule, any official visitors will be accompanied around the unit, and where officers are in any doubt the Residential Detainee Custody Manager must be contacted.

Detainees placed onto Rule 42 will initially be continuously observed by a DCO for the first hour after they have been relocated. Observations, thereafter, will be determined through consultation with the Detainee Custody Manager and the Duty Director.

Staff working in CSU Unit must remain vigilant and any indication of change in the Detainees behaviour or demeanour must be discreetly investigated and reported to the Residential DCM. Change is normally a sign of a problem, for example, self-harm; escape plans, attacks on other individuals, stress, organised disruption or depression.

Roll checks are carried out on four occasions each day within the Centre: - 07:45, 12:15, 17:45 and 21.00, the CSU Unit Officer must account for each Detainee located in the unit, and report the numbers to the Detainee Custody Manager.

If Control orders a recount this must be completed without delay and the numbers reported to the control room via the telephone.

If any Detainee is not accounted for, the missing detainee must be located and the relevant Contingency Plan followed. If there are more Detainees than there should be, the additional Detainees must be fully identified and a report passed to the DCM.


At the beginning and end of each day, the association area will be thoroughly searched. The showers in the CSU Unit will also be searched for any unacceptable items, which may have been hidden.

The Residential DCM may carry out random checks of the Roll Check process in the CSU Units under his/her control.

The principle CSU Unit Officer will also be equipped with Body Worn Cameras whilst on duty.

14. ACCESS TO OTHER RECREATIONAL FACILITIES

- There will be no access to television
- There will be no access to the gymnasium

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

- There will be no access to educational classes, although teachers may bring Detainees work related to educational studies.

15. RELIGIOUS OBSERVANCE

Detainees in Temporary Confinement will be afforded the facility to practice some appropriate form of religious observance in their room. The Manager of Religious Affairs will advise staff and Detainees as to what is appropriate and arrange for a Minister of the detainees own religion to attend when practicable. The Manager of Religious Affairs will provide a selection of religious books and artefacts (if appropriate).

16. MAIL

Incoming mail for Detainees will be delivered to the office in CSU office by the ACO responsible for mail.

Any Registered or Recorded Mail will be logged and signed for by the detainee on the relevant form with the following details recorded:

- Name;
- Room number;
- Cid Ref. no.

The Registered/Recorded Letters must be delivered to the Detainee within four hours of receipt in the centre. If the Detainee is demonstrating violent or threatening behaviour, mail be delivered as soon as it is deemed safe.


The Detainee will be shown the address on the Registered/Recorded item and must sign as acknowledgement of receipt once they have confirmed the mail is for them. The CSU Unit Officer will also sign as confirmation of receipt.

Ordinary mail for Detainees will be checked against the Roll Board/Location List to ensure that the Detainee is present in the CSU Unit.

Mail received for a Detainee who has left the CSU Unit and any mail for Detainees that have left the Centre, or who cannot be identified must be returned to the Mail Officer who will make arrangements for returning to the sender or to the Home Office for forwarding on to an alternative Removal Centre if applicable.

17. MEDICAL

Detainees located in the CSU Unit (Rule42) will be assessed by Healthcare within two hours of placement. If force has been necessary to relocate the individual – Healthcare should attend and assess the detainee as soon as practically and safe to do so.

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

The Healthcare member of staff will confirm the Detainees suitability to be placed into Care and Separation. Based on the Healthcare Assessment, the Duty Manager / Duty Director will then make an informed decision about the individual's ongoing regime and location.

In the event that a Detainee is reported to be ill, the Nurse will be contacted and, if circumstances dictate, at the request of the staff, will attend the Unit to assess the situation. Under no circumstances will medical treatment or investigation be prevented or delayed by reason of the detainee's location.

A First Aid Kit and SASH (Self Harm and Suicide) box is available in the unit office

18. REQUESTS/COMPLAINTS/GRIEVANCES

Detainees located in the CSU Unit (Rule 42) have the same rights of access to the requests/complaints/grievances procedures that apply to any other Detainee at Gatwick IRC's

19. DINING ARRANGEMENTS

Meals and refreshments will be delivered to the Eden Wing servery. Meals will be routinely served to individuals in their room in CSU. Detainees on Rule 42 will be unlocked one at a time to issue meals / refreshments.

Detainees will have access to hot water and tea/coffee making facilities via requests from CSU Officers.

Meal times will be as follows


- 08.00 – 08.30 (Breakfast served)
- 12.30 – 13.30 (Lunch Served)
- 18.00 – 19.00 (Dinner Served)

20. LIBRARY

Detainees should only been placed on Rule 42 for a minimal amount of time, however, detainees have the opportunity to borrow books from the library. There will be a book trolley in the Eden Wing offering a reasonable selection.

- Requests for special books for educational purposes will be dealt with by the education/activity staff.
- An activity member of staff will visit the CSU Unit each week to change a selection of the books.

Staff will take special orders for books from detainees that will be forwarded to the Library. Staff will collect finished books from detainees and examine them for damage.

Division	Operational Instructions	 Gatwick IRCs
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

Staff will question the detainee about any damage found and, if necessary, may refer it to the Activity Detainee Custody Manager to pursue replacement costs.

Detainees requiring input from the education department will be visited in the CSU unit by the education / activities staff.

21. SHOP

- Each Detainee located on the CSU Rule 42, will, if they have funds, have the opportunity to place a shop order daily.
- Detainees will be offered a shop order form and a list of items available in the shop each morning.
- Each Detainee will receive their shop order on the day ordered.
- Detainees who have difficulty with reading, understanding or writing English will receive assistance in completing their shop order form.


22. EXERCISE

- All Detainees accommodated within the CSU will be entitled to a minimum of one hours' access to fresh air each day. Access is subject to the current risk that the Detainee is presenting. If a Detainee continues to display aggressive or violent behaviour then access to fresh will not be considered until deemed safe to do so.
- Detainees will always exercise under supervised conditions and will be prevented from mixing with other detainees.
- All Detainees will receive a rub down search before and after each exercise period.

23. DAILY VISITORS TO CSU.

Visitors to the Detainee in the CSU on a daily basis (7 days a week) will include::

- Duty Director,
- Duty Nurse, (Duty Doctor if required)
- Home Office Manager

Division	Operational Instructions	
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		

- Religious Affairs Manager
- Detainee Custody Manager

and may include:

- The Independent Monitoring Board,
- Education Staff,

Arrangements will be made for any of the above to visit the detainee in their room. Anyone visiting a Detainee in CSU (Rule 42) will be required to make a comment in the history sheet of the DCF3 documentation.

Visitors must be informed of any concerns regarding unsettled detainees who may prove difficult, and where appropriate, advised against seeing the Detainee unaccompanied.


When requested not to be present in the room with the visitor, CSU Officers will stand outside of the room, within sight of the visitor / Detainee. When these requests are made, they must always be recorded in the Eden Unit Diary.

Apart from the daily unit officers, all other officers will be classed as visitors and will be required to make a record of their visit in the unit diary.

All Visitors will be recorded in the Eden Wing Diary and on the DCF 3 form.

24. DUTY DIRECTOR

- Will visit the CSU at least once each day.
- Will discuss with the staff any problems they may have with the running of the unit or the detainees accommodated within it.
- Will visit each detainee and make general enquiries about their welfare and treatment, and will contribute towards the assessment of whether a detainee is required to remain in temporary confinement.
- Will make a brief note in the detainees file of the visit and any conversation that took place

Division	Operational Instructions	
Document No.	GAT-057	
Document	Temporary Confinement	
Issue		