

**SCOTTISH
PUBLIC
SERVICES
OMBUDSMAN**



People Centred | Improvement Focused

Complaints Form

The Scottish Public Services Ombudsman (SPSO) investigates complaints about public services in Scotland.

This includes complaints about prisons, young offenders' institutions (YOIs) and other organisations that provide services for prisoners, such as the NHS or escorting and court custody services.

We can normally only investigate complaints **after** they have been through the prison or NHS complaints process and **after** you have received a final reply to your complaint.

Please make sure you have completed the full complaints process before sending your form to us.

Fill in the form clearly. Remember to sign and return it with any complaints paperwork you have which shows you have completed the complaints process.

The SPSO service is free, independent and impartial.

Independent prison monitors may be able to help you make your complaint. They do not work for the prison. They aim to ensure that prison conditions and the treatment of prisoners are of an acceptable standard. There are three ways to contact an independent prison monitor confidentially:

- 1** Call their freephone number **0800 056 7476** and leave your name, number and prison. A monitor will contact you as soon as possible.
- 2** Put a request into the Independent Prison Monitoring box on the landing.
- 3** Speak to an independent prison monitor while they are visiting your prison.

Our Assessment and Guidance team can also help with enquiries. You can call them on freephone **0800 377 7330**. All prisoners have free and confidential access to our phone number.



Important information

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

We can normally only investigate complaints after they have been through the right complaints process.

Most general complaints will go through the prison complaints process, using prisoner complaint form 1 (PCF1).

Confidential or sensitive complaints must be made on prisoner complaint form 2 (PCF2).

Medical treatment complaints must first go to the prison health centre and through the NHS complaints process.

Complaints about the process that was followed in a disciplinary hearing can come straight to us after you have completed your appeal. You cannot complain to us about the decision or the punishment. We can only investigate the process the prison followed. We'll need to see your PAF1 or PAF2 form.

What we will and won't investigate

When we investigate, we check that there are proper processes in place and that they have been followed in the right way. There are some things we cannot investigate:

- Complaints that are being or have been dealt with in court.
- Anonymous complaints.
- Your conviction, or decisions about parole or life licence.
- The punishment you received in a disciplinary hearing.
- The decision about a Home Detention Curfew application.

Unless there are special circumstances, we can't investigate issues you knew about more than 12 months ago.

Please contact us if you are unsure whether we can investigate your complaint.

Section 1

What are you complaining about?

In the box below, write the name of the prison, YOI, NHS board (including the name of the hospital or health centre your complaint is about) or other organisation.

Please tell us what your complaint is about and explain in detail what has gone wrong. Use the space below. There is more space on page 8 of this form if you need it.

Section 2

From the information in section 1, please list the main points of complaint you want us to investigate.

We can only investigate points you have already made in your complaint to the prison, YOI, NHS or other organisation. Please list your main points of complaint here:

