

## 12. USE OF FORCE, REMOVAL FROM ASSOCIATION AND TEMPORARY CONFINEMENT

REQUIREMENT	THE CONTRACTOR'S UNDERTAKING/PROPOSAL	CONTRACTOR'S AUDIT PROPOSAL
<b>12.1 USE OF FORCE</b>		
<p><i>The Contractor shall ensure that force is used only when necessary to keep a Detainee in custody, to prevent self-harm, violence, the destruction of property and to prevent Detainees from resisting their own removal or physically interfering with the lawful removal of another Detainee. No more force than necessary will be applied:</i></p> <p><i>The Contractor shall ensure that:</i></p>	<p>GSL will submit detailed procedures in respect of Use of Force to the Authority for approval 3 months before the Commencement Date.</p>	<p>Gantt Chart Issued</p>
<p><b>12.1.1 All force used by the Contractor must be reasonable in the circumstances. Reasonable force includes the application of handcuffs, where such restraint is proportionate and is the minimum necessary to ensure continued detention and safe removal.</b></p>	<p>GSL will fully comply with Schedule 11 of the Immigration and Asylum Act 1999, Clause 41 of the Removal Centre Rules 2001 and DSO 1/2002 and Operating Standards for Immigration Service Removal Centres in relation to the use of force.</p> <p>GSL will ensure that all force used by Detainee Custody Officers is reasonable in the circumstances. GSL will rigorously train DCOs in de-escalation techniques and in understanding that the use of force is always the final course of action to which they will resort.</p> <p>GSL will ensure, through training, refresher training and scenario training exercises that de-escalation techniques will always be employed and that reasonable force will only be used when absolutely necessary to:</p> <ul style="list-style-type: none"> <li>• Keep a Detainee in custody.</li> <li>• To prevent violence.</li> <li>• To prevent the destruction of the property of the Removal</li> </ul>	<p>Policy and Procedures Manual.</p> <p>Training records to show annual refresher training.</p> <p>Completed DCF 2 document. Incident Reports. Training Records. Risk Assessments.</p> <p>Medical records.</p> <p>Video film kept in terms with rules of evidence.</p>

	<p>Centre or others and</p> <ul style="list-style-type: none"> <li>To manage Detainees from preventing their own removal, or</li> </ul> <p>Physically interfering with the lawful removal of another Detainee In order to ensure that when used, restraining force is proportionate and is the minimum necessary to ensure continued detention or safe removal. Staff at Brook House will operate strictly according to the guiding principles and procedures outlined in the approved Home Office C&amp;R manuals, which will guide the actions of both staff and managers involved.</p>	
<p><b>12.1.2 It purchases from and uses only C&amp;R techniques approved by HM Prison Service. HM Prison Service training establishments will carry out advanced C&amp;R training. Basic training may be carried out by the Contractor's own instructors provided that they have been trained and certified by HM Prison Service;</b></p>	<p>GSL confirms that all its DCOs will undertake a course in basic C&amp;R techniques as approved by HM Prison Service. It is a condition of employment that they must successfully pass the course. Staff will only utilise those approved techniques.</p> <p>GSL confirms that it will ensure it has sufficient numbers of HM Prison Service trained and certified Instructors amongst its staff, who will train DCOs to the basic course standards.</p> <p>GSL confirms that Advanced C&amp;R Training will be purchased only from HM Prison Service and carried out at their approved training establishments.</p> <p>Training records will be held at Brook House and maintained by the Training Department. The Training Officer will be responsible for ensuring that initial and refresher training courses are arranged.</p>	<p>ITC programme. Training Records of all DCOs.  Training Records of Instructors  Training records of Advanced C&amp;R trained staff</p>
<p><b>12.1.3 Any planned use of force is recorded and retained on video for 3 months and that a member of the medical staff is in attendance and the Border and Immigration Agency Manager is informed;</b></p>	<p>GSL confirms that any planned use of force will be recorded and retained on video for 3 months.</p> <p>GSL confirms that a member of the medical staff will be in attendance whenever there is a planned use of force.</p> <p>GSL confirms that they will inform the Border &amp; Immigration Agency Manager whenever there is a planned use of force.</p>	<p>Records of use of force and correspondent video. Stored in secure cabinet within security/operations manager office. Completion of DCF 2 form. Medical report. Check list form for Planned Use of Force</p>
<p><b>12.1.4 In the event of Use of Force being used</b></p>	<p>GSL will ensure that in the event of force being used by our staff</p>	



