



Home Office

FNO RC GPS Electronic Monitoring

Version 1.0

Contents

Contents.....	2
About this guidance.....	5
Contacts	5
Publication	5
Background.....	6
Electronic Monitoring Hub (EM Hub) role.....	7
Caseowner role	8
How to prepare a detained FNO for an Electronic Monitoring Order.....	10
EM information sessions.....	10
FNOs detained in one home nation but released to a domestic residence in another.....	12
Mentally Disordered Offenders (MDO) Team exceptions	12
Home Office Accommodation (schedule 10 cases)	12
Consideration of Electronic Monitoring representations.....	13
How the EM Hub create a Monitoring Order for a detained FNO	15
Scheduling EM at a Schedule 10 accommodation address	16
Scheduling EM commencement appointments at an IRC or prison.....	16
IRC legal visits.....	16
Preparing release and bail paperwork for service.....	17
EM Hub - scheduling EM commencement with the contractor.....	18
Scheduling EM commencement where FNOs are of no fixed abode (NFA).....	20
EM commencement at an IRC / prison.....	20
EM commencement failure.....	22
Successful EM commencement.....	24
How to prepare a non-detained FNO for an Electronic Monitoring Order.....	26
Consideration of EM representations and delivery of crucial Information	27
EM Information sessions at the ROM	29
Creating a non-detained Monitoring Order (MO).....	32
Scheduling EM commencement appointments at the ROM	34
Preparing bail paperwork.....	34
Where a change in reporting event is required	34
Paperwork for the FNO.....	35
Paperwork for the ROM.....	36
Where no change to the reporting event is required.....	36

Paperwork for the FNO	37
Paperwork for the ROM	37
Scheduling EM appointments at a domestic address	37
Scheduling the EM contractor.....	38
Amending a Monitoring Order (detained and non-detained).....	39
EM commencement outcome at the domestic address	41
EM commencement outcome at the ROM.....	41
Successful EM commencement.....	42
Unsuccessful EM commencement.....	42
Vulnerability.....	42
Technical or systems issue	43
Non-compliance	43
EM Commencement at a domestic address	44
Reviews of FNOs subject to Electronic Monitoring.....	45
Setting EM reviews.....	46
Scheduled reviews.....	46
Unscheduled (ad-hoc) reviews	46
Completing EM reviews.....	47
Varying EM conditions.....	49
Consideration of representations.....	49
EM decision ratification and escalation	52
MP correspondence and third party representations.....	54
Pre-Action Protocol (PAP) and Judicial Review (JR).....	55
Notifying offender managers (or equivalent) of device change if applicable.....	56
When non-compliance / breach occurs	57
Processing EM breaches	59
When the explanation for the breach is valid	60
When the explanation for the breach is not valid.....	60
Mobile phone replacements.....	61
Offender manager (or equivalent) interventions	62
If recall is not appropriate	62
If recall is appropriate	62
Varying bail conditions to manage a breach.....	64
Prosecutions and administrative arrests.....	65
Expediting EM breaching cases for removal	66
Re-detention.....	67
Ceasing EM.....	68

Ceasing EM at the ROM.....	68
Ceasing EM with the EM contractor.....	69
Ceasing EM in shared systems (Atlas)	70
EM device retrieval and return (including mobile phones)	70
Immigration Detention at the IRC.....	70
At the ROM.....	71
The EM Service Delivery Team.....	72
Devices removed at an IRC or ROM.....	73
Requesting GPS location data	74
Data requests by FNOs / legal representatives	74
Internal and external agency data requests.....	75
How EM complaints are managed.....	78
Receipt and triage of complaints.....	78
Logging the complaint.....	79
Managing complaints or reviews of completed contractor complaint investigations	79

About this guidance

This guidance tells Foreign National Offenders Returns Command (FNO RC) staff about the use of GPS tracking for non-detained Foreign National Offenders (FNO's). This SOP supplements, and must be read in conjunction with the [REDACTED]

Contacts

If you have any questions about the guidance and your line manager or senior caseworker (SCW) cannot help you or think that the guidance has factual errors, then email the [REDACTED]

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can [REDACTED]

Publication

Below is information on when this version of the SOP was published:

- version **1.0**
- published for Home Office staff on **06 February 2024**

Related content

[Contents](#)

Background

This page tells Foreign National Offender Returns Command (FNO RC) staff about the background regarding the introduction of legislation which mandates the use of electronic monitoring (EM) as a condition of [REDACTED] for those subject to deportation proceedings or a deportation order.

On 31 August 2021, paragraphs 2 ((2), (3) and (5) to (10)), 7 and 8 (and parts of paragraph 25 relevant to those provisions) of Schedule 10 to the Immigration Act 2016 came into effect in England and Wales, and on 31 August 2022, this extended to Scotland and Northern Ireland. These provisions have introduced a duty on the Secretary of State to impose an EM condition on any individual granted immigration bail who is subject to a Deportation Order or deportation proceedings. The duty to apply an EM condition does not apply where the Secretary of State considers that it is not practical to do so, or it would be in breach of the individual's rights ("Convention rights") under the European Convention of Human Rights (ECHR), as set out in the section 1 of the Human Rights Act 1998.

This is in addition to an existing power to use EM as a condition of bail on a discretionary basis. Some non-detained FNOs may have been placed on EM on this basis.

The Home Office have partnered with the Ministry of Justice (MoJ) and their EM Contractor to deliver GPS monitoring. The Home Office are joint data owners along with the MoJ. A crucial element to this contract arrangement is that the Home Office seek to electronically monitor an FNO and issue their device at the point of their release from the Immigration Removal Centre (IRC) or Prison. Individuals should be provided with an ankle tag in most cases. In every case where a monitoring device is issued, the FNO is also issued with a low specification mobile phone by the Home Office to support contact management. Mobile phones are issued as part of the EM commencement process by the EM Contractor.

From 11 January 2021, any released individuals meeting the criteria for Electronic Monitoring under the previous bail policy were placed onto GPS EM devices as part of a transition process, replacing the previously used Radio Frequency (RF) devices. With RF technology this required installation of a Home Monitoring Unit and a curfew to operate.

One of the benefits of GPS tracking is that no curfew is required. However, if a curfew is proposed there must be an immigration reason for that decision: see the Supplementary Conditions within the [REDACTED] guidance.

Inclusion and exclusion zones can be set in exceptional circumstances but as with curfews there must be an immigration reason and it must be fully explained and appropriately authorised.

Related content

[Contents](#)

Electronic Monitoring Hub (EM Hub) role

This section tells Foreign National Offender Returns Command (FNO RC) staff about the roles and responsibilities of the Electronic Monitoring Hub (EM Hub).

The EM Hub are the FNO RC support function managing electronic monitoring activity.

The EM Hub must:

- schedule the EM contractor (drafting the Bail 206) to attend the immigration removal centre (IRC) / prison to fit the tagging device at the location on the FNO's day of release - a minimum of 48 hours' notice must be provided to the EM contractor - less notice can result in the request being rejected by the contractor
- liaise as required with the IRC / prison to identify an appropriate tagging window for example, avoiding charter flights, busy transfers, lunch times, end of the day and clashes with onward travel
- draft the Bail 201 for FNOs placed on electronic monitoring for the first time, based on instructions from the FNO RC caseowner about the device type and all additional conditions - the caseowner should have uploaded the paperwork containing all relevant instructions (Grant of Bail, Bail 505 or Bail 407) to Atlas
- draft and send the Bail 201 and other release paperwork for service on the day to the relevant Detention Engagement Team (DET), Immigration Prison Team (IPT), Offender Management Unit (OMU), or HMPPS team
- manage decision making in the event of failed EM commencement at the IRC / prison
- seek and consider mitigation for any EM breaches, liaising with the caseowner as required to decide next steps and respond
- perform regular EM reviews in line with policy to ensure that use of EM remains appropriate in the individual circumstances
- create and arrange service of monitoring orders to amend or cease EM

Related content

[Contents](#)

Caseowner role

Caseowners must:

- ensure that detained foreign national offenders (FNOs) are provided with crucial messages regarding the introduction of electronic monitoring (EM) (for example, a Bail 213 can be generated setting this out and that leaflets are available for circulation to FNOs at immigration removal centre (IRC) / prison)
- ensure GPS EM is considered in full as part of the bail process - following Secretary of State bail grant decisions, the caseowner must write to the FNO using the Bail 211 and invite representations against EM and any supplementary conditions allowing 3 working days for a response
- prompt the EM Hub to arrange EM once they have received a bail grant decision - this is performed in Atlas via the EM Service Delivery
- continue to set any non-EM conditions - you **must not** include all the release licence conditions - you must inform the EM Hub if the FNO is on licence so the following overarching condition can be added to the Bail 201:

“You must comply with any licence conditions set by an Offender Manager until such time that you are no longer subject to a licence.”

Caseowners continue to be responsible for:

- bail summaries and release requests
- seeking authority for use of curfews and zones proposed in bail summaries and release requests
- providing crucial messages to FNOs regarding the introduction of EM (for example, the Bail 213 must be generated as a communication notice setting this out) - caseowners must be aware that leaflets are available for circulation to the FNOs at IRCs / prisons
- seeking representations against the use of GPS EM, curfews, and exclusion/ inclusion zones where bail is authorised by Strategic Director G3 and responding to these
- commencing monitoring activity in Atlas for detained FNOs, such as inviting representations, then ensuring a request is made to the EM Hub via Atlas to arrange EM
- escalating a case to the SEO for them to agree the use of curfews or zones
- sharing with the EM Hub all the draft bail conditions (including the presence of a Financial Condition Supporter, (FCS) conducting the FCS checks and sending the Bail 301 out), so that these can be included with the EM conditions within the Bail 201 that the EM Hub draft
- post-release activities including monitoring release outcome, closing detention restrictions with the Detainee Escorting and Population Management Unit (DEPMU), and setting the first reporting event
- notifying the police of release on EM via the PRNF1 form
- notifying offender managers where bail conditions are varied for an FNO with extant licence conditions

- ensuring that EM is not arranged for any FNOs with extant licence conditions being released to Scotland or Northern Ireland, until it is established that the appropriate agreement is in place with Ministry of Justice (MoJ) to manage those licence conditions - for more information on this please refer to the nominated Justice Social Worker (Scotland) or Offender Manager (England and Wales)
- agreeing moves or changes of address for those FNOs subject to an existing licence but only with the agreement of the relevant offender manager / social worker
- updating the bail conditions and required Bail 201 for any non-electronic monitoring related conditions, for example address changes - caseowners must use the most recent copy of the Bail 201 and make sure they include any existing EM conditions with the exception of the historic appointment line; “A field officer from EMS will call at (Address) between the hours of (Time) on (Date) to fit a Global Positioning System (GPS) Tag” as this instruction is only relevant in the original Bail 201

Related content

[Contents](#)

How to prepare a detained FNO for an Electronic Monitoring Order

This section explains how to prepare a detained foreign national offender (FNO) who, under the legislation, is to be released with electronic monitoring (EM) conditions for a Monitoring Order (MO)

For the purposes of this guidance the reference to detained applies to an FNO serving a custodial sentence or detained under immigration powers, unless otherwise specified.

For FNOs still serving their prison sentence, a caseowner must make a referral to the Strategic Director so that a decision can be made on behalf of the Secretary of State, whether to detain the individual under immigration powers at the end of their sentence. This activity must occur between 45 and 30 days before the earliest date of release (EDR) as per existing service level agreements (SLAs) with HM Prison and Probation Service (HMPPS). Where it is decided that EM is unsuitable should the FNO be released, the caseowner must notify the relevant offender manager (OM) of the decision not to pursue EM via email to the dedicated mailbox. Informing the OM in this way allows time for HMPPS to consider the application of their own electronic monitoring tag under MoJ contract arrangements.

For FNOs who are serving a custodial prison sentence, or who are in immigration detention within a prison, they must be given an induction by a member of the Foreign National Offender Returns Command (FNO RC) Immigration Prison Teams (IPT) including brief advice on the expected use of EM upon release. For FNOs held in IRCs, they must be given an induction by a member of the Detention Engagement Team (DET) which includes brief messages on the use of EM upon release.

Relevant material setting this out is provided by IPT and DET such as:

- EM leaflet
- Bail 213
- Frequently Asked Questions (FAQ) sheet

Where an FNO requests face-to-face discussion regarding EM, an 'EM Information Session' is delivered by IPT teams.

Crucial EM messages must be repeated at later stages where release consideration becomes more relevant for example in their monthly progress reports, if they apply for bail, or upon request at any time.

EM information sessions

If an FNO has previously been subjected to EM, then no further action is required. However, the caseowner must request that Detention Engagement Team (DET) /

Immigration Prison Team (IPT) teams deliver an EM information session where there is no sign within their casework records or within Atlas that the FNO has been made aware that they may be subject to the duty to impose an EM condition. It is expected that the DET and IPT teams must identify the need for an EM Information Session through standard engagement with detained FNO's. Therefore, this task will usually be self-referred by DET / IPT, and no action is required by the caseowner.

The caseowner can request for the FNO to have an EM information session, for example, where the FNO has requested information on EM. Where the person is detained within a prison, the request must be directed to the relevant IPT team, and where the person is detained within an IRC the request must be directed to the relevant DET team. Caseowners must email to request this EM information session.

The email must contain the subject header as follows:

Case reference number: (insert reference) request for EM information session.

The email must contain the:

- FNO's full name, date of birth and nationality
- FNO's Prison number
- expected date of release
- FNO's primary spoken language
- language required for any written material
- reason why an EM information session is being requested

In case of an unexpected move in the detention estate, where the FNO is found to be at a different location than expected, the caseowner must liaise with the Detainee Escorting and Population Management Unit (DEPMU) to explain imminent release possibility and requirement for the EM pre-commencement session urgently.

Upon receipt of a request that an EM information session must be delivered, a member of the DET or IPT team must confirm that the FNO is held at that location and must self-refer that activity for their team. They must place the event in the team schedule and send a notification to the FNO that a member of the team wants to meet with them with a specified date and time. If necessary, they must arrange for someone to be available to interpret, for example, a fellow detainee.

To support this activity, DET / IPT officers use the session prompt for their own reference, and a frequently asked questions (FAQ) sheet which must be left with the FNO (for use also if the FNO fails to turn up for the session). If DET / IPT teams are unaware of the answers to any queries the detained FNO has, they must contact the

Once the information session activity is complete, the DET /IPT team complete the activity within Atlas: selecting 'Manage Detention Engagement Activity' and selecting 'Deliver EM Information Session', completing the prompts to reflect the outcome. They must also send an email to the EM Hub and the caseowner. The email must contain the subject header as follows: Case reference number: (insert ref) information session complete.

Once it has been confirmed that an EM information session has been delivered, or the FAQ sheet delivered, then activity continues where the EM Hub arrange EM for the day of release.

