

## **Criminal casework**

# **Non-detained cases, contact management and absconders**

## Non-detained cases, contact management and absconders

### About this guidance

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This guidance tells criminal casework (CC) caseworkers how foreign nationals convicted of a criminal offence and liable to deportation, who are not currently detained and are subject to restrictions are managed.</p> <p>This guidance also tells you how those who have breached their restrictions are managed.</p> <p>This guidance covers the processes for managing contact with foreign national offenders (FNOs) who are no longer in prison custody or immigration detention, but who remain liable to deportation from the UK on the grounds of their criminal conviction(s). The guidance also covers the processes for dealing with such cases where contact has been lost and the individual has absconded.</p> <p>This guidance also outlines the role of the contact management team (CMT) and gives information on which actions they are responsible for in non-detained FNO cases, and how they can be contacted.</p> <p>For more information about the general context of FNO immigration casework, see related link: When to refer a case to Criminal casework directorate (CCD). For more information on the related processes:</p> <ul style="list-style-type: none"><li>• The acceptance criteria for referral of FNO cases to CC, see related link: Automatic deportation.</li><li>• The management of such cases through the various deportation processes (automatic, conducive and court-recommended), see related link: Progressing cases to deportation.</li><li>• The immigration detention process for FNOs, see related link: Detention process instructions.</li><li>• The bail process for detained FNOs, see related links:<ul style="list-style-type: none"><li>○ Bail applications – action before and during a bail hearing or decision</li><li>○ Bail applications – action after a bail hearing or decision.</li></ul></li><li>• The provision of accommodation for detainees granted bail, see related link:</li></ul>	<b>Related links</b>  <a href="#">Changes to this guidance</a>  <a href="#">Contact</a>  <a href="#">Information owner</a>  Links to staff intranet removed
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	<p>Considering cases for section 4 bail accommodation.</p> <p>For details on the legislative background to immigration detention and release, which is essentially covered by Schedule 2 of the Immigration Act 1971, see related link: Immigration Act 1971.</p> <p>Changes to this guidance - This page tells you what has changed since previous versions of this guidance.</p> <p>Contact - This page tells you who to contact for more help if your senior caseworker or line manager can't answer your question</p> <p>Information owners - This page tells you about this version of the guidance and who owns it.</p> <p>Safeguard and promote child welfare - explains your duty to safeguard and promote the welfare of children and tells you where to find more information.</p>	
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## Non-detained cases, contact management and absconders

### Changes to this guidance

[CCD staff responsibilities](#)  
[General management issues in non-detained cases](#)  
[Overview of non-compliance in non-detained cases](#)  
[The contact management team \(CMT\)](#)  
[Frequency of reporting events](#)  
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[Absconder actions](#)  
[Forfeiture actions](#)

This page lists the changes to the non-detained cases, contact management and absconders guidance, with the most recent at the top.

Date of the change	Details of the change
5 June 2013	Change request: <ul style="list-style-type: none"><li>• Caseworker considerations:<ul style="list-style-type: none"><li>○ New paragraph added</li></ul></li><li>• Minor housekeeping changes.</li></ul>
26 April 2013	Six month review by the modernised guidance team: <ul style="list-style-type: none"><li>• Minor housekeeping changes</li></ul>
	For previous changes to this guidance you will find all earlier versions in the archive.  See related link: Non detained cases - archive

#### Related links

[Caseworker considerations](#)

#### See also

[Contact](#)

[Information owner](#)

Links to staff intranet removed

## Non-detained cases, contact management and absconders

### Criminal casework staff responsibilities

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about their core responsibilities for making sure foreign national offenders (FNOs) liable to deportation are managed properly both in and out of detention.</p> <p>There are certain practices and procedures you must observe to make sure FNO cases are actively and appropriately progressed towards conclusion. These apply in both detained and non-detained contexts, and it is expected each case will be properly managed while in the detained phase before it is transferred to the non-detained.</p> <p>The guidance in this section covers both operational caseworking and line management roles within CC.</p>	<p><b>In this section</b></p> <p><a href="#">Caseworker responsibilities</a></p> <p><a href="#">Line managers and team leader responsibilities</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Caseworker responsibilities

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers their core responsibilities when dealing with the release from detention of foreign national offenders (FNOs) and managing them once they are non-detained.</p> <p>A primary responsibility for non-detained casework teams is to make sure all cases are actively monitored and managed accordingly. This includes, but is not limited to:</p> <ul style="list-style-type: none"><li>• knowing the offender's whereabouts wherever possible</li><li>• correctly assessing the level of risk management</li><li>• making sure the contact management regime is appropriate</li><li>• checking that the offender is still complying with their contact management restrictions</li><li>• maintaining accurate records of all actions in the Home Office file and CID throughout the case up to and including its conclusion</li><li>• making sure every effort is made to renew contact with any offender who has breached their conditions of release</li><li>• informing and working with relevant partners (internal and external) to resolve issues when an offender fails to comply with their restrictions, and</li><li>• facilitating the deportation of an offender (and removal of family members where appropriate) whenever possible.</li></ul> <p>If any of these duties are not carried out, caseworkers, and ultimately the Home Office, may be left open to criticism, especially if a FNO reoffends while on temporary release.</p> <p>Also, all CC caseworkers managing FNOs, whether they are in immigration detention or already released on conditions, must make sure their cases are monitored during any planned absences, and that any that require urgent action are dealt with by a colleague.</p> <p>For caseworkers managing detained FNOs this is especially important when:</p>	<p><b>In this section</b></p> <p><a href="#">Line managers and team leader responsibilities</a></p> <p>Links to staff intranet removed</p>
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	<ul style="list-style-type: none"> <li>• A detention review is required, as this is a legal requirement, and</li> <li>• A bail hearing is scheduled, as this could lead to the release of a subject. Appropriate action must be taken to make sure the case is transferred to a non-detained casework team.</li> </ul> <p>It is particularly important for caseworkers managing FNOs who are already non-detained to make sure cases are properly monitored in their absence when:</p> <ul style="list-style-type: none"> <li>• a specific action has been scheduled for a subject's next reporting event, which may require immediate follow-up action, or</li> <li>• a subject fails to comply with their conditions, which may mean absconder action is needed.</li> </ul>	
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## Non-detained cases, contact management and absconders

### Line manager and team leader responsibilities

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the core responsibilities for their line managers when they are dealing with foreign national offender (FNO) cases both before and after release from detention.</p> <p>All line managers of caseworking staff must pay close attention to any absences in their teams, either planned or unplanned.</p> <p>If it is planned leave, the line manager or team leader must check that the caseworker has arranged for their caseload to be monitored and, where necessary progressed, by an appropriate colleague who is expected to be available during the affected period.</p> <p>If the leave is unplanned, the line manager or team leader must act quickly to make sure that appropriate contingencies are put in place to cover the absent caseworker's caseload.</p> <p>Another key responsibility of the line manager or team leader is to escalate cases where a significant element of the process in non-detained cases has been omitted, or not followed correctly, to a more senior level.</p>	<p><b>In this section</b></p> <p><a href="#">Caseworker responsibilities</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### General management issues in non-detained criminal cases

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about various preliminary issues they must manage effectively when dealing with non-detained foreign national offenders (FNOs).</p> <p>To effectively manage FNO cases once they become non-detained, either following release from prison custody or detention in an immigration removal centre, you must make sure certain core operational aspects of the case are processed correctly. These include the everyday administration of a contact management regime and making sure essential transportation to immigration-related events is arranged.</p>	<p><b>In this section</b></p> <p><a href="#">Contact management</a></p> <p><a href="#">Finding the correct local reporting centre</a></p> <p><a href="#">Facilitating non-detainees' travel to essential events</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Contact management

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the contact management team (CMT) and its general responsibilities in managing non-detained criminal cases.</p> <p>The main CC caseworking teams that deal with the deportation of foreign national offenders (FNOs) who are still serving their custodial sentences or who have been detained for immigration purposes are based in Croydon and Leeds. However, CC also has teams in Liverpool that deal with FNO deportees who:</p> <ul style="list-style-type: none"><li>• have not been detained for immigration purposes after completing their custodial sentence, or</li><li>• were detained but have since been released on restrictive conditions.</li></ul> <p>CMT are a team dedicated specifically to the contact management of FNOs on bail or temporary release conditions. They are responsible for:</p> <ul style="list-style-type: none"><li>• making sure that these restrictions are met in all cases</li><li>• liaising with immigration reporting centres and police stations and advise caseworkers in the non-detained teams of any breaches.</li></ul> <p>The CMT are also the central point of contact for notification of electronic monitoring (EM) breaches.</p> <p>Once a non-detained criminal case has been accepted by CC Liverpool, it is passed to a caseworker who takes over responsibility for progressing that particular case until its conclusion. For example, enforcement of departure or otherwise. Criminals who are not detained in a prison or immigration removal centre will usually have been granted bail (either by an immigration judge or chief immigration officer), or temporary release on restrictions (by CCD). In all cases it is essential that the caseworker in the non-detained team who is allocated the case proactively manages it with the CMT to make sure that:</p> <ul style="list-style-type: none"><li>• in bail cases, all bail conditions imposed by the immigration judge or chief immigration</li></ul>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Finding the correct local reporting centre</a></p> <p><a href="#">Facilitating non-detainees' travel to essential events</a></p> <p>Links to staff intranet removed</p>
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	<p>officer are met</p> <ul style="list-style-type: none"> <li>• in temporary release restriction cases that all conditions imposed are met.</li> </ul> <p>If the FNO is aged under 18, contact is maintained through liaison with appropriate agencies (as contact management regimes are not applied to minors). Due regard must be given to the duty to safeguard and promote the welfare of children under Section 55 of the Borders, Citizenship &amp; Immigration Act 2009. For more information, see related links: Children and Family Cases instruction.</p> <p>Proactive management must make sure that:</p> <ul style="list-style-type: none"> <li>• consideration is given to detention, re-detention or arrest if conditions are not met</li> <li>• absconders are identified, recorded, and circulated on the Police National Computer (PNC), and</li> <li>• that active measures are taken to find and detain them.</li> </ul>	
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## Non-detained cases, contact management and absconders

### Finding the correct local reporting centre

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how to identify the correct local reporting centre or police station for foreign national offenders (FNOs) who will be or have been released from detention.</p> <p>Bail summaries and reporting restrictions must contain details of the correct immigration, compliance and engagement (ICE) team and reporting centre (RC), according to the subject's last known address. Incorrect ICE and RC details can cause problems for Home Office presenting officers at appeal hearings and for those who are released on bail if the RC nearest to their bail release address has not been correctly identified.</p> <p>Any hard copies of ICE and RC directories can quickly become out of date. The most current and accurate details about these, and also electronic monitoring (EM) contractors, can usually be found using the related link: LIT Finder.</p> <p>If the address postcode is shared by two or more ICEs the related link must be used: Find a Local Authority, to establish which one is correct.</p>	<b>Related links</b>  <a href="#">Contact management</a>  <a href="#">Facilitating non-detainees' travel to essential events</a>  Links to staff intranet removed
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## Non-detained cases, contact management and absconders

### Facilitating non-detainees' travel to essential events

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers how they can manage assistance with travel arrangements for foreign national offenders (FNOs) who need to travel to satisfy reporting and other immigration related appointments.</p> <p>Sometimes it is necessary for FNOs not in detention to attend essential Home Office related appointments at another location. You can obtain train tickets to allow those who are financially unsupported and no longer detained, to travel to such appointments. For example, a train ticket can be arranged for a subject living in Leeds to attend an embassy interview in London.</p> <p>Travel arrangements for FNOs are made on a case-by-case basis, in conjunction with the local reporting centre.</p>	<b>Related links</b>  <a href="#">Contact management</a>  <a href="#">Finding the correct local reporting centre</a>  Links to staff intranet removed
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## Non-detained cases, contact management and absconders

### Overview of non-compliance in non-detained cases

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about the ways in which foreign national offenders (FNOs) subject to deportation may breach the conditions of bail or other restrictions.</p> <p><b>Detained or deported cases</b></p> <p>Under paragraph 2(5) and (6) of schedule 3 to the Immigration Act 1971, a person liable to be detained under paragraph 2 may be subject to residence, employment or reporting restrictions. This power also applies in automatic deportation cases where a person is liable:</p> <ul style="list-style-type: none"><li>• to detention under section 36(1) and section 36(5) of the UK Borders Act 2007, and</li><li>• administrative removal under section 10(1) of the Immigration and Asylum Act 1999.</li></ul> <p>Electronic monitoring can also be imposed where a person is subject to residence or reporting restrictions under schedule 3, including in automatic deportation cases.</p> <p>The key point to consider in these cases is where a person is 'liable to be detained'. You must remember that to apply 'to be a liable to be detained in 1971 Act case' there must be either:</p> <ul style="list-style-type: none"><li>• a court recommendation for deportation under section 3(6), or</li><li>• a decision must have been taken to make a deportation order on conducive grounds under section 3(5).</li></ul> <p><b>Failure to deport or remove from the UK</b></p> <p>A failure by a subject who is liable to deportation or removal from the UK to comply with conditions or restrictions that have been imposed on them, as described above, is known as a breach. This will be a trigger that determines the action to follow. In cases of FNOs being considered for deportation by criminal casework (CC), a breach may occur through:</p>	<p><b>In this section</b></p> <p><a href="#">Absconding</a></p> <p>Links to staff intranet removed</p>
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- failure to comply with bail conditions
- failure to report for a physical reporting event as part of temporary release restrictions
- failure to reside at a given address
- failure to attend for an electronic monitoring event
- tampering with electronic monitoring equipment, or
- physical assault of, or threat of violence to, any contractors during a visit.

