

## SPSO decision report



**Case:** 201802950, Glasgow City Health and Social Care Partnership  
**Sector:** health and social care  
**Subject:** policy / administration  
**Decision:** upheld, recommendations

### Summary

Mr C complained about the way the partnership had handled his request to be assessed for suitability for a single cell in prison. Mr C had approached the prison health centre about this matter, and was told that this was an issue for the Scottish Prison Service (SPS). He complained to the partnership about the prison health centre's refusal to support his request for a single cell.

Mr C wrote a letter to the health care team, saying that SPS staff had explained to him it was up to the mental health team to indicate whether he should be assigned a single cell.

We made enquiries with both SPS and the partnership. SPS confirmed that they are responsible for carrying out cell sharing risk assessments. If a prisoner believes they should be allocated a single cell, then SPS would expect a recommendation from the health centre to support that requirement.

The partnership said that decisions on single cell allocation were a matter for the SPS. They said it was not the role of healthcare staff to carry out an assessment for allocation of a single cell. They said there were limited situations in which NHS staff might be involved in requesting such an allocation, and these did not apply to Mr C.

While we accepted that it was the overall responsibility of SPS to allocate single cells, on the basis of the evidence put forward by SPS and the information they shared in support of their position, we concluded that when a prisoner asks to be allocated a single cell on medical grounds, such a request should be appropriately considered by the prison healthcare team. It is for healthcare staff to assess whether a single cell is required on health grounds and to determine whether those grounds exist or not. Therefore, we found that the health centre's handling of Mr C's request was unreasonable and we upheld this complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for failing to handle his request for a single cell reasonably. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/leaflets-and-guidance](http://www.spsso.org.uk/leaflets-and-guidance).
- Provide an opinion to the SPS about Mr C's need or otherwise for a single cell on the basis of his medical circumstances, in order for the SPS to make a decision.

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

- Discuss the issue of prisoners requesting single cells on the basis of medical grounds with NHS and SPS staff at the monthly meeting to clarify the role of the NHS.

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.