Where bail has been granted by the First-tier Tribunal and the Presenting Officer has notified the caseowner of the bail hearing outcome and recorded the bail conditions on Atlas, the caseowner must then task the EM Hub to arrange EM ready for release from the Prison or IRC and generate bail paperwork. This is done in Atlas by starting the EM Service Delivery and referring activity for the EM Hub to arrange EM.

Where the Immigration Judge has omitted to include EM as a condition of bail but has transferred management of immigration bail to the Secretary of State there is no need to refer to the First-tier Tribunal. The case must be referred to the EM Hub for EM to be arranged.

Where the Immigration Judge has omitted to include EM as a condition of bail and has retained management of the immigration bail, the Presenting Officer must revert to the First-tier Tribunal requesting the inclusion of the mandatory condition. Until the management of bail is transferred additional conditions must not be applied.

FNOs detained in one home nation but released to a domestic residence in another

In cases where there is a licence in place, there must be an agreement that management of licence conditions can be transferred between the relevant Justice Departments. If there is no agreement regarding transfer of licence, then the FNO cannot be moved between home nations to facilitate the application of EM.

The electronic monitoring service is available in Central Scotland, and all of Northern Ireland.

Mentally Disordered Offenders (MDO) Team exceptions

FNOs who remain under an active mental health supervision order (overseen by the Ministry of Justice) have their immigration cases managed by the FNO RC MDO Team and are exempt from electronic monitoring. Only once the supervision order has ended, the case is referred for general FNO RC case-working to progress deportation action and consider for electronic monitoring as part of any bail conditions. The caseowner will consider whether EM is appropriate seeking the relevant authorisation and referring to the EM Hub to schedule EM as required.

Home Office Accommodation (schedule 10 cases)

Where an FNO receives a bail grant decision and requires Home Office accommodation through FNO RC Accommodation Team (FNO RC AT), the caseowner and FNO RC AT must ensure the property and dispersal arrangements are all in place and inform the [REDACTED] when ready.

The EM Hub must pursue tagging at domestic address for such cases where it is too challenging to align dispersal and tagging at source. The caseowner must send / consider representations as required via the Bail 211 and then only complete the 'consider representations' activity in Atlas once accommodation is ready. This ensures the EM Hub are prompted to 'arrange EM' via the 'Daily Operational Dashboard' (DOD) at the right time.

If bail is granted and the decision taken not to pursue EM for an FNO with an extant licence, the caseowner must notify the relevant OM in case they wish to pursue their own monitoring arrangements.



For FNOs being considered for release on bail by the Secretary of State (SoS), the caseowner must consider release with EM and any supplementary conditions within the Bail 407.

Where bail is granted via SoS procedures, the caseowner must write out to the FNO (or their legal representative) to invite representations (using the Bail 211), ensuring that the FNO can consider the recommended EM device and associated conditions. They must allow 3 working days for a response. The caseowner must then trigger the EM service in Atlas, reflecting that they have invited representations. They must also update the EM service in Atlas as required to register and consider the representations, or outcome the case where no response was received.

Once representations activity and decisions have been completed, the caseowner must update Atlas with the bail conditions, ensuring that restrictions remain set as 'detained' to show status. The caseowner must then refer activity in Atlas for the EM Hub to arrange EM. Once referrals are received, the EM Hub must generate Bail 201 and any other paperwork for release.

Consideration of Electronic Monitoring representations

The caseowner must be notified of any release or bail decision. Where immigration bail has been granted, and EM recommended, the following actions must be followed:

- where bail and EM were approved via SoS bail process, the caseowner must invite representations against EM (Bail 211), allowing 3 working days to respond - this activity must be reflected in the Atlas EM service delivery (selecting invite/ register/ consider EM representations)
- where representations have been invited and considered as required for SoS bail, the caseowner must then update Atlas by selecting the activity for the EM Hub to 'Arrange EM' - a decision regarding the representation must be made and served within 5 working days of receipt

Once the caseowner has notified the EM Hub to request that EM is arranged, all Monitoring Orders (Bail 206) must be created and submitted to the EM contractor by the EM Hub.

Related content
Contents

How the EM Hub create a Monitoring Order for a detained FNO

This section tells Foreign National Offender Returns Command (FNO RC) staff how a Monitoring Order (MO) is created by the electronic monitoring (EM) Hub to schedule monitoring with the EM contractor.

Once a caseowner has notified the EM Hub to request that EM is arranged, and that their preparation and representation actions have been completed, including the insertion of bail conditions, the creation of a Detained Monitoring Order (Bail 206) falls to the EM Hub to be made.

All Monitoring Orders (BAIL 206) must be created and submitted to the EM contractor by the EM Hub.

The EM Hub must schedule a commencement event.

The EM Hub must have a pending “Arrange EM” activity assigned in Atlas within their DOD workflow, added by the FNO RC caseowner. This ensures electronic monitoring can be arranged for the FNO as part of the bail conditions when they are released from Prison or immigration detention. Bail conditions have been input by the FNO RC caseowner or Presenting Officers Unit (POU), but detention restrictions remain set as “detention” (since the FNO remains in detention awaiting EM and release).

Related content

[Contents](#)

Scheduling EM at a Schedule 10 accommodation address

This section tells Foreign National Offender Returns Command (FNO RC) staff how to schedule electronic monitoring (EM) for FNO's requiring Home Office accommodation.

Once a bail grant decision is received, caseowners and FNO RC Accommodation Team (AT) must ensure accommodation and dispersal arrangements are in place before EM is requested via the EM Hub. The EM Hub must pursue tagging at the domestic address for cases requiring accommodation where it is too challenging to align dispersal and tagging at source. FNO RC AT must [REDACTED] into their email to caseowners which advises that accommodation and dispersal is ready.

Caseowners must have invited and considered EM within any representations as required via the Bail 211 (Secretary of State (SoS) bail cases) before prompting the EM Hub to arrange EM. They must only complete the activity 'consider representations' in Atlas once accommodation is ready for release. This ensures the EM Hub are prompted to arrange EM via the automated DOD once everything is aligned.

Caseowners must ensure that all relevant accommodation information is sent to the EM Hub so that tagging arrangements can be included in full within the Bail 201 drafted by the EM Hub. This information must include:

- specific flat number
- gate codes
- housing manager telephone numbers

Scheduling EM commencement appointments at an IRC or prison

The EM Hub must decide a date, allowing at least 48 hours where possible, for the EM Contractor to arrange EM. The EM Hub must then identify the immigration removal centre (IRC) / prison and select an appropriate time window for that centre. They must utilise the local IRC / prison scheduling tool which sets out the times EM appointments must take place for each establishment listed.

IRC legal visits

Where EM commencements with the contractor are to take place within an IRC, IRC "Legal area" is to be used. It is sensible to book the session via email using the links provided. Go to GOV.UK, search '[Find an Immigration Removal Centre](#)', select the relevant IRC and the legal visits booking email address is present. Request a session using the IRC Legal Visits location, date, time window (up to 2 hours), and specify 'Electronic Monitoring device issue/ release'. The EM Hub must consult the

local IRC scheduling tool to copy in any additional mailboxes as per agreement with a particular IRC for example, Yarlswood IRC.

Preparing release and bail paperwork for service

The EM Hub must create the Bail 201 in Atlas for the FNO. This must contain all the conditions relating to the FNO's release on immigration bail.

For those cases granted bail via the First-tier Tribunal (FTT) procedures, the Presenting Officer who attended the bail hearing must insert the bail conditions information into Atlas, as specified in the Bail 505 or by the Immigration Judge and must have already set the first reporting event. The FNO RC caseowner (or Presenting Officer) must add 'Arrange EM' via the 'Manage EM Activity' page which funnels the pending activity to the EM Hub.

For those cases granted bail via SoS procedures, the FNO RC caseowner must have already:

- recorded SoS Bail within the Enforcement and Compliance card in Atlas
- inserted authorisation details
- inserted the bail conditions
- invited and considered representations

The FNO RC caseowner must ensure "Restriction type" is selected as "Detention" and the BAIL 407 release referral form must be uploaded via "Manage Documents". The Hub then generates the Bail 201 form.

The bail conditions in the Bail 201 must include:

- complying with an agent acting on behalf of the Secretary of State (the contractor)
- any reporting restrictions – time, date, location, and frequency
- any requirements to charge or maintain an electronic monitoring device
- any curfew (this must include the requirement to be at their domestic address for installation of the Home Monitoring Unit (HMU) by the contractor on (specify date), between (specify times))
- any exclusion/inclusion zone
- any need to comply with a request to submit biometrics check
- any requirement not to tamper with, or remove, or attempt to remove the device
- any requirement to always carry the device with them
- any requirement to carry a mobile phone issued to them and to maintain and use it as specified
- any other requirement indicated by the caseowner - the officer must electronically sign and pre-date the Bail 201 for the day of release

The Bail 201 must be electronically signed and pre-dated for the day of release before sending. Having completed the BAIL 201 the EM Hub must also draft the Confirmation of Conveyance ICD.2967 in all cases, and IS106 as required. The paperwork is sent together for service.

Once the BAIL 201 and other paperwork (for example, IS106 and Confirmation of Conveyance ICD.2967) are completed, the EM Hub establish where they must be sent for service.

If the FNO is held at in an IRC, the BAIL 201 and associated paperwork must be sent by email to the appropriate IRC DET requesting service of papers– copying in the caseowner.

If the FNO is held in a hub prison, the completed BAIL 201 and associated paperwork must be sent by email to the appropriate IPT for service and copied to the relevant prison and OM to note the intention to release – copying in the caseowner.

[REDACTED]

[REDACTED]

If the prison is a spoke prison, the BAIL 201 and associated paperwork (IS106 and ICD.2967) must be sent to the relevant prison for service and copied to the OM, and caseowner.

When emailing prisons / OMs for prison EM commencements, the EM Hub must highlight that:

- the EM contractor must be leaving a mobile phone in a sealed bag at the Gate for the FNO to collect on exit after EM device issue
- the OM or prison staff receiving this must inform the Gate that this is a scheduled release with EM and the EM contractor must be attending as specified to issue the device

Irrespective of where the paperwork is sent for service (IRC, hub prison, spoke prison), there must be an instruction to the caseowner to actively monitor release outcome, and to continue closing detention status via the Detainee Escorting and Population Management Unit (DEPMU), and to set the first reporting event with the ROM.

Atlas must be updated as appropriate to reflect actions taken.

EM Hub - scheduling EM commencement with the contractor

The hub must schedule the contractor using the new GPS Bail 206 template, generated in Atlas, and submitted to the Contractor via email. The information required must include all 'mandatory data' from the list below such as., information that must be present for the EM contractor to schedule and carry out the appointment:

- the FNO's name, date of birth, nationality, and address (if of no fixed abode, reporting and offender management (ROM) office address to be inserted here as default)
- the FNO's prison number and , Compliance and Enforcement Person Reference (CEPR) (from Atlas) number
- the date that induction is to occur
- the location where induction is to occur
- the device type to be issued
- any curfew, exclusion zone or inclusion zone information
- the FNO's primary spoken language
- the language required for any written material
- the offence that the FNO committed (or any previous high harm offending)
- any indication that the FNO presents a high risk of harm
- any indication that the FNO has a vulnerability (there is a specific section of the B206 for this)

When the monitoring order has been completed, it must be submitted to the contractor. Once received, the contractor must validate the monitoring order using their internal processes.

The EM contractor must check that they have all the data they need to schedule and / or carry out the job. Mandatory data is information which must be present for the contractor to schedule and carry out the job, such as a full name, DOB, photo ID, valid address for EM commencement. Therefore, if mandatory data is missing, the EM contractor must urgently contact the EM Hub via telephone to request this. Non-mandatory data is information that means the job can still be scheduled and performed, but the EM contractor must contact the EM Hub to request this in slower time, via email.

For cases with a curfew, the hub must include the tag at source address and the domestic address for installation of the Home Monitoring Unit (HMU), along with the date and time required in this single Bail 206 document.

For FNO's of no fixed abode, the hub must insert the ROM address within the Bail 206 (and highlight the no fixed abode status in the email body). This ensures the EM contractor can respond to equipment checks and breach activity, albeit scheduled by the EM Hub during daytime hours at ROMs.

All documents (Bail 201, any release papers, Bail 206) must be uploaded onto Atlas via 'manage documents' if not generated within Atlas.

Having arranged EM for release, scheduled the contractor, and uploaded all documents to Atlas, the hub must update the "Arrange EM" activity page with all details. The DOD must automatically update the EM case status. When the EM Commencement Day the DOD workflow panel must reflect through its case status that the EM Hub must "Confirm EM Commencement Outcome." The hub would be allocated the activity to 'Confirm EM Commencement' via the shift manager that day.

Scheduling EM commencement where FNOs are of no fixed abode (NFA)

Where the EM Hub schedule monitoring for an FNO of no fixed abode, there is a requirement to provide the EM contractor with a valid address so that interventions may be performed as required. The EM Hub must be asked by the EM contractor to provide a registered domestic address as soon as one is known.

When scheduling the EM contractor using the Bail 206, the EM Hub must insert the nearest ROM address as a default valid address and must specify that this is a No Fixed Abode case in the email body. The EM Hub must task the caseowner via email to check address status following the first reporting event.

Caseowners must set a 'First Reporting Event' activity in Atlas for the relevant ROM which ensures that address status is verified. This must be followed by an email to the relevant ROM to request an address check. Following the first reporting event, caseowners must check address status. Where an address becomes known, caseowners must update Atlas and inform the EM Hub via email. Caseowners must continue to check address status as part of regular case reviews.

The EM Hub must update the EM contractor with a known address once one becomes known. They must be routinely prompted to do so by the EM contractor. The EM Hub must continue to check address status for FNO's of no fixed abode as part of regular EM reviews. Where an address is known, the EM Hub must update the EM contractor using the Bail 206 'amend' draft.

EM commencement at an IRC / prison

Preparing an FNO for EM commencement and release can take the IPT / DET up to 4 hours.

Bail notification paperwork for service on the FNO must be printed at the prison / IRC by a member of the IPT / DET. The IPT / DET officer must verify the FNO's details to establish any risks and whether an interpreter is required. If an interpreter is used, details should be recorded on a detention engagement activity in Atlas, including:

- the language used.
- details of the interpreter
- that the person receiving the notice has confirmed that they have understood the interpreter

The officer must seek to locate the FNO (and interpreter, if required) to notify them of the decision to release on immigration bail subject to electronic monitoring conditions.

Where the FNO has attended, the IPT / DET officer must perform a brief welfare check by asking whether the FNO is fit and well. If they identify any area of concern indicating an inability for the FNO to properly understand the immigration bail

conditions or instructions on the electronic monitoring device, they must contact the EM Hub to consider next steps.

Where the FNO is fit and well and release can continue the IPT / DET officer must hand and explain the Bail 201 paperwork to the FNO.