You must proactively manage all cases for which you are responsible, particularly when the FNO has been released from prison or an immigration removal centre (IRC) into the community and remains subject to restrictions pending deportation. Early and immediate responses to breaches as advised by CC's contact management team (CMT) help to make sure that caseworkers maintain contact wherever possible and keep the possibility of absconding to a minimum.

### **Bail cases**

In bail cases, conditions may require the subject to:

- report to an immigration reporting centre or a police station if they reside in an area with no local IRC
- be subject to electronic monitoring by tagging, and residence at a particular address.

A further condition of bail may also require the subject to report at the end of the bail period granted. Where bail has been granted by an immigration judge (IJ) under paragraph 22 of Schedule 2 of the Immigration Act 1971 because there is no appeal pending, the subject will be required to surrender to an immigration officer (IO) at the bail end-date. For more information on the Immigration Act 1971, see related link.

Where bail is granted under paragraph 29 of Schedule 2 of the Immigration Act 1971 when an appeal is pending, the subject is required to appear before the Immigration and Asylum Chamber (IAC).

A subject who an IO has reasonable grounds to suspect is likely to break bail, or has broken any condition of bail, is liable to be arrested under paragraphs 24(1)(a) or 33(1)(a) of the

	<p>1971 Act. Those arrested under these provisions must be brought before an IJ within 24 hours, or if that is not possible before a justice of the peace (JP) acting for the petty sessions area in which the arrest took place (or in Scotland, the sheriff). The IJ or JP must then decide whether to sanction re-detention or order release on the original or renewed bail conditions.</p> <p>Where bail has been granted under paragraph 22 and a condition of bail is to appear before an IO within 24 hours of arrest, the subject must be brought before an IO as stated in paragraph 24(2)(b) of Schedule 2.</p> <p>For more information on the procedures around bail, see related links:</p> <ul style="list-style-type: none"><li>• Bail applications - action before and during a bail hearing or decision</li><li>• Bail applications – action after a bail hearing or decision</li></ul> <p>Further information about managing breaches of conditions, see link on left: Reporting and managing breaches.</p> <p>For general guidance about non-compliance in enforcement cases, see related link: 19 Non-compliance and absconders process instructions.</p>	
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## Non-detained cases, contact management and absconders

### Absconding

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how foreign national offenders (FNOs) subject to deportation may breach the conditions of bail or other restrictions by absconding from their last known address.</p> <p>If contact is lost with a FNO who has breached their bail conditions or other restrictions, and you are unable to re-establish contact with them at their last known address after several attempts, they must be recorded as an absconder.</p> <p>Absconder cases may also arise when FNOs who are detained under immigration powers following the completion of their custodial sentence escape or abscond from the prison estate or immigration removal centre.</p> <p>For general guidance on the handling of absconders in removals casework, see the Enforcement Information and Guidance (EIG) Chapter 19. This can be accessed through the related link: 19 Non-compliance and absconders process instructions – Annex B.</p> <p>For more information on the management in of absconders in CC, see link on left: Absconder actions.</p>	Links to staff intranet removed
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## Non-detained cases, contact management and absconders

### The contact management team (CMT)

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about the role of the contact management team (CMT) in managing foreign national offenders (FNOs) who seek to be released from immigration detention on bail.</p> <p>CC's CMT perform a crucial role. They act as the reception point for notification of all outcomes relating to FNOs who have applied for bail. It is the responsibility of this team:</p> <ul style="list-style-type: none"><li>• to process all notifications on bail applications</li><li>• to make sure the relevant CC caseworker responsible for the case is made aware of the outcome, and</li><li>• in cases where bail has been granted, make sure the relevant prison is informed.</li></ul> <p>Once a FNO has been released from custody or detention, the responsibility for progressing their case towards conclusion will fall to a non-detained caseworking team. You must remember that CMT do not actively 'own' non-detained cases. However, the CMT continue to be responsible for monitoring a FNO's compliance with contact management restrictions imposed upon them, and for notifying caseworkers when restrictions are not being complied with. Also, when notified by a CC caseworking team that a FNO case has been conceded, CMT will make sure that any restrictions are cancelled and Police National Computer (PNC) circulation removed.</p>	<p><b>In this section</b></p> <p><a href="#">The criminal casework bail hotline</a></p> <p><a href="#">Referring cases to the CMT</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### The criminal casework bail hotline

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the contact management team (CMT)'s bail hotline service used by Home Office appeals presenting officers to notify CC of the outcome of bail applications made by foreign national offenders (FNOs) in immigration detention.</p> <p>Home Office presenting officers must notify the CMT of the outcome of all bail applications in CC cases by using a dedicated bail hotline and, where appropriate, pass on the name and contact number of the prison that subjects have been bailed from. Notifications to the hotline are made at least twice a day, usually at mid-day and the end of the day, leaving a message if nobody is available to take the call.</p> <p>CMT staff must make sure messages are checked regularly. The presenting officer must also update the bail hearing section of CID with the outcome and fax a copy of the full adjudication to the CC caseworker as soon as it is available.</p> <p>When CMT receive notification of the bail outcome they immediately notify the CC caseworker by telephone, followed up by email, copying in the relevant team leader. Where bail is granted, and the subject was previously in prison, they will also notify the appropriate prison of the bail outcome by telephone.</p> <p>The CC caseworker must then inform the National Offender Management Service (NOMS) probation trust offender manager of the outcome immediately, particularly if bail is granted, to make sure that potentially dangerous offenders are not released into the community unsupervised.</p> <p>The CMT also monitor initial notifications of bail release outcomes against full referrals of non-detained cases. Those which appear as initial notifications but are not referred to the CMT within a week of initial outcome will be referred to the relevant CC team leader.</p> <p>For more details about the procedures around bail, see related links:</p>	<p><b>In this section</b></p> <p><a href="#">Referring cases to the CMT</a></p> <p>Links to staff intranet removed</p>
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	<ul style="list-style-type: none"> <li>• Bail applications - action before and during a bail hearing or decision</li> <li>• Bail applications – action after a bail hearing or decision.</li> </ul>	
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## Non-detained cases, contact management and absconders

### Referring cases to the non-detained teams

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how foreign national offenders (FNOs) who are released either on bail or on restrictions are referred to the non-detained teams electronically through the contact management team (CMT), and physically using the workflow team based in Liverpool.</p> <p><b>Referral by e-mail to CMT</b></p> <p>Any new CC case, or case currently allocated to a CC caseworker where the subject is either on bail or on restrictions must first be referred to the CMT immediately, through the team's inbox, see related link: CCD CMT referrals inbox. This must be completed before any Home Office file is sent to Liverpool. A referral form must be fully completed before referring to CMT, to allow them to take appropriate follow-up action in the event of a failure to report or an electronic monitoring (EM) breach. This form is an ICD.4380 and is available on CID document generator.</p> <p>Where bail has been granted by the Immigration and Asylum Chamber (IAC), reference must be made to the guidance on the transferral of cases to non-detained teams in Liverpool. This is part of the CC bail process instructions. See related links:</p> <ul style="list-style-type: none"><li>• Bail applications - action before and during a bail hearing or decision</li><li>• Bail applications – action after a bail hearing or decision.</li></ul> <p><b>Retention of Home Office file to allow for any appeal</b></p> <p>After completing the electronic notification to CMT, all outstanding decisions should have been made, checked against 'Perform' data and have the relevant documents attached to the Home Office file. Files must not be sent directly to Liverpool. They must be retained by the decision-making team for 15 days after the decision is despatched. This is to allow for any appeal to be lodged.</p> <p>If an appeal is lodged, the team must:</p> <ul style="list-style-type: none"><li>• make a copy of the file's contents</li></ul>	<p><b>Related links</b></p> <p><b>See also</b></p> <p><a href="#">The criminal casework bail hotline</a></p> <p>Links to staff intranet removed</p>
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- despatch the file to the appeals processing centre (APC)
- make up a bar-coded subfile and add the copied contents to it
- despatch the subfile to Liverpool's workflow team as per the process below.

If no appeal is lodged after 15 days, the file can be despatched to Liverpool using the process below.

#### **Referral of Home Office file to Liverpool workflow**

Once the appeal status is determined, either the original Home Office file, or a copied subfile, must be sent to CC Liverpool workflow team (CCLWT), using file tracking barcode: OPT0000.

Before sending a file to CCLWT, the following criteria must be met:

- All files must have a fully-completed acceptance form attached to the front of the file (ICD.4550 available on the CID document generator). This form now includes a section to complete:
  - where the case is currently the subject of a judicial review
  - in the upper tier Tribunal, or
  - higher court processes.
- The file must be up-to-date and contain a current chronology of events attached to the right-hand side. To maintain data quality, if any errors are identified on the most recent 'Perform' data report, these must be corrected before referring the case to CCLWT.
- Any urgent outstanding matters requiring action must be resolved by the caseworker in the Croydon or Leeds CC caseworking team wherever possible before physically transferring the file to Liverpool. If any further action is required after the file is transferred to Liverpool, this must be clearly noted on the file and form.
- A copy of the CMT referral must be attached to the file and emailed to the CCD CMT inbox: see related links. If a file is received at CCLWT without any of the required documentation, or with old versions of the relevant forms, the originator or last recorded owner of the case must be contacted and asked to forward the missing documentation urgently. If a caseworker fails to refer the complete documentation to CCLWT on more than one occasion, their assistant director will be notified.

- Files are not accepted by CCLWT if they are in poor condition and do not meet the standards required, or in bail cases if the caseworker has not completed the necessary pre-transfer work. The process can be found in the CC bail process instructions, see related links:
  - Bail applications - action before and during a bail hearing or decision
  - Bail applications – action after a bail hearing or decision.
- Any file not meeting the required standard or missing required documentation in bail cases will be returned to the originator or last recorded owner of the case.
- ‘Dummy’ files (those with a brown cover and no barcode) will not be accepted by CCLWT, as these cannot be tracked. Any brown cover files without a barcode must be removed and contents placed onto a white file with a barcode, through the file creation unit. Subfiles created where the original file has been sent to APC for processing of an appeal are acceptable provided they have a barcode.

Queries about any aspect of this process must be directed to CCLWT on the numbers below:

Restricted – do not disclose – start of section

The information in this page has been removed as it is restricted for internal Home Office use only.

Restricted – do not disclose – end of section

While caseworkers are responsible for recording bail conditions and restriction conditions in CID and for setting up EM if applicable, the CMT are responsible for making sure that such conditions are met in all CC cases. The CMT must liaise with immigration reporting centres and police stations, and advise caseworkers of breaches as appropriate.

