

SPSO decision report

Case: 201701298, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Decision: upheld, recommendations

Summary

Mr C complained about the way that the Scottish Prison Service (SPS) handled a form on which he had submitted his comments on the record of discussions held during his integrated case management (ICM) case conference. He had submitted the form through his personal officer, in line with the ICM Practice Guidance Manual. According to the guidance, the form should then have been forwarded to relevant parties who had attended the case conference for their comments. Mr C did not hear anything further for several weeks and, after he followed matters up with the ICM co-ordinator, he was advised that the form had not been submitted within the required timescales and so there would be no action from the prison based social worker.

Mr C submitted a complaint to the SPS, and after escalation the complaint was heard by an ICC (Internal Complaints Committee). The ICC found that the form had been submitted within the timescale and as such it should be considered. They did not set a timescale within which this should happen, and when nothing further appeared to happen Mr C brought his complaint to us.

We found that there were several stages at which the process had broken down. First, there was a delay in the receipt of the form being acknowledged, then there was a failure of the ICM co-ordinator to oversee the process by which the form was sent out to relevant parties for comment. Despite Mr C having raised concerns with the SPS, and failings being identified by the ICC, the SPS missed the opportunity to resolve matters at an early stage.

As well as not having imposed a timescale for action to be taken, the ICC failed to confirm what they would recommend as a result of the failings identified in Mr C's case to ensure that the matter was resolved appropriately. We upheld the complaint. An apology had already been made to Mr C, but we made a number of other recommendations.

Recommendations

What we said should change to put things right in future:

- The ICM co-ordinator should ensure that comments from relevant parties are sought within a reasonable timeframe, following up where necessary, with a view to ensuring that an accurate record of the ICM case conference discussions is entered onto the relevant computer system as soon as reasonably practicable after the ICM case conference has taken place.
- Consideration should be given to imposing a set timeframe within which to acknowledge forms of the type that Mr C had submitted, and to obtain comments from relevant parties.

In relation to complaints handling, we recommended:

- If the ICC are recommending actions, where possible they should specify the timescale within which action is to be taken.
- Where failings are identified, the ICC should confirm in their response the steps to be taken to resolve the

failings.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.