

SPSO decision report

Case: 201600593, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: placements
Outcome: not upheld, no recommendations

Summary

Mr C complained that he was not given the opportunity to apply for a position within a new work party that was created in his prison because the post was not advertised. He said that this was contrary to the labour allocation policy procedures. Mr C also raised concerns that the wage earning policy did not cover the amount that was being paid to the work party.

We found that, while it is local practice at this prison to advertise vacancies, it is not mandatory. In addition, the Scottish Prison Service has confirmed that because of the success of a former education class, a decision was taken by the prison's management team to ensure consistency and offer the full time positions to those already carrying out these duties. We concluded that this was a discretionary decision the prison staff were entitled to make and we considered their actions reasonable.

We also found that there was no evidence that the prison failed to follow the guidance in place for the work party's rate of earnings and bonuses.