

## SPSO decision report

**Case:** 201303479, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** complaints handling  
**Outcome:** upheld, recommendations

### Summary

Mr C, who is a prisoner, complained to the prison that they had failed to respond to an earlier complaint that he had submitted. The prison's internal complaints committee (ICC) upheld this complaint, and recommended that his original complaint should be logged and responded to in line with their procedure. Mr C then complained to us when the prison had still not responded.

The Scottish Prison Service (SPS) told us that when Mr C's complaint paperwork was returned to the administration office after the ICC hearing, the database was not updated to record the ICC recommendation. This meant that the relevant officer was unaware the recommendation had been made. The SPS assured us that the system in place at the prison for logging and responding to complaints was robust, and that the failure to deal with Mr C's complaint was because of administrative error. They said the staff involved had been reminded of the importance of logging complaints to ensure they could be tracked and responded to in line with the complaints procedure.

Since complaining to us, Mr C has now received a response to his original complaint. However, we upheld his complaint to us because the prison did not log or respond to his original complaint within the relevant timescale, and because they also failed to action the ICC's recommendation.

### Recommendations

We recommended that the SPS:

- apologise to Mr C for failing to action the ICC's recommendation.
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