

INTEGRITY, PROFESSIONAL STANDARDS AND PREVENTION: LEARNING THE LESSONS FROM BROOK HOUSE

Summary

On 5 December 2017 ExCo discussed IE's paper on "Brook House and *Panorama*: lessons for the wider Home Office". This action plan provides an overview of the wide range of work IE is leading to minimise the risk that the issues surfaced by *Panorama* at Brook House in September 2017 recur elsewhere in the immigration detention estate. They focus on strengthening and supporting the leadership, integrity and culture of all those who work with detainees in the closed environment of immigration removal centres. Constant vigilance is essential. We expect further insights to come later in 2018 from two external reviewers, Kate Lampard and Stephen Shaw, as well as from the outcome of internal PSU and police investigations, and will identify and pursue further action when their findings become available. The action plan reflects our ambition to focus on assurance and prevention rather than post-event response.

Actions

1. G4S Action

In response to *Panorama* G4S developed an action plan designed to address the immediate and underlying issues identified in the programme. Progress against delivery is overseen by a monthly Project Board chaired by Jerry Petherick, Managing Director for G4S Custodial and Detention Services UK. Our challenge is provided by the IE Head of Detention Operations (Alan Gibson) and IE Delivery Manager for Gatwick (Michelle Smith), both of whom are members of the Board. Progress at a more granular level is monitored through weekly meetings between the acting Centre Manager (Lee Hanford) and Michele Smith. Ministers have reviewed progress in several meetings with G4S senior managers, most recently on 30 January.

1.1 Post-Panorama

Category	Objective	Owner	Overall Completion target	Comment	Status
Staff recruitment retention and support	Achieve target staffing, running initial training courses with a recruitment target of 100	G4S – Lee Hanford	March 2018	Recruitment and training pipeline plotted. Reward bonus scheme launched to secure commitment to regular overtime to address gap – 82 staff signed up. Increased attrition due to uncertainty over the new Gatwick contract, and protracted CTC clearance timescales are constraining progress on permanent recruitment.	Overall on track
	Staff engagement; implement a strategy, start engagement forums and assign a SPOC for new staff	G4S – Lee Hanford	October 2017	Monthly staff surgeries and meetings with the Director up and running. SPOC appointed and guidance on employee care scheme refreshed.	Complete

Staff development/training	Conduct training needs assessment and deliver training, including accredited training for managers	G4S – Dan Haughton	31 March 2018	Corndell (training company) appointed to deliver level 3 & 5 accredited training programmes - launched 23 Jan 2018. 1-2-1 coaching also introduced for front line managers and mental health first aid training sourced. DCO training needs are being addressed through the learning event held in Jan 2018 and a training plan commencing in March 2018. Initial Training Course content has been reviewed – first draft of updated packages out for review.	Overall on track
Management structure	Review Senior Management Team and review of staffing structures	G4S – Paul Kempster/Lee Hanford	September 2017	Review identified the need for an additional SMT position (Head of Residence), plus a Head of Safeguarding and additional DCMs. The Head of Safeguarding post has been filled. G4S have put the Permanent Head of Residence post on hold pending the appointment of a permanent Director/Centre Manager. Both appointments are dependent on the outcome of the contract award. The DCMs have been recruited.	Review Complete
	Staff rotation – introduce a rotation policy and commence staff rotation between groups; review the assignment of Detainee Custody Managers	G4S – Lee Hanford	October 2017	Policy published September 2017. Staff rotation commenced November 2017. New DCMs appointed, with the last appointments mobilising in February 2018.	Complete
Reporting and governance	Governance safeguards – automatic review of staff who have 3 or more complaints or use of force incidents in a 3 month period, unannounced walkabout log for SMT and external managers, use of candour logs, system for reviewing events that should never happen, Body Worn Cameras	G4S – various	October 2017	Duty Director cross reference of reported incidents introduced, unscheduled inspection log up and running, candour logs launched with candour representatives introduced. 'Never' system introduced. Body Worn Cameras for all staff went live in December 2017.	Complete
	Whistle blowing - Jill Dando institute recommendation. 'Speak out champions'; provide staff with whistle blowing cards	G4S – Lee Hanford	October 2017	Speak out displays in staff rest areas and at the gatehouse. Speak out champion appointed.	Complete

