

## SPSO decision report

**Case:** 201407669, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** policy/administration  
**Outcome:** not upheld, no recommendations

### Summary

Mr C alerted staff in the prison that he was experiencing chest pain, and it was agreed that he should attend hospital. However, Mr C decided not to attend and staff agreed to carry out regular observation checks on him throughout the night. Mr C complained because he said staff unreasonably failed to carry out observation checks on him. The prison said the checks were carried out but Mr C disputed that.

The Scottish Prison Service (SPS) told us that observations were only documented when the prisoner being monitored was being managed in line with the suicide risk management strategy and that Mr C was not being monitored under that policy. Instead, the SPS provided a copy of the log completed by the nightshift manager which confirmed that, after taking advice from the doctor, it was agreed that Mr C could not be forced to attend hospital and, because of that, his condition should be monitored throughout the night. We also obtained a copy of the entry recorded in Mr C's medical record which confirmed that he did not seek any intervention or assessment the following morning.

The information confirmed that there would normally only be a requirement for a prison to keep a record of any observation checks carried out if the prisoner being monitored is being managed under suicide risk management strategy. That did not apply in Mr C's case so the only record that existed was the log completed by the nightshift manager. The entry confirmed that the doctor had indicated that because Mr C refused to attend hospital, his condition should be monitored by staff throughout the night. The SPS confirmed to us that the nightshift manager advised that Mr C was monitored. Whilst we recognised Mr C's position that staff did not monitor him regularly, without further supporting evidence being available, we were unable to uphold the complaint.