

SPSO decision report

Case: 201200671, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: earnings
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained that the Scottish Prison Service (SPS) had inappropriately implemented the prisoner wage earning policy. The SPS had introduced a new prisoner wage policy in August 2011. The policy recognised that the process of moving to this new wage earning system might present some particular challenges at certain locations and said that it would be a matter for individual prison governors to determine how best to achieve the desired outcome. It said that it was expected that all public sector prisons would have moved to the new policy by the end of December 2011, unless there were specific and compelling reasons why this might not be possible. The new policy was not rolled out in Mr C's prison until May 2012, as the SPS considered that full implementation of the policy there was a high security risk. Mr C considered that his earnings had been lower as a result of the delay in implementing the policy.

We found that governors had been allowed some discretion in how they implemented the new prisoner wage earning policy. We found that the governor of Mr C's prison had been entitled to adopt a phased approach in order to maintain security in the prison. We did not uphold Mr C's complaint as we did not identify any maladministration in relation to the governor's decision on the matter.