The prison / IPT / DET officer must ask the FNO to sign the Confirmation of Conveyance Form (document ICD.2967) which provides assurances that the FNO has understood the bail conditions to which they must adhere. DET / IPT officers must then update Atlas to complete the pending activity” service of papers.” They confirm service of the bail paperwork and confirmation of conveyance in line with local processes for example, scanned, and managed document upload. The DET / IRC/ prison must be able to update the EM Hub (as well as the caseowner) regarding the release with EM outcome.

Related content

[Contents](#)

EM commencement failure

This section tells Foreign National Offender Returns Command (FNO RC) staff what to do when an electronic monitoring (EM) commencement has failed.

If an FNO fails to attend and/or bail conditions are not conveyed as required, the Immigration Prison Team (IPT) / Detention Engagement Team (DET) officer must gather as much detail as possible ensuring that details are uploaded onto Atlas. The EM Hub must be advised urgently so they can manage next steps and inform the EM contractor if required. The hub must notify the contractor that EM commencement must not proceed, and they can be stood down. The time between bail conditions conveyance to the FNO and the actual EM device being fitted could be over an hour or more. The EM Hub must be actively monitoring the EM commencement outcome.

If EM commencement is unsuccessful, this must be because of either:

- unforeseen vulnerability factors
- non-compliance
- technical/systems failure

The EM contractor must notify the EM Hub via telephone call, followed by email for audit purposes, where commencement has been unsuccessful.

In the event of unforeseen vulnerability issues resulting in EM commencement failure, the EM Hub must triage the information available and escalate if they deem it appropriate. They must then contact the DET team or prison for confirmation of the reasons for failure (except for IPT teams who may not be onsite).

Having assessed the information available, the Hub must consider whether:

- release must still occur
- EM continues to be appropriate
- the original monitoring device recommendation remains suitable

They must review the EM suitability criteria found in the Use of EM section of the [REDACTED] to assess the correct device type and to support a recommendation. Details of the case and a proposed recommendation is referred to the EM SCW for consideration and decision assurance. Once the EM SCW has made their decision and returned this to the caseowner, action continues.

If it is decided that release will not continue, the EM Hub must notify the caseowner of the proposal who must ratify that decision and must prepare and send any necessary IS91 detention paperwork for service. The EM Hub contact the EM contractor and confirms the position to stand down.

If it is decided that release will continue, the EM Hub decide whether to continue with the original monitoring order, in which case they must inform the EM contractor to proceed. Alternatively, they refer for action as a non-detained case, issuing the

device at the domestic address after release. The EM Hub must then update Atlas accordingly via 'Manage EM Activity' and complete details within the pending 'Confirm EM Commencement Outcome' activity to reflect the scenario outcome. Any supporting material must be uploaded onto Atlas within 'Manage Documents'.

In the event of an FNO non-compliance resulting in EM commencement failure, the EM Hub are notified via telephone call from the EM contractor. The EM Hub must triage the information and inform the EM contractor to stand down as required.

The EM Hub must contact the caseowner who must consider whether to lawfully maintain detention for a brief period (for example 24 hours) to try to commence monitoring again. The caseowner must consider each case on its merit when making this decision and ensure the Hardial Singh principles apply, [REDACTED]. If detention is to be maintained in this instance, the caseowner must prepare and send the relevant IS91 detention paperwork for service at the immigration removal centre (IRC) / prison.

The EM Hub must escalate the details through their chain of command so that breach action is also considered (although this must only be pursued where bail conditions have already been conveyed to the person on the Bail 201).

In the event of a technical issue or systems failure resulting in commencement failure, the EM contractor must contact the hub by phone and followed with an email.

The EM Hub member staffing the phone/ mailbox triages the information available and escalates to their manager to decide whether:

- release may still occur
- EM continues to be appropriate
- the original monitoring device recommendation remains suitable

They must review the vulnerability to assess the correct device type and to support a recommendation. Details of the case and a proposed recommendation is referred to the EM SCW for consideration and decision assurance. Once the EM SCW has made their decision and returned this to the EM Hub, action continues.

If it is decided that release cannot continue, the EM Hub must contact the caseowner who must consider whether to lawfully maintain detention for a brief period of 24 to 48 hours to try to commence monitoring again. The caseowner must consider each case on its merit when making this decision. If detention is to be maintained in this instance, the caseowner must draft and send the relevant IS91 detention paperwork for service at the IRC / prison. The EM Hub contacts the EM contractor and confirms the position to stand down followed by an email for audit purposes.

If it is decided that release will occur, the Hub (ratified by the SCW) must consider whether this is via the existing original monitoring order or via rescheduling as a non-detained case. If the hub pursues the original monitoring order, they must inform the EM contractor to proceed, updating systems accordingly. However, if the hub does not pursue the original monitoring order, they must instruct the EM Hub to proceed

as a non-detained EM commencement and EM is rescheduled to occur at the domestic address or reporting and offender management (ROM) after release.

Successful EM commencement

When an FNO is successfully inducted onto a fitted electronic monitoring device they will also be issued with a Home Office mobile phone.

For FNOs commencing monitoring in a prison they will sign the Acceptable Use Form with the EM contractor and then collect the mobile phone at the Gate, signing Confirmation of Receipt document and leaving a copy with the Gate to be attached to internal custody records (copies available on request).

For FNOs in an immigration removal centre (IRC) they will be issued their mobile phone at the same time as their tag. The FNO will sign both the Acceptable Use Form and Confirmation of Receipt document for the EM contractor, demonstrating they understand what is expected in using the phone and that they have received it.

Where EM commencement has been successful, the hub receives a notification from the contractor which must be in the form of MI report each day sent to the EM Hub mailbox. The EM Hub must actively monitor the EM commencement outcome and must receive notifications from the IRC / prison / Detention Engagement Team (DET) along with the caseowner. They must update Atlas via 'Manage EM Activity' and then insert details within the pending activity 'Confirm EM Commencement Outcome' to reflect the outcome.

The EM Hub must then schedule the first quarterly EM review in Atlas for 3 months' time to ensure review is captured in the DOD and a prompt given to the Hub to complete. See instructions under [REDACTED]

The hub must update systems to ensure the FNO RC caseowner is aware and so when they monitor release outcomes, caseowners fulfil their post-release obligations such as:

- setting first reporting event
- closing detention restrictions via Detainee Escorting and Population Management Unit (DEPMU)
- sending the form PRNF1 to the local police force informing them that the FNO has been released into the community

The EM Hub notifies the FNO RC Bail Hub to update the Police National Computer (PNC) record as a PNC marker is required to show that they are subject to electronic monitoring in line with bail guidance. FNO RC Bail Hub sends it on to the PNC Bureau.

If an FNO is successfully issued their monitoring device but for any reason is not physically released as planned, the device must be removed before the FNO is returned to detention. An example may be that a Prison Governor decided not release an FNO where there were issues regarding the proposed release address.

Related content
Contents

How to prepare a non-detained FNO for an Electronic Monitoring Order

This section tells Foreign National Offender Returns Command (FNO RC) staff how to prepare a non-detained FNO for an electronic monitoring (EM) Monitoring Order.

All non-detained cases remain managed by an FNO RC caseowner and progressed towards deportation in line with the relevant deportation guidance. The EM Hub must handle the bulk communications and consideration of representations regarding EM. Enquiries will be handled via telephone, email and post.

The duty applies to those who are non-detained, and therefore it is the role of the EM Hub to analyse in scope non-detained cases and issue communications notices to those non-detained FNOs who initially satisfy the criteria for a monitoring device, inviting representations against EM. This will identify whether there is any reason why it would be a disproportionate breach of the FNO's convention rights to electronically monitor them.

The [REDACTED] sets out relevant factors for consideration. Examples include being aged 18 or over, in contact with the Home Office, deportation activity pursued, any vulnerability issues, compliance with immigration bail conditions, risk of harm, time since release, and removability. Where bulk assessment is required, Triage and Manage tool (TRAM) data reports will be used to identify the most appropriate non-detained cases for EM consideration.

The EM Hub is responsible for issuing the below documentation to the FNO at an appropriate point via tracked post and reference numbers must be recorded in Atlas Manage Contacts.

Once a device type and / or supplementary EM condition is identified as appropriate, the EM Hub must invite representations against these conditions on the Bail 211.

The Bail 214 and frequently asked questions (FAQ) document advise the FNO of the legislation and the impact of the duty, and types of devices, as well as inviting representations against applying the duty where they consider it may be a breach of convention rights, which must be provided within 12 working days.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

If an FNO is released from prison without consideration, caseowners must consider the issue of electronic monitoring at the point that it is decided to serve deportation papers.

Consideration of EM representations and delivery of crucial Information

[REDACTED] states that where electronic monitoring, or a supplementary condition such as curfew, exclusion, or inclusion zone is being applied for the first time then representations must be sought from the FNO to ensure they can raise any breaches of their human rights.

Where an FNO is considered in scope, but it has not yet been decided what device or supplementary condition to impose, the Bail 214 template is used along with the FAQ sheet to set out the legislative changes and invite representations.

The EM Hub must start EM activity in Atlas via the Compliance and Enforcement card, selecting 'Manage Case' and then selecting 'Manage EM Activity' to start the service delivery. They add the activity 'Invite EM Representations' and must set the expiry date in 10 working days' time. The EM case status will automatically update in the DOD prompting the EM Hub to select the next appropriate activity on the due date: either 'Register Representations' (where representations are received) and 'Consider EM Representations' (to outcome the activity where representations are or are not received). The officer will insert the data to reflect their decisions.

The Bail 214 must be sent via tracked post or email and the reference number recorded in Atlas Manage Contacts.

Representations will be considered by the EM Hub who must add the activity 'Register Representations' and insert date prompts, which automatically updates the EM case status and prompts the EM Hub to fulfil the next activity 'Consider Representations'.

Consideration will be given to whether the reasons provided by the FNO (if any) constitute a disproportionate breach of the FNO's convention rights, and whether that breach is disproportionate, irrespective of the type of electronic monitoring device used. This must be a case-by-case decision based on the FNO details of a case but support in making this decision can be found in the [REDACTED]
[REDACTED] The EM Hub must make a recommendation and obtain decision approval from the EM Hub HEO SCW. [REDACTED]

[REDACTED]

The EM Hub must respond to the representations, particularly where a decision has been reached that determines EM would be disproportionate to the FNO's convention rights. The Bail 215 must be generated within Atlas and any conclusions must ensure consideration of EM and must also include the FNO's convention rights. The EM Hub must post or email via tracked methods and ensure the reference number is recorded in Atlas 'Manage Contacts' and the letter and any supporting evidence saved in Atlas.

Whether representations have been accepted or rejected, the EM Hub must complete the representations activity in Atlas; selecting 'Manage EM Activity', adding 'Consider Representations', and inserting data as prompted to reflect the outcome and ensuring that the EM Hub is recorded as the 'Responsible Business Unit' for subsequent activity. The DOD automatically updates the case status to prompt the next required activity within the EM Hub pending workflow.

Once initial representations have been resolved, the EM Hub must then progress electronic monitoring selecting the relevant device along with any additional EM conditions, ensuring that the FNO can submit representations against the device or EM condition selected. The Atlas DOD must now reflect the case status 'Arrange EM' which means that the case can be allocated within the EM Hub.

The EM Hub will review the case against the Immigration bail guidance and consider information in Atlas, looking at any vulnerability or convention rights factors which will inform the decision regarding the appropriateness of a particular condition. The PNC must also be used where appropriate to check any recent offending.

EM device and supplementary conditions must be ratified and signed off by the EM Hub SCW.

For any cases where EM is considered disproportionate then activity stops and the case will be picked up as part of annual reviews for unmonitored FNOs, or if circumstances change and it enters workflow automatically.

For those cases where the relevant checks and decision ratification reveal that it is appropriate to electronically monitor an FNO, the hub will update Atlas accordingly. They must access 'Manage EM Activity' and add the activity:

- 'Perform EM Review'

and select:

- 'Initial Non-Detained EM Assessment'

They insert data as prompted to reflect the EM device proposed, date of decision, name of authorising manager and grade.

At this stage, having invited and considered general representations regarding EM, the EM Hub have now identified the specific EM conditions they seek to impose. For example, device type and any supplementary EM conditions such as curfew, exclusion, or inclusion zone are selected. As such, where this is the first application of EM the FNO is afforded the opportunity to provide further representations against these specific EM condition proposals. Here the EM Hub send a Bail 211 via tracked post or email and allow the FNO 12 working days to respond.

The EM Hub complete the necessary Atlas activity 'Invite Representations' and then 'Register' and 'Consider Representations' inserting data to reflect the outcome.

The EM Hub must notify the FNO in writing of this decision, and the type of device to be issued using the Bail 215, along with a Bail 201 and Bail 218 (EM commencement appointment letter) letter subsequently created for the EM commencement appointment. If the FNO has submitted representations, the Bail 215 will include the reasons for rejecting any representations/further representations including consideration of convention rights. The letter must be sent by recorded delivery, unless any representations were received via email, in which case the response may go via tracked email. All reference numbers and supporting prints must be recorded in Atlas, via 'Manage Contacts (tracked post reference) and 'Manage Documents' (uploaded prints).

EM Information sessions at the ROM

FNOs may wish to speak to a member of the Home Office about electronic monitoring and what it means for them, having received communications material, or received a response to their representations from the EM Hub. Such requests can be made to their caseowners, the reporting and offender management (ROM), or to the EM Hub. The EM Hub will be responsible for scheduling an 'EM Information Session' at the nearest ROM, and ROM staff will carry out these information sessions.

For FNOs reporting to a police station, then the EM Hub will consider whether the FNO can attend the nearest ROM for the information session (potentially with travel card payment supplied by the ROM), or whether a telephone appointment is appropriate (carried out by the EM Hub).

The EM Hub must review the FNO's reporting schedule on the Reporting Case Card in Atlas to task a reporting intervention to deliver a pre-commencement EM Information Session. For FNO's without a weekly or fortnightly reporting cycle the EM Hub must refer to ICE Finder (to access the ICE finder a request must be made to [REDACTED]) to locate the FNO's nearest ROM and identify appointment availability – a minimum of 2 clear working days must be allowed for ROM tasking turnaround. The EM Hub must telephone the ROM to check and confirm appointment availability.

The EM Hub must ensure the request is also be made via Atlas navigating to 'Satellite Tracking Activity' and selecting "EM - Deliver EM Information Session", referring to the relevant ROM. The details must reflect the chosen date, time window in the tasking email. Free text notes may be applied.

The EM Officer must follow this with a tasking email to the ROM. The header must clearly state “Request for EM Information Session’ and for standardisation and assurance purposes the information required must include:

- the FNO’s full name, date of birth and nationality, Person ID reference (PID) and Home Office reference
- clarify the request for EM information session, date, time, ROM location
- a summary of any known risk factors (IS91RA)
- the FNO’s primary spoken language
- the language required for any written material
- a reminder to produce the EM information script, FAQs document and legislative communication document
- request ROM tasking acceptance confirmation within 2 working days

The ROM Counter Officer will receive the request to deliver an EM information session has been requested. They will create an intervention on the Manage Reporting Appointments system (MRA) at the date / time requested where the appointment may proceed. The ROM will contact the EM Hub if the appointment cannot proceed as proposed, for example resourcing issues. The Atlas activity will be rejected in that case.

