

## SPSO decision report

**Case:** 201704678, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** food  
**Decision:** upheld, recommendations

### Summary

Mr C complained that he did not receive his meals in prison when he was off his work placement for a week. He has a nut allergy and had requested to be placed on a special diet list. His work placement was within the kitchens so he was usually able to prepare his own meals. However, he complained that he was not placed on the special diet list, resulting in him not receiving meals when he was off work.

In responding to his complaint, the prison indicated that Mr C had not been on the special diet list, but had since been added to it following receipt of confirmation of his allergy from the healthcare team. However, the prison then told us that no instruction had been received from the healthcare team indicating any special dietary needs that Mr C could not manage himself. They acknowledged there had been issues in the past with Mr C not receiving the correct meals, which led to him being offered a job in the kitchens.

While we considered that the prison had demonstrated flexibility in allowing Mr C the freedom to control his food intake, we were unable to conclusively determine the arrangements in place to ensure his dietary needs are met when he is not working in the kitchens. On balance, we upheld this complaint.

### Recommendations