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STATUTORY INSTRUMENTS

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**2018 No. 409**

**The Short-term Holding Facility Rules 2018**

**PART 5**

**STAFF OF SHORT-TERM HOLDING FACILITIES**

**General duty of staff**

**38.**—(1) It is the duty of every member of staff to comply with these Rules.

(2) A member of staff must promptly inform the manager and the Secretary of State of any suspected abuse or impropriety which comes to that member of staff's attention.

**Gratuities**

**39.** A member of staff must not without authorisation receive any fee, gratuity or other consideration in connection with their office.

**Transactions with detained persons**

**40.**—(1) A member of staff must not take part in any business or pecuniary transaction with or on behalf of a person detained at a short-term holding facility without the authorisation of the Secretary of State.

(2) A member of staff must not without authorisation—

- (a) bring in or take out of a short-term holding facility,
- (b) attempt to bring in or take out of a short-term holding facility,
- (c) knowingly allow to be brought in or taken out of a short-term holding facility, or
- (d) deposit in any place,

any item whatsoever, with intent that it should come into the possession of a person detained at a short-term holding facility.

**Staff employed by the contractor**

**41.** A member of staff employed by a contractor at a short-term holding facility must facilitate the exercise of the contract monitor's statutory functions.

**Search of staff**

**42.**—(1) A member of staff must submit to being searched by a detainee custody officer or an immigration officer in the short-term holding facility if the manager so directs.

(2) A search conducted under paragraph (1) must be conducted in as seemly a manner as is consistent with discovering anything concealed and may not require a person to remove any of their clothing other than an outer coat, jacket or glove.

(3) A detainee custody officer or an immigration officer may seize and retain any item located as a result of a search under paragraph (1) that the detainee custody officer or immigration officer has reasonable grounds to believe may compromise the security of the short-term holding facility or the safety of any person.

(4) Any item seized under paragraph (3) may be disposed of in such manner as the manager may direct.

**Contact with former detained persons or the friends and relatives of detained or former detained persons**

**43.** A member of staff must not, without the authorisation of the Secretary of State, communicate with any person who the member of staff knows to be—

- (a) a person formerly detained at a short-term holding facility or removal centre,
- (b) a relative or friend of a person detained at a short-term holding facility or removal centre, or
- (c) a relative or friend of a person formerly detained at a short-term holding facility or removal centre,

in such a way as could be seen to compromise that member of staff in the execution of their duty or the safety, security or control of the short-term holding facility.

**Changes to legislation:**

There are currently no known outstanding effects for the The Short-term Holding Facility Rules 2018, PART 5.