

INDEPENDENT PRISON MONITORS: HMIPS PROCESS FOR RESOLVING PROBLEMS AND CONCERNS

This document provides guidance to IPMs on what should happen if a concern or problem arises.

It is important that concerns or problems are raised as early and as quickly as possible with the aim of resolving the matter and using this process should help to achieve that.

Volunteering as an Independent Prison Monitor (IPM) will be a rewarding and positive experience however, given the nature of relationships in general, sometimes problems can arise. For such circumstances, HMIPS have developed a process with the aim of achieving a swift and satisfactory resolution.

HMIPS respects and values the time and commitment given by IPMs to support and deliver Independent Prison Monitoring in Scotland. Both the Prison Monitoring Coordinators (PMCs) and the Independent Prisons Monitoring Advisory Group (IPMAG) work to ensure that effective and appropriate training and support is in place for IPMs to undertake the role effectively.

If a problem or concern arises, volunteers do not have the same legal status as an employee. This makes it important that HMIPS has a clear and transparent process in place that supports all parties and is aimed at reconciliation wherever possible. HMIPS has developed this process to meet that aim. This process has also been considered and approved by IPMAG.

What to do if you have a concern or complaint in your IPM role?

Stage 1

In the first instance you should raise it with your regional PMC. They will arrange a time with you when you can speak privately with them about your problem or concern. The PMC will support you to resolve the issue.

When an agreement is reached, the concern or complaint will be considered resolved. However, if the IPM is not satisfied, the matter should advance to stage 2.

Stage 2

If you feel that your concerns have not been resolved properly with the support of the PMC in Stage 1, or you feel uncomfortable raising the issue with your PMC, you should contact the Deputy Chief Inspector of Prisons for Scotland to arrange an appointment to discuss your concerns.

When an agreement is reached, the concern or complaint will be considered resolved. However, if the IPM is not satisfied, the matter should advance to stage 3.

Stage 3

If you are not satisfied with the outcome of Stage 2, then you should put your concerns in writing to the Chief Inspector of Prisons for Scotland. The issues will then be considered by the Chief Inspector, and their decision will be final.

If we have received a concern or complaint about you in your IPM role?

Stage 1

If someone has raised a concern or complaint about you your regional PMC will inform you and invite you to a meeting to discuss it. You can be accompanied to the meeting by a nominated person of your choice.

Depending on the outcome of the discussion and the nature of the issue, if you agree your regional PMC will support and encourage you to address any agreed concerns. There will be some exceptions to this process, as noted below.

Stage 2

If the issue has not been, or cannot be, resolved at Stage 1 then a meeting will be arranged with you and the Deputy Chief Inspector of Prisons. Again, you may be accompanied by a person of your choice.

Depending on the nature of the concerns, a plan can be developed to include training or other relevant help could be offered.

Unfortunately, there may be some situations where we are unable to find a mutually agreeable solution and if that occurs, we may end your volunteering role with us. In this event, you will have the opportunity to appeal.

Stage 3

If you wish to appeal, you should write to the Chief Inspector of Prisons for Scotland with the reasons for your appeal. The appeal will be investigated by the Chief Inspector and the decision will be final.

Exceptions

In some cases, IPMs may need to be asked to stop monitoring immediately while the matter is explored. For example, if there are prison safety and security concerns, suggestions of undeclared conflicts of interest, or concerns about behaviour and interactions with prisoners or staff.

The decision to ask an IPM to stop monitoring will be confirmed with them in writing and issued by the regional PMC. A copy will also be sent to the relevant prison as access to the prison will be suspended during the period the matter is under investigation.

An investigation to explore the issues will then take place and you will be invited to a meeting with your regional PMC and the Deputy Chief Inspector to discuss the concerns. You may be accompanied to this meeting by a person of your choice.

The result of the investigation may be that the concern is not upheld, and a plan may be agreed with you that addresses the concern. Or the result may be that the concern is upheld and your volunteering role with HMIPS is ended.

If you are unhappy with the outcome, you may appeal the decision by writing to the Chief Inspector of Prisons for Scotland. The appeal will be investigated by the Chief Inspector and their decision will be final.