Drugs	Searching and related policies - random weekly searches, use of canine services, refreshed training material, multidisciplinary review of drug policy, review of disruption protocol.	G4S – Steve Skitt	October 2017	Drug policy reviewed with Healthcare. New arrangement for canine services on a “call-off” type arrangement in place. The effectiveness of this will be monitored and frequency of deployment will be increased if appropriate and a canine team dedicated to the Gatwick IRCs considered. Search training packages updated. Review of disruption policy complete. Referral of detainees to substance misuse where involvement in drugs identified.	Complete
Environment/Detainee Experience	Detainees are treated with respect – introduce wing surgeries, extend the ‘measuring quality of detainee life’ to Brook House, expand the role of the PDA oversight board to include safeguarding across the IRCs, survey detainees, review safeguarding policy with West Sussex Social Services	G4S – various	March 2018	Wing surgeries introduced, remit of the predeparture accommodation (PDA) oversight board extended, initial engagement with the ‘measuring quality of detainee life’ completed. West Sussex Social Services engaged in reviewing safeguarding policy.	Overall on track
	Develop environment plan – identify potential changes from detainee focus groups	G4S – Lee Hanford	November 2017	Focus groups with detainees identified IT as a major issue – IT suite refurbished and reopened October 2017. Redecoration of the centre commenced October 2017 with residential wings deep cleaned and redecorated in December.	Complete

1.2 Lampard Review

This independent investigation has been commissioned (and funded) by the Group General Counsel of G4S PLC, with the terms of reference agreed with the Home Office. The purpose of the investigation is to understand the extent and root causes of the matters highlighted in the *Panorama* programme. The investigation is examining G4S’s management, operational and staffing arrangements and the practices and behaviours of G4S’s staff. The terms of reference are attached at Annex A.

The investigation is being conducted by Kate Lampard CBE and Ed Marsden of Verita and is expected to report to the G4S Board in summer 2018. Publication of the report is a matter for G4S but we expect that G4S will publish a redacted version. G4S are aware that we expect them to respond with pace and rigour to the recommendations made, and to absorb associated costs. We will review any lessons for the wider detention estate and other providers.

1.3 Shaw Review

A follow up review by Stephen Shaw CBE into the welfare in detention of vulnerable persons commenced in November 2017 and will report to the Home Secretary by the end of March 2018. Subject to his recommendations and Ministers' views we would expect publication in June or July 2018.

The terms of reference for this review are: "To assess the Home Office response to the findings in the report: "Review into the Welfare in Detention of Vulnerable Persons", published in January 2016 (Cm 9186), including the implementation of all recommendations". In response to *Panorama* and subsequent legal challenges we agreed with Mr Shaw that staff culture, recruitment and training, the sufficiency of the complaints mechanisms and the effectiveness of whistleblowing procedures should be incorporated into the review. Mr Shaw held an experts' seminar in January 2018, with presentations about staff culture in immigration removal centres, the Prison Service, the police and the NHS, and will also offer reflections on BICS case working culture. We and policy colleagues are already preparing to consider and respond to Mr Shaw's eventual recommendations, including any proposals that modify those from 2016 and how we have addressed those.

2. All custodial supplier action

2.1 Supplier staff integrity

Category	Objective	Owner	Overall Completion Target	Comment	Status
Whistleblowing	Ensure staff are clear that whistleblowing in the event of wrongdoing is a responsibility and mechanisms for doing so are clear to all	Centre Managers (suppliers)	September 2017	It is a contractual requirement for suppliers to have a whistleblowing policy. Whistleblowing policies refreshed. Requires regular refresh and reminder.	Complete and ongoing
Statement of professional conduct	Clearly explain to contractor staff the standards of behaviour expected while deployed on HO contract	Centre Managers (suppliers)	Contract commencement (varied) and date of individual appointment	Detention and Escorting Services (IE) own the content of the statement and provide this in template form to supplier Centre Managers. Supplier Centre Managers are required to issue this to all new staff.	In place and ongoing
Pre-employment check	NSV and DBS checks on all staff to help inform decisions on suitability for employment on HO contracts	Centre Managers (suppliers)	Contract commencement (varied) and date of individual appointment	It is a contractual requirement for all supplier staff to be cleared through the NSV process to a minimum of CTC and to hold DBS clearance. Delays in NSV clearance cause difficulties to suppliers.	In place and ongoing