Where long distance travel to the nearest ROM means it is impractical to perform the EM Information session there, it is appropriate for the ROM or EM Hub to speak to the FNO via telephone (using an interpreter if necessary) to explain EM.

Once the ROM have agreed the appointment slot, the EM Hub must notify the FNO to invite them to the ROM for an EM Information Session by sending a Bail 218. This letter must be shown by the FNO to ROM Security staff to enter the building at the allotted date and time. The invitation must clearly state:

- the FNO’s full name, date of birth and nationality, Compliance and Enforcement Person Reference (CEPR) and Home Office reference
- the appointment title, date, location, and time
- an instruction that this letter must be shown alongside the Bail 201 (which has the photograph and barcode) to security staff at the main entrance on the day of the appointment

If an FNO requires a new reporting event, the EM Hub must produce an updated Bail 201 which asks the FNO to report at the new time for this appointment. A copy of the FNO’s new Bail 201 must be printed and posted with the invitation (which contains the barcode required for ROM appointment scanning). The Bail 201 must contain all the existing bail conditions to which they must comply.

When an FNO attends the ROM and scans their Bail 201 they must be directed to speak to a ROM Counter Officer. The ROM Counter Officer must then deliver the pre-commencement session, using the script “EM Information Script”. Once completed, the FNO can leave the ROM and await their commencement appointment.

On completion of the pre-commencement session, the ROM Counter Officer must update the Manage Reporting Appointments system (MRA) in line with their local guidance to show that the task has been completed such as, MRA must reflect any 'no-show' outcome. They will also update the pending Atlas Service Request to reflect the intervention outcome, whether the FNO attended or not.

Related content

[Contents](#)

Creating a non-detained Monitoring Order (MO)

This section tells Foreign National Offender Returns Command (FNO RC) staff how monitoring orders (Bail 206) are created and successfully submitted for non-detained cases.

This part of the process can be used to schedule electronic monitoring (EM) for the first time for a non-detained FNO, and for a variation of an existing EM condition for a monitored FNO.

Monitoring Orders (Bail 206) must be created and submitted by the Electronic Monitoring Hub (EM Hub) to the EM contractor.

The following stages need to be made for a non-detained FNO to be successfully placed on an EM Order. The activity covered here relates to those FNOs being placed onto EM for the first time and applies to FNOs who are having EM conditions varied i.e., a monitoring device transfer.

The EM Hub must check all existing bail conditions to identify whether this is the first application of GPS EM and / or any supplementary condition such as a curfew or inclusion or exclusion zone. If so, they must invite representations to specifically address the proposed conditions before proceeding with device issue even if representations were considered as part of the initial generic communication. This is because at the earlier stage no specific device or EM supplementary condition had been proposed but now it has, and the FNO is permitted an opportunity to set out representations against these specific conditions. This ensures the FNO may raise any perceived breaches of their convention rights regarding the specific EM conditions proposed.

Representations at this stage (once EM device type / supplementary conditions are known) must be invited using the Bail 211 via Template Viewer in Atlas. This sets out the specific EM condition proposals and invites the FNO to make representations within 10 working days. The letter must be sent by tracked post or email and the tracked reference must be recorded in Atlas 'Manage Contacts'.

The EM Hub will consider representations and complete the pending activity to register or consider representations within Atlas. They put forward their decision recommendation to the SCW for ratification. The decision to apply the EM Duty for an FNO already at liberty may be authorised at HEO level, but the decision not to apply the Duty must be authorised at SEO level. If supplementary conditions are being considered under the Duty, that requires SEO authorisation.

Once all EM representations activity is concluded within Atlas, the EM case status will change to reflect the pending activity listed on the DOD. For example, this would be 'Arrange EM'. The caseowner will ensure the relevant bail conditions are inserted

in the bail card, and any local decision assurance template is saved in local shared files for audit trail purposes.

When the EM Hub decide to impose EM conditions for an FNO on extant licence, notification must be sent to the relevant HM Prison and Probation Service (HMPPS) Offender Manager Hub via their dedicated mailbox.

The EM Hub must establish whether there is any requirement for the EM Commencement to take place at a domestic address as opposed to the ROM. For example, if the FNO will have a curfew as part of their immigration bail conditions this means they will need a Home Monitoring Unit (HMU) installed, so commencement must take place at their domestic address.

Related content

[Contents](#)

Scheduling EM commencement appointments at the ROM

This section explains to Foreign National Offender Returns Command (FNO RC) staff about how to schedule an electronic monitoring (EM) commencement at a reporting and offender management (ROM).

Preparing bail paperwork

For appointments at the ROM, the EM Hub must check the FNO's reporting schedule in Atlas to see if a change of appointment date is required. For reporting events less than 1 week away, the EM induction appointment can potentially occur at the same date and time (subject to agreement from the relevant ROM). But for any reporting events more than 1 week away, this requires a new appointment. The EM Hub will schedule appointments subject to liaison and agreement with the ROM.

FNOs who usually report to a police station must be invited to attend the nearest ROM for this one-off appointment, and where appropriate, travel cards / tickets issued to pay for the journey, where travel is more than 2 miles or support received. This will require liaison with the ROM.

Where a change in reporting event is required

The EM Hub must check using the ICE Finder (to access the ICE finder a request must be made to [REDACTED]) or local scheduling tool to see if a reporting event availability at the FNO's local ROM and select a suitable date and time for EM commencement appointment. The EM Officer must confirm this via a telephone call to the specific ROM if required.

The EM Officer must then confirm this in a follow up tasking email to the ROM. The email header must clearly state what the task request is for such as, EM Commencement- Initial, or EM Device Switch, and must include the date, time, and HO reference. The email body must contain the following:

- the FNO's full name, date of birth and nationality, Compliance and Enforcement Person Reference (CEPR) and Home Office reference
- clarify the request for EM commencement session/ device switch, date, time, ROM location
- a summary of any known risk factors (IS91RA)
- the FNO's primary spoken language
- the language required for any written material
- request ROM tasking acceptance confirmation within 2 clear working days if possible
- request assistance providing travel cards if the FNO usually reports to a police station or receives support for travel expenses (7 days' notice required to ensure tickets are posted to the FNO in time)

- remind the ROM that the EM contractor attending the ROM to issue the device will require escorted access

Once the slot is confirmed, the EM Officer must refer the relevant service request in Atlas for the ROM choosing one of the following:

- 'Deliver EM Commencement – Initial'
- 'EM Device Change – Tag'
- 'EM Device Change – Non-Fitted'
- clearly indicating:
 - date for completion
 - time
 - location
 - the device type being issued- such as, initial EM commencement or a device switch

The Daily Operational Dashboard (DOD) workflow panel will subsequently reflect a change in EM case status that the EM Hub must next "Confirm EM Commencement Outcome". The pending activity can be allocated out within the EM Hub to 'Confirm EM Commencement'.

Paperwork for the FNO to ensure that the FNO attends as required it will be necessary to send an updated Bail 201 to them in advance.

Paperwork for the FNO

Where this is the first application of GPS EM or supplementary condition, the Bail 201 must contain all bail conditions to which the FNO must adhere from the date specified. The Hub must update the Bail 201 and must include:

- a requirement to attend the ROM at the new date and time
- all existing EM conditions that must still be adhered to
- all other existing bail conditions other than the previous reporting regime that must be adhered to

However, where this EM appointment is a variation of existing EM conditions and involves a device transfer, it will be necessary to send the FNO two versions of the Bail 201:

- a version which instructs the FNO to be at the specified appointment location with their existing conditions contained within
- an updated / superseded Bail 201 which contains the EM bail conditions to be followed from the point of this EM appointment and new device issue, which is sent to the ROM ready for service on the day of the appointment

A Bail 218 EM appointment letter with the details must also be produced for the FNO to access the ROM appointment via security at the designated time (produced using Template Viewer in Atlas). Details must include:

- the FNO's full name, date of birth and nationality, PIDA reference and Home Office reference
- the appointment title, date, location, and time
- an instruction that this letter must be shown alongside the Bail 201 (which has the photograph and barcode) to security staff at the main entrance on the day of the appointment

The Hub must print the Bail 201 and Bail 218 invitation letter, along with any supporting information on EM and serve on the FNO using recorded delivery post to their last recorded address, identified through Atlas. The hub must record the tracked delivery reference number in Atlas and upload the document via 'Manage Documents'.

Paperwork for the ROM

Where the EM commencement appointment occurs at the ROM, the EM Hub must send a copy of the Bail 201 which is to be served on the day by ROM staff. This draft of the Bail 201 must contain all the bail conditions which must be adhered to from the day of service. The Bail 201 must contain the following details:

- complying with an agent acting on behalf of the Secretary of State (the contractor)
- any reporting restrictions – time, date and location
- any requirements to charge or maintain an electronic monitoring device
- any curfew
- any exclusion / inclusion zone
- any need to comply with a request to submit biometrics check
- a requirement to not tamper with or remove / attempt to remove
- a requirement to always carry a non-fitted device with them
- any other requirement indicated by the caseowner
- any other condition previously included on a Bail 201 which still applies

It **must not** include any conditions linked to a parole licence which do not directly relate to aiding the removal of the FNO from the UK. The Bail 201 must be signed and pre-dated before sending.

A Confirmation of Conveyance form ICD.2967 must also be sent to the ROM alongside the Bail 201 which is completed and signed on the day by ROM staff to confirm that the FNO understood their bail conditions. ROM staff must scan and upload to Atlas via 'Manage Documents'.

Where no change to the reporting event is required

Where the reporting event is sufficiently imminent for EM appointment purposes, the EM Hub must schedule the EM commencement aligned with the FNO's existing event. The EM Hub must send an email to the relevant ROM advising of the scheduled EM appointment and refer a service request in Atlas specifying the appointment type to ensure scheduling is complete:

- 'Deliver EM Commencement – Initial'
- 'EM Device Change – Tag'
- 'EM device Change – Non-Fitted'

Paperwork for the FNO

Where this is a first application of EM or supplementary conditions, the EM Hub must send a new Bail 201 to the FNO in advance of the appointment which sets out all the bail conditions to which they must adhere from the date.

Where this EM appointment is for a variation of existing EM conditions, and involves a device transfer, it will be necessary to draft two versions of the Bail 201:

- a version which instructs the FNO to be at the specified appointment location with their existing conditions contained
- an updated / superseded Bail 201 sent to the ROM for service which contains the EM bail conditions to be followed from the point of this EM appointment / new device issue

The EM Hub must draft and send a Bail 218 appointment letter and send to the FNO in advance of the appointment which explains the details. This Bail 218 must be shown to ROM security by the FNO on entry alongside their existing Bail 201.

Please see instructions above regarding content of the Bail 201 and Bail 218 for service to the FNO. The EM Hub must send these documents to the FNO by tracked post and record all reference numbers in Atlas 'Manage Documents'.

Paperwork for the ROM

The EM Hub must send the ROM the latest copy of the Bail 201 for service on the day, which sets out all the bail conditions to which the FNO must adhere from the day of the EM device issue appointment.

A Confirmation of Conveyance form ICD.2967 must also be sent to the ROM (alongside the Bail 201) which is completed and signed on the day by ROM staff to confirm that the FNO understood their bail conditions. ROM staff must scan and upload to Atlas via 'Manage Documents'.

Please see instructions above regarding content of the Bail 201 and ICD.2967. The ROM must complete the forms and have them signed before scanning and uploading to Atlas via 'Manage Documents'.

Scheduling EM appointments at a domestic address

Where an FNO is unable to travel to the ROM for their EM commencement appointment, the EM Hub must schedule the activity at their registered domestic address.

Where this is the first application of GPS EM or supplementary condition, the Bail 201 must contain all bail conditions to which the FNO must adhere from the date specified. The Hub must update the Bail 201 and must include:

- a requirement to attend the ROM at the new date and time
- all existing EM conditions that must still be adhered to
- all other existing bail conditions other than the previous reporting regime that must be adhered to

Where this is a variation to existing EM conditions, such as a device transfer, it will be necessary to draft two versions of the Bail 201 and send to the FNO:

- a version which instructs the FNO to be at the specified appointment location (domestic address) with their existing conditions contained
- an updated / superseded Bail 201 sent to the FNO one day before the appointment which contains the EM bail conditions to be followed from that date

Scheduling the EM contractor

The hub must create the monitoring order using the template Bail 206 via Atlas and send to the Contractor via email to the dedicated mailbox. The information required must include the FNO's:

- name
- date of birth
- nationality
- photo
- the FNO's prison number and CEPR (from Atlas) reference number
- the date that induction is to occur
- the ROM location that induction is to occur
- the device type to be issued
- any curfew, exclusion zone or inclusion zone
- the FNO's primary spoken language
- the language required for any written material
- the offence that the FNO committed (or any previous high harm offending)
- any indication that the FNO may present a high risk of harm (sourced from IS91RA and Atlas)
- any indication that the FNO may have vulnerabilities

This document must be printed, scanned, and then uploaded onto Atlas via "Manage Documents" if not generated from within Atlas.

For FNOs of no fixed abode, the hub must insert the ROM address within the Bail 206 (and highlight the no fixed abode status in the email body). This ensures the EM contractor can respond to equipment checks and breach activity, albeit scheduled by the EM Hub during daytime hours at the ROM. The EM Hub will be asked by the EM contractor to provide a registered domestic address as soon as one is known.

Caseowners must continue to review address status as part of regular case reviews. Where an address is identified they must update Atlas and inform the [REDACTED] by email.

The EM Hub must continue to check address status for FNOs of no fixed abode as part of regular EM reviews. Where an address is known, the EM Hub must update the EM contractor using the Bail 206 'amend' draft.

Having completed the monitoring order Bail 206, it will be submitted to the contractor by email. Once received, the contractor must validate the monitoring order using their internal processes.

The EM contractor must check that they have all the data they need to schedule and/or carry out the job. Mandatory data is information which must be present for the Contractor to schedule and carry out the job, such as:

- a full name
- date of birth
- photo ID
- valid address for EM commencement

Therefore, if such data is missing, the EM contractor will urgently contact the EM Hub via telephone to request this.

Amending a Monitoring Order (detained and non-detained)

If a Monitoring Order has already been submitted and accepted by the EM contractor but then needs to be paused and / or amended for unforeseen circumstances such as:

- building flood or fire at the accommodation / address of FNO

or

- illness outbreak

the caseowner must inform the EM Hub via email or urgent phone call that an unforeseen incident has occurred which may prevent an EM commencement already scheduled from going ahead. The hub must determine whether the Monitoring Order submitted to the EM contractor needs to be paused or amended. To do so, the information is triaged, and a recommendation put forward by the hub to their SCW to assure. Decisions must be recorded in writing (using the Decision Assurance Template if required), stored locally preferably in a SharePoint library and uploaded to Atlas via 'Manage Documents' as appropriate.

