

19 February 2024

**Reference: FOI 532 Freedom of Information Request**

Thank you for your email, which we received on 24 January 2024. Your request has been handled under the Freedom of Information Act 2000.

**You asked us:**

To provide a spreadsheet showing prison accommodation complaints relating to overheating received by the PPO between 2004 and 2023. This should include the following information:

- A monthly breakdown of when each complaint was made.
- The prison site of each complaint.
- Details of the cause of each complaint, such as the impact of prison infrastructure (e.g. broken radiators, old heating systems) on overheating.
- Which of the complaints were eligible for investigation and which were upheld by the PPO.

**Our response:**

I have attached a spreadsheet with information on prison accommodation complaints relating to overheating received by the PPO since 2004.

The spreadsheet includes:

- The date each complaint was received by the Ombudsman's office.
- The prison site of each complaint.
- The complaint description as provided by the case investigator – a short summary of the substantive element of the case.
- The outcome of the complaint – whether the complaint was eligible and if so if the case was upheld.

Due to migrating to a new case management system in 2019, it is possible that not all earlier cases have been identified.

**You asked us:**

Can you also indicate whether any deaths and/or health problems were linked with overheating in prisons across this period. If so, can you please provide information about the month and year in which they occurred, their location and the circumstances that led to overheating.

**Our response:**

Your request for information will not be processed. This is because the cost of locating and retrieving the information exceeds the 'appropriate limit' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. In accordance with section 17 of the Freedom of Information Act this letter acts as a refusal notice.

We have determined that it would take approximately 1,315 hours to process your request.

You may wish to refine and resubmit your request so that it reduces the cost to within the appropriate limit. For example, agreeing to a shorter time period or reducing the number of questions in your request.

Due to the size of this request we suggest reviewing the time period to a six month period.

You have the right to appeal against our response if you think it is incorrect. Details can be found in the 'How to Appeal' section attached at the end of this letter.

The Prisons and Probation Ombudsman (PPO) carries out **independent investigations** into complaints and deaths in custody. The detailed role and responsibilities of the PPO are set out in our office's Terms of Reference. The PPO has three main duties:

- to **investigate complaints** made by prisoners, young people in detention (prisons and secure training centres), offenders under probation supervision and individuals detained under immigration powers (detained individuals)
- to **investigate deaths** of prisoners, young people in detention, approved premises' residents and detained individuals due to any cause, including any apparent suicides and natural causes
- to **investigate deaths** of **recently released prisoners** that occur within 14 days of release from prison (except homicide)

The purpose of these investigations is **to understand what happened, to correct injustices** and **to identify learning** for the organisations whose actions we oversee so that the PPO makes a significant contribution to safer, fairer custody and offender supervision.

We may use or share your data only to the necessary extent when conducting our independent investigations in the exercise of our official authority. We will share your data with third parties (e.g. the prison) in order to make sure the information is accurate; to prevent or detect failings; and to identify lessons learnt. We may sometimes need to share your data with third parties if required by law. We only keep your personal data for as long as it is needed, as set out in our data retention policy. If you need any further information about how your data is used, please contact us.

## How to Appeal

### Internal Review

If you are not satisfied with this response, you have the right to an internal review. The handling of your request will be looked at by someone who was not responsible for the original case, and they will make a decision as to whether we answered your request correctly.

If you would like to request a review, please write or send an email to the Prisons and Probation Ombudsman's office **within two months of the date of this letter**, at the following address:

Prisons and Probation Ombudsman  
Third Floor  
10 South Colonnade  
Canary Wharf  
London  
E14 4PU  
E-mail: Mail@ppo.gov.uk

### Information Commissioner's Office (ICO)

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office. The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if he considers that we have handled it incorrectly.

You can contact the ICO at the following address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Internet address: <https://ico.org.uk/>

| <b>Complaint Received Date</b> | <b>Incident Establishment</b> | <b>Complaint Description</b>  | <b>Complaint Outcome</b>      |
|--------------------------------|-------------------------------|---|-------------------------------|
| 7/3/2009                       | HMP Leeds                     | your cell is too hot as the new windows only have one small air vent                                  | Ineligible                    |
| 7/23/2009                      | HMP Leeds                     | your cell is too hot as the new windows only have one small air vent                                  | Withdrawn                     |
| 12/3/2013                      | HMP/YOI Stoke Heath           | Complaint about heating system which is on full all the time.   | Ineligible                    |
| 11/9/2016                      | HMP Highpoint                 | Prisoner says the heating at his prison is too high   | Ineligible                    |
| 6/26/2019                      | HMP Gartree                   | excessive heat in his cell  | No worthwhile outcome         |
| 3/18/2020                      | HMP Long Lartin               | Issues with the heating in cells  | Not upheld no recommendations |
| 1/15/2021                      | HMP Wakefield                 | Issues with the heating system  | Upheld with recommendations   |
| 1/17/2022                      | HMP Bedford                   | the effects of excessive heat in the cell   | Not upheld no recommendations |
| 5/9/2022                       | HMP Wakefield                 | Problems with heating started again at HMP Wakefield  | Not upheld no recommendations |
| 8/8/2022                       | HMP Onley                     | hot water in cells was turned off during the hot weather to reduce heat in cell via the pipes         | Ineligible                    |
| 9/23/2022                      | HMP Woodhill                  | given a negative entry for taking his trousers off in the exercise yard during the red alert for heat | Not upheld no recommendations |
| 12/27/2023                     | HMP Lincoln                   | heating, bedding, towels, phone calls   | Ineligible                    |