

SPSO decision report

Case: 201403212, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: earnings
Outcome: not upheld, no recommendations

Summary

Mr C complained because he said the prison was paying him an unfair wage. He also said they failed to handle his complaint appropriately.

Our investigation highlighted that there were prisoners employed in the same work party working the same hours as Mr C but receiving a higher wage than him. A new work timetable was introduced by the prison prior to Mr C's arrival and because of that, the hours those prisoners previously worked were reduced. The SPS national wage earning policy says that prisoners should not be penalised for wage earning if work or activity is reduced due to operational reasons. As a result, the prison continued to pay those prisoners the wage they received prior to their hours being reduced. In Mr C's case, he began work after the new timetable was brought in. As he was being paid in line with the policy in place at the time we, therefore, did not uphold his complaint. We also did not uphold Mr C's complaint about the way the prison handled his complaint to them.