<ul style="list-style-type: none"> <li>• <i>A Detainee is seen by a nurse as soon as practically possible and by a Doctor within 24 hours;</i></li> <li>• <i>A Detainee is seen by the senior on-site manager;</i></li> <li>• <i>The incident is recorded in the central log of incidents involving the use of force;</i></li> <li>• <i>"Use of Force Reports" will be completed by each member of the Contractor's staff involved in the incident and will set out all the material facts relating to it;</i></li> <li>• <i>The Border and Immigration Agency Manager is informed as soon as possible following the incident and provided with copies of the Use of Force Reports within 24 hours of the incident.</i></li> </ul>	<p>at Brook House:</p> <ul style="list-style-type: none"> <li>• The Detainee involved is seen as soon as practically possible (usually immediately) by a nurse and by a doctor within 24 hours if the Detainee remains in the Centre. Where a spontaneous intervention occurs a qualified nurse will attend as soon as they are notified of the incident.</li> <li>• In every case where force has been used, the Duty Manager will personally see the Detainee and record this visit in the DCF2 form. During the normal working day, this will be immediately after the incident has concluded and at any other times will be as soon as practicable i.e. when he/she is next on-site. Where the Duty Manager is not on site, Detainees will be seen by the most senior on-site manager at that time</li> <li>• The incident will be recorded by the security collator within 24 hours in the central log of incidents, and will include details of use of force. The incident will also be the subject of review by the Centre Manager, the BIA Manager and the Independent Monitoring Board</li> <li>• The DCF2 Use of Force (DC Rule 41)' report will be completed as soon as possible after the event by the person initiating the Use of Force. All other Detainee Custody Officers involved in the incident will write incident reports, which will be attached to the DCF2 form. The detail entered on the form/report will set out all the material facts relating to the event and their specific role and evidence</li> <li>• The Duty Manager will review the DCF2 form, incident reports and any accompanying video evidence to ensure that the Use of Force was conducted within the guidelines. The Duty Manager will brief the Centre Manager and other Senior Managers at the daily morning operations meeting</li> <li>• The Border and Immigration Agency Manager or their nominated representative will be informed as soon as possible following an incident involving the use of force, and will be provided with copies of the 'use of force' reports within 24 hours. GSL will have control room procedures in place,</li> </ul>	<p>Policy and Procedures Manual</p> <p>Instructions to Medical staff.</p> <p>DCF2.</p> <p>DCF2 Incident Reports.</p> <p>Security Department UOF Log</p> <p>Completed DCF 2 reports. Completed Incident Reports. Medical Reports. Central log of Incidents. Summary of incidents in the Centre Manager's monthly report. Duty IS Manager to be informed.</p> <p>Duty call-out lists.</p>
--	---	---

	<p>which will include an up to date list of duty contacts to be informed in the event of an incident where use of force is used. These will be:</p> <ul style="list-style-type: none"> <li>o Duty Senior Manager.</li> <li>o Duty Doctor.</li> <li>o Duty BIA Manager.</li> <li>o Duty Independent Monitoring Board member.</li> <li>o Duty Chaplain.</li> <li>o Duty Care Team member.</li> </ul> <p>Suitable out of hours and/or emergency contact arrangements will be agreed with the BIA Manager concerned so that serious and urgent matters relating to incidents can be communicated expediently.</p>	
12.1.5 <i>The Independent Monitoring Board is informed of the incident as soon as possible and given the opportunity to see the Detainee.</i>	<p>GSL confirms that the Independent Monitoring Board will be informed and given the opportunity to see the Detainee as soon as possible.</p> <p>GSL will agree suitable arrangements with the IMB for out of hours and/ or emergency contact so that very serious and urgent matters relating to incidents can be communicated expediently.</p>	<p>Policy and Procedures Manual.</p> <p>Control Room logs. DCF 2.</p>
12.2 REMOVAL FROM ASSOCIATION		
<p><i>Where it appears necessary in the interests of security or safety that a Detainee should not associate with other Detainees either generally or for particular purposes the Secretary of State or the Removal Centre Manager may order the Detainee's removal from association.</i></p> <p><i>The Contractor shall ensure that:</i></p>	<p>GSL will submit full procedures on the use of Removal from Association to the Authority for approval 3 months before Commencement Date.</p>	<p>Gantt Chart Issued</p>
12.2.1 <i>A Detainee will only be removed from association in accordance with the provision</i>	<p>GSL confirms that they will only remove a Detainee from association in accordance with the provision of Rule 40 of the DC Rules.</p>	