

Briefing Note

22nd July 2021

Note of concerns raised by staff connected to small boat arrivals.

1. Treatment of Children

Children are sleeping on cots in the foyer of Frontier House because there is nowhere for them to be accommodated. One child has been there for 8 nights.

Med-Event ask that migrants not be offered food prior to CV testing. One officer reported a 4 year old boy denied food for several hours whilst waiting to be tested on Monday 19th July.

A family with a disabled child were forced to sleep on the floor of the Tent at Tughaven for 2 consecutive nights, understood to be 19th and 20th July, as there was no onward accommodation for them.

2. The onward accommodation of Adults.

On several occasions in recent weeks Migrants have been accommodated overnight in the tent at Tughaven. Tughaven is not an authorised place of detention. There are no facilities for anything more than a brief respite stay. Officers also report that the migrants were not at that time subject to a formal detention order; there are concerns that they may have been unlawfully detained.

Cleaners cannot access the tent when migrants are present. When migrants remain overnight this means that the tent cannot be cleaned with ongoing health & safety implications.

Officers have expressed concerns at the practice of holding migrants in removals centres and questioned whether the concession to do so for 5 days is being interpreted correctly. Does this equate to 120 consecutive hours or to 5 sequential periods running midnight to midnight; and from which point does the clock start running. Migrants are regularly detained in removals centres for 5 sequential periods of 24 hours after their arrival there which then amounts to 144 hours or 6 calendar days. This does not include any periods of time held at Tughaven which can be in excess of 24 hours. Officers are concerned that detention in these circumstances is unlawful.

3. Inadequate Risk assessments, and in any event not complied with.

The ISU raised formal concern about a range of health & safety breaches including the lack of proper risk assessment with the Home Office on 18th July. The risk assessment eventually provided had over 70 points of non compliance. More recent assurances given around working time and the provision of things like hats and sunscreen were breached. This is being pursued through the HSE. Further detail in in separate attachments.

4. Excess hours worked by staff

Members in UKVI (Asylum Intake Units and Immigration Removal Centres) report that they have now exceeded their allocation of hours for the 2021 / 2022 year. These staff work on an Annualised Hours contract where 2,192 hours per year are paid for to be worked at the employer's discretion throughout the year. This allows for flexible deployment. The Annualised Hours year runs April – March. Some staff have already worked all pre purchased hours. There is no contractual obligation on staff to accept any offer by the employer to purchase additional hours. This presents a risk to the business that staff may not accept additional working; as well as a risk to the health & safety of individuals should they accept.

Border Force and Immigration Enforcement have adopted a different approach paying for excess hours by way of overtime. This has resulted in hours worked not being centrally recorded so as to comply with the working time regulations. Breaches of the requirement for a minimum 11 hour gap between shifts and breaches of the requirement to give rest breaks are common place. Although assurances were given that shifts would be kept below 13 hours, shifts of 16 and 17 hours are not uncommon. Combined with the extreme conditions and on occasion the amount of driving done by staff this presents not only a risk to staff but also to the public.

Staff are routinely offered work on their scheduled rest days. This attracts additional payment and the ISU recognises that given over a decade of public sector pay restraint and the 2021 pay freeze the opportunity to earn additional money is welcome. However, we remain concerned about the impact on staff of the amount of additional hours worked. Further it is not a cost effective means of deploying staff as overtime hours are inevitably more expensive than conditioned hours.

5. Excessive delays in processing migrants

The volume of arrivals can mean that there are excessive delays in processing migrants. On 19th, 20th and 21st July staff reported migrants waiting for hours before they were able to be tested for Covid. Because Med-Event require that migrants not eat before being tested they could not be offered food. This results in the serious risk of unrest, not to mention being inhumane.

On 19th / 20th July a large number of migrants made beach landings rather than being brought into Tughaven. The tent had exceeded capacity and migrants, accompanied by staff, were held on coaches outside the facility for up to 7 hours. One coach, held for some hours, had 5 people on board who later tested positive for coronavirus.

The pressure of the volume of arrivals led to migrants being processed on the tarmac in full view of the public on 19th July. This is in direct breach of the risk assessment and safe system of work. The ISU understands this also was witnessed by two DHB officials.

6. No proper food service for migrants

Tughaven holds only pre packed biscuits and bags of crisps for migrants. There is no provision for hot food or a proper meal.

On 19th July no substantial meal was available for the some 400 or so migrants remaining in the tent at Tughaven until take away pizza was ordered at 9pm. This was for migrants who had commenced their crossing the night before and at that point had not eaten a proper meal for a period in excess of 20 hours. This is not only inhumane it puts staff at risk from civil unrest.

7. Inadequate protection from the weather.

Over 200 migrants landed on beaches on 19th / 20th July. Unlike those landed at Tughaven they, and the staff guarding them, have no protection from the weather. The risk assessment provides for sun

screen and sun hats for staff; however there was none to be found on those days. Similar accommodations are not available for migrants. Officers were badly sunburned waiting with migrants exposed on beaches sometimes for hours. Deployment to beaches is unheralded and often at pace. Even had sunscreen been available, and the ISU is advised that it was not, staff had no time to use it prior to deployment.

Officers reported that on 19th July one migrant who landed on the beach had albinism. He was required to remain without protection from the sun for approximately 4 hours; first on the beach, later held on the coach and then processed on the tarmac without access to shade. He also later tested positive for coronavirus.

8. Lack of access to period products for female migrants.

Several officers have reported difficulties with female migrants unable to access period products. There is often a reluctance on the part of females to ask for assistance in this respect. This, combined with the language barrier compelled one officer to report to us that she had had to roll up a wad of tissue and mime to the woman to determine if that was what she wanted; it was. Another officer described a female migrant who was too large for the female clothing kits available. A manager directed that she be given a male clothing kit instead, but the boxer shorts contained in that kit are not compatible with the use of period products, which the lady was in need of.

9. Single officers left to guard migrants in public spaces

Several officers reported that single officers were left to guard migrants on beach landings, or in coaches following beach landings, alone. This is contrary to the safe system of work. Staff felt very unsafe as the situation is volatile.

10. Briefing to the Home Secretary is potentially and inadvertently misleading.

The ISU have reached out to Ms Patel to ask her to meet with us and hear these concerns directly however at the time of writing she has not done so.

The briefing to the Home Secretary provided in the evening on 19th July stated that 409 migrants had arrived; it was in fact 430. It stated that migrants were accommodated in a large tent with mechanical ventilation in relative comfort from the heat. Whereas in fact 100+ had been held on coaches in direct sunlight for several hours. The tent exceeded capacity during that day and migrants were processed on the tarmac in the coach park.

The briefing further stated that the welfare of both staff and migrants could be managed appropriately. The examples shown above quite clearly show this was not the case.