For further information on cases where electronic monitoring is a condition of bail or a restriction order, see the link on left: Electronic monitoring.

#### **Physical referral of pre-decision, not reporting or non-bail**

Occasionally it may be necessary to refer a file to CCLWT which does not conform to the usual scenario of a non-detained case, and for which there may be no requirement to notify

	<p>CMT before referral. Such cases require prior authorisation from CCLWT before any file can be sent to them. Staff with these cases must contact the CCLWT to discuss the matter and where appropriate seek authority to refer the file.</p> <p><b>Harm rating</b></p> <p>When CMT come across a case that is indicated as 'high harm', they will notify the allocated caseworker. If the harm rating is not clear CMT will contact you to clarify it.</p> <p>You must remember that for management information purposes, the initial harm rating is determined only by what has been defined as the 'primary offence'. This is indicated by a tick in the primary offence box on the Court referral. The primary offence may or may not be the most serious of offences committed by the FNO. Therefore it may not take into account previous unspent convictions and other relevant facts that contribute to the assessment of risk.</p> <p>You must make sure the harm rating is reviewed. You must take into account previous offences, detention history, and any other information which may suggest that the FNO is a high harm risk than the primary offence box alone suggests. Where a case is considered to be rated as high harm but the primary offence box rating is lower, this must be made clear to CMT when referring the case to their inbox, and CCLWT when referring the file to them.</p> <p><b>Cases managed by the minors, mothers and babies team (MMBT)</b></p> <p>When a child FNO being managed by the MMBT in Leeds reaches the age of 18, they become fully eligible for EM and other restrictions. Where such cases:</p> <ul style="list-style-type: none"> <li>• are being released from custody, and</li> <li>• EM, or other restrictions have been set up.</li> </ul> <p>The MMBT caseworker must notify the CMT in the usual way to allow them to begin monitoring the FNO's compliance. The instructions above must be followed when transferring such cases from MMBT, firstly to CMT by e-mail and secondly to CCLWT when referring the file.</p> <p><b>Cases conceded by CC</b></p>	
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	<p>Where it has been decided by any CC caseworking team:</p> <ul style="list-style-type: none"> <li>• not to pursue deportation against a FNO, or</li> <li>• where FNOs win appeals against deportation, and</li> <li>• leave to remain is to be and/or has been granted</li> </ul> <p>it is important that where they are non-detained and are on restrictions of any kind the CMT are notified by the caseworker owning the case immediately. This allows them:</p> <ul style="list-style-type: none"> <li>• to make sure that restrictions have been stopped</li> <li>• to make sure any Police National Computer (PNC) circulation is removed, and</li> <li>• to remove the case from their intake list.</li> </ul>	
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## Non-detained cases, contact management and absconders

### Frequency of reporting events

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about the principles applied to managing the frequency of reporting for foreign national offenders (FNOs) on bail conditions and other restrictions who are being considered for deportation.</p> <p>Whether they are on bail or other restrictions, it is not possible to have every non-detained FNO who is liable to deportation reporting every few days or every week.</p> <p>Given the limitations on resources, the frequency of reporting to either an immigration reporting centre (RC) or police station is determined by the prioritisation of cases, based on the relative risks of harm, and of absconding. A more standardised and intelligent approach is now used in reporting frequency, depending on certain key aspects of the case.</p>	<p><b>In this section</b></p> <p><a href="#">Bail cases</a></p> <p><a href="#">Cases with other restrictions</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Bail cases

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the approach applied to the frequency of reporting for foreign national offenders (FNOs) who are being considered for deportation, and have been granted bail.</p> <p>For full guidance on the actions you must take when bail has been granted, see related links:</p> <ul style="list-style-type: none"><li>• Bail applications - action before and during a bail hearing or decision</li><li>• Bail applications – action after a bail hearing or decision.</li></ul> <p>When a bail application is received from a FNO, and a bail summary is going to be prepared, you must remember that a weekly reporting schedule must be recommended in all cases if bail is granted.</p> <p>When an application to renew bail has been made at the bail renewal hearing, you must recommend that weekly reporting should be maintained. However, there are certain exceptions where this may not be appropriate. These are where the subject is:</p> <ul style="list-style-type: none"><li>• highest or high-harm (categorised for harm matrix purposes as ‘A’ and ‘B’)</li><li>• pregnant</li><li>• a medical foundation case</li><li>• a minor (under 18 years of age), or</li><li>• has a certified medical condition.</li></ul> <p>These cases must be dealt with on a case-by-case basis, giving careful consideration to harm rating and removability.</p> <p>For further information on the harm matrix, see related link: The harm matrix.</p>	<p><b>In this section</b></p> <p><a href="#">Cases with other restrictions</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Cases with other restrictions

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the approach applied to the frequency of reporting for foreign national offenders (FNOs) who are being considered for deportation, and have been released on temporary release or a restriction order.</p> <p>In all cases of FNO who have been released by the Secretary of State, it will be appropriate for them to report weekly, with the exception of where the subject:</p> <ul style="list-style-type: none"><li>• has a history of compliance with restrictions</li><li>• is considered low-harm (categorised for harm matrix purposes as 'D'), and</li><li>• has a low likelihood of removability in the near future.</li></ul> <p>In cases falling within this category, fortnightly reporting must be set up. Where a case is found to meet these criteria and is reporting weekly, their regime should be changed to fortnightly.</p>	<p><b>In this section</b></p> <p><a href="#">Bail cases</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Reporting and managing breaches

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers how the contact management team (CMT) manages breaches of release conditions by foreign national offenders (FNOs).</p> <p>The CMT monitors all cases in CC who are subject to reporting conditions, by checking with immigration reporting centres (IRCs) and police stations and taking initial action on following-up breaches, including attempting to contact FNOs, their representatives, sureties and offender managers. The CMT must issue a warning letter after every breach and inform the caseworker in the non-detained team who has ownership of the case by using the breach report form, see related link: CCD contact management team breach report.</p> <p>The CMT must also tell you what further action to take, for example to consider a home visit. For more information about arranging visits, see related link: Requesting a home visit.</p> <p>At the time that reporting restrictions or bail conditions start, these must be recorded as recurring events on the restrictions screen on the CID by IRC staff. Reporting will be to an IRC or police station, which may or may not have immigration staff available. When an FNO is due to report, event status details in the CID restrictions screen events tab will be updated directly by the Home Office.</p> <p>If an FNO is due to report to a non-immigration staffed police station, the CMT must liaise directly with the station to:</p> <ul style="list-style-type: none"><li>• set the initial recurring reporting event</li><li>• check it continues to take place, and</li><li>• let the caseworker know when the subject is meant to report.</li></ul> <p>To proactively manage cases on reporting restrictions, immediately after bail is granted or restrictions put in place, diary actions must be entered in the calendar events screen of CID to check that each reporting event takes place correctly.</p> <p>In some cases it may be both possible and reasonable to make different arrangements on</p>	<p><b>In this section</b></p> <p><a href="#">Failure to report</a></p> <p><a href="#">Varying reporting restrictions or bail conditions</a></p> <p><b>Related links</b></p> <p><a href="#">Requesting a home visit</a></p> <p>Links to staff intranet removed</p>
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	notification of reporting with the agreement of those administering the reporting, but effective case management must be in place to make sure failures to report are dealt with appropriately.	
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## Non-detained cases, contact management and absconders

### Failure to report

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers how the offence of failing to report while subject to bail or other restrictions is defined, and the powers under which such a person may be liable to prosecution.</p> <p>‘Failure to report’ is the term given when a subject who is liable to deportation or removal fails to report for a pre-set reporting event which they are required to attend by virtue of either bail or other release conditions.</p> <p>In cases of failure to report there may be liability for prosecution under Section 24(1)(e) of the Immigration Act 1971 (see related link: Immigration Act 1971).</p> <p>The subject is advised by the issue of a failure to report warning letter. If a condition of bail is to report and that restriction is breached, the subject may be liable to arrest under paragraphs 24(1)(a) or 33(1)(a) of Schedule 2 of the 1971 act.</p> <p>For more information, see link on left: Overview of non compliance in non-detained cases.</p>	<p><b>In this section</b></p> <p><a href="#">First failure to report</a></p> <p><a href="#">Recording the breach and issuing a warning letter</a></p> <p><a href="#">Reasonable explanations for failure to report</a></p> <p><a href="#">Second failure to report</a></p> <p><a href="#">Requesting a home visit</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### First failure to report

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how the contact management team (CMT) manages foreign national offenders (FNOs) who fail to report as required under bail or other restrictions for the first time.</p> <p>The first time a FNO fails to report as required by the conditions of bail or other restrictions, and where no immediate reasonable explanation has been given, the CMT must advise the caseworker in the CC non-detained team responsible for the case. Then the following steps must be taken:</p> <ul style="list-style-type: none"><li>• assess the absence</li><li>• consider any reasons given</li><li>• check the subject's last known address</li><li>• check with the subject's sureties (in bail cases), and</li><li>• contact the caseworker to determine appropriate follow-up action.</li></ul> <p>For more information on how these steps must be managed, see below.</p> <p><b>Assessing the absence</b></p> <p>Where reporting is a condition of bail, the first action is to check if the FNO is complying with any other conditions of bail, such as electronic monitoring (EM), or with any licence supervision requirements set on their release from prison. Information on how to contact the subject's offender manager (OM) is at the related link: Contacting the offender manager. Although in bail cases OM contact information should already be on the Home Office file and CID from contact made much earlier in the case's handling, not least when bail was originally applied for.</p> <p>If the FNO appears to be complying with EM and/or continuing to comply with their licence conditions, the CMT must contact them directly (by telephone rather than letter initially) to establish the reasons for their failure to report. Contact can otherwise be attempted through their legal representative or OM.</p>	<p><b>In this section</b></p> <p><a href="#">Recording the breach and issuing a warning letter</a></p> <p><a href="#">Reasonable explanations for failure to report</a></p> <p><a href="#">Second failure to report</a></p> <p><a href="#">Requesting a home visit</a></p> <p><b>Related links</b></p> <p><a href="#">Varying reporting restrictions or bail conditions</a></p> <p>Links to staff intranet removed</p>
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	<p>Similarly, where a restriction order is in place, initial attempts must be made to contact the FNO by telephone or through their representative. If there are sureties, they too must be contacted by the CMT to find out the current whereabouts of the subject.</p> <p><b>FNO provides reasons for failure to report</b>  The CMT must consider any reasons given for the failure to report and consider whether these indicate a need to vary the reporting restrictions. For more information on what constitutes a reasonable explanation for failing to report, see related link: Reasonable explanations for failure to report. For more information on the action to take where restrictions or conditions need to be varied, see related link: Varying reporting restrictions or bail conditions.</p> <p><b>FNO not contacted but is complying with other restrictions</b>  If it is not possible to contact the FNO but they are complying with other restrictions and it has been confirmed that they continue to live at the same address, the CMT will issue a warning letter. For more information, see related link: Recording the breach and issuing a warning letter. However, the CMT must make sure that the case is regularly monitored to see if the FNO brings themselves back into the contact management regime and liaise with the non-detained team caseworker to make sure that there is prompt and appropriate follow-up, where required.</p> <p><b>FNO not contacted and is not complying with other restrictions or none are in place</b>  If it is not possible to contact the FNO and they are not complying with any other restrictions, or no further restrictions apply, action must be taken to check the address by contacting the:</p> <ul style="list-style-type: none"> <li>• offender manager</li> <li>• EM contractor (who may have visited the address in connection with a breach of EM), or</li> <li>• any accommodation provider.</li> </ul> <p>If it is not possible to confirm the address, the CMT will issue a warning letter to the last known address. For more information, see related link: Recording the breach and issuing a warning letter. Again, the case must be closely monitored by the CMT to see if the FNO renews contact and/or compliance with any other restrictions imposed upon them and liaise</p>	
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	with the non-detained team caseworker to make sure that there is prompt and appropriate follow-up where required.	
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## Non-detained cases, contact management and absconders

