

SPSO decision report

Case: 201402563, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: food
Outcome: upheld, recommendations

Summary

Mr C complained that his prison failed to follow relevant procedures in providing him with food; specifically, that one meal provided to him was lower than the required temperature. Mr C said he saw food records which had missing days and dates, and that he spoke to staff who told him a meal had not been probed to check its temperature. Mr C said he had lost trust in the prison's ability to provide meals that were safe to eat.

We have no role in ensuring the health and safety of prison food. Our role in this case was to consider whether the prison acted in line with relevant processes or procedures. We looked at the food records and found that some entries were missed from the daily hot temperature record sheet. This evidence was accepted by the prison when they dealt with Mr C's complaint. It meant that the prison were unable to demonstrate that meals served each day had been probed, to ensure they were above the required minimum temperature of 63°C. As this was not compliant with the prison's food safety manual and The Prisons and Young Offenders Institutions (Scotland) Rules 2011, we upheld Mr C's complaint.

In response to Mr C's complaint the prison carried out an audit of compliance with the food safety manual over a number of weeks, which we found to be reasonable and proportionate in the circumstances. However, we were concerned that one part of the prison did not provide the necessary data sheets for the audit and, therefore, we made a recommendation about this.

Recommendations

We recommended that the Scottish Prison Service:

- ensure that all halls audited or inspected for compliance with the food safety manual provide the necessary data when requested to do so, and copy the results to us.