

SPSO decision report

Case: 201303203, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: complaints handling
Outcome: upheld, recommendations

Summary

Mr C, who is a prisoner, complained because he said the prison failed to handle his complaints appropriately. In particular, Mr C said his complaints had not been responded to or appeared to have gone missing.

We examined several complaints that Mr C had submitted and asked the prison about their handling of them. As well as explaining what had happened with those complaints, the prison said that they were now operating a pilot whereby all prisoners in that hall of the prison would be issued a receipt after they submitted a complaint. The prison said they planned to roll this out to the whole prison, apart from for confidential complaints submitted directly to the governor (PCF2 complaints).

The evidence we saw showed that Mr C's complaints were not responded to by the prison within the relevant timescales; a confidential complaint was incorrectly placed in the external mail; another complaint was misfiled along with Mr C's legal correspondence; and Mr C had to submit a new complaint to chase up an existing one. In addition, we found the prison's ability to log prisoners' complaints was restricted to certain members of staff. In light of this, we upheld Mr C's complaint and made recommendations.

Recommendations

We recommended that Scottish Prison Service:

- apologise to Mr C for the failings identified with the handling of his complaints;
- communicate the findings of the pilot to the Ombudsman; and
- consider implementing a similar process for PCF2 complaints in light of the failings identified with the handling of Mr C's complaints.