### Recording the breach and issuing a warning letter

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how the contact management team (CMT) issues warnings to foreign national offenders (FNOs) who have failed to report as required under bail or other restrictions for the first time.</p> <p>For more information on when an FNO is considered to have failed to report, see related link: <a href="#">First failure to report</a>.</p> <p>If the FNO fails to report the CMT must issue a warning letter to the FNO who has failed to comply with their reporting restrictions. The letter (ISE.343) warns them of the possibility of detention if there is a further failure to report. However, this letter must only be used where detention would be appropriate. In the case of a child for example this will usually not be the case.</p> <p>In cases where issuing the warning letter is appropriate, the CMT must send it to the FNO's last known address by recorded delivery post, or by hand at the next reporting event if the subject renews contact after missing their last reporting event.</p> <p>For information on how to update CID for the following actions, see related links:</p> <ul style="list-style-type: none"><li>• Recording a breach of reporting restrictions</li><li>• Recording a warning letter being issued.</li></ul>	<p><b>In this section</b></p> <p><a href="#">First failure to report</a></p> <p><a href="#">Reasonable explanations for failure to report</a></p> <p><a href="#">Second failure to report</a></p> <p><a href="#">Requesting a home visit</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Reasonable explanation for a failure to report

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers what kinds of circumstances the contact management team (CMT) consider as a reasonable explanation for a foreign national offender (FNO) failing to report as required under bail or other restrictions.</p> <p>There may be circumstances where a FNO informs the immigration reporting centre, police station or CC directly of their reasons for failing to attend a reporting event. In these cases consideration must be given as to whether the reasons for non-reporting are reasonable. Reasonable explanations can include:</p> <ul style="list-style-type: none"><li>• illness</li><li>• severe travel disruption, or</li><li>• a pre-arranged appointment with a doctor or specialist.</li></ul> <p>Only in very particular circumstances would an explanation not contained on this list be accepted as a valid reason. A FNO must be able to prove their explanation with documentary evidence, for example a doctor's note.</p> <p>If CMT consider that an explanation for not reporting is reasonable, they must:</p> <ul style="list-style-type: none"><li>• Request the original piece of documentary evidence if it has not already been submitted and take a copy to place on the Home Office file.</li><li>• Consider whether this is likely to prevent or hinder future reporting events and whether it is appropriate to vary reporting or bail conditions. For more information, see related link: Varying reporting restrictions or bail conditions.</li><li>• Update CID to explain that a reasonable explanation has been provided.</li></ul> <p>For more information on how to update CID to note a reasonable explanation for not reporting, see related link: Recording a reasonable explanation for not reporting.</p>	<p><b>In this section</b></p> <p><a href="#">Varying reporting restrictions or bail conditions</a></p> <p><a href="#">First failure to report</a></p> <p><a href="#">Recording the breach and issuing a warning letter</a></p> <p><a href="#">Second failure to report</a></p> <p><b>Related links</b></p> <p><a href="#">Requesting a home visit</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Second failure to report

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how the contact management team (CMT) manages foreign national offenders (FNOs) who fail to report as required under bail or other restrictions for a second time.</p> <p>You will be made aware of an FNO's second failure to report following notification by the CMT, who are responsible for monitoring the progress of the case.</p> <p>Following the issue of a warning letter (ISE.343 – see related link: Recording the breach and issuing a warning letter), a second failure to report may initially be treated in the same way as a first failure to report. But in most cases a second breach will lead to early consideration of arrest or detention by the caseworker based on the continued failure to comply with bail conditions or reporting restrictions. For more information on how these actions should be managed, see links on left:</p> <ul style="list-style-type: none"><li>• Arrest</li><li>• Detention</li><li>• Absconder actions.</li></ul> <p>You must immediately consider whether to request the immigration, compliance and engagement (ICE) team to carry out a home visit to confirm the address, or immediately arrest and detain. It will normally be necessary to ask for a home visit to confirm the address, but arrest and detention will only be appropriate in the circumstances outlined in the links on left: Arrest, Detention and Absconder actions. Before requesting a home visit by the ICE team, cases must first be referred to the local team leader who will approve any decision to request a home visit with a view to arrest or detention. For further information about this process, see related link: Requesting a home visit.</p>	<p><b>In this section</b></p> <p><a href="#">First failure to report</a></p> <p><a href="#">Recording the breach and issuing a warning letter</a></p> <p><a href="#">Reasonable explanations for failure to report</a></p> <p><a href="#">Requesting a home visit</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Requesting a home visit

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how to arrange home visits to the last known address of foreign national offenders (FNOs) who have failed to report as required under bail or other restrictions for a second time.</p> <p>If the local team leader has authorised a home visit by the relevant immigration, compliance and engagement (ICE) team, you must complete the following steps:</p> <ul style="list-style-type: none"><li>• request that the ICE team undertakes a home visit</li><li>• note CID that a home visit is being requested</li><li>• ask the reporting centre (RC) to issue an oral warning and check address if the ex-FNO reports at the next scheduled event, and</li><li>• set a diary event in CID to check the result of the home visit and the next reporting event, cancelling the home visit if reporting has already resumed and/or a new address has been obtained.</li></ul> <p>For more information on each of these steps, see below.</p> <p><b>Asking the ICE team to conduct a home visit</b></p> <p>A full and detailed note must be sent to the ICE team stating the full reasons for a home visit and this should be noted on the Home Office file and CID. It must include:</p> <ul style="list-style-type: none"><li>• full identity details</li><li>• the last known address</li><li>• details of the breach(es)</li><li>• information relating to previous convictions and risk factors (available from the Police National Computer check), and</li><li>• the reasons for the visit.</li></ul> <p>If arrest or detention rather than just confirmation of address is required, see links on left:</p>	<p><b>In this section</b></p> <p><a href="#">First failure to report</a></p> <p><a href="#">Recording the breach and issuing a warning letter</a></p> <p><a href="#">Reasonable explanations for failure to report</a></p> <p><a href="#">Second failure to report</a></p> <p>Links to staff intranet removed</p>
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- Arrest
- Detention.

You must maintain regular contact with the ICE team after that. If they are unable to assist in the immediate future, an explanation must be given and close scrutiny of the risks associated with allowing the FNO to remain untraced must be undertaken in consultation with a team leader or senior caseworker.

If you consider that the risks mean the case should be given higher priority by the ICE team, this must be escalated to them at assistant director level, so that the request may be reviewed.

**Noting the CID that a home visit has been requested**

For more information on how to update CID with this action, see related link: Recording home visits.

**Asking the reporting centre (RC) or police station to issue an oral warning and check address if the FNO reports at the next event**

At this stage no action is to be taken to cancel the next reporting event, but as part of the ongoing monitoring process the immigration RC or police station must be asked to check the address if the FNO does report at the next scheduled event. Preferably the subject should be asked for documentary evidence of their current address and should be issued with a verbal warning about the consequences of failing to report, if that can be arranged at the reporting centre or police station, if applicable.

**Setting a diary action in CID to check the next reporting event**

For more information on how to update CID with this action, see related link: Creating a diary action for next reporting event.

## Non-detained cases, contact management and absconders

### Varying reporting restrictions or bail conditions

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how to vary reporting restrictions or bail conditions in foreign national offender (FNO) cases.</p> <p>You are responsible for varying reporting restrictions or bail conditions where appropriate. This may be a variation of address (even this simple alteration still requires a variation of a restriction order or bail conditions), a variation of the reporting conditions or a variation in electronic monitoring.</p> <p>In cases where there is a variation of address, you must check that the new address is still under the same immigration reporting centre (IRC) or police station catchment area. To identify the correct IRC, see related link: LIT Finder.</p> <p>If the new address falls under a different IRC area you must notify the previous IRC that the subject will no longer be reporting to them and the new IRC of the relevant reporting restrictions. In bail cases, conditions set by an immigration judge cannot be varied without previous agreement from the Immigration and Asylum Chamber (IAC).</p> <p>You must take the following steps when seeking to vary bail conditions or restrictions:</p> <ul style="list-style-type: none"><li>• agree new conditions or restrictions with the relevant offender manager and team leader</li><li>• in bail cases, contact sureties to confirm they will sign the revised bail conditions</li><li>• in bail cases, agree variation of conditions set by either an immigration judge or a team leader from CC</li><li>• advise the FNO of the new restrictions or conditions</li><li>• advise the relevant reporting centre of the new restrictions or conditions</li><li>• advise the contact management team (CMT) of the new restrictions or conditions</li><li>• note the new restrictions or conditions on CID</li><li>• advise the relevant offender manager of the variation in restrictions or conditions, and</li><li>• set a diary action to check compliance with the new restrictions or conditions.</li></ul>	<b>Related links</b>  <a href="#">Failure to report</a>  Links to staff intranet removed
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	<p>See below for guidance on how non-detained caseworkers must manage each of the above steps.</p> <p><b>Agreeing new conditions or restrictions with the offender manager (OM) and team leader</b></p> <p>For more information on how to engage with Probation Trust offender managers throughout the life of a FNO case, see related link: <a href="#">Contacting the offender manager</a>.</p> <p>As licences have specific conditions, including reporting to the OM and restrictions on where the offender must live, it is essential any changes to bail address, reporting restrictions or electronic monitoring is discussed and agreed with the OM where relevant. If a change of address results in a need for a change in IRCs use related link: <a href="#">LIT Finder</a>. Once the OM has agreed the changes, a short note of explanation must be provided to the local team leader who should agree the changes.</p> <p><b>Contacting sureties in bail cases</b></p> <p>You must contact the sureties, as they will need to sign again to accept the new conditions before they are put into effect. A short letter of explanation must be sent to each surety with a revised bail conditions form (IS.99), which they are asked to sign and return to CC.</p> <p><b>Agreeing variation of bail conditions with the Immigration and Asylum Chamber (IAC)</b></p> <p>Where the new conditions vary from those set by an immigration judge (IJ) when bail was granted, you must send a letter to the IAC, normally through the relevant presenting officers' unit administration team. This must explain the reasons for the variation in bail conditions, confirm that the FNO has agreed to the changes and ask for the IAC's agreement to them.</p> <p>The IAC will then decide whether a variation hearing is necessary, or whether a decision can be taken on the papers. The variation of bail conditions form (DO4) must not be issued by the caseworker until an IJ has agreed the change to the bail conditions.</p> <p><b>Advising the FNO of the new restrictions or conditions</b></p> <p>Once the new restrictions or conditions have been agreed, you must generate a variation of bail conditions form (DO4) and issue this to the FNO with a copy sent to their representative,</p>	
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	<p>where appropriate.</p> <p><b>Advising the reporting centre (RC) of the new restrictions or conditions</b> Where reporting is to a RC or an immigration staffed police station, you must update CID, which will make sure that they are aware of the new restrictions. However, if the FNO is reporting is to a non-immigration staffed police station, you must send them a notice informing the police of restriction (ICD.0377).</p> <p><b>Noting new restrictions or conditions on CID</b> You must create a bail reporting or reporting event though the restrictions screen in CID. If the FNO has been released on bail, the RC staff will create this once the subject arrives for their first reporting event. However, if the subject has been released on a restriction order, you must set up the first reporting event. For more information, see related link: Recording new restrictions.</p> <p><b>Advising the offender manager of variation of bail or restriction conditions</b> A copy of the variation of bail conditions form (DO4) must be faxed by the CC caseworker to the FNO's OM with a covering note confirming that the Secretary of State or Immigration and Asylum Chamber (IAC), as appropriate has agreed to a change of bail conditions or the new reporting restrictions, as detailed in the DO4.</p> <p><b>Creating a diary action in the calendar events of CID to check reporting</b> For more information on how to update CID with this action, see related link: Creating a diary action to check reporting.</p>	
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## Non-detained cases, contact management and absconders