1

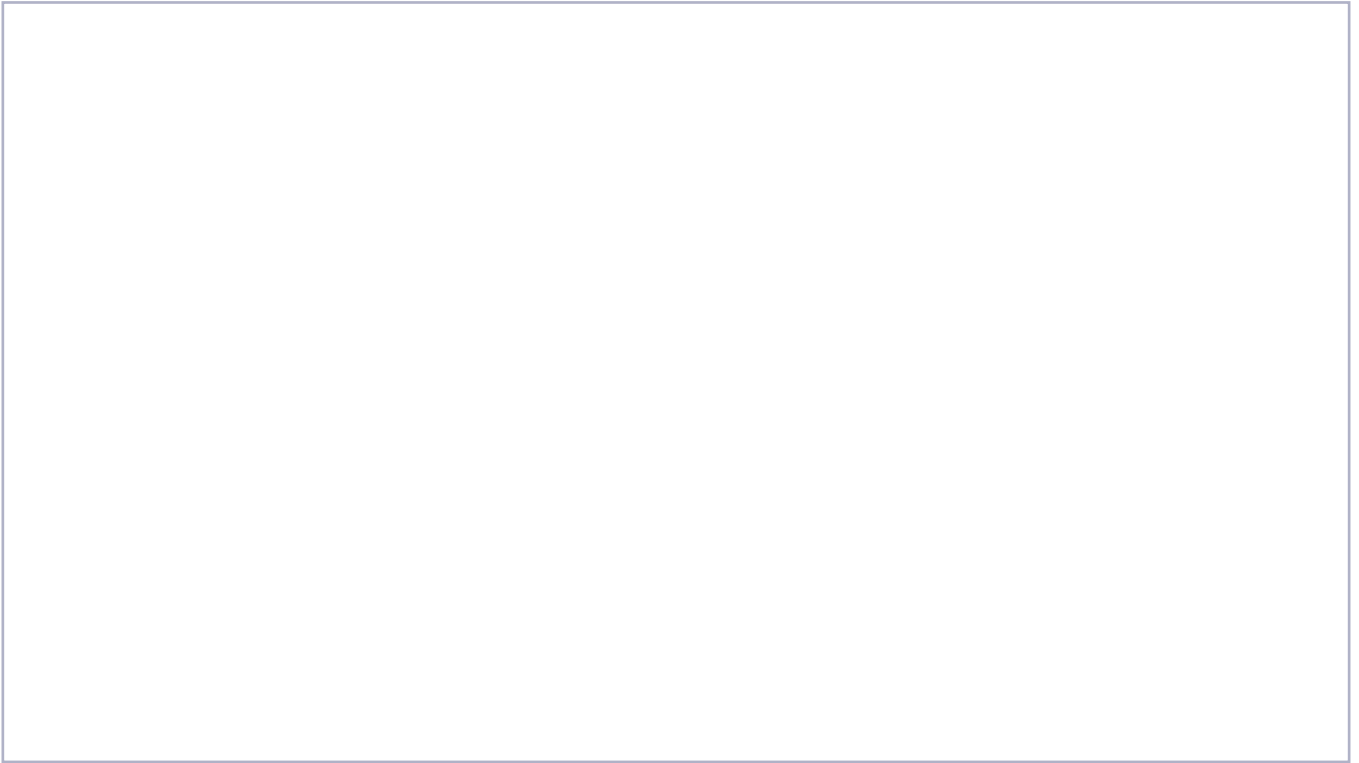
2

3

SPSO freephone **0800 377 7330**

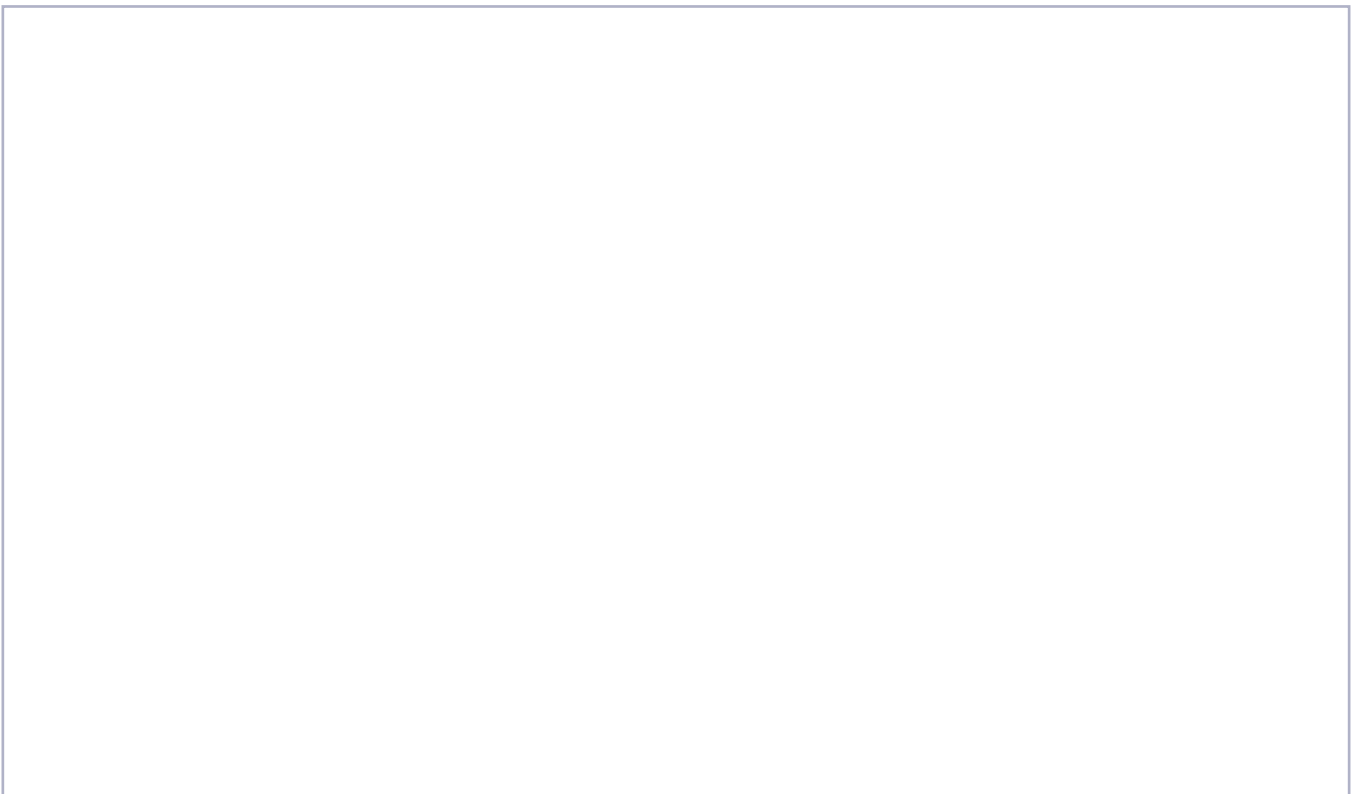
Section 3

How have you suffered as a result of the complaint?



Section 4

What do you want us to do for you?



Section 5

Person making the complaint

If you are helping a prisoner to make a complaint, please fill in their details here.

We'll ask for your contact details at Section 6.

Prisoner name:

Prisoner number:

Prison:

HMP

Prisoner signature:

Date:

Please tell us if you need information from us in another language or format by ticking the box below:

- Braille
- Audio version
- Another language (give details)
- Large font
- Any other needs (give details)

Are you about to be released?

If you leave prison before we have finished dealing with your complaint, we'll need to know your home address or phone number so we can contact you. Without this, we cannot continue investigating your complaint. If you have an address that you know you will be released to soon, you can tell us it now.

Liberation date:

Address:

Phone number:

You only need to fill in this page if someone is helping you to make the complaint. If you include an organisation below, the consent authorises us to deal with anyone in your organisation on that person's behalf.

Section 6: Details of any person helping make this complaint

Name:

Organisation (if relevant):

Address:

Phone number:

Email:

If you choose to give us an email address, please be aware that we may be sending you sensitive and personal information to that email address. Email security can not always be guaranteed. If you choose this method of contact, you are confirming that you accept that risk.

What is your relationship to the person making the complaint?

Consent

To be signed by the prisoner named in section 5 if someone else is making the complaint.

I authorise the person named in section 6 to act on my behalf in asking the SPSO to consider my complaint. I understand that if I have authorised an MSP or an organisation, this authorisation will include people working for the MSP and anyone working for the named organisation.

I also understand that the SPSO may share information about me with my representative(s). Depending on the nature of the complaint, this may include sensitive personal information.

Signature	Date
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In completing this form, I understand that the SPSO may share information about me with the organisation I am complaining about. Depending on the nature of the complaint, this may include sensitive personal information. The SPSO may access and review information held by the organisation I am complaining about. If the SPSO need to contact a third party about my complaint, they will usually let my representative know. If you would like more information about how we process and protect your information, please ask us for a privacy leaflet. Please note: If you have any questions or concerns please contact SPSO to discuss.

We need the person affected by the complaint to sign the consent above, if they can, to allow you to complain for them. If they are unable to sign for any reason, please tell us why in the box below.

Diversity monitoring form

We'd be very grateful if you would fill in this anonymous diversity monitoring form and return it to us with your complaint form or in a separate envelope to: **Freepost SPSO** (you don't need a stamp, and this is all you need to write on the envelope).

We collect this information to help us ensure we are reaching as many people as possible. It also helps us check for and remove any barriers that could prevent people using our service.