If a Monitoring Order is to be amended, this must be done via an 'amended' Bail 206 sent to the EM contractor contains the updated details. The Bail 206 must be clearly marked 'amended'.

If a Monitoring Order is to be paused, the EM Hub must notify the relevant teams in writing via email that the EM commencement is not going ahead as scheduled and must give the reason why. At this stage there are insufficient details to re-schedule at another time. The information must contain:

- the FNO's name, date of birth and nationality
- the FNO's Prison number, CEPR reference, and Home Office reference number
- the date and time of scheduled EM commencement that is to be cancelled
- the reason EM activity has been amended
- when the FNO is detained within an Immigration Removal Centre (IRC), the EM Hub must await the decision regarding next course of action before sending an email to the relevant Detention Engagement Team (DET) (copying in the FNO RC caseowner), requesting that the FNO is informed of the pause
- the FNO is detained within a hub prison (with Immigration Prison Team (IPT) presence), the EM Hub await the next course of action, before sending an email regarding the EM pause (and intention to reschedule) to the relevant IPT team mailbox with a request that the FNO is informed - the EM Hub must copy in the relevant Offender Management Unit (OMU) mailbox

When the FNO is detained within a spoke prison (without IPT team presence), the EM Hub await the next course of action, before sending an email regarding the EM pause (and intention to reschedule) to the relevant Prison Custodian mailbox with a request that the FNO is informed. The EM Hub must copy in in the OMU mailbox.

When the FNO is non-detained the EM Hub must create a new Bail 201 to notify the FNO of paused arrangements at this stage. The Bail 201 must supersede the previous one sent to the FNO. The updated Bail 201 must include:

- any requirement to attend the ROM at the new location, or by telephone, the date and time
- all existing EM conditions that must still be adhered to
- all other existing bail conditions other than the previous reporting regime that must be adhered to

The EM Hub must draft a brief cover letter to the FNO explaining the amendment, the reasons why, and that they must be contacted in due course regarding rescheduling the EM commencement.

The Bail 201, along with the cover letter and any supporting information, are served to the FNO using recorded delivery post to their known recorded address, identified through Atlas or via tracked email. The Hub must record the recorded delivery reference number on a paper copy of the Bail 201 and scan and upload this to Atlas. Where the EM commencement was scheduled to occur at a domestic address, the process for now is fulfilled.

When an EM commencement is scheduled to occur at the ROM; the EM Hub must inform the relevant ROM of the paused activity (if they do not already know). The EM Hub must give the reasons for this, request the MRA event is cancelled, and explain that any previous Bail 201 paperwork sent for service is to be superseded.

When an FNO is still due to report as scheduled, just without the EM Commencement, the EM Hub must send a copy of any updated Bail 201 for service to the ROM at the reporting event if required.

When a reporting event is amended from the scheduled date; the EM Hub contact the ROM to request intervention cancellation and any contingency arrangements such as different location or telephone reporting. They must also ensure that any Atlas Service Request referred to the ROM via Atlas regarding the reporting event/ EM appointment is updated accordingly. (ROM may reject the activity upon receipt of the cancellation email).

The EM Hub must then send a tasking cancellation email to the ROM. The email header must clearly state what the task request is for, for example, CANCELLED: EM commencement- initial, or EM device switch, and must include the date, time, and HO reference. The email body must contain the following:

- the FNO's full name, date of birth and nationality, CEPR reference and Home Office reference
- clarify the request for CANCELLATION of the EM commencement session / device switch, date, time, ROM location in line with scheduled reporting event
- advise whether reporting event remains in place and all details
- a summary of any known risk factors (IS91RA)
- the FNO's primary spoken language
- the language required for any written material
- request urgent ROM cancellation confirmation
- request any updates regarding the building access / re-opening / location as required

The ROM must cancel any scheduled MRA event in line with this instruction. The EM Hub must decide next actions and must reschedule activity as required.

EM commencement outcome at the domestic address

The EM Hub are advised by the EM contractor of successful EM commencement outcomes via daily reporting. The EM Hub must actively monitor commencement outcomes based on pending activity and EM status in Atlas within the DOD. Once the EM commencement outcome is known, the EM Hub must update Atlas via the 'Confirm EM Commencement Outcome' activity, inserting all details required to confirm the outcome before requesting that the PNC is updated to reflect monitored status.

EM commencement outcome at the ROM

Where the FNO attends the ROM for their EM device issue appointment, the ROM counter staff must perform a welfare check to ensure the FNO is fit and well and in a position to understand the bail conditions. The officer must confirm that the contact details held on record are correct. For any FNOs of no fixed abode this must include capturing any address updates and updating Atlas via Manage Contacts.

The ROM officer must serve the Bail 201 paperwork and explain all the bail conditions to the FNO, ensuring that they have understood and signed the Confirmation of Conveyance document ICD.2967. The ROM Officer must upload signed documents to Atlas via Manage Documents. They must direct the FNO to the Contractor who must fit / issue the EM device and explain how to maintain and operate the device. They will also highlight what action will be taken if the FNO fail to comply with the bail restrictions related to electronic monitoring.

Successful EM commencement

When an FNO is successfully inducted onto the electronic monitoring device, they will also be issued with a Home Office mobile phone.

For FNOs commencing EM at the ROM, they will be issued their mobile phone at the same time as their monitoring device. The FNO will sign both the Acceptable Use Form and Confirmation of Receipt document for the EM contractor, demonstrating they understand what is expected in using the phone and that they have received it.

The EM Hub are advised by the EM contractor of successful EM commencement outcomes via daily reporting. The EM Hub must actively monitor commencement outcomes based on pending activity and EM status in Atlas within the DOD. Once the EM commencement outcome is known, the EM Hub must update Atlas via the 'Confirm EM Commencement Outcome' activity, inserting all details required to confirm the outcome.

The EM Hub must then schedule the first quarterly EM review in Atlas for 3 months' time to ensure review is captured in the DOD and a prompt given to the hub to complete. See instructions under [REDACTED]

The EM Hub notifies the FNO RC Bail Hub to update the police national computer (PNC) record as a PNC marker is required to show that they are subject to electronic monitoring in line with bail guidance. FNO RC Bail Hub sends it on to the [REDACTED]

Unsuccessful EM commencement

This section tells FNO RC staff about what to do when EM commencement has been unsuccessful due to the following:

Vulnerability

When the ROM Counter Officer is unable to proceed with the EM commencement appointment following vulnerability concerns and before bail paperwork was served, they must inform the EM Hub urgently via telephone. The ROM officer must also inform the EM Hub via email which enables the EM Hub to complete pending EM commencement activity within the Atlas EM service delivery.

Where the FNO was served their bail paperwork, but the EM contractor was unable to issue the device because of a vulnerability issue identified at that stage, they must

inform their Monitoring centre by urgent telephone call, who must immediately notify the EM Hub urgently via telephone.

Where a vulnerability issue has been identified by the ROM, or the EM contractor, the EM Hub must phone the ROM to ask them to confirm the failure details in writing via email to the EM Hub mailbox. The ROM must confirm the FNOs current state and any issues that occurred during the reporting event. The assigned ROM Officer must speak with the FNO to establish whether the vulnerability issues identified appear genuine. They must establish whether there are any physical or mental health issues, or any concerns about the ability of the FNO to understand how to operate and maintain the monitoring device, or some other issue which would make the planned device type unsuitable. The ROM Officer must then feed this back to the Hub urgent email to the dedicated mailbox and telephone call, who make the decision regarding how to proceed.

Technical or systems issue

Where the EM commencement has failed due to a technical or systems issue at the hands of the EM contractor or the Home Office (through no fault of the FNO themselves), then the EM contractor must phone their manager at the Monitoring Centre immediately, who must subsequently refer to the EM Hub by urgent telephone call.

Based on the information gleaned about the unsuccessful EM commencement (be this vulnerability or technical issues), the EM Hub will make a recommendation regarding how to proceed and have this decision ratified by their hub SCW. These decisions must be done in writing for audit trail purposes and saved locally and uploaded to Atlas where appropriate, via Manage Documents.

The EM Hub must reach a conclusion regarding whether the Monitoring order can proceed as planned that day or if it needs to be re-scheduled. If the EM Hub conclude the device issue must continue as planned, they must contact the EM contractor urgently via phone to request this. If the EM Hub conclude that EM commencement must be rescheduled for another date / time, then the process starts again.

The EM Hub must actively monitor commencement outcomes based on pending activity and EM status in Atlas within the DOD. Once the EM commencement outcome is known, the EM Hub must update Atlas via the 'Confirm EM Commencement Outcome' activity, inserting all details required to confirm the outcome.

Non-compliance

When an FNO has demonstrated non-compliance by failing to attend the ROM or by refusing to proceed with the EM device issue which has been brought to their attention, the ROM Counter Officer must update Atlas (and MRA) accordingly and notify the EM Hub urgently.

When an FNO demonstrates non-compliance by refusing to cooperate with the EM contractor and no device can be issued (be this ROM or domestic address), the EM contractor must notify their manager at the Monitoring Centre immediately via urgent telephone call, who must subsequently update the EM Hub immediately.

The EM Hub must triage the information and consider breach action as appropriate, according to the details of the case.

EM Commencement at a domestic address

Where EM commencement has failed at the domestic address, for example where the FNO has not made themselves available or refused entry, the EM contractor will perform up to 2 more visits to try again. They will then ask the EM Hub to end the monitoring order and submit a further order after enquiries are made and it is considered appropriate to try again.

Related content

[Contents](#)

Reviews of FNOs subject to Electronic Monitoring

This section explains to Foreign National Offender Returns Command (FNO RC) staff why and when electronic monitoring (EM) reviews are required and how they must be completed.

As per the [REDACTED], the EM Hub must review at a minimum of every 3 months an FNO's EM conditions to ensure they remain appropriate and proportionate according to the circumstances of their case. EM reviews will be scheduled every quarter in this way once an FNO is confirmed as successfully monitored. However, EM reviews will also be performed by the EM Hub on an ad-hoc basis where a change of circumstances comes to light. This includes requests made by an FNO or their legal representative to vary EM conditions. The EM Hub must monitor the [REDACTED] and telephone line to which requests EM review requests are made.

Caseowners must request that an EM review is performed by emailing the EM Hub and setting out the specific reasons, ensuring that representations are requested before any EM condition variation. The scenarios under which this may be appropriate are where a representation, legal challenge or a change of circumstances is brought to the caseowner's attention. The EM Hub on receipt of this request will schedule an ad-hoc review activity with Atlas.

The EM Hub perform EM reviews through manual interrogation of case details within Atlas to ensure that the existing EM conditions remain appropriate for that FNO's circumstances. The EM Hub consider factors including:

- risk posed to the public
- offending history
- compliance with immigration bail
- vulnerability issues

and

- any specific challenge raised against EM or supplementary conditions, including convention rights

In addition, a check to see if there is now an address will form part of the review particularly for those people inducted onto EM of no fixed abode.

Related content

[Contents](#)

Setting EM reviews

These sections tell Foreign National Offender Returns Command (FNO RC) staff about scheduled and unscheduled electronic monitoring (EM) reviews.

Scheduled reviews

Where the EM Hub schedule the EM review in Atlas, there must be a 3-month timeframe before the actual allocation and completion of reviews (where no change of circumstance has occurred in the meantime, prompting an unscheduled review).

To set scheduled EM reviews in the Atlas EM service delivery, the EM Hub must access 'Manage EM Activity' then select 'Set EM review Date' from the options listed. Within the 'Set EM review date' page, they now select the type of review, for example, scheduled or ad-hoc, insert the due date, and insert the EM Hub as the business unit responsible.

The Atlas EM case status updates automatically to 'EM review date scheduled'. This ensures the activity is logged on the DOD for the EM Hub.

Unscheduled (ad-hoc) reviews

The review process can also be triggered in an unscheduled (ad-hoc) manner, because of change in circumstances or a request for EM bail conditions variation. As such, it can be triggered by a request from the FNO themselves, their legal representative, or the caseowner to review EM conditions.

The FNO or their legal representative may prompt an EM review by requesting in writing that EM / bail conditions are varied. The hub must receive these requests from the dedicated mailbox or from the post and must assess whether the bail is managed by Secretary of State (SoS) or First-tier Tribunal (FTT), or whether it relates to other issues for the contractor or FNO RC caseowner to address.


Where the EM Hub identifies that the request does not relate to EM, they must notify the FNO RC caseowner and refer the case via email to them for action.

Where the EM Hub establishes the requirement for an EM review, they set this in Atlas for the following day. The EM Hub access 'Manage EM Activity' and selects 'Set EM review Date' from the options listed. Within the 'Set EM review date' page, they now select the type of review, for example, scheduled or ad-hoc, insert the due date, and insert the EM Hub as the business unit responsible. The Atlas EM case status updates automatically to 'EM review date scheduled'. This ensures the activity is logged on the DOD for the team.

Related content

[Contents](#)

Completing EM reviews

This section tells Foreign National Offender Returns Command (FNO RC) staff how to complete an electronic monitoring (EM) review. When conducting a review, you must refer to the EM and linked supplementary conditions: review section of the 

When the EM review date recorded in the DOD has arrived, the EM Hub will review all outstanding events for that day using the DOD and will ensure these pending review activities are allocated to the EM Hub team using the work allocation spreadsheet.

The EM Hub complete reviews of the case using information within Atlas, police national computer (PNC), and any supporting written information such as representations and medical reports. The EM review template is used to capture the right depth of information, particularly concerning consideration of convention rights. The factors to be taken into consideration are contained in the EM and linked supplementary conditions: review section of the immigration bail guidance.

Part of the EM review must include an address check, especially for those FNOs of no fixed abode. This information must be present in Atlas. Where a change of address is identified, the EM Hub must update the EM contractor via an 'amended' Bail 206 emailed to the contractor to ensure they have a valid address to be able to do equipment checks and breach response visits. Where the address is a condition of bail, the EM Hub should contact the caseowner for further direction.

Reporting compliance should also be taken into account when completing an EM review. If the reporting events are not recorded, or not up to date, on Atlas, the EM Hub must contact the caseowner to request further information.

When all checks are completed and the information considered, the EM Hub makes their recommendation on the outcome of the EM review such as, no change, variation of device type or condition, including EM cessation. The hub team member refers the case details to their SCW manager for decision ratification in writing (using the EM Review template). A written audit trail of the decision ratification must be retained using the EM Review template, Decision Assurance Template, or email and saved to local SharePoint library.

Having ratified the information and EM review recommendation, the EM Hub must update Atlas with the outcome and close the outstanding activity. Via 'Manage EM Activity', the EM Hub select 'Perform EM Review' from the options listed and insert the relevant data to reflect review outcomes. They must also scan and upload any supporting documents such as the EM review template, to Atlas via "Manage Documents" and save to shared folders.