### Electronic monitoring

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about electronic monitoring (EM) and how it is employed as a contact management tool in the case of foreign national offenders (FNOs) who are liable to deportation.</p> <p>Section 36 of the Asylum &amp; Immigration (Treatment of Claimants, etc) Act 2004, (see related link), allows the use of EM for people aged 18 years or over who are liable to be detained under the Immigration Act 1971. This can be applied to people released on Secretary of State or Immigration and Asylum Chamber bail, temporary admission or release, or release on a restriction order.</p> <p>There are two types of EM, voice recognition and tagging. Voice recognition utilises special technology which allows an offender to report in remotely by telephone and their voice is matched to vocal records to check authenticity of the reportee.</p> <p>Tagging involves the offender wearing an electronic tag around their ankle, with a monitoring unit placed at their home address. When the subject is required to be at home, the tag sends a signal to the monitoring unit, which will in turn send a signal to a monitoring control centre. This confirms whether or not the subject is present at the specified address.</p> <p>This guidance mainly refers to tagging, which is the variation most commonly used in FNO and other higher-risk cases, although in some cases where tagging is not appropriate voice recognition may be used as an alternative. Tagging is only presently available in England and Wales. It does not apply to Scotland and Northern Ireland.</p> <p>EM is not an alternative to face-to-face reporting but complements it and as such is an additional tool available to CC staff to maintain more rigorous contact with those FNOs who are no longer detained either in a prison or immigration removal centre.</p>	<p><b>In this section</b></p> <p><a href="#">Caseworker considerations</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Caseworker considerations

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the issues they must bear in mind when considering whether a foreign national offender (FNO) who is liable to deportation should be subject to electronic monitoring (EM).</p> <p>Despite being a useful tool for contact management, EM is not applicable to every non-detained case CC manages. You must keep in mind that due to the escalating costs of EM orders in recent years, it is not appropriate to place all eligible offenders on EM as a matter of course. Rather, it should be reserved for use in the following case types:</p> <ul style="list-style-type: none"><li>• highest or high-harm (categories 'A' and 'B' on the harm matrix) cases (as a guide: murder, a terrorism offence, a drug trafficking offence, a serious immigration offence, or a sexual, violent or other offence carrying a maximum penalty of 10 years or more are considered more serious than other offences), and</li><li>• recovered absconders.</li></ul> <p>In bail cases, you must make sure that in your bail summaries, only cases falling into the above categories are recommended for EM. Arrangements must then be made in line with the orders of the immigration judge. In cases where release is being granted by CC on restrictions, careful consideration must be given as to whether it is appropriate to use EM and what the justification is for it.</p> <p>The offender must fall within one or both of the above categories. In such cases, to comply with Article 8 of the European Convention on Human Rights, the frequency of the monitoring applied to the EM plan must be a reasonable and proportionate measure against the risk of that individual absconding. Exceptional circumstances such as medical conditions can be taken into consideration and there may be a case for higher-risk offenders to be monitored more frequently. A four-hour monitoring period is used as a standard, but this can be varied on a case-by-case basis and is your decision.</p> <p>If you decide to place a FNO on EM, when you are completing the relevant form (IS.244) to instruct the detention escort and population management unit (DEPMU) to contact the FNO</p>	Links to staff intranet removed
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	<p>and install the necessary equipment, you must take special care to make sure the risks around that individual are notified to DEPMU on the form. For example, if the FNO is subject to multi-agency public protection arrangements (MAPPA), this must be clearly-indicated on the IS.244.</p> <p>You must also note that even when a FNO is not subject to MAPPA, they may still pose a high risk. DEPMU will need to take this into account when installing their EM equipment to guarantee the safety of their staff. This must also be reflected on the form.</p> <p>In non-MAPPA but high risk FNO cases, for example sex offenders no longer in MAPPA but still on the sex offenders register, the 'other' category must be ticked on the form and a brief summary of the risk outlined in the 'comments' box.</p> <p>For further guidance on the operational aspects of installing and removing EM equipment used by DEPMU, see related link: <a href="#">Electronic monitoring guidance</a>.</p> <p>Where EM is used as a condition of bail or restrictions, you will continue to be responsible for setting this up, but any breaches at the induction stage or later will be reported to the contact management team (CMT) by the EM contractor. Use of EM in individual cases must be reviewed every six months.</p> <p>Where possible, EM should be combined with physical reporting. The frequency of such reporting will depend on the regional contact management strategies, and should be in line with the principles of intelligent reporting. For more information, see link on left: <a href="#">Frequency of reporting events</a>.</p> <p>Overall management of the case will continue to be the responsibility of the CC non-detained caseworker, who must retain the Home Office file throughout. The latest guidance provided by the CMT must be followed when setting up, monitoring and ceasing EM, in both bail and restrictions cases. If you experience difficulty with initiating the EM process in individual cases you may contact the CMT through their inbox, see related link: <a href="#">Email: CCD CMT referrals and assistance will be provided</a>. Alternatively the CMT hotline can be contacted on the number below.</p>	
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Restricted – do not disclose – start of section

The information in this page has been removed as it is restricted for internal Home Office use only.

Restricted – do not disclose – end of section

For full guidance on EM, including details of how to manage breaches, see links on left:

- Reporting and managing breaches
- Electronic monitoring

## Non-detained cases, contact management and absconders

### Arrest

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about the powers available to arrest those who fail to comply with the conditions of bail or other restrictions and the actions needed to initiate this process.</p> <p>Any offender liable to deportation who has been bailed or released on restrictions from immigration detention and who fails to comply with the conditions of their release may be liable to arrest under paragraphs 24(1)(a) or 33(1)(a) of Schedule 2 of the Immigration Act 1971, see related link: Immigration Act 1971.</p> <p>In foreign national offender (FNO) cases being managed by the CC, you may propose that the FNO be arrested following breaching their conditions. For more information, see link on left: Reporting and managing breaches. This proposal must be reviewed by a local team leader, who will authorise a request to be lodged with the immigration, compliance and engagement (ICE) team to arrange arrest if they agree that it is appropriate.</p> <p>You must then take the following steps:</p> <ul style="list-style-type: none"><li>• prepare a detailed minute for the ICE team and liaise with them to arrange a home visit for the purposes of arrest</li><li>• update CID that such a request has been lodged, and</li><li>• notify the relevant offender manager before and after the arrest.</li></ul> <p>Forcible entry to an offender's address to carry out an arrest for breach of bail conditions or other restrictions is not possible without a Paragraph 17(2) warrant. Operational staff in ICE teams must make the relevant provisions, where required.</p> <p>Guidance on each of the above steps is provided below.</p> <p><b>Preparing a detailed minute for the ICE team</b></p> <p>A full and detailed note must be prepared summarising what action is required, the current state of the case with regard to deportation, and the availability of travel documents. This</p>	<p><b>In this section</b></p> <p><a href="#">Arrest on Probation Services premises</a></p> <p><a href="#">Action following arrest</a></p> <p>Links to staff intranet removed</p>
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	<p>minute must make clear that arrest is being sought for failure to comply with bail or other restrictions under the relevant paragraphs of the 1971 act mentioned above and that once arrested, the FNO must be brought before an immigration judge or failing this a justice of the peace (sheriff in Scotland), or a chief immigration officer if bail was granted by a chief immigration officer. It must also request that CC is notified immediately when the FNO is arrested.</p> <p><b>Updating CID</b> For more information on how to update CID see related link: Recording home visits. Usually this will be completed by the immigration reporting centre staff.</p> <p><b>Notifying the offender manager (OM)</b> The OM must be notified that action is being taken to arrest the FNO for failing to comply with bail or other conditions and that they will be notified in the event of an arrest. Again, the OM must be kept informed if, as a result of the arrest, bail is varied or revoked. For more information on contacting OMs, see related link: Contacting the offender manager.</p>	
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## Non-detained cases, contact management and absconders

### Arrest on Probation Service premises

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the process to follow if seeking to arrest an offender on premises operated by the Probation Service.</p> <p>There may be occasions when you must seek to arrest a person on probation premises, usually with a view to detention.</p> <p>Such a request must be made in the first instance to the probation officer responsible for the case. The probation officer will then undertake a risk assessment and discuss the request with their line manager or senior probation officer. If the case is complex or high risk, the assistant chief officer for the local delivery unit (LDU) of the relevant Probation Trust will be involved.</p> <p>Each request will be considered on its individual merits and risk assessment. Probation Service staff will contact you to tell you if they will comply with their request or not.</p> <p>If you want to have a refusal of an arrest request reconsidered by probation, you or your manager must contact the probation officer's line manager. The assistant chief officer for the LDU has the final authority for determining a request from the Home Office. Each Probation Trust has a foreign national offender (FNO) single point of contact (SPOC), who may be contacted to discuss such cases. See related link: Probation trusts single point of contact (SPOC) list.</p>	<p><b>In this section</b></p> <p><a href="#">Action following arrest</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Action following arrest

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the action to take following the arrest of a foreign national offender (FNO) who has failed to comply with the conditions of bail or other restrictions.</p> <p>The immigration, compliance and engagement (ICE) team should notify CC once the arrest has taken place and of the result of the hearing in front of</p> <ul style="list-style-type: none"><li>• an immigration judge (IJ)</li><li>• justice of the peace (JP), or</li><li>• sheriff or the consideration of the case by a chief immigration officer (CIO).</li></ul> <p>If nothing is heard from the ICE team, you must contact them to check the current position.</p> <p>Where re-detention has been sanctioned by an IJ, JP, sheriff or CIO, you must set up detention reviews accordingly. For more information see related link: Detention reviews (adults). In any case when re-detention becomes appropriate and the case is being managed by the contact management team (CMT), you must advise the CMT of the action being taken so they know that monitoring of that case may end. Notifications of this type must be sent to CC CMT referrals, see related link: Email: CCD CMT referrals.</p> <p>If bail conditions are varied, these must be recorded in CID using the restriction events, recurring events and calendar events screens. For more information on this process, see related link: Bail applications – action after a bail hearing or decision.</p> <p>If bail conditions are not been varied, the previous conditions must be recorded in CID. For more information, see related link: Bail applications – action after a bail hearing or decision.</p> <p>In cases where an arrest does not take place, for example, the subject was not at the last known address, the ICE team will notify you. You must then undertake action to report the subject as an absconder. For more information, see link on left: Absconder actions.</p>	<p><b>In this section</b></p> <p><a href="#">Arrest on Probation Services premises</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Detention

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers the processes to follow when detention of a foreign national offender (FNO) who has breached their bail or other restrictions is appropriate.</p> <p>Detention of a FNO who fails to comply with a restriction order may be appropriate. In cases where a team leader has authorised your proposal to detain, you must then take the following steps:</p> <ul style="list-style-type: none"><li>• prepare a detention minute for authorisation by the team leader</li><li>• liaise with the immigration, compliance and engagement (ICE) team to arrange a home visit for detention</li><li>• update CID, and</li><li>• notify the offender manager before and after detention.</li></ul> <p>You can find more information on these steps below.</p> <p>For more information on detention in other circumstances and for details of how CC manages cases where detention is not appropriate (children and families with children under 18), see related links:</p> <ul style="list-style-type: none"><li>• Detention reviews (adults)</li><li>• Bail applications – action before and during a bail hearing or decision</li><li>• Bail applications – action after a bail hearing or decision</li><li>• Managing the return of families with children.</li></ul> <p><b>Preparing a detailed minute for the ICE team</b></p> <p>As explained in the related link: Detention reviews (adults), a detention minute must be prepared and passed to the local team leader for authorisation. When detention has been authorised, you must prepare all the appropriate documentation to be served on the FNO when they are detained.</p>	<p><b>In this section</b></p> <p><a href="#">Action following detention</a></p> <p><b>Related links</b></p> <p><a href="#">Arrest on Probation Services premises</a></p> <p>Links to staff intranet removed</p>
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	<p><b>Liaising with the ICE team</b>  You must contact the relevant ICE team to ask for an immediate visit for the purposes of detaining the FNO. A brief summary of the reasons for detention must be provided, and recorded on the Home Office file and CID.</p> <p><b>Updating CID</b>  For more information on how to update CID, see related link: Recording home visits. All reporting events on CID must be deleted. This is usually completed by the immigration reporting centre (IRC) staff. A note must also be entered on CID notes to confirm this action has been taken.</p> <p><b>Notifying the offender manager (OM)</b>  The OM must be informed that detention (or re-detention) is being sought, and provide the reasons for this. For details about contacting the OM, see related link: Contacting the offender manager.</p> <p>When seeking to arrest and detain an offender on premises operated by the Probation Service, caseworkers must refer to the instructions in related link: Arrest on Probation Service premises.</p>	
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## Non-detained cases, contact management and absconders