What you tell us on the form will be kept separate from what you tell us about your case. It does not affect how we look at your case. We store it anonymously on our secure database. Filling in the form is voluntary. We won't treat you less favourably if you choose not to return it.

Thank you

Please choose one option from each of the sections listed below by placing an X in the appropriate box.

A Your age

- Under 16
- 16-24
- 25-30
- 31-40
- 41-50
- 51-60
- 61-70
- 71 or over
- Prefer not to say

B Disability

The Equality Act 2010 says disability is a physical or mental impairment that has a substantial long-term adverse effect on your ability to carry out day-to-day activities. It includes hidden disabilities such as asthma, diabetes and mental health issues.

Do you consider yourself to have a disability or health condition?

- Yes
- No
- Prefer not to say

If yes, is your illness or condition:

- Physical
- Mental
- Physical and mental
- Prefer not to say

C Your ethnic group

These are based on the Census 2011 categories, and are listed alphabetically.

Asian / Asian British

- Bangladeshi
- Chinese
- Indian
- Pakistani
- Any other Asian background (specify if you wish) _____

Black / African / Caribbean / Black British

- African
- Caribbean
- Any other Black / African / Caribbean background (specify if you wish) _____

Mixed / multiple ethnic groups

- White and Asian
- White and Black African
- White and Black Caribbean
- Any other mixed background (specify if you wish) _____

Other ethnic group

- Arab
- Any other ethnic group (specify if you wish) _____

White

- British / English / Welsh / Scottish / Northern Irish
- Gypsy or Irish Traveller
- Irish
- Any other White background (specify if you wish) _____
- Prefer not to say

D Your gender

- Male
- Female
- Prefer not to say
- Other (specify if you wish) _____

E Is your present gender the same as the one assigned to you at birth?

- Yes
- No
- Prefer not to say

F Your sexual orientation

Which of the following options best describes how you think of yourself?

- Bisexual
- Gay / Lesbian
- Heterosexual / Straight
- Prefer not to say
- Other (specify if you wish) _____

G Your religion or belief

These are based on the Census 2011 categories and listed alphabetically.

- Buddhist
- Christian (including Church of Scotland / England, Catholic, Protestant and all other Christian denominations)
- Hindu
- Jewish
- Muslim
- Sikh
- No religion
- Prefer not to say
- Other (specify if you wish) _____

Our service standards

We want to offer a high standard of service to everyone who uses our service.

We have customer service standards so that our customers know what service they can expect to receive and how we'll provide it. You have the right to complain if you feel we're not meeting our standards. You can contact us for more information about how to do this.

Our decisions

If you're unhappy with our decision, including a decision not to investigate, you have the right to ask for a review. You should let us know if you wish to do this within three weeks of receiving our decision. You should then give us your full review request within six weeks of receiving our decision. Organisations can also ask for a review of a decision.

We say more in our leaflet called ***Your complaint, our decision***. It explains how we reach our decisions and the circumstances in which you may ask us for a review.

You can get a copy of it and any of our other leaflets by phoning us on **0800 377 7330**.

Your information

We are committed to protecting your privacy. We use information given to us about you and your complaint for its intended purpose and in line with the Data Protection Act 2018 and the SPSO Act 2002. We may need to collect and share information with a number of sources to carry out our investigation and we may do this orally, in hard copy or by email. We may report on the outcome of the investigation. When we do so we do not name individuals. We may also use information we collect to compile statistics and undertake research and analysis. There may be public interest benefits in reusing information for these purposes. Information is completely anonymised.

Your views are valuable to us, and we may contact you again to invite you to take part in our surveys for research purposes.

To find out more about how we handle your information and your rights, see our website **www.spsso.org.uk/privacy-notice-and-disclaimer**. If you have any concerns about what we do, please let us know straight away.

How to contact the SPSO

Our Assessment & Guidance team can help with any enquiries before you send your complaint to us.

Postal address: **FREEPOST SPSO**

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

SPSO freephone: **0800 377 7330**

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

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

All calls to us are 'privileged'. This means the prison do not listen to or record them.

We are the Scottish Public Services Ombudsman.

We are not part of the Scottish Prison Service or the NHS.



Please contact us if you would like this leaflet in another language or format (such as large print, audio, BSL or Braille).