

## SPSO decision report

**Case:** 201407715, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** complaints handling  
**Outcome:** upheld, recommendations

### Summary

Mr C repeatedly pressed the call button in his cell and was placed on a disciplinary report by prison officers. Mr C complained to the Scottish Prison Service (SPS) about this because he said he pressed the call button because he was unwell. Mr C then complained to us about how the SPS handled his complaint.

We found there was an unreasonable delay in the SPS dealing with Mr C's complaints, and that his initial complaint was not handled in line with the relevant guidance. Mr C made more than one complaint to the SPS, and his last complaint to them was dealt with at all stages of the process by the same officer, which we found to be unreasonable. We also found that the responses provided to Mr C were not in keeping with the complaints guidance and were not entirely reasonable in the circumstances. In addition, we found that in dealing with Mr C's last complaint, the SPS did not handle his request for witnesses in line with the complaints guidance. We upheld Mr C's complaints.

### Recommendations

We recommended that the SPS:

- apologise to Mr C for the failings identified;
- review the handling of this complaint with the relevant prison to ensure these failings do not occur in the future; and
- remind the relevant prison of the timescales and the process for delays in exceptional circumstances as set out in the staff guidance on prisoner complaints.