DCO certification	To assess whether an individual is a 'fit and proper person' to carry out the duties of a Detainee Custody Officer	Frances Hardy, DES Risk and Assurance Team, HOIE	Date of individual appointment	<p>Contractual and legislative requirement for DCOs to be certified, under Section 154 of the Immigration and Asylum Act 1999. The Certification Team, part of the Risk and Assurance Team in DES, ensure that our supplier staff are appropriately certified to work in our centres – including NSV and DBS checks.</p> <p>Regular dip sampling is undertaken by the team to ensure compliance and workshops held with suppliers ensure the requirements of certification are understood. The Home Office can (and does) withhold certification if suppliers' employment decisions do not appear to prioritise integrity sufficiently.</p>	In place and ongoing
Lessons learned and best practice	Building on and improving best practice sharing between suppliers and with HO	Clare Checksfield and Centre Managers (suppliers)	22 Nov 2017	<p>Regular digest of lessons learned from PSU investigations compiled by DES and disseminated to all suppliers and within IE.</p> <p>Quarterly meeting of private sector and HMPPS Centre Managers chaired by Director DES delivering frank and open discussion and reflection on lessons, what works and best practice.</p> <p>Anonymous email route for staff to raise concerns with supplier Centre Manager shared by Serco and being considered by other suppliers after the November 2017 meeting.</p>	Ongoing
Professional standards review	Gain assurance that suppliers have an effective and pro-active approach to managing professional standards within their staff group	Alan Gibson	April 2018	Quarterly review with each supplier.	Roll out 2018-19

2.2 Preventative strategies

Category	Objective	Owner	Overall Completion Target	Comment	Status
Substance misuse strategy	Provide an appropriate and clearly articulated response to the threat of substance misuse	Centre Managers (suppliers)	March 2017 and then to be reviewed annually	Joint agency substance management guidance paper issued to all suppliers. This sets out minimum requirements for local strategies. These aim to reduce and disrupt the supply of illegal substances, including psychoactive substances and offer rehabilitation strategies. All centres now have a local substance management strategy in place.	Complete and ongoing
Violence reduction strategy	Provide an appropriate and clearly articulated response to violence and the threat of substance misuse	Centre Managers (suppliers)	To be reviewed annually	HMPPS led workshop for all suppliers held in October 2017 – designed to refresh and underpin principles around violence reduction. Thematic review of implementation of violence reduction strategies to be undertaken by DES Risk and Assurance Team in autumn 2018.	Complete and ongoing.

3. Home Office action

3.1 Home Office staff integrity

Category	Objective	Owner	Overall Completion Target	Comment	Status
Pre-employment checks	NSV and DBS checks on all staff to help inform suitability for employment	HO line manager	Date of individual appointment		In place and ongoing
Civil Service code and HR policies e.g. Discipline	Ensure appropriate application of and compliance with the policies in place	HO line Managers and HR	Ongoing	A review has already begun within HR led by Victoria Deakin into application within the Home Office. Practical compliance rests with line managers supported by HR. PSU investigations in cases of serious misconduct. Professional conduct and behaviour to be a standing item in all monthly team meetings.	In place and ongoing