### Action following detention

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the action to take following detention of a foreign national offender (FNO) who has failed to comply with the conditions of bail or other restrictions.</p> <p>The immigration, compliance and engagement (ICE) team must advise you that the FNO has been detained. When confirmation of detention is received, you must make sure that detention is reviewed in line with the guidance in the related link: Detention reviews (adults). They must also notify the offender manager of the detention or re-detention.</p> <p>Where re-detention is appropriate, you must refer to the related link: Action following arrest.</p> <p>If the ICE team are unable to arrest and detain the FNO and are unable to obtain a new address, absconder action must be taken. See link on left: Absconder actions.</p>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Action following arrest</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Re-detention of a foreign national offender

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the way to manage foreign national offenders (FNOs) who have been re-detained following a period of release.</p> <p>This guidance applies to FNOs who were released either from custody or immigration detention.</p> <p>Having been released on restrictions and/or on licence, a FNO may be taken back into either an immigration removal centre (IRC) or prison for a variety of reasons. These are:</p> <ul style="list-style-type: none"><li>• for immigration purposes following a breach of restrictions and/or with a view to imminent removal</li><li>• because they have been remanded in custody following arrest for further suspected criminal offences. For more information on this see related link: Barriers to deportation</li><li>• because they have been returned to custody to complete their sentence following breach of licence conditions.</li></ul> <p><b>Re-detention in an IRC</b></p> <p>FNOs who were:</p> <ul style="list-style-type: none"><li>• previously in custody or immigration detention, and</li><li>• are being managed by a non-detained team in Liverpool towards deportation, but</li><li>• have since been re-detained for immigration purposes following breach of restrictions and/or to effect removal</li></ul> <p>must be allocated back to a detained team as below:</p> <ul style="list-style-type: none"><li>• If the case was sent to a Liverpool non-detained team within the last three months, it must be returned to the detained team that dealt with the case previously.</li><li>• If the case was sent to a Liverpool non-detained team over three months ago, the case must be returned to CC workflow who will reallocate to an appropriate detained team.</li></ul>	<p><b>Related links</b></p> <p><b>See also</b></p> <p><a href="#">Action following arrest</a></p> <p>Links to staff intranet removed</p>
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	<p>If the FNO was reporting, the contact management team (CMT) must be notified:</p> <ul style="list-style-type: none"> <li>• to make sure restrictions are stopped,</li> <li>• that the Police National Computer (PNC) is updated as necessary, and to clear the case from their intake.</li> </ul> <p><b>Remand in custody</b> FNO cases who were:</p> <ul style="list-style-type: none"> <li>• previously in custody or immigration detention, and</li> <li>• are being managed by a non-detained team in Liverpool towards deportation, but</li> <li>• have since been remanded in custody by police on suspicion of further offences</li> </ul> <p>must be allocated back to a detained team, using the same rules as set out above for immigration re-detention cases.</p> <p>You must be aware that the allocation of such a case to a detained team only determines the locations for where the file must be held in the interim period between the FNO's remand and the outcome of the new prosecution. Detention team caseworkers are not expected to work or do anything substantive with these cases other than to deal with routine correspondence that may be received about the case.</p> <p>If the FNO is convicted of the fresh offence(s) the caseworker in the detained team will need to take account of the fresh conviction in their consideration of deportation.</p> <p>If the FNO is acquitted and released, the case will no longer be of interest to the detained team. The case must be returned to a non-detained team if deportation is still being pursued by CCD owing to the FNO's earlier conviction(s).</p> <p>For further information on managing impending prosecution as a barrier to the deportation process in FNO cases, see related link: Barriers to deportation.</p> <p><b>Return to custody</b></p>	
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	<p>You must be aware that where a FNO has breached the conditions of their licence, the National Offender Management Service (NOMS) may arrange for them to be taken back into custody for them to continue serving their original prison sentence. When this occurs, the offender manager (OM) must tell you so this can be taken into account in future caseworking and operational considerations.</p> <p>If a FNO has been returned to prison for breach of licence conditions and was also on a contact management plan, you must:</p> <ul style="list-style-type: none"> <li>• advise the contract management team (CMT) in Liverpool</li> <li>• make sure that restrictions are stopped, and</li> <li>• make sure the PNC is updated and the case cleared from their intake.</li> </ul>	
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## Non-detained cases, contact management and absconders

### Absconder actions

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers the definition of absconding from bail or other restrictions and the general action for you in respect of foreign national offenders (FNOs) who are liable to deportation.</p> <p>An absconder is defined as an individual who:</p> <ul style="list-style-type: none"><li>• leaves the border control area without permission</li><li>• escapes from detention</li><li>• breaches one or more of the conditions imposed as a condition of temporary admission, temporary release, bail or release on a restriction order, and</li><li>• whose current whereabouts are unknown.</li></ul> <p>You must be aware that an individual can only be classified as an absconder if they have previously been served with one of the following:</p> <ul style="list-style-type: none"><li>• a notification of temporary admission to a person liable to be detained (form IS.96)</li><li>• a recognisance of applicant form (IS.99), or</li><li>• a notice imposing reporting restrictions (restriction orders) (ICD.0343).</li></ul> <p>Also they must have subsequently failed to comply with one or more of the legal restrictions as to reporting and/or residence set by an immigration officer, or an officer acting on behalf of the Secretary of State, exercising their powers under the Immigration Act 1971:</p> <p>Once it has been confirmed that contact cannot be made with a FNO because:</p> <ul style="list-style-type: none"><li>• they have failed to attend one or more reporting events</li><li>• they are no longer resident at their last known address, and</li><li>• a new address cannot be obtained through their immigration, compliance and engagement (ICE) team offender manager (OM), legal representative, surety or by any other means.</li></ul>	<p><b>In this section</b></p> <p><a href="#">‘Unlawfully at large’ cases</a></p> <p><a href="#">Notifying the offender manager</a></p> <p><a href="#">Absconder case process</a></p> <p>Links to staff intranet removed</p>
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	<p>You must notify the OM and refer the case to the CC trace and locate team who will follow up with action that will trace the missing deportee wherever possible, with a view to detaining them and enabling the deportation process to continue.</p>	
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## Non-detained cases, contact management and absconders

### 'Unlawfully at large' cases

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about foreign national offenders (FNOs) who are considered 'unlawfully at large' (UAL), and how such cases must be escalated</p> <p>FNOs are considered to be UAL when they are:</p> <ul style="list-style-type: none"><li>• wanted on licence recall by the National Offender Management Service (NOMS) and cannot be located</li><li>• sentenced in absence for a crime and cannot be located</li><li>• an escapee from prison and cannot be located</li><li>• someone who was removed or deported under the provisions of the early removal scheme (ERS), tariff-expired removal scheme (TERS), or with the assistance of the facilitated return scheme (FRS) who has since returned to the UK before their sentence expiry date (for FNOs given a determinate sentence in ERS cases), or if they were given a life or other indeterminate sentence (in TERS cases).</li></ul> <p>FNOs falling into any of these categories will be considered as UAL, and will be wanted by NOMS or the police.</p> <p>Anyone who comes under the first three categories must be referred to the CC trace and locate team immediately.</p> <p>Cases that fall under the category four are slightly different - If any staff become aware that an offender who has been deported from the UK has returned in breach of their deportation before their sentence expiry date and their whereabouts are not yet known, they should refer the case to the national absconder tracing team (NATT) in Manchester.</p> <p>If an UAL offender is apprehended by the police it is for the police to make sure the UAL offender is brought to court and the court's decision as to whether they are to return to prison.</p> <p>If they are apprehended by Border Force or immigration, compliance and engagement (ICE)</p>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Notifying the offender manager</a></p> <p><a href="#">Absconder case process</a></p> <p>Links to staff intranet removed</p>
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	<p>team staff, they will need to make sure the offender is referred to the police so they can bring them to court. Where an offender is encountered by Border Force staff based at juxtaposed controls abroad, police referral will not be appropriate. Guidance on how to process such cases, including relevant refusal wording, can be obtained by staff from Border Force Policy Implementation. See related link: Email <a href="#">BF OAS Enquiries</a>.</p> <p>In the cases of category four above the service of relevant illegal entry notices on grounds that the FNO has re-entered the UK in breach of an extant deportation order (DO) is for the ICE team to deal with, not CC.</p> <p>Usually, CC will only have further interest in such a case if one or more of the following applies:</p> <ul style="list-style-type: none"> <li>• a further conviction has been handed down to that offender since their re-entry to the UK (no fresh deportation action would be required as a DO is already extant, but CID must be updated with the fresh conviction and an outcome entered to reflect that a DO is already in place – after that the case may be referred onwards to the relevant LIT if illegal entry notices are to be served)</li> <li>• an application is made to have the DO revoked (in which case a CC detained team would consider the application – for more information on this process see related link: Criminal casework: Revocation), and/or</li> <li>• in the case of lifers or indeterminate-sentence FNOs, when they reach their minimum tariff expiry date and become eligible for consideration under TERS (that must be managed by CC in conjunction with NOMS).</li> </ul>	
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## Non-detained cases, contact management and absconders

### Notifying the offender manager

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the requirement to inform a foreign national offender (FNO's) offender manager (OM) when they have absconded from bail or other restrictions.</p> <p>It is especially important in absconder cases that the CC caseworker responsible for the case sends an immediate fax to the relevant OM to advise them that contact with the FNO has been lost and that they are believed to no longer reside at the last known address.</p> <p>They must ask the OM to let CC know if they become aware of a new address for the FNO.</p> <p>If the FNO is subject to licence conditions this will mean that these are also not being complied with, otherwise CC would have been able to resume contact with the FNO through the OM. Therefore the OM must be asked to advise CC if the FNO is arrested for failure to comply with their licence conditions. For more information about contacting OM's see related links: Contacting the offender manager.</p>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Contacting the offender manager</a></p> <p><a href="#">‘Unlawfully at large’ cases</a></p> <p><a href="#">Absconder case process</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Absconder case process

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about the initiation of the procedure they must follow when referring a foreign national offender (FNO) who has absconded from bail or other restrictions for further action to trace their whereabouts.</p> <p>You must complete the trace and locate referral form. This is an ICD.4362 and is available on CID document generator.</p> <p>The form must then be emailed to the CC trace and locate team's inbox (see related link: Email: CCD trace and locate team). The email must be entitled 'Absconder referral' and flagged as urgent. No Home Office files must be sent until a response from the team is received.</p> <p>You will receive a response within five working days to advise whether the case has been accepted or rejected by the team. If it has been accepted, the file will then be requested. All cases should be clearly marked 'Absconder' on the file. The trace and locate team address can be found at the bottom of the referral form.</p>	<p><b>In this section</b></p> <p><a href="#">Commencing absconder action</a> <a href="#">Completing the PNC circulation form</a> <a href="#">Trace and locate team investigations</a> <a href="#">Trace and locate team investigation outcomes</a> <a href="#">Finalising absconder action</a> <a href="#">Completing the removal from PNC circulation form</a> <a href="#">Cases no longer of interest to criminal casework</a> <a href="#">Exclusion cases</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Commencing absconder action

