

SPSO decision report

Case: 201303986, **Scottish Prison Service**
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: upheld, recommendations

Summary

Mr C complained that his supervision level in prison was raised from low to medium supervision without good reason. We explained to Mr C that decisions to change someone's supervision level are a matter for the Scottish Prison Service (SPS), not for us, and our only role in considering such a complaint is to see whether they followed their procedures in reaching the decision. During our investigation the SPS could not provide us with a particular form, which meant they could not evidence that the process was followed in Mr C's case. For that reason, we upheld his complaint.

Mr C also made various complaints about the way SPS handled his complaint. We considered that a number of his points did show that it had not been handled appropriately. For example, he was not given part of a complaint form which related to escalating his complaint to the next level in SPS; they did not address a significant part of his complaint; and there was some delay.

Recommendations

We recommended that SPS:

- remind staff to retain completed PSS3 forms securely and in accordance with normal process;
- remind the officers who held the internal complaints committee of the need to address issues raised when considering complaints; and
- apologise to Mr C for the delay in the prison governor's reply.