Whistleblowing	Ensure staff in detention and escorting are clear that whistleblowing in the event of wrong doing is a responsibility, not an option, and that the mechanisms for doing so are clear to all	Alan Gibson/ Clare Checksfield	Ongoing	Verbal reminder of whistleblowing responsibilities cascaded to HO on-site teams by Delivery Managers shortly after <i>Panorama</i> aired. This message was backed up by email message including pointers to the guidance on Horizon. Civil Service wide whistleblowing awareness day took place soon after - 21 September 2017. Quarterly review and refresh of whistleblowing message within on-site teams. 6 monthly re-issue of whistleblowing policy to all DES staff – March 2018 Quarterly pulse survey of DES and PDT staff relating to whistleblowing, professional conduct and propriety to be started by April 2018.	In place and ongoing
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3.2 Improved risk management information

Category	Objective	Owner	Overall Completion Target	Comment	Status
Improved shared MI on misconduct complaints, allegations and DCO involvement in incidents	Ensure overview of serious misconduct by supplier staff.	Clare Checksfield & Giles Bosworth	March 2018	Suppliers hold most of the required data. Supplier focus is on meeting contractual requirements. Inadequate HO IT a constraint here. Work is in hand to enhance recording mechanisms for minor misconduct complaints to improve our ability to provide meaningful MI on a range of key information (such as named detainees and officer involvement)	On track
Expand use of force analysis and assurance	To provide robust assurance that use of force in IRCs is necessary, proportionate and in line with approved techniques. Identify and investigate trends or anomalies	Shaun Curd, DES Head of Security	May 2018	Use of force by escorts already closely reviewed, including clinical panel review and bespoke and mandatory de-escalation training by HMPPS for escorting staff analysed. Use of force in IRCs currently reviewed by HO/HMPPS by exception. Much improved monitoring of use of force will be extended to IRCs, balancing broad assurance of all instances of force and qualitative review of a dip sample of incidents.	On track
Disseminate best practice and lessons learned from PSU, PPO investigations	Disseminate best practice and lessons learned to suppliers and HO staff from investigations and other incidents quarterly	Marc Williams, DEPMU, DES	Jan 2018	Lessons learned bulletin issued Jan 18, with specific organisational learning dedicated to 'conduct and professionalism'.	Completed and ongoing

3.3 Contractual and operational assurance

Category	Objective	Owner	Overall Completion Target	Comment	Status
Restructure Detention Operations on site teams	Provide sharper focus on contract and operational compliance across Detention and Escorting operations	Alan Gibson	January 2018	DES operational structure reviewed after changes in the estate (3 fewer IRCs since 2015). Functional split between detainee engagement and contract monitoring and operational compliance enables sharper focus on service assurance and a more comprehensive and structured reporting regime	Complete
Articulate compliance and Assurance Strategy for the delivery of detention and escorting services	To clearly articulate the approach we are taking to assuring contract compliance and service delivery in accordance with published standards and orders	Alan Gibson	Feb 2018	We have an extensive range of first line, second line and third line assurance, but its complexity makes it very hard to explain or show the different layers. Internal assurance tends to be drowned out by external (HMIP, IMB, PPO) recommendations. See Annex B	On track
Implement testing and dip sampling programme of supplier self reporting at each IRC	To test supplier self reporting of performance against KPIs and contractually required self audits	IRC HO Delivery Manager	March 2018	Dependent on successful split of PDT and contract monitoring and operational compliance team activity (clarification of functions) and the recruitment to required staff profile in contract monitoring and compliance team and PDT at each IRC. Testing will focus on contractual requirements and performance indicators.	On track
Build on current risk management	Focus on areas of operational risk specific to each IRC and supplier and take action to mitigate	IRC HO Delivery Manager	April 2018	Areas of focus to be primarily, but not exclusively, drawn from framework set out in Assurance Strategy. Key areas of attention within the framework include staffing, vulnerability, security and intelligence, and removals. Initial reviews on the management of adults at risk and staffing levels were undertaken at Gatwick in January. Lessons from these will feed into the full programme – this will commence across all sites in April 2018.	On track

