

## Complaints Procedure

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**In 2002 PSO 2510** replaced the Request Complaints Manual which had been in operation since 1990.

The change in procedure involved the elimination of the Prison Service HQ/Area Manager level in most complaints other than adjudication appeals and reserved subjects, and the introduction of a three-tier internal prison complaints system.

### ***So how do I make a Request***

Requests are dealt with using the applications system. Anything which proceeds beyond that stage will be treated as a complaint.

### ***And how do I make a complaint?***

Complaint forms (COMP1) should be freely available to all prisoners on the wing or residential area – much the same as any other type of application form. You do not have to ask specifically for a COMP1 form.

### ***What do I do once I have filled in my complaint form?***

Completed forms should be posted into locked boxes specifically for the purpose on the wings.

### ***Who will reply to my complaint?***

Complaints are considered and responded to in three stages entirely within establishments.

**Stage1** The complaint is submitted using form COMP1 which is white. You should receive a response, normally from a wing officer within about three working days. The response will be made on the same form as you made your complaint.

**Stage 2** Appeal to someone at management level against the stage 1 response using form COMP1A (also white.) This must be made within a week of receiving the first response. You should state why you are not happy with the first response in the space provided. You should normally receive a response from someone at management level within seven working days. If it is going to take longer you should receive an interim reply explaining the reason for the delay.

**Stage 3** If you are still not happy then you have the right to appeal to the governor - again, so long as you do so within one week. You must use the same COMP 1A form that you used for your appeal to someone at management level. This form must be posted in the complaints box. You should normally receive a reply from the governing governor or deputy governor within seven working days, or an explanation if there is to be a delay.

### ***What if I am still not happy with the response?***

The next step is to contact the Prisons Ombudsman within a month from receiving a governor's response. The address is:

*Prisons & Probation Ombudsman,  
Ashley House, 2 Monck St, London  
SW1P 2BQ.*

### ***What is a "reserved subject"?***

The following are known as Reserved Subjects:

- Allegations against the governor
- Requests for artificial insemination
- Category A prisoners categorisation, approved visitors, change of name, marriage, transfer and allocation
- Early release on compassionate grounds
- Litigation against the Prison Service
- Mother and Baby unit placement appeals
- Parole
- Repatriation
- Section 90/91 juvenile allocations
- Special remission
- Transfer to other parts of the UK

***A complaint about one of the subjects above will be considered by Prison Service headquarters, or in the case of parole, the Parole Board. You should expect a reply from headquarters within about six weeks.***

### ***Adjudications***

To appeal against adjudication by a prison governor, you need to fill in an ADJ1 form (which is blue). This form should be freely available on the wing. Once filled in, the form should be posted in the complaints box. It will then be passed to the Briefing and Casework Unit, who investigate and make a recommendation to the Area Manager, who makes the final decision. You should receive the reply within six weeks.

Since April 2005 appeals against decisions by independent adjudicators can no longer be made

through the Complaints Procedure, but must be made in writing via the governor to a senior district judge at Bow Street Magistrates Court. There is currently no mechanism for appealing the finding of guilt in these cases and the appeals can only address the level of punishment.

### ***How do I make a confidential access complaint?***

Using form COMP2 (a pink form.) These forms should be available as freely as the other forms. Read the notes on the form carefully. If you think your complaint is suitable then fill in your details accordingly. Place the complaint in the envelope and seal it. Then address it to the person who you want to read it. This must be: the Governor; the Area Manager; or the Chairman of the Independent Monitoring Board. Then post the envelope in the complaints box. The envelope will only be opened by the person to whom it is addressed. You should receive a response within about six weeks. A submission using the confidential access facility has to be a complaint. Written submissions may be sealed in an envelope, marked *Confidential Access* and posted in the complaints box.

**It should be noted that filling in a pink COMP 2 confidential access form is not the next stage in the complaints procedure after using the COMP1 and 1A forms, and does not replace the Area Manager stage in the old system. If confidential access is used for complaints that are not suitable, your complaint may be returned unanswered.**

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