

SPSO decision report

Case: 201305037, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: work (in prison)
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, had a particular job in prison, which he said he had worked hard to obtain and which he enjoyed. He said that he had discussed some problems with a female member of staff but had then been accused of making inappropriate remarks to her and having an inappropriate relationship with her. He complained that he had, therefore, been unreasonably moved to a different job in the prison.

It is for the Scottish Prison Service (SPS), not for us, to decide how jobs in prison are allocated to prisoners. Our role was to consider the way in which they took the decision to remove Mr C from the job in question. Our investigation showed that they had had concerns about Mr C's comments to, and about, the officer. Given that, it was appropriate that they should consider removing him. In those circumstances, we would have expected them to have spoken to Mr C, and both his and the SPS' accounts showed that they had done so, making the reasons clear to him. They also decided that, because of his previous good behaviour, they would take no further action and would give him another job of equal status and pay, which was appropriate practice. We found no evidence that the SPS acted wrongly in making their decision, and we did not uphold Mr C's complaint.