Develop and implement security assurance programme.	To provide assurance on physical and procedural security systems in detention estate. To review, assess and analyse use of force within detention and escorting (see 3.2). To enhance information flows between suppliers and the development of intelligence to support the safe and secure operation of the estate	Shaun Curd DES Head of Security	April 2018	Small security team in DES (currently mobilising). Access to HMPPS intelligence system (Mercury) agreed, rollout plan being developed. A JTAC review of the risk of extremism and radicalisation in IRCs has just been completed. The report is expected by April 2018.	On track
Co-ordination of <i>Panorama</i> -related litigation	To ensure a consistent response to the legal challenges brought forth by several Brook House detainees following the BBC programme	Frances Hardy, DES Head of Risk and Assurance	Ongoing	A <i>Panorama</i> -related litigation strategy was implemented in consultation with DES, the IE Legal Strategy Team, Home Office Legal Advisors, Government Legal Department and BICS, to agree a uniform response to the different strands of litigation. This forum last met on 19 January 2018. The highest risks at the moment are from cases arguing the SoS's duty to launch an enquiry into Brook House that complies with Art 3 ECHR, and a number of Judicial Reviews in individual cases regarding general conditions of detention. On the latter, we are now considering the 1 February judgement on lock-in arrangements and smoking at Brook House.	Ongoing
Independent oversight: HMIP and IMBs	Ensure effective engagement with independent oversight bodies to optimise value of that oversight and act on feedback	Alan Gibson and Frances Hardy	Ongoing	Patsy Wilkinson engaged with IMBs post- <i>Panorama</i> , and Stephen Kershaw led a discussion at the IMB Annual Study Day in November. Dame Anne Owers appointed National Chair of Independent Monitoring Boards. IE on-site manager attends monthly IMB meeting at each site. Head of Detention Operations attends quarterly meeting of IMB chairs. Lack of Ministerial response to 2017 IMB annual reports is causing much concern among IMBs and is in danger of undermining their role. Provided input to recent review of "Expectations" (HMIP standards of inspection). Regular meeting with HMIP lead on detention and clear	Ongoing

				escalation route for urgent concerns in place. Discussion with HMIP on feasibility and benefit of applying to the detention estate the early notification process recently adopted in prisons.	
Response to HMIP and IMB recommendations	Ensure suppliers and HO take appropriate and timely action when independent recommendations are accepted	Alan Gibson and Frances Hardy	Ongoing	Subject to Ministerial clearance, reply to Chief Inspector and IMB Chairs with action plan before publication of their reports. Monitoring of progress on actions undertaken by HO on-site contract monitoring and operational compliance team. Audit of progress against recommendations undertaken by qualified DES Risk and Assurance Team. Strategic view of progress maintained by DES Risk and Assurance Team.	Ongoing

3.4 Enhanced detainee engagement

Category	Objective	Owner	Overall Completion Target	Comment	Status
Increased HO and supplier detainee surgeries	To ensure the on-site immigration teams take the opportunity to engage with the detainee population whenever possible, providing routine opportunities to facilitate this	All onsite HO staff and suppliers	April 2018	Schedule of weekly wing-based surgeries in place at Gatwick and being rolled out at other sites. Process in place to ensure attendance at detainee forums.	On course
Introduction of Pre Departure Teams (PDTs)	The HO response to Shaw recommendation 59 to increase detainee to caseworker contact, PDTs should change the way detainees and the HO interact, and drive returns	Dan Smith	December 2017	PDT launched at Gatwick October 2017 and Heathrow November 2017. Recruitment, security checks and planning mean rollout to other IRCs will be completed in stages – Morton Hall and Campsfield first, followed by Dungavel and Yarl's Wood.	On track

Brook House Independent Investigation – Terms of Reference

Brook House is an immigration removal centre (IRC) situated near Gatwick Airport. It holds up to 508 adult male detainees. Decisions about who should be detained in an IRC are taken by the Home Office who are also responsible for managing the immigration case of each detainee. G4S is responsible for housing and caring for the detainees in a secure environment on behalf of the Home Office.

The purpose of this independent investigation is to understand the extent and root causes of the matters highlighted in a Panorama programme, dealing with the treatment of detainees at Brook House, which was aired on 4 September 2017. The investigation will examine G4S's management, operational and staffing arrangements and the practices and behaviours of G4S's staff.

