

6 July 2023

Reference: FOI 483 Freedom of Information Request

Thank you for your email, which we received on 13 June 2023. Your request has been handled under the Freedom of Information Act 2000.

You asked us:

For information on how many complaints have been refused consideration by the Prisons and Probation Ombudsman (PPO) in the 2021/2022 business period.

Our response:

The PPO received 4,442 complaints during the financial year 2021/2022, as shown in our Annual Report: https://s3-eu-west-2.amazonaws.com/ppo-prod-storage-1g9rkjhkhjmgw/uploads/2022/10/15.32_PPO_ARA_2021-22_FINAL_WEB.pdf.

Each complaint we received is considered for investigation, we then determine whether it is within remit of our terms of reference. From this, the complaints are assessed as either eligible or ineligible for investigation. A complainant can send additional information to support their complaint as multiple assessments can take place per complaint.

During the financial year 2021/2022, we accepted and started investigations into 1,936 complaints.

The only time the PPO would refuse to investigate an eligible complaint is outlined in our terms of reference at paragraph 20 (<https://www.ppo.gov.uk/about/vision-and-values/terms-of-reference/>), which says:

“The Ombudsman may decide not to accept a complaint otherwise eligible for investigation, or to discontinue any ongoing investigation, where they consider that no worthwhile outcome can be achieved, or the complaint raises no substantial issue.”

We can provide the number of eligible complaints refused for investigation under