

Fiona Denny

Response by Email

22 June 2009

Dear Fiona

Thank you for your freedom of information requests of 23 May 2009, received by us on 25 May 2009. This gave a statutory deadline for responding of 22 June 2009 under the terms of the Freedom of Information (Scotland) Act 2002. I am pleased to attach the information you requested.

There have been 99 Gross Misconduct Investigations initiated and completed in the period 1st January 2007 to 31 May 2009 please see the breakdowns below as detailed in your request:

Table 1: Allegation by Establishment

	Aberdeen	Barlinnie	Cornton Vale	Dunfries	Edinburgh	Glenochil	Greenock	Inverness	Perth	Peterhead	Polmont	Shotts	SPS College	Total
Assault	2	5				5	1	1	3		3	1		21
Breach of Peace		4						1			2			7
Drink Driving		1	1									1		3
Failed to Follow Procedure		2	1		3						2	1		9
Fraud			1			1							1	3
Improper Relations		1	1						1					3
Inappropriate use of SPIN		1					1					1		3
Inappropriate/Unacceptable Behaviour	1	2	3			3	2		1	1	5	1		19
Intention to Supply an Illegal Substance												1		1
Security Breach		2		7	4		1		2			1		17
Sexual Harassment			2											2
Theft						1			2					3
Trafficking					1				1					2
Under the Influence of Alcohol		1												1
Victimisation			2		1									3
Inappropriate/Unacceptable Language			1											1
Inappropriate/Unacceptable Behaviour				1										1
Total	3	19	12	8	9	10	5	2	10	1	12	7	1	99

Table 2: Allegation broken down by Outcomes

Allegation	Dismissal	Final Written Warning (12 Months)	Written Warning (9 Months)	Verbal Warning (6 Months)	Resigned by Mutual Agreement	Resignation Mid Process	Not to Proceed to Disciplinary Interview	Not to Proceed After Disciplinary Interview	Ongoing Investigations	Total
Assault	2				1	1	8	1	8	21
Breach of Peace	2	1	1				2		1	7
Drink Driving		2							1	3
Failed to Follow Procedure	4	2						2	1	9
Fraud				1	1		1			3
Improper Relations		1	1			1				3
Inappropriate use of SPIN		1		1			1			3
Inappropriate/Unacceptable Behaviour		5		1	1		6	2	4	19
Intention to Supply an Illegal Substance					1					1
Security Breach	1	5	2	1	1		3	2	2	17
Sexual Harassment					1		1			2
Theft	1	1					1			3
Trafficking		1				1				2
Under the Influence of Alcohol									1	1
Victimisation						1	2			3
Inappropriate/Unacceptable Language	1									1
Inappropriate/Unacceptable Behaviour	1									1
Total	12	19	4	4	6	4	25	7	18	99

If you are dissatisfied with this response, you have the right to request a review. Your request should be made within 40 working days of the date of receipt of this letter, and we will reply within 20 working days of receiving your request. Under section 20(3)(c)(ii) of the Act your request should outline your reason for seeking a review. If you remain unsatisfied following an internal review, you then have the right to make a formal complaint to the Scottish Information Commissioner.

If you require a review to be carried out, please write to Mike Ewart, Chief Executive, Scottish Prison Service, Room 342, Calton House, 5 Redheughs Rigg, Edinburgh, EH12 9HW. The review will be undertaken by staff not involved in the original decision making process.

I hope that this information is helpful.

Yours sincerely

PAMELA COOPER
Conduct/Behaviour Co-ordinator