This independent investigation is commissioned by the Group General Counsel of G4S PLC on behalf of the CSR committee of the G4S board. A report of the investigation findings will be provided to the G4S CSR committee and board.

The independent investigation is asked to examine:

1. the adequacy and appropriateness of G4S's operational policies, management and practice for the care and welfare of detainees, including in relation to mental health issues and self harm , violence prevention, the availability of drugs, the handling of age disputes. Such investigation to include management arrangements within the IRC and the G4S Custody and Detention Business Unit
2. the attitudes and behaviour of staff towards detainees, including in relation to their welfare and wellbeing, self harm and violence prevention
3. the extent and causes of any mistreatment of detainees by staff and whether the incidents reported on in the Panorama programme were isolated or reflective of a wider improper or inappropriate culture at Brook House
4. whether the use of force on detainees is subject to appropriate and adequate reporting, governance, assurance and improvement arrangements
5. the reasons for failures by staff to use the whistleblowing procedures and to report their colleagues' inappropriate attitudes and behaviours towards detainees
6. the appropriateness of staffing arrangements, including all aspects of recruitment, selection, training, appraisal and development; staffing levels and the deployment of staff; oversight and support offered to staff
7. the use and deployment of technology (CCTV, body cameras, listening devices) at Brook House and the efficacy of the same
8. Whether the information and intelligence gathering and monitoring arrangements relied on by managers (locally and centrally) to assess the care and welfare of detainees are appropriate, robust and reliable.

The investigation will include the healthcare services provided by G4S at Brook House but will not include transport services and/or matters or other services where they are not provided by

G4S staff and/or where G4S is not responsible for their provision but will look at the extent to which such services impact on G4S's ability to deliver their services and how they work in practice.

The investigation will not include matters of detention and Home Office policy or mandated procedure, but the investigation will consider how their application in practice affects the management, operation and culture of Brook House, and the welfare of detainees.

The investigation team will make recommendations based on the findings of their investigation and in particular will make recommendations for actions that G4S should take to address any material weaknesses or issues identified

Methodology

Kate Lampard and Ed Marsden will carry out the investigation supported by Nicola Salmon, and, as necessary, a consultant from Verita. Transcribing of interviews will be carried out by Fiona Shipley Transcription Limited.

Employees will be given notice of any interview and the facility to be accompanied by a trade union representative or relevant work colleague.

G4S management will make themselves available for interview and will facilitate interviews with relevant G4S staff.

The investigation team will be able to draw on expert advice as necessary.

The investigation team will produce and agree a guide for interviewees taking account of the scope of the investigation.

The investigation is not a disciplinary investigation nor an investigation into contract compliance, or civil or criminal liability. The investigation team will not share transcripts or other evidence with G4S, other than what it sets out in its written report. The report may raise matters that G4S would wish to investigate that could lead to disciplinary action.

The investigation team undertake to inform G4S of any matters which come to its notice during the course of the investigation which it believes or knows to present a current and real risk of illegal activity or of harm to detainees or staff at Brook House. However it is not the responsibility of the investigation team to identify and determine whether matters which come to their notice do or do not amount to illegal activity or present a risk of harm to others.

Support

The investigation team will be supported on a day to day basis by the Centre Director and the Brook House Improvement Project Director and in areas beyond the scope of the investigation by the UK&I Regional General Counsel

Authority

The investigation team will have the authority of the Group General Counsel to access the areas of the Brook House contract site, subject to Home Office approval, and for the investigation team members and support staff (including relevant employees or contractors of Fiona Shipley Transcription Limited undertaking transcribing) to have appropriate security clearances, to interview any current employees or contractor and to obtain original and copy documentation as is necessary to progress the investigation and to ensure it has integrity and sufficient probity and rigour.

Reporting

The investigation team will report to the chair of the CSR committee of the G4S board.

The investigation team will offer regular updates on progress, including any areas of concern.

The investigation team will work as quickly as possible but its primary concern will be to undertake a thorough and rigorous investigation and to produce a reliable report.

