

SPSO decision report

Case: 201305340, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: earnings
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained because he said the prison were inappropriately failing to comply with the wage earning policy. Mr C was employed in the recycling party, and he described some of the tasks undertaken as being unpleasant. The wage earning policy confirms that bonuses are available for some work duties when the tasks undertaken are exceptional or unpleasant.

The prison told us that previously the recycling party did receive the bonus payment, but that after an audit it was found that bonuses were being paid for reasons not covered by the wage earning policy. A review was carried out and only those work parties carrying out the activities described in the policy then continued to receive the bonus payment. The prison decided the tasks carried out within the recycling party were not particularly exceptional or unpleasant and, because of that, the recycling party no longer received the bonus payment.

We found that the prison are responsible for deciding whether to pay the task related bonus to certain work parties and that they had explained why the recycling party did not meet the requirements. We were satisfied the prison were applying the wage earning policy appropriately and, because of that, we did not uphold the complaint.