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the initial action taken by the CC trace and locate team, to trace the whereabouts of foreign national offenders (FNOs) who have absconded from bail or other restrictions.</p> <p>When the trace and locate team accept the referral, they will take the following action:</p> <ul style="list-style-type: none"><li>• Email the case owner to advise case accepted and request the file, copying in the CC contact management team inbox so they can arrange for locate trace marker to be removed from Police National Computer (PNC).</li><li>• Circulate the details of the FNO on the PNC, by issuing a notification of non-compliance form (IS.274 – for more information on completing the form see related link: Completing the PNC circulation form) and faxing this to the PNC team, Liverpool using the contact number below, note the IS.274 is no longer referred to the PNC team at the command and control unit in Manchester.</li></ul> <div><div>Restricted – do not disclose – start of section</div><div>The information in this page has been removed as it is restricted for internal Home Office use only.</div><div>Restricted – do not disclose – end of section</div></div> <ul style="list-style-type: none"><li>• Fax a copy of the IS.274 form to the contact number below:</li></ul> <div><div>Restricted – do not disclose – start of section</div><div>The information in this page has been removed as it is restricted for internal Home Office use only.</div><div>Restricted – do not disclose – end of section</div></div> <ul style="list-style-type: none"><li>• Place a copy of the IS.274 form on the Home Office file.</li><li>• Start forfeiture action to recover any recognisance, for more information, see link on</li></ul>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Completing the PNC circulation form</a></p> <p><a href="#">Trace and locate team investigations</a></p> <p><a href="#">Trace and locate team investigation outcomes</a></p> <p><a href="#">Finalising absconder action</a></p> <p><a href="#">Completing the removal from PNC circulation form</a></p> <p><a href="#">Cases no longer of interest to criminal casework</a></p> <p><a href="#">Exclusion cases</a></p> <p>Links to staff intranet removed</p>
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	<p>left: Forfeiture actions, and</p> <ul style="list-style-type: none"> <li>• Update the case information database (CID) to show that the FNO is an absconder. See related link: Recording an absconder on CID.</li> </ul> <p>Once a case has been accepted by the CCD trace and locate team they will become the case-owning team on CID, and previous case owners must conclude the case on their case owner diary.</p>	
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## Non-detained cases, contact management and absconders

### Completing the PNC circulation form

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how CC trace and locate team complete the form for notifying the Police National Computer (PNC) team of a foreign national offender (FNO) who has absconded from bail or other restrictions.</p> <p>The IS.274 has now been amended to incorporate a referral form to the national absconder tracing team (NATT) this is not relevant for CC cases as CC trace and locate team complete the IS.274 after a case has been referred and accepted</p> <p>Opening the form (IS.274) on CID document generator will auto-populate the following information:</p> <ul style="list-style-type: none"><li>• the subject's Home Office reference number (and port reference where applicable)</li><li>• the subject's name, date of birth, sex, alias, occupation, nationality and address, and</li><li>• a photograph of the subject if one is held on CID at the top-right corner.</li></ul> <p>Once the auto-population is complete, all trace and locate staff must make sure the following information is entered onto the form completely and accurately:</p> <ul style="list-style-type: none"><li>• the subject's passport number and country of issue</li><li>• any additional Home Office or port references applying to the subject (CID must be thoroughly checked to reveal any additional references)</li><li>• a full description and any distinguishing marks (for example scars, tattoos)</li><li>• Stage 1 – using information supplied on ICD.4362 referral form</li><li>• Stage 2 – case type – (tick CCD)</li><li>• Stage 3 – removability – (tick relevant box)</li><li>• Stage 4 – harm Category (tick relevant box)</li><li>• Stage 5 – missing child/ vulnerable adult (if appropriate)</li><li>• Stage 6 – authorisers signature and details</li><li>• issuing officer details and signature.</li></ul>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Commencing absconder action</a></p> <p><a href="#">Trace and locate team investigations</a></p> <p><a href="#">Trace and locate team investigation outcomes</a></p> <p><a href="#">Finalising absconder action</a></p> <p><a href="#">Completing the removal from PNC circulation form</a></p> <p><a href="#">Cases no longer of interest to criminal casework</a></p> <p><a href="#">Exclusion cases</a></p> <p>Links to staff intranet removed</p>
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	<p>Three copies must be printed and each one must be signed by the issuing and authorising officers. If the FNO has been served with a deportation order (DO) then a copy of the signed DO must be sent with the IS.274.</p> <p>Trace and locate team staff must bear in mind the following common problems with the IS.274 form reported by the PNC team. They must make sure that each of the following has been properly noted and completed before submitting the form to the PNC team in Liverpool:</p> <ul style="list-style-type: none"> <li>• The subject's last known address may have been removed and 'absconder' or 'no fixed abode' (NFA) entered. The last known address must be listed on this form and so must be re-entered if it does not appear.</li> <li>• Signatures of issuing officers and authorisation officers must be legible.</li> <li>• Where one or more additional Home Office or port references are applicable and do not auto-populate on the form, care must be taken to make sure these are accurate and all are added to make sure cross-referencing with other records is possible.</li> </ul> <p>After completing the form, CID notes must be updated to show that an IS.274 has been issued and faxed to Liverpool's PNC Team. Once received by the PNC team, they will check the information for entry onto the PNC. When this is completed, the team will note their records and update the CID special conditions screen.</p>	
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## Non-detained cases, contact management and absconders

### Trace and locate team investigations

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the investigations the CC trace and locate team undertake to try and establish the whereabouts of foreign national offenders (FNOs) who have absconded from bail or other restrictions.</p> <p>The trace and locate team have two stages of investigation:</p> <p><b>Stage 1 investigations</b></p> <p>These are conducted by tracing assistants and involve making data protection enquiries only in relation to the FNO, using a number of internal and external databases and other government departments, including but not necessarily limited to:</p> <ul style="list-style-type: none"><li>• the case information database (CID), warehouse, central reference system (CRS) and E-borders</li><li>• Her Majesty's Revenue and Customs (HMRC)</li><li>• the Police National Computer (PNC)</li><li>• the Department for Work and Pensions (DWP)</li><li>• the National Health Service (NHS)</li><li>• the Driver Vehicle Licensing Authority (DVLA)</li><li>• sureties and representatives, and</li><li>• the internet.</li></ul> <p><b>Stage 2 investigations</b></p> <p>These are conducted by tracing officers and will involve more in depth enquiries. They are able to follow any potential lead that may have been generated by the information already on the Home Office file and the research undertaken by tracing assistants, and in addition they may also:</p> <ul style="list-style-type: none"><li>• make enquiries with any person, company or department they deem appropriate,</li><li>• conduct financial investigations</li><li>• request communications data from the Home Office's intelligence directorate, and</li></ul>	<p><b>Related links</b></p> <p><b>See also</b></p> <p><a href="#">Commencing absconder action</a></p> <p><a href="#">Completing the PNC circulation form</a></p> <p><a href="#">Trace and locate team investigation outcomes</a></p> <p><a href="#">Finalising absconder action</a></p> <p><a href="#">Completing the removal from PNC circulation form</a></p> <p><a href="#">Cases no longer of interest to criminal casework</a></p> <p><a href="#">Exclusion cases</a></p> <p>Links to staff intranet removed</p>
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	<ul style="list-style-type: none"><li>• collaborate with police departments, including community teams, intelligence teams, wanted offender units and Serious Organised Crime Agency (SOCA).</li></ul>	
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## Non-detained cases, contact management and absconders

### Trace and locate team investigation outcomes

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the outcomes of investigations undertaken by the CC trace and locate team to try and establish the whereabouts of foreign national offenders (FNOs) who have absconded and how these are managed.</p> <p>If during investigations a new address is found and verified to a sufficient level, the tracing officer with the team leader in the trace and locate team will make a decision on the next action to take, depending on harm level and removability. There are two actions that the team may pursue:</p> <ul style="list-style-type: none"><li>• arrange an enforcement visit to the address with a view to detaining the FNO, or</li><li>• arrange for the FNO to be placed back onto reporting restrictions.</li></ul> <p>Guidance is given on both of these steps in the sub-sections below.</p> <p><b>Arranging an enforcement visit to the address with a view to detaining the FNO</b></p> <ul style="list-style-type: none"><li>• If the subject is successfully located the tracing officer will compile an intelligence report and sent to the immigration, compliance and engagement (ICE) team responsible for the address. They will monitor for a date of visit and arrange for detention paperwork or family separation referral where required, and detention bedspace in advance of the visit. If the FNO is successfully apprehended the trace and locate team caseworker will arrange re-detention and movement into the immigration detention estate. They must then pursue deportation whilst that remains a likely outcome in the near future. Detention reviews must be completed in line with policy, see related link: Detention reviews (adults).</li><li>• If the FNO is apprehended and returns to prison either on licence recall, having received a new conviction, or is returning to serve the remainder of their sentence following an escape from custody, the Home Office file will be sent for allocation to a CC detained casework team to pursue deportation as appropriate.</li><li>• If the subject is not apprehended during the enforcement visit the case will return to the tracing officer who will use any intelligence gathered to investigate the case further.</li></ul>	<p><b>Related links</b></p> <p><b>See also</b></p> <p><a href="#">Commencing absconder action</a></p> <p><a href="#">Completing the PNC circulation form</a></p> <p><a href="#">Trace and locate team investigations</a></p> <p><a href="#">Finalising absconder action</a></p> <p><a href="#">Completing the removal from PNC circulation form</a></p> <p><a href="#">Cases no longer of interest to criminal casework</a></p> <p><a href="#">Exclusion cases</a></p> <p>Links to staff intranet removed</p>
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	<p><b>Arranging for the subject to be placed back onto reporting restrictions</b></p> <ul style="list-style-type: none"> <li>• If during stage 1 or stage 2 investigations a new address is obtained for a subject but there are too many barriers to deportation, the tracing assistant or officer in conjunction with the team leader may decide to put the subject back onto reporting restrictions rather than arresting and detaining. The new conditions must be issued to the subject's new address in the usual way, and the tracing assistant or officer must monitor for compliance with the first reporting event.</li> <li>• If the subject complies with the new reporting restrictions as required the CC trace and locate team will clear the case (see finalising absconder actions) the case will then be passed back to a CC non-detained team to continue deportation action.</li> <li>• If the subject fails to comply with the new reporting restrictions as required, the tracing officer must give fresh consideration to detaining the subject, by arranging a new visit to the address as detailed earlier in this section.</li> </ul> <p>If the investigation is unsuccessful and the current whereabouts of the FNO remain unknown, the case must be held pending a review. The review period will depend on the harm level of the case and the resources available within the team. At present highest and high-harm cases are being reviewed by tracing staff every six months and medium and low-harm every year.</p> <p>The Home Office have been criticised for not actively pursuing the above actions in absconder cases soon enough. To make sure absconders are apprehended wherever possible, the trace and locate team must undertake regular reviews of their cases, particularly of those who are deemed to be higher-risk.</p>	
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## Non-detained cases, contact management and absconders

### Finalising absconder action

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the final action taken by the CC trace and locate team, once the whereabouts of foreign national offenders (FNOs) who have absconded from bail or other restrictions have been traced.</p> <p>If a FNO voluntarily resumes contact or is located through investigations and is detained or complies with fresh restrictions, the trace and locate team must complete the following actions before passing the case on to the relevant team for further casework:</p> <ul style="list-style-type: none"><li>• Remove the FNO from circulation on the Police National Computer (PNC), by issuing a notification of compliance form (IS.274A – for more information on how to complete this correctly, see related link: Completing the removal from PNC circulation form), and faxing this to the PNC team in Liverpool, using the numbers in related link: Commencing absconder action.</li><li>• Fax a copy of the form to the Liverpool PNC team.</li><li>• Place a copy of the form on the Home Office file.</li><li>• Update CID the absconder has been recovered. For more information on completing CID, see related link: Commencing absconder action. However, officers must make sure that the following are completed:<ul style="list-style-type: none"><li>○ Change case outcome on CID to Deportation/Enf Continuing- Absconder Traced from date absconder located.</li><li>○ Ending the breach on the breaches screen.</li><li>○ Checking the restriction screen now shows the present situation (detention or new restrictions).</li><li>○ Making sure the correct CC unit and case owner to whom the case is being passed are noted accurately.</li><li>○ Adding a CID note to advise the absconder case has been cleared and returned to the appropriate detained or non-detained caseworking team.</li></ul></li></ul>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Commencing absconder action</a></p> <p><a href="#">Completing the PNC circulation form</a></p> <p><a href="#">Trace and locate team investigations</a></p> <p><a href="#">Trace and locate team investigation outcomes</a></p> <p><a href="#">Completing the removal from PNC circulation form</a></p> <p><a href="#">Cases no longer of interest to criminal casework</a></p> <p><a href="#">Exclusion cases</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Completing the removal from PNC circulation form