The EM Hub must now set the next scheduled monitoring review in Atlas by inserting the date to perform this. This ensures the task prompt is on the DOD workflow. Advanced scheduling requires them to select 'Manage EM activity' and add 'Set EM Review date', inserting the due date and EM Hub as responsible business unit. The

completion date inserted must be one week before the actual review date required because the DOD will only prompt for overdue tasks.

Where a variation of EM conditions is not recommended, and if no EM review was specifically requested by the FNO or their legal representative, then no formal response is required. Having updated Atlas, the EM Hub must save the EM review template and any other supporting material (emails, decision ratification) to relevant SharePoint library.

Where a variation of EM conditions is not recommended but where an EM review or variation was requested by the FNO or their legal representative, then a formal response must be sent setting out the review outcome. Having updated Atlas, the EM Hub must draft the reply letter Bail 215 setting out the outcome and providing reasons including consideration of appropriateness and proportionality. The caseowner must also consider issuing a Bail 406 where they have varied bail conditions (not related to EM).

The appropriate decision level approval must be obtained before any action is taken. Please refer to EM decision level sign-off grades on page 46 and in the Bail Policy.

Related content

Contents



Varying EM conditions

This section tells Foreign National Offender Returns Command (FNO RC) staff how to vary an electronic monitoring (EM) condition of bail following an EM review, including following a breach of EM.

The EM Hub must review all bail conditions on Atlas to understand the appropriate level of response available, ensuring any decisions are taken in consultation with the caseowner and ratified appropriately, for example at HEO SCW level.

Where Immigration Bail is managed by the First-tier Tribunal (FTT), the EM Hub and FNO RC caseowners must apply to the FTT for a variation of bail. This is requested by completing a B3 form to the relevant Presenting Officers Unit (POU) via email setting out the EM variation proposal with a request for an urgent action.

Consideration must be given regarding the presence of a Financial Condition Supporter (FCS) and any impact this variation may have, for example issuing a Bail 301 to the FCS.

Consideration of representations

When the EM Hub propose to apply any EM conditions including curfew, exclusion, or inclusion zones for the first time for an FNO at liberty or vary supplementary conditions in a restrictive way following EM review, the EM Hub must write out to invite representations using the Bail 211. The EM Hub commence 'Invite Representations' activity in Atlas and insert the due date. Where the EM Hub are escalating monitoring device type only, for example, because of breaching, then representations are not sought.

The FNO is told to respond within 14 days, if they consider the proposed EM conditions are inappropriate, specifying any breach of convention rights. The letter must be sent by tracked post or email and the tracked reference must be recorded via 'Manage Contacts' in Atlas. If the letter has not been generated in Atlas, then it must be scanned and uploaded via Managed Documents.

When the EM Hub have invited representations and started this activity in Atlas, the EM case status changes on the Daily Operational Dashboard (DOD). The EM Hub will track the pending status for 10 working days before allocating the case for progression to 'Consider Representations'. Alternatively, if the representations are received, the EM Hub will complete the activity in Atlas to 'Register Representations' and then 'Consider Representations'.

If an FNO and/or their representative submits representations regarding the proposed EM conditions either by post or email, the EM Hub must consider the representations against the details of the case and decide whether the conditions are appropriate. Activity is completed in Atlas via 'Manage EM Activity' to 'Register or Consider Representations'.

If the EM caseworker recommends that the proposed EM conditions for a monitored FNO are appropriate, they follow EM decision escalation processes through their chain of command and refer to

- the EM Hub SEO (to accept representations and thus disapply the duty)
- decision assurance at HEO level, or SEO level to specifically cease monitoring (to reject representations and thus apply the duty)

Where the EM representations concern the initial application of monitoring (for example at immigration bail consideration stages, Assistant Director (AD) level assurance is required to accept representations and disapply the duty.

Once the EM condition has been approved, the EM Hub must update Atlas; accordingly ensuring the relevant bail conditions are inserted in the bail card. The EM caseowner then verifies whether the FNO is on extant licence conditions to notify the Offender Management Unit (OMU) via email if applicable.

Where the EM Hub decide to vary EM conditions, and the request for a variation of EM came from the FNO for their legal representative, then the EM Hub must draft and send a Bail 215 reply explaining the decision and demonstrating consideration of convention rights. The EM Hub update the Bail 201 once conditions are varied in Atlas.

If the bail is managed by the Secretary of State and the EM Hub deem it appropriate to recover funds from the FCS following FNO EM breaching, they will write out to the FNO and FCS using a Bail 208. The EM Hub must advise the caseowner of this action and update Atlas.

For a device transfer, the Bail 201 contains all existing conditions but a new date, time, location for the device induction appointment must be inserted so the FNO is aware of their obligations (for example, reporting and offender management (ROM), or domestic address).

An updated Bail 201 is produced for service on the day containing all the new bail conditions to which the FNO must adhere. This is served via email to the relevant ROM or served to the FNO via tracked mail to arrive the day before the appointment if occurring at the domestic address.

For a supplementary EM condition variation (but where the monitoring device type remains the same), a new Bail 201 must be produced and sent which contains all the new bail conditions to which the FNO must adhere.

The letters are sent via tracked post or tracked email. The tracked mail reference is recorded in Atlas via 'Manage Contacts', and letters are scanned and uploaded onto Atlas via 'Manage Documents' as required if not generated within the system. Where the EM Hub decide to vary EM conditions (in a less restrictive manner) but where the request did not come from the FNO or their legal representative, then no formal review response is required. The EM Hub update the Bail 201 once conditions are varied in Atlas, and Bail 301 where an FCS is present.

The EM Hub must update Atlas and it may be appropriate to contact the caseowner to advise of any specific changes (they may have requested the EM review). They must ensure they schedule a review for 3 months' time.

The EM Hub schedule the EM contractor by drafting and emailing the Bail 206.

Where the variation of EM conditions involves cessation of the order, the EM Hub must fulfil the necessary steps to cease the order with the EM contractor by completing and submitting a Bail 206 to cease. Please refer to guidance regarding 'How to Cease a Monitoring Order'.

Related content

[Contents](#)

EM decision ratification and escalation

This section tells Foreign National Offender Returns Command (FNO RC) staff how and when internal electronic monitoring (EM) decisions are escalated and assured throughout all grades including seeking legal and policy advice.

External and internal decision enquiries are received into the EM Hub via post or email and are triaged so that it is escalated through internally through the chain of command to receive appropriate actions and decision level assurance.

The EM Hub team member reviews the details of the case utilising Atlas and any supporting material such as correspondence as required in order to draft a decision proposal in writing. They must use an EM Decision Assurance Template if appropriate to set out their decision proposal which can be escalated through the chain of command via email for comments, including policy and legal advice, and saved to local shared folders and Atlas for audit purposes.

The final EM decisions must be recorded in writing, using the EM Decision Assurance Template where appropriate, referencing all supporting material which has informed the decision, and saved to team SharePoint library. The stored file created must reference the HO reference number and surname.

Decision being made	Does duty apply	Minimum authorising grade
To apply the duty	Yes	HEO
To apply the duty where deportation is solely following refusal of application based on marriage to a European Economic Area (EEA) national	Yes	Deputy Director
Not to apply the EM duty upon release for a reason listed in Use of EM	Yes	Assistant Director
Not to apply the EM duty upon release for a reason not listed in Use of EM	Yes	Deputy Director
Not to apply the duty where the person is already at liberty	Yes	SEO
To apply EM where duty does not apply	No	Deputy Director
To apply / disapply a supplementary	Yes	SEO

Decision being made	Does duty apply	Minimum authorising grade
condition where the duty applies		
To apply / disapply a supplementary condition where the duty does not apply	No	Deputy Director
Decision to cease monitoring in all cases	Yes / No	SEO

The grades listed above are the minimum level of authority required. Dependent on the circumstances of the case, in particular the risk of harm posed by an individual, it may be appropriate to seek authority at a higher grade.

Related content

[Contents](#)

MP correspondence and third party representations

This section tells Foreign National Offender Returns Command (FNO RC) staff how to process MP correspondence and third-party representations regarding electronic monitoring (EM) decisions.

Correspondence from MPs is triaged in the first instance by the MP's Correspondence Section and forwarded to the [REDACTED] via email the EM Hub ensures any relevant supporting information is uploaded onto Atlas and reference numbers recorded in "manage contacts".

The EM Hub reviews the details of the case utilising Atlas and any supporting material such as correspondence as required to draft a decision proposal in writing. They may use an EM Decision Assurance Template to set out their decision proposal which can be escalated through the chain of command via email for comments, including policy and legal advisors. The template must be saved within a Share Point library and the stored file created must reference the Home Office reference number and surname of the case in question.

Once the internal EM decisions have been appropriately ratified through the management chain, the EM Hub must draft the written response and return to the requestor. For the MP Correspondence, details are sent via email and the MP Correspondence Team will draft and send the formal reply letter using information provided by the EM Hub. For third party representations the EM Hub may draft a standard reply referencing the inability to provide information as requested without signed confirmation that the FNO concerned has provided the relevant legal permissions for its release under data protection protocols and General Data Protection Regulation (GDPR).

The EM Hub will ensure that any supporting material, letters are uploaded in Atlas as required via Managed Documents and saved to relevant Share Point Library.

Related content

[Contents](#)

Pre-Action Protocol (PAP) and Judicial Review (JR)

This section tells Foreign National Offender Returns Command (FNO RC) staff how to process Pre-Action Protocols (PAPs) and Judicial Reviews (JRs) regarding electronic monitoring (EM) decisions.

Where the legal challenge concerns matters which occurred before the EM device was issued, the caseowner will deal with the PAP / JR. Where the legal challenge concerns a matters which occurred after the device was issued, the EM Hub will deal with the PAP / JR. Correspondence relating to a PAP or JR for the EM Hub is sent to [REDACTED]

PAP / JRs intended for the EM Hub to deal with must be referred via FNO RC case-working teams or other business areas including Litigation Operations. The EM Hub ensures any relevant supporting information is uploaded onto Atlas and reference numbers recorded in 'manage documents'.

The EM Hub team member reviews the details of the case utilising Atlas and any supporting material such as correspondence as required to draft a decision proposal in writing [REDACTED]

Where this concerns a PAP, Counsel or a Legal Advisor sends the response following enquiries with the EM Hub. Where this concerns a JR, Counsel provides advice following enquiries with EM Hub and EM Hub provides instruction on whether to proceed. The PAP or JR decision is returned to the Hub Operations Management Team Leader (SEO) who will update the EM Hub on the outcome and any further action that may be required, including changes to operational guidance, process and/or policy.

The EM Hub will ensure that any supporting material, letters are uploaded in Atlas as required via Managed Documents and saved to relevant SharePoint library.

Related content

[Contents](#)

Notifying offender managers (or equivalent) of device change if applicable

This section tells Foreign National Offender Returns Command (FNO RC) staff when and how to notify an FNO's offender manager (OM) or equivalent in Scotland and Northern Ireland of changes to electronic monitoring (EM) devices.

When the EM Hub decide to impose or vary EM conditions for an FNO on an extant licence, notification must be sent to the relevant HM Prison and Probation Service (HMPPS) OM Hub via their dedicated mailbox.

Related content

[Contents](#)

When non-compliance / breach occurs

This section explains to Foreign National Offender Returns Command (FNO RC) staff about how electronic monitoring (EM) breaches are managed by the EM Hub and where action may be required in consultation with the caseowner, including cessation of EM. This section must be read in conjunction with Breach of EM immigration bail conditions in the [REDACTED]

The EM Hub manage breaches proactively with a view to bringing the FNO back into full compliance with their EM, exploring several avenues to achieve this which include (this list is not exhaustive):

- referral for licence recall
- variation of bail
- casework prioritisation
- detention administrative arrest or prosecution are other options that must be considered by the operational case working areas in conjunction with the EM Hub and Criminal and Financial Investigation (CFI) - however, it is CFI who will make the decision to pursue

The EM Hub is responsible for ensuring commencement of electronic monitoring of FNOs where this forms part of their immigration bail conditions and ensuring they remain compliant throughout until such times as monitoring ceases in a controlled manner for example, a medical emergency or deportation of the FNO is imminent. The EM contractor refers EM breach activity triggered by the device. It is the responsibility of the EM Hub to review EM breach alerts, consider any mitigation from the FNO, and respond appropriately based on the circumstances of the case.

Instances of non-compliance are to be managed by the EM Hub on a case-by-case basis, taking into account the particular circumstances of the breach, including any mitigating circumstances. For example, repeatedly failing to charge the device or partially missing curfews where there are appropriate mitigating circumstances, may be managed differently to an FNO who deliberately cuts off their device.

Breach activity will also be referred to the EM Hub where the FNO fails to attend the reporting and offender management (ROM) or their domestic address for an EM commencement appointment (initial device issue or device transfer).

Where immigration bail is managed by the First-tier Tribunal (FTT) the EM Hub must ensure that the case is brought before the Immigration Judge (IJ). In such cases, the EM Hub must refer to the Presenting Officers Unit (POU) by completing a Bail 303 and B3 form so that the Immigration Judge (IJ) can determine the response to the breach. If the IJ decide to transfer the management of the case to Secretary of State (SoS), then the EM hub will manage the breach.

The loss / damage of mobile phones may not be considered a breach ordinarily, but there is an agreed threshold with the EM contractor that where an FNO who has had

2 replacement phones issued to them, the EM contractor must refer that information to the EM Hub as a breach pack. The EM Hub must decide to investigate and act.

In most instances of a compliance alert or notification of a possible breach, initial analysis is performed by the EM contractor to verify the breach and establish the most appropriate course of action to take. The EM contractor must attempt to contact the FNO to establish the cause and bring the FNO back into compliance. Once a breach is confirmed the EM contractor must contact the EM Hub, so they consider in more detail.

The EM Hub must contact the FNO and provide an opportunity to submit any mitigation (using form Bail 204) which, if received, may be accepted and no further action is taken. If the mitigation is rejected, the EM Hub will consider what breach response is appropriate.

Related content

[Contents](#)

Processing EM breaches

This section tells Foreign National Offender Returns Command (FNO RC) staff what happens when a breach of electronic monitoring (EM) is received from the EM contractor.

Where the FNO's breach is confirmed, the EM contractor must email the EM Hub with details of the breach, followed by a telephone call if urgent.

Where an FNO failed to report for their scheduled reporting and offender management (ROM) EM appointment, or has breached their EM bail conditions and immediate contact with the EM Hub is required, or where following a minor breach, the EM Contractor has been unable to contact the FNO to establish the cause, this information is referred to the [REDACTED] by email, or by an urgent telephone call.

The EM Hub must insert the breach details on the breach screen in the Atlas bail area.

