

**SCOTTISH
PUBLIC
SERVICES
OMBUDSMAN**



People Centred | Improvement Focused

How you can complain

We are a free and independent service. We investigate complaints about public services. This leaflet tells you about us. It explains when and how you can make a complaint to us.

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

We are the final stage for complaints about prisons, the NHS and other public services. We normally investigate complaints after you have gone through their complaints procedure. This gives them the chance to put things right first.

You can complain to us yourself. Or someone you trust can complain on your behalf.

Our service is free and independent.
SPSO freephone **0800 377 7330**

Is your complaint ready for us?

If you have a complaint, you should first put it to the prison, NHS or other organisation. Don't send it to us before you send it to them. Normally, we can only investigate a complaint after it has been through the full complaints procedure.

The information below explains how to make a complaint to the prison, NHS or another organisation.

For most general complaints...

you should talk to prison staff or fill in prisoner complaint form 1 (PCF1).

If your complaint is sensitive or confidential...

you should fill in prisoner complaint form 2 (PCF2).

If you want to complain about medical treatment...

you should fill in the prison healthcare complaint form.

If your complaint is about another Scottish public service...

you should contact the organisation direct to ask about their complaints procedure or ask us for advice on how to do this.

If you have a complaint about the process followed in a disciplinary hearing or in a home detention curfew (HDC) application...

You will need to raise your complaint using the SPS complaint process by completing a PCF1 form. We cannot change the decision taken by the SPS at a disciplinary hearing or on a HDC application. We can only consider complaints about the process followed by the SPS in making its decision.

Complaining to us

Please use our complaints form. You can call us for a form on **0800 377 7330**.

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

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 an HDC 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.

Getting help

People can help you make a complaint.

You can ask someone who works for the prison or the NHS for advice on making a complaint and for details of the right procedure for your complaint.

Independent prison monitors may be able to help you make your complaint.

They don't work for the prison. They aim to ensure that prison conditions and the treatment of prisoners are of an acceptable standard. There are two 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 in the Independent Prison Monitoring box on the landing.
- 3 Speak to an independent prison monitor when they visit your prison.

When we get your complaint

When we get your complaint, we'll check we can investigate it. We may contact the organisation about your complaint. We keep your complaint private and only tell the people who need to know about it. We may publish our final decision but this won't include your name.

There is more information about how we investigate, our service standards and how we handle your information on our complaints form.

We are committed to protecting your privacy. We use information given to us about you and your complaint [or review] for its intended purpose and in line with the Data Protection Act 2018 and the SPSO Act 2002. To find out more about how we handle your information and your rights, see our website www.sps.org.uk/privacy-notice or ask us for a copy.

Putting things right

We'll check with you what you think will solve the problem. If we find that an organisation has done something wrong, we'll usually ask them to apologise to you and explain what happened. We may also ask them to take action to fix the problem if possible, and make sure the same thing doesn't happen to someone else. Sometimes we may recommend they take more general action to improve their service.

If we find a problem, we want to try to ensure the same thing doesn't

happen to someone else as well as putting things right for you. So we sometimes make recommendations after investigating a complaint. There are some things we cannot do, such as getting compensation for you or getting someone sacked.

The kind of things we may ask the prison to do to put things right are to apologise to you, change how they do things or make sure they deal with complaints properly. For more about our process and what we may be able to do to help, please call us.

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**

This line is open during the following hours:

Monday: 9am – 1pm

Tuesday: 1pm – 5pm

Wednesday: 9am – 1pm

Thursday: 1pm – 5pm

Friday: 9am – 1pm

All prisoners have free and confidential access to our phone number. All calls to us are 'privileged'. This means **the prison do not listen to or record them**.

However, **we may record calls to and from SPSO phone lines** to check the quality of our service and help us do our job to help you. You can find more details in our privacy notice: www.spsso.org.uk/privacy-notice or ask us to send you a copy. Please ask if you want to confirm if a call is or is not being recorded or if you would like to know what options may be available to you if you do not wish to be recorded.

We are the Scottish Public Services Ombudsman.

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

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