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how the CCD trace and locate team complete the form for notifying the Police National Computer (PNC) team that a foreign national offender (FNO) who has absconded from bail or other restrictions has been recovered.</p> <p>Opening the form (IS.274A) on CID document generator will auto-populate the core information. For more information, see related link: Completing the PNC notification form.</p> <p>Once the auto-population is complete, all trace and locate staff must make sure that the following information is entered onto the form completely and accurately:</p> <ul style="list-style-type: none"><li>• the PNC identification number (this should be noted on the CID special conditions screen)</li><li>• the issuing unit's name</li><li>• the issuing unit's telephone number</li><li>• the date the subject was circulated on the PNC (again, available from the special conditions screen)</li><li>• the date the subject resumed contact</li><li>• a brief explanation of why the subject is to be removed from the PNC (for example arrested and currently detained in prison or voluntarily resumed contact), and</li><li>• the issuing officer's name in print and legible signature.</li></ul> <p>Where information is not known, 'Not known' must be typed into the appropriate field. No fields on this form must be left blank. As with the IS.274, three copies must be printed, and each one must be signed by the issuing officer. The PNC team will check the information and then arrange urgent removal of the subject from the PNC to prevent any wrongful arrests, and note their records accordingly.</p>	<b>Related links</b> <b>See also</b>  <a href="#">Commencing absconder action</a>  <a href="#">Completing the PNC circulation form</a>  <a href="#">Trace and locate team investigations</a>  <a href="#">Trace and locate team investigation outcomes</a>  <a href="#">Finalising absconder action</a>  <a href="#">Cases no longer of interest to criminal casework</a>  <a href="#">Exclusion cases</a>  Links to staff intranet removed
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## Non-detained cases, contact management and absconders

### Cases no longer of interest to criminal casework

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how foreign national offenders (FNOs) who have absconded from bail or other restrictions but are no longer of interest to CC are managed.</p> <p>Where a subject is an absconder but is considered to no longer be of active interest to CC (for example where deportation action has been conceded or overturned by the courts), the marker on the Police National Computer (PNC) must not be removed, nor must the notification form for removal from the PNC (IS.274A) be issued. This is especially important as the subject still needs to be recorded as an absconder on the PNC even if CC interest in the case has ceased.</p> <p>The subject may already have permission to stay in the UK and so no further action is required. Alternatively, they may remain liable to removal from the UK in a category other than deportation following conviction, for example administrative removal for overstaying. If they have no lawful right to remain in this country, further consideration may be given by a immigration, compliance and engagement (ICE) team to returning them to compliance with a contact management plan, with a view to ultimately enforcing their departure. In these cases CC must refer the case to the appropriate ICE team.</p> <p>When a case stops being of interest to CC for any reason, for example deportation not pursued, discretionary leave granted, and the FNO is no longer on any form of restrictions imposed by CC, the contract management team (CMT) must be informed at the earliest opportunity. This will allow them to take appropriate action to make sure all restrictions have been stopped and clear the case from their intake list.</p> <p>CMT will also make sure that Police National Computer (PNC) circulation is removed in cases where deportation is no longer being pursued and are of no further interest for any other kind of enforcement action.</p>	<b>Related links</b> <b>See also</b>  <a href="#">Commencing absconder action</a>  <a href="#">Completing the PNC circulation form</a>  <a href="#">Trace and locate team investigations</a>  <a href="#">Trace and locate team investigation outcomes</a>  <a href="#">Finalising absconder action</a>  <a href="#">Completing the removal from PNC circulation form</a>  <a href="#">Exclusion cases</a>  Links to staff intranet removed
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## Non-detained cases, contact management and absconders

### Exclusion cases

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers how foreign national offenders (FNOs) who have absconded from bail or other restrictions and may have left the UK voluntarily before a deportation order (DO) being signed may be eligible for exclusion.</p> <p>The power to exclude a person from the UK is currently exercised by the Home Secretary acting in person. It is a non-statutory power and potentially very broad.</p> <p>Exclusion prohibits a person whose presence in the UK is deemed not to be conducive to the public good, and who is outside the UK, from entering. This power may be used in respect of those who are liable to deportation but who leave the UK voluntarily before any DO being signed against them.</p> <p>In certain limited situations, it may be possible to exclude a FNO:</p> <ul style="list-style-type: none"><li>• who has absconded from bail or other restrictions</li><li>• who is liable to deportation but against whom a DO has not been signed, and</li><li>• the Home Office believe has now left the UK.</li></ul> <p>If there is good evidence of this, you must refer to the related link: Exclusion decisions and exclusion orders. If a case for possible exclusion action is identified, you must consult your senior caseworker for further advice and if it is agreed that it is appropriate, follow the process accordingly.</p>	<b>Related links</b> <a href="#">Commencing absconder action</a>  <a href="#">Completing the PNC circulation form</a>  <a href="#">Trace and locate team investigations</a>  <a href="#">Trace and locate team investigation outcomes</a>  <a href="#">Finalising absconder action</a>  <a href="#">Completing the removal from PNC circulation form</a>  <a href="#">Cases no longer of interest to criminal casework</a>  <a href="#">Exclusion decisions and exclusion orders</a>  Links to staff intranet removed
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## Non-detained cases, contact management and absconders

### Forfeiture actions

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This section tells criminal casework (CC) caseworkers about the provisions for to recover recognisances from sureties for foreign national offenders (FNOs) who are granted bail but then breach the conditions attached to it.</p> <p>Where bail has been granted to a FNO by an immigration judge (IJ), chief immigration officer (CIO), or the Secretary of State (For more information, see related link: Bail applications – action after a bail hearing or decision), it may have been granted on the basis of sureties. Sureties are individuals nominated by the FNO seeking bail.</p> <p>Each surety enters into recognisances for the payment of sums of money which are due if the FNO fails to appear at the end of the period of bail. These recognisances are intended to provide an incentive to the person on bail to appear at the time and place required. Those seeking bail may also themselves enter into recognisances which will similarly become payable should they fail to appear at the close of the bail period. Recognisances provided by sureties and/or the FNO applying for bail become liable to forfeiture if the FNO fails to comply with other conditions attached to the grant of bail, such as regular reporting or electronic monitoring.</p> <p>Recognisance is taken from sureties by the completion of a CIO or Secretary of State's bail form (IS.99) or IJ's bail form (IAC.121) which is signed by each surety and is retained on the Home Office file. FNOs providing recognisance for themselves complete a slightly different version of the form (IS.99A) which is also retained on file. These actions are completed by CCD's trace and locate team.</p>	<p><b>In this section</b></p> <p><a href="#">Bail granted by an immigration judge (Immigration Asylum Chamber)</a></p> <p><a href="#">Bail granted by a chief immigration officer or Secretary of State</a></p> <p><a href="#">Forfeiture hearings and orders</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Bail granted by an immigration judge (Immigration and Asylum Chamber)

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about the procedure for recovering recognisances from sureties for foreign national offenders (FNOs) who have breached the conditions of bail granted by an immigration judge (IJ).</p> <p>On any occasion where a FNO released on bail is due to appear before an IJ, you must make sure the Home Office presenting officer (PO) has copies of the relevant recognisances (or bail bonds in Scottish cases).</p> <p>This is so that if the appellant fails to appear these copies can be produced to the IJ who can then be invited by the PO to exercise their power under either Paragraph 23 (applying to Paragraph 22 bail) or Paragraph 31 (applying to Paragraph 29 bail) of Schedule 2 of the Immigration Act 1971 (see related links) to declare the recognisances (or bail bonds) as forfeited. You must always request that the PO seeks forfeiture where a FNO fails to surrender to bail.</p>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Bail granted by a chief immigration officer or Secretary of State</a></p> <p><a href="#">Forfeiture hearings and orders</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Bail granted by a chief immigration officer or the Secretary of State

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers the procedure for recovering recognisances from sureties for foreign national offenders (FNOs) who have breached the conditions of bail granted by a chief immigration officer (CIO) or Secretary of State.</p> <p>Where a FNO released on CIO or Secretary of State bail fails to surrender at the end of the bail period, an application must be made to the Immigration and Asylum Chamber (IAC) to initiate bail forfeiture proceedings.</p> <p>To access the form for making these applications, see related links. Agreement for bail forfeiture proceedings must be signed off by a local team leader, although it will generally be appropriate to proceed with forfeiture in any case where a FNO has failed to surrender at the end of the relevant period.</p> <p>The form must be sent to the IAC with copies of form IS.99 and IS.99A where applicable, for more information, see link on left: Forfeiture actions. The immigration judge (IJ) will decide if a hearing is appropriate. If so they will summon sureties and assess whether all or some of the money in their recognisances be forfeited.</p>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Bail granted by an immigration judge (Immigration Asylum Chamber)</a></p> <p><a href="#">Forfeiture hearings and orders</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Forfeiture hearings and orders

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page tells criminal casework (CC) caseworkers about forfeiture hearings in respect of foreign national offenders (FNOs) who have breached the conditions of bail, and what happens when an immigration judge (IJ) agrees to the forfeiture of sureties' recognisances.</p> <p>During the hearing of an application for forfeiture of sureties' recognisances, the level of forfeit for each surety will be considered by the IJ, who will take into account the following:</p> <ul style="list-style-type: none"><li>• Their level of responsibility for the FNO's failure to comply and the steps taken to make sure they comply.</li><li>• Any steps taken by the surety to report concerns to the Home Office.</li><li>• If the FNO failed to comply with other conditions, what steps had been taken by the surety to make sure they comply.</li><li>• Any other excuses or explanations.</li></ul> <p>Sureties who fail to appear for the hearing will lose the entire sum in which they are bound.</p> <p>If the IJ agrees that forfeiture, either in entirety or partially, is appropriate, they will make an order which will be remitted to the local Magistrates' Court (or Sheriff Court in Scotland) for them to arrange collection of the money, along with any other applicable fines.</p>	<p><b>Related links</b> <b>See also</b></p> <p><a href="#">Bail granted by an immigration judge (Immigration Asylum Chamber)</a></p> <p><a href="#">Bail granted by a chief immigration officer or Secretary of State</a></p> <p>Links to staff intranet removed</p>
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## Non-detained cases, contact management and absconders

### Contact

<a href="#">CCD staff responsibilities</a> <a href="#">General management issues in non-detained cases</a> <a href="#">Overview of non-compliance in non-detained cases</a> <a href="#">The contact management team (CMT)</a> <a href="#">Frequency of reporting events</a> <a href="#">Reporting and managing breaches</a> <a href="#">Electronic monitoring</a> <a href="#">Arrest</a> <a href="#">Detention</a> <a href="#">Absconder actions</a> <a href="#">Forfeiture actions</a>	<p>This page explains who to contact for more help with a specific case on non-detained cases, contact management and absconders.</p> <p>If you have read this guidance and still need more help with this category, you must first ask your senior caseworker or line manager.</p> <p>If the question cannot be answered at that level, they or you may email the criminal casework operational process and policy team (CCOPPT) inbox (see related link: Email CCD process team).</p> <p>Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact CCOPPT, who will ask the MGT to update the guidance, if appropriate.</p> <p>The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.</p>	<b>Related links</b>  <a href="#">Changes to this guidance</a>  <a href="#">Information owner</a>  Links to staff intranet removed
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## Non-detained cases, contact management and absconders

### Information owner

[CCD staff responsibilities](#)  
[General management issues in non-detained cases](#)  
[Overview of non-compliance in non-detained cases](#)  
[The contact management team \(CMT\)](#)  
[Frequency of reporting events](#)  
[Reporting and managing breaches](#)  
[Electronic monitoring](#)  
[Arrest](#)  
[Detention](#)  
[Absconder actions](#)  
[Forfeiture actions](#)

This page tells you about this version of the non-detained cases, contact management and absconder guidance and who owns it.

Version	5.0
Valid from date	5 June 2013
Policy owner	Criminal casework operational process and policy team (CCOPPT)
Cleared by director	Sonia Dower
Director's role	Director, operational policy and rules
Clearance date	23 October 2012
This version approved for publication by	Sonia Dower
Approver's role	Director, operational policy and rules
Approval date	1 May 2013

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The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.

### Related links

[Changes to this guidance](#)

[Contacts](#)

Links to staff intranet removed