

SPSO Scottish
Public
Services
Ombudsman

I complained. I'm still not happy. Now what?

If you have already complained to the prison service or the NHS, and are still not happy, you can ask us if we can look at your complaint.

We look into complaints about public services in Scotland. This includes complaints about prisons and the NHS. We can only look at complaints after they have been through the prison or NHS complaints procedure.

All prisoners can complain to us and we also take complaints from the family and friends of prisoners. If you are a visitor to a prison and want to complain you should complain to a member of prison staff.

This leaflet tells you about SPSO and what you can do if you have a complaint about the Scottish Prison Service.

The **SPSO** service is free and independent

About us

The SPSO are the final stage for complaints about prisons and the NHS. This means that you can bring your complaint to us after you have gone through their complaints procedure.

Unless there are special circumstances, we won't look at:

- issues that happened more than a year ago.
- issues that we have already dealt with and if you don't have any new information.

Our role

It's our job to check that there are proper procedures in place and to decide whether they have been followed in the right way.

We can't look at complaints about:

- the punishment you received in a disciplinary hearing
- your conviction or decisions about parole or life licence
- cases where there are legal proceedings going on.

If you have any questions about whether we can look into your complaint, please phone us.

Advice line freephone 0800 377 7330

All prisoners have free and confidential access to our phone number.

Bringing a complaint to us

If you've not yet complained to the prison service or the NHS do not send us your complaint. We can only look at complaints after they have been through the right complaints process.

The information below explains how to make your complaint.

- **Most general complaints** – talk to prison staff or fill in prisoner complaint form 1 (PCF1).
- **Medical treatment complaints** – talk to or write to the prison healthcare team using the NHS complaints process. See the leaflet 'Making a complaint about the NHS' for details.
- **Confidential or sensitive complaints** – fill in prisoner complaint form 2 (PCF2).
- **Complaints about the process followed in a disciplinary hearing** should be made using prisoner complaint form 1 (PCF1).

You can also ask a member of prison or NHS staff for advice on making a complaint and for details of the right complaints process for your complaint.

Once you have gone through the prison or NHS complaints process, you can bring your complaint to us. It is best to use our SPSO complaints form to do this. Contact us for a form.

Contact us

Our advice team can help with any enquiries before you send your complaint to us – please call us on freephone **0800 377 7330**.

All prisoners have free and confidential access to our phone number.

To write to us, put 'privileged correspondence' on your envelope and use the freepost address below. You don't need a stamp.

Postal address:

SPSO, Freepost EH641, Edinburgh, EH3 0BR

Opening hours: **Monday, Wednesday, Thursday, Friday 9am – 5pm, Tuesday 10am – 5pm**

Advice line freephone **0800 377 7330**

All prisoners have free and confidential access to our phone number.

When we get your complaint

We will check that we can look into your complaint. We will also check that it has been through the right complaints process – that the prison or the NHS has had a chance to deal with the issue, and has given you their final response.

If your complaint is one that we can look at, we will try to deal with it as quickly as possible. We keep your complaint private and only tell the people who need to know about it. We may publish the final decision that we make but we will not give out your name at any time.

When looking at your complaint we want to find out:

- what happened
- what should have happened
- why you are complaining
- why you feel it is still not resolved after complaining
- what would put things right for you.

If we find a problem, as well as putting things right for you, we want to try to make sure the same thing doesn't happen to someone else. This is why we sometimes make recommendations after looking into a complaint.

Please note that there are some things that we cannot do, such as getting compensation for you or getting someone fired.

Here are some examples of what we might ask the prison to do to put things right for you:

- apologise to you
- change how they do things
- make sure they deal with complaints properly.

For more information about our process and what we might be able to do to help, please call us.

For a SPSO complaints form, call the number below.

We can give you this leaflet in other languages and formats, such as Braille.

SPSO, 4 Melville Street, Edinburgh EH3 7NS



Advice line freephone **0800 377 7330**