Where a breach alert notification is received from the EM contractor, and where the breach remains unresolved following attempts to contact the FNO and bring them into compliance the hub must draft a Bail Breach Notification letter (Bail 204). The bail breach notification document must be served to the FNO via tracked post or via tracked email. Any tracked post reference numbers are recorded by the EM Hub in Atlas, and the document is then scanned and uploaded via "Manage Documents" in Atlas. [REDACTED]

Where the FNO has been located by the contractor, and the breach has been confirmed / resolved, the EM Hub will still be notified of the breach to determine if any actions are necessary.

When caseowners identify that a monitored FNO is in detention or custody they must update Atlas and detention restrictions status and they must email the EM Hub to advise so that the monitoring order is ceased. Please refer to the section regarding [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

The EM Hub must establish the details of the case using Atlas and look at the breaching, see if the FNO is in contact, balanced against any mitigation to establish validity in that scenario for example, [REDACTED]
[REDACTED] They will access 'Manage Documents' to upload the mitigation and evidence onto Atlas. Once the EM Hub have concluded their breach management and brought the FNO back into compliance, they must update Atlas and ensure that a scheduled EM

review is set for the next 3 months. If the FNO is not brought back into compliance the EM Hub will consider what further actions are necessary to bring them back into compliance.

Where an FNO is out of contact because they have breached EM, the EM Hub must attempt several avenues of re-establishing contact such as via phone, email, or post, or the FNO offender manager (extant licence cases) or the legal representative to attempt to bring them back into compliance. Where all these attempts are exhausted, they must refer to the caseowner to discuss and decide next steps.

The EM Hub will send a list of cases deemed suitable for absconder action to the nominated SEO / HEO contacts in FNO RC every fortnight. If the cases are accepted by a nominated contact in FNO RC, the contact must refer the case to the AOs on their team who are responsible for pre-absconder action.

FNO RC must contact the EM Hub to make them aware that they have accepted the cases.

The EM Hub must cease the monitoring order once a case has been accepted by FNO RC and they are satisfied that pre-absconder action and absconder action is underway and the case is being monitored. FNO RC may decide it is appropriate to refer to Trace and Locate team where the FNO remains out of contact and all avenues are exhausted to bring them into compliance.

Where the EM Hub consider the FNO's response and explanation for the breach (if one is provided) they must adhere to decision assurance, ensuring the required HEO level approval is obtained before any action is taken.

When the explanation for the breach is valid

The explanation for the breach may be considered valid if:

- it is agreed that further action is required to manage the situation in this case, the caseowner must perform an EM review and consider the relevant information such as vulnerability, offending, harm, immigration bail compliance, and convention rights - please refer to guidance regarding how to [REDACTED] and [REDACTED]
- it is decided not to take further action; the EM Hub must check that an EM review is set for within the next 3 months to ensure the case is subject to a full EM review - the Hub must write to the FNO using the Bail 216 Mitigation Response template (warning letter) to advise them of this - the correspondence is sent via recorded tracked post or tracked email - they must access "Manage Documents" to upload the document, before recording tracked post reference numbers - the process ends here

When the explanation for the breach is not valid

When no reasonable explanation has been submitted, the EM Hub must look at the nature of the breach and any previous history of breach located in Atlas breach screen and any contractor notifications histories. In addition to this they must take

account of the general circumstances of the case and determine the most appropriate course of action to bring the FNO back into compliance. The EM Hub must seek EM decision assurance, if required, from the EM Hub SCW to ensure that appropriate decision sign off authority at HEO level is obtained before action is taken.

Where it is decided not to take further action, following the return of the Bail 204, the Hub must write to the FNO advising them of this using Mitigation Response Template- warning (Bail 216). This is generated via 'Template Viewer'. The correspondence is sent via recorded post or tracked email. The EM Hub must record the tracked mail reference number on the letter in Atlas and upload the letter via 'Manage Documents'.

Where an explanation for the breach is absent, deemed invalid, or further breach action is required (agreed by the EM Hub Breach Lead) so that additional sanctions be pursued, the EM Hub determines the most appropriate next course of action on a case-by-case basis. Where they intend to vary bail conditions, or refer for licence recall activity, the EM Hub must send a Bail 217 letter indicating to the FNO that breach response activity it to be pursued. The EM Hub proceed to 'Vary Bail' in Atlas or set a task to 'Vary Bail' for another team member to pick up as soon as possible. Actions to consider are (this list is not exhaustive):

- referral for licence recall and / or offender manager intervention
- variation of bail
- casework prioritisation (for removal)
- detention (for the purpose of removal)
- administrative arrest and prosecution

Mobile phone replacements

Monitored FNOs with a monitoring device are issued with a mobile phone. They are instructed to inform the EM contractor if this is broken, lost, or stolen so that they can be issued with a replacement, but an FNO may naturally inform the ROM or the EM Hub first. Where the EM Hub receive an email or telephone call from the ROM or caseowner that an FNO requires a replacement mobile phone, they must notify the contractor via email marked urgent (and telephone call if required) to order a replacement phone. This must be issued to the FNO by the EM contractor at the next available opportunity. EM Hub must remind Electronic Monitoring Services (EMS) to cancel the previous SIM so it cannot be used.

The loss or damage of a Home Office issued mobile phone for EM purposes should not be considered a breach ordinarily. [REDACTED]

Related content
[Contents](#)

Offender manager (or equivalent) interventions

This section explains to Foreign National Offender Returns Command (FNO RC) staff about how and when to refer an FNO to their offender manager (or equivalent) if they remain on HM Prison and Probation Service (HMPPS) licence.

When an FNO has breached electronic monitoring (EM), the EM Hub verifies whether the FNO has extant licence conditions via Atlas and considers whether the FNO's HMPPS offender manager (or equivalent) must be notified to take appropriate action. This is more likely in cases where EM Hub actions have failed to bring the FNO into compliance. The hub officers identify the offender manager (or equivalent) using Atlas managed contacts card, and email the details of the case, relevant case reference numbers, including breach information, and level of harm posed to the public, requesting that offender manager (or equivalent) assistance is required to bring the FNO into compliance. The OM can take a range of actions against the FNO including bringing the FNO to into the Probation Office for a talk, a verbal warning, and a written warning and ultimately a recall to Prison for breaching a good behaviour licence condition.

The HMPPS offender manager (or equivalent) must decide on the next course of action, which may include a recall to prison, or may be a verbal, or written warning, and responds to the email request from the hub. Thereafter, the FNO can either be prepared for monitoring cessation where a prison recall is to take place, or a different course of action may be pursued.

If recall is not appropriate

If the HMPPS offender manager decides that recall to prison or other licence related intervention is not appropriate (warning), they respond to the hub via email request setting this out.

The caseowner must update Atlas, uploading any supporting material via 'manage documents'. Further FNO RC sanctions are considered to appropriately respond to the EM breach.

If recall is appropriate

If the HMPPS offender manager (or equivalent) decides it is appropriate to pursue a licence recall to prison or other formal intervention, they inform the EM Hub. In these cases, the EM Hub must update Atlas, accordingly, uploading any supporting evidence via "Manage Documents". Where a licence re-call to prison is being pursued, EM cessation activity must be triggered once the FNO has been arrested and placed back into custody and the EM Hub have been notified of this. The EM Hub must cease monitoring via Bail 206 that must be emailed to the EM contractor.

Related content
Contents

Varying bail conditions to manage a breach

This section tells Foreign National Offender Returns Command (FNO RC) staff about varying bail conditions.

Please refer to Varying immigration bail within the [REDACTED] and [REDACTED] regarding when and how FNO RC staff manage electronic monitoring (EM) breaching through variation of bail conditions.

The EM Hub must check bail management on Atlas. If an FNO whose bail is managed by the Tribunal breaches any condition of bail, the Home Office must notify the First-tier Tribunal. The EM Hub must refer to the caseowner setting out details of the EM breach and the caseowner must complete and send both of the following to the Presenting Officers Unit (POU):

- Breach of Bail Conditions Summary (BAIL 303)
- Variation of Bail Conditions and Transfer (B3)

Where the bail is managed by the Secretary of State, the EM Hub must first check all the bail conditions which currently apply to the FNO to understand how restrictions may be applied to drive compliance. They must refer and agree with the caseowner in order that action is taken appropriately. For example:

- increasing reporting frequency
- application or restriction of a supplementary EM condition such as curfew or exclusion / inclusion zone
- device escalation (where both ankle tags and non-fitted devices are available), recovery of funds via the Financial Condition Supporter (FCS)

If a variation of bail condition is not appropriate, the EM Hub must consider the breach approach to identify an appropriate breach response.

Related content

[Contents](#)

Prosecutions and administrative arrests

This section tells Foreign National Offender Returns Command (FNO RC) caseowners about prosecutions and administrative arrest.

Where all other interventions have failed, the EM Hub must refer to the caseowner. Consideration must be made by the case working operational managers and the EM hub whether to pursue prosecution or administrative arrest for non-compliance is appropriate.

Related content

[Contents](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Related content
[Contents](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Related content
[Contents](#)

Ceasing EM

This section tells Foreign National Offender Returns Command (FNO RC) staff about when and how to cease an electronic monitoring (EM) order with the contractor and what other actions must take place including device retrieval and return to the EM contractor.

EM cessation is required following:

- immigration or custodial detention (including section 24 prosecution)
- removal of EM conditions following an EM review or Court Order, or positive status grant
- police arrest or emergency hospital admittance
- if FNO has died

Where an FNO is no longer subject to immigration bail (following status grant or court order) the EM Hub must cease EM by sending the cease monitoring order Bail 206 to the EM contractor, updating the EM service delivery in Atlas once Bail 206 has been sent, and uploading any supporting material. Please refer to section [REDACTED] above regarding completion of the monitoring order (Bail 206).

For immigration detained FNOs, the caseowner must ensure detention restrictions are updated in Atlas and then send a request to the EM Hub to 'Cease EM'. This must be an email and urgent telephone call to the EM Hub since the EM Hub must inform the EM contractor of detention as soon as possible to avoid unnecessary breach investigations. This prompts the EM Hub to access the EM service delivery and complete the 'Cease EM' activity.

Having received notification that an FNO has been immigration or custodial detained, including recall to prison and section 24 prosecution, the EM Hub must check detention restrictions in Atlas are accurate, or update as required with caseowner consultation. They must upload any supporting evidence via 'Manage Documents' and set a service request in Atlas for that day for the EM Hub to 'Cease EM' if this cannot be done immediately.

Ceasing EM at the ROM

Where an FNO is still subject to immigration bail conditions (and therefore must continue to report to the reporting and offender management (ROM)), the hub must check Atlas bail conditions, remove EM and any associated conditions, and retain those bail conditions that continue to apply. They must update the Bail 201 accordingly removing electronic monitoring but ensuring other conditions continue to apply. The Hub must establish if the FNO was monitored on a fitted device (tag) or non-fitted device.

Where the FNO was monitored using a non-fitted device, the EM Hub sends the Bail 201 to the FNO via tracked post / email at their known address instructing them to

return their non-fitted device at the ROM (where it must be returned via Freepost to the EM contractor). Any post references must be inserted into Atlas within Managed Contacts and documents scanned and uploaded as required.

Where the FNO remains on immigration bail and requires their fitted device removing at the ROM, the hub must check Atlas to review the reporting schedule and identify if a new appointment date is required for the fitted device removal (because reporting is 7 days or more away) or whether it can be absorbed into the existing reporting event (because the event is less than 7 days away).

The EM Hub must schedule the necessary cessation appointment at the ROM in the same way as an EM commencement or device transfer appointment referenced earlier in this guidance. The EM Hub enter the reporting service delivery within Atlas and select the necessary service request to refer to the relevant ROM. For an EM cessation appointment, the EM Hub select 'EM – EM Device Transfer Fitted Device' and must enter comments in the free-text box stating that this is 'EM Cessation, with the device to be removed at the ROM by EM contractor. New bail conditions to be served at ROM.

The EM Hub must then confirm this tasking in a follow up email to the relevant ROM. The email header must clearly state what the task request is for, Home Office reference and case details. Once the ROM accept the tasking, they must transfer onto their Manage Reporting Appointments (MRA) system.

Please refer to the section [REDACTED] for guidance on scheduling EM appointments at the ROM.

Ceasing EM with the EM contractor

To cease electronic monitoring with the EM contractor, the hub must complete a bail 206 clearly marked 'cease'. The information must include:

- that this is for 'EM cease' request
- the FNO's name, date of birth and nationality (auto populated)
- the FNO's Home Office reference number (auto populated)
- the date that cessation is to occur
- whether or not the EM contractor must remove, or simply retrieve the device (this may include Home Monitoring Unit (HMU)s for curfew cases, and if this is at the ROM this must be clearly stated)
- an instruction to cancel any mobile phone SIM and retrieve phone if this is no longer needed
- the location that the device can be removed / retrieved from
- the device type to be retrieved
- any indication that the FNO may present a high risk of harm
- the FNO's primary spoken language

The Bail 206 must then be submitted to the EM contractor.

Where the EM Hub are scheduling the EM contractor to remove a device at the ROM, they must flag this when sending the Bail 206 via email as this is outside the normal processes for the EM contractor.

The EM Hub must set a task for the team to 'Vary or Cease Bail' if the activity cannot be completed immediately. This task ensures that the activity is not lost if it takes a while to bring a prosecutions charge.

Ceasing EM in shared systems (Atlas)

The hub accesses the Bail screen in Atlas, to cease the bail and EM conditions. The hub de-selects the EM radio button and any associated conditions to reflect that electronic monitoring no longer applies.

Where an FNO is in immigration or custodial detention, the hub must check Atlas to ensure immigration bail restrictions are ceased and select the option "Detained – Remand – Custody".

The Hub must access the EM service delivery via 'Manage EM Activity' and select the activity 'Cease EM', before updating with details such as date of cessation, and the declaration that the Bail 206 has been submitted and the date of submission.

The EM Hub complete the police national computer (PNC) referral spreadsheet to request that the FNO PNC record is updated with the standard operational message to show that they are subject to electronic monitoring in line with bail guidance and send it to the [REDACTED]

EM device retrieval and return (including mobile phones)

Where an FNO is detained at an immigration removal centre (IRC) for example, detention for removal, the IRC contractors must complete specific actions. See: [REDACTED] whereby IRC service provider staff are required to remove any monitoring devices and Home Office mobile phones, log the serial numbers, and return devices.

Where an FNO has monitoring ceased at the ROM and returns their device to the ROM Counter Officer (non-fitted devices and mobile phones specifically), the ROM is required to log the serial numbers and return devices.

Immigration Detention at the IRC

Detained FNO's who were electronically monitored must have the relevant EM device and the mobile phone removed / retrieved by the IRC service provider Detainee Custody Officer upon their arrival at the IRC, during the booking in process at reception. This includes fitted device, non-fitted device, Home Office issued mobile phone (in line with Detention Services Order-05-2014). The Detainee Custody Officer must identify either the fitted device and cut this off safely, the mobile phone and retrieve from property, or the non-fitted device and remove from the FNO or the property as required.

Where the IRC Service Provider Detainee Custody Officer has removed / retrieved either a fitted device, a Home Office issued mobile phone, or a non-fitted device, they must complete the Home Office Device Uninstall document to log relevant serial numbers and FNO assignment information. This provides an audit trail of devices that must be placed back into circulation as soon as possible once sanitised by the EM contractor. They then send this Home Office Device Uninstall Document to the [REDACTED]

The IRC Service Provider Detainee Custody Officer must ensure that any removed / retrieved devices are returned via Freepost in the printed labelled envelopes addressed to 'Freepost EMS Stores' as soon as possible.

At the ROM

FNOs who are in possession of a non-fitted device and have electronic monitoring ceased, may hand the device in at the ROM during their reporting event. This may on occasion include a Home Office issued mobile phone. The ROM Counter Officer must identify and retrieve the device as required.

Where the ROM Counter Officer has retrieved either a non-fitted device (and potentially on occasion a Home Office issued mobile phone), they must complete the Home Office Device Uninstall document to log relevant serial numbers and FNO assignment information. This provides an audit trail of devices that must be returned to the contractor placed back into circulation as soon as possible, once sanitised by the contractor. They must then send this Home Office Device Uninstall Document to the [REDACTED]

The ROM Counter Officer must ensure that any removed / retrieved devices are returned via Freepost in the printed labelled envelopes addressed to '[REDACTED]' as soon as possible.

Related content

[Contents](#)

The EM Service Delivery Team

This section tells Foreign National Offender Returns Command (FNO RC) staff about the role and responsibilities of the electronic monitoring (EM) Service Delivery Team (SDT).

The Service Delivery Team provide a link to the EM contractor and their contractual obligations to deliver an effective service to the business. The teamwork with the EM contractor where issues of contractor performance have been identified, working closely with the EM Hub who manages operations.

They ensure that the Home Office is billed for services provided by the contractor through regular audits. This includes reviewing complaints and data requests handled by the contractor.

They are responsible for assisting the contractor with certain processes (such as management of stock (device returns, mobile phones) and general enquiries.

Caseowners, EM Hub and colleagues in immigration removal centres (IRCs) and prisons should contact the Service Delivery Team if they become aware of:

- electronic monitoring contractor issues, problems, or perceived failures regarding the delivery of service for tagging
- a complaint against the electronic monitoring contractor and are unsure how to proceed
- an FNO or representatives wishing to obtain electronic monitoring data through 'Subject Access Request' or 'Freedom of Information' and are unsure how to proceed
- any ideas or suggestions on how to improve the electronic monitoring services provided
- if they need electronic monitoring data, including trail monitoring data, and are unsure how to proceed

Related content

Contents

Devices removed at an IRC or ROM

This section tells you about how and when an ankle tag or non-fitted device can be removed.

If a monitored foreign national offender (FNO) is detained, the ankle tag, or non-fitted device, and Home Office issued mobile phone will be removed when the FNO arrives at the immigration removal centre (IRC).

If a non-detained monitored FNO has monitoring ceased at the reporting and offender management (ROM) and the ankle tag, or non-fitted device, and mobile phone may be handed in to the ROM as part of the appointment.

The IRC and the ROM will return the device via FREEPOST to [REDACTED] using printed pre-address envelopes provided by the Service Delivery Team.

When the Service Delivery Team is informed by an IRC or ROM that a detained FNO has had their electronic monitoring (EM) device and /or Home Office issued mobile phone removed at that location (via receipt of the [REDACTED] from the IRC or ROM), they must complete the relevant spreadsheet that captures the device serial number and case information. This spreadsheet is a record of all devices removed on behalf of the Home Office (by IRC and ROMs) which must be returned to the Contractor to support device stock being placed back into circulation as soon as possible.

The Service Delivery Team send the completed Device Uninstall Spreadsheet every week to the contractor via email, copying Ministry of Justice (MoJ) Contract Monitoring Team.

Related content

[Contents](#)

Requesting GPS location data

This section tells Foreign National Offender Returns Command (FNO RC) staff about requests for data relating to electronic monitoring (EM) and how they are correctly processed and by whom.

EM data requests from the following:

- authorised agencies
- FNOs
- internal Home Office departments
- representatives of an FNO

must be necessary, justified, proportionate and comply with the Data Protection Act 2018 Article 6.

The Data Protection Impact Assessment (DPIA) specifies the conditions under which GPS location data may be shared. These are:

- following suspected / confirmed immigration bail breach and to progress lawful immigration activity in response
- to investigate suspected / confirmed evidence of criminality for prevention / detection purposes (includes licence)
- to investigate allegations of a breach of Article 8 of ECHR (substantiate or rebut)
- to fulfil Subject Access Request and Freedom of Information obligations

Although held by the contractor, the Home Office owns the EM data. The Home Office is the sole data controller. In all cases, the data request must meet specified criteria and be countersigned as appropriate under the provisions of the DPIA.

Data requests by FNOs / legal representatives

Requests for electronic monitoring data under Freedom of Information or Subject Access Request procedures must be routed via the appropriate central Home Office teams, who assign a unique reference number before allocating to the correct team for data gathering.

If an FNO or their legal representative has sent a Freedom of Information (FOI) or Subject Access Request (SAR) information request directly to the FNO RC caseowner, EM Hub, contractor, or another Home Office team, the recipient team must re-route the data request correctly to the central teams in the first instance for processing.

- Subject Access Requests
- Freedom of Information Requests and copy in IE PQs, FOIs, and Correspondence

If staff are unsure how to process an electronic monitoring data request, they should contact the EM Service Delivery team.

Internal and external agency data requests

Depending on the requesting agency, EM data requests must be countersigned by a senior officer as specified on the External Agency Request (EAR) request form owned and held by the EM contractor. Internal data requests must be authorised at HEO level. The process allows for the authorised release of EM data, both in-hours and out-of-hours, with 'standard' authorised agency requests dealt with directly by the contractor (for example data requests by the police and the EM Hub who can go directly to the contractor). The contractor will process the request to release data where it satisfied the necessary lawful criteria. The process includes an escalation path from the contractor to the EM Service Delivery Team (SDT) if complex or contentious EM data requests are received.

Standard external requests (for example, police) and standard internal requests (for example, EM Hub) are sent directly to the contractor who will release data where the requests satisfy the necessary criteria, but supplementary internal requests (for example, ICE, FNO RC caseowner) must be sent to the Service Delivery Team who will oversee these during 'in-hours' scenarios. If the request is out of hours and urgent, the team should contact the contractor directly to start the process and copy in the EM Service Delivery team mailbox.

Where a Home Office Team (for example, ICE, reporting and offender management (ROM), EM Hub) or an authorised agency (for example, police, probation service) request GPS data relating to a monitored FNO, they must complete the relevant External Agency Request (EAR) form which is owned and managed by the contractor. This captures all details and the lawful reasons under which the data request is made.

The Home Office team or authorised agency making the request must ensure that they obtain the necessary supervisor-level approval under data sharing principles. Examples of acceptable minimum substantive counter-signatories are:

- HEO or equivalent CIO, Higher Officer
- Police Duty Inspector
- Probation Officer
- Youth Justice Officer
- Hospital Medical Officer

This list is not exhaustive. Depending on the request originator, and whether the request is made in-hours or out-of-hours, the request is forwarded as follows:

Authorised external agency (police, probation service) and standard internal requests from the EM Hub, and / or supplementary internal requests that are made out-of-hours go directly to the EM contractor.

The EM contractor must provide data as per agreed threshold criteria, to the requestor via email and must copy in the Service Delivery Team mailbox into any response for audit and performance MI purposes. The Service Delivery Team

monitors data requests processed by the contractor within performance management frameworks.

Internal Home Office requests (ICE, FNO RC, SAR and FOI central teams) (and / or in-hours requests go to the EM Service Delivery Team during normal business hours.

The Service Delivery Team (SDT) triage the to ensure the request is aligned with the DPIA criteria:

- authorised
- necessary
- justified and
- proportionate

before logging the request on the relevant EM Data Request Log spreadsheet to ensure all actions are captured and an audit trail is available.

The Service Delivery Team must identify the source of the request to ensure it is managed in the appropriate manner. For example, routing to the correct central team if it constitutes a SAR or FOI.

For standard data requests received, where the Service Delivery Team are unable to access the data directly, the request is forwarded to the contractor dedicated mailbox with a request that the Service Delivery Team are copied into any response (whether the data request is accepted or rejected).

For any complex data requests received into the Service Delivery Team, including those data requests processed by the EM contractor which need additional authorisation, they are referred to the EM Service Delivery Manager (SEO). The Service Delivery Manager must log the request within the EM Data Request Log (if not already logged) and refer to data sharing principles to decide whether the request is approved or rejected. All actions taken in respect of the data request are recorded on the EM Data Request Log for audit purposes.

If the data request is approved by the Service Delivery Manager, they must inform the EM contractor to provide the data to the requestor and copy in the Service Delivery Team mailbox. If the request was a SAR or FOI, the central Home Office team will formalise the response and send to the requestor.

For rejected internal data requests processed by the Service Delivery Team in business hours, the Service Delivery Team, log all actions and decisions, then inform the data requestor of the rejection, providing reasons as required. Scenarios here may include an internal Home Office team such as ICE, FNO RC or ROM, or SAR or FOI requests referred via SARU, or the Information Access Team, respectively.

For rejected data requests processed by the Service Delivery Team outside of business hours (usually complex requests referred by the EM contractor) the Service Delivery Manager must record all actions and decisions in the log and inform the EM

contractor of the rejection outcome so that the contractor can respond to the requestor (copying in the Service Delivery Team mailbox for completeness).

Internal access request forms are available on request from SDT.

Related content

Contents

How EM complaints are managed

This section explains to Foreign National Offender Returns Command (FNO RC) staff how the electronic monitoring (EM) Service Delivery Team manage complaints.

The EM Service Delivery Team (SDT) is responsible for processing of complaints relating to electronic monitoring service, or the conduct of EM Hub or contractor staff. Their remit is as follows:

- investigating complaints regarding the conduct of the EM Hub
- reviewing completed complaint investigations by the EM contractor where the complainant remains dissatisfied with the outcome
- referring complaints to police and the Home Office Professional Standards Unit (PSU) regarding the conduct of the EM Hub or contractor which are of a criminal nature, or (if proven) would constitute gross misconduct

It must not refer to issues raised relating to the decision to apply EM or the type of device, or to any other immigration bail conditions. Those issues must be handled as further representations and via EM reviews.

The contractor has in place its own processes for handling of complaints received directly from an FNO. Complaints regarding EM service or contractor staff conduct must be routed directly to the contractor in most instances, and they conduct their own investigations.

The procedure for raising complaints must be explained to an FNO during the EM commencement session referred to in the handbook given to them. However, the FNO or their legal representative must direct such a complaint to other teams about the EM service including:

- the EM contractor
- the EM Hub
- FNO RC caseowner
- the reporting and offender management (ROM)

These complaints where relevant must be routed to the EM Service Delivery Team (SDT) for processing. In addition, the EM contractor must notify the SDT of a completed complaint investigation where the complainant remains dissatisfied, thus requesting the Service Delivery Team perform a review of the complaint investigation.

Receipt and triage of complaints

The complaint information is triaged on receipt by the Service Delivery Team. A decision is made whether the complaint should be referred to the contractor for resolution, or if the complaint warrants investigation internally by the SDT or Home Office PSU. All complaints must be issued with a unique reference number by the

SDT, and all papers generated in response to that unique reference must be held in the restricted folder in SharePoint. Complaints form part of contract and service performance monitoring by the Service Delivery Team.

The Service Delivery Team maintains a protectively marked Complaints Log stored in SharePoint, and in all cases the FNO is notified of the outcome of their complaint, by the investigating party. Any complaints and outcomes must not be recorded on Atlas.

The contractor may also have completed a complaint investigation and where the complainant remains dissatisfied with the outcome, they must forward to the SDT mailbox to request an independent review of the complaint investigation. The officer managing the SDT mailbox will review the details and triage the nature of the complaint information to decide next steps. These are:

- for complaints regarding the conduct of the EM Hub, the case is managed by the SDT
- for completed complaint investigation details received from the contractor where a review is required, the case is handled by the SDT
- for live complaints regarding the conduct of the contractor, the details of forwarded to the contractor

Logging the complaint

The SDT will log the complaint details in the Complaints Log and must document the decision regarding where the complaint should be routed for resolution. Complaints must be issued with a unique reference number before the complaint is referred for action as appropriate. When an FNO's complaint has been referred to the contractor for investigation and resolution has been reached and notified to the FNO, the SDT must also notified by the contractor via email. The SDT update the Complaints Log accordingly.

Managing complaints or reviews of completed contractor complaint investigations

When the SDT has established that the complaint is to be investigated by the SDT, or a completed contractor investigation requires review by the SDT, they must gather evidence to decide on the next actions and response. Examples of evidence which could include device data, witness statements, CCTV footage, or relevant paperwork from the contractor or the prison or IRC where EM commencement and mobile phone issue took place. Requests for evidence must provide a reasonable deadline for receipt for example, 7 days (please check any service level agreements in place with the contractor. A complaint aide memoire may be used).

The SDT officer investigates or assesses the facts of the case against policy, operating procedure, and code of conduct. The complaint must be reviewed and documented on a Complaint Report Template.

The SDT officer drafts a response to the complaint or completed complaint investigation review on the relevant Complaint Final Reply Letter Template. Both the completed Complaint Report Template and the Complaint Final Reply Letter Template must be saved in the Service Delivery Team shared folders for reference. They must send the report and response letter documents to the Service Delivery Manager (SDM) for review and ratification.

The SDM reviews that all relevant issues have been addressed. The review must consider the completed Complaint Report, all annexed evidence and the completed Complaint Final Reply letter. They must make any changes to the Complaint Final Reply Letter and or Complaint Report Template using 'track changes' and update the Complaints Report in the relevant sign-off section. Both documents must be returned to the Officer and saved in a SharePoint in the relevant folder.

The SDT officer receives the draft response back from the SDM, finalises the Complaint Final Reply Letter, and edits and must be sent to the required recipient party. They send the finalised response to the required party: either the complainant and their legal representative for complaints regarding the conduct of the EM Hub, or a review of completed supplier service complaint investigation, which is copied to the supplier and must be sent by tracked mail and all reference numbers recorded in the complaints log. Where email correspondence is used, 'read receipt' must be selected.

The SDT officer performs closing actions to log the outcome of the complaint and any actions taken for audit and reporting purposes. This must include all:

- final letters and reports are saved
- evidence is annexed
- documents are saved in the correct file in the relevant team SharePoint libraries
- responses have been posted / emailed via tracked methods
- correspondence references are recorded
- the Complaints Log is completed

Where an FNO's complaint has been referred to the supplier for investigation and resolution has been reached and notified to the FNO, the SDT must be notified by the supplier via email. The SDT update the Complaints Log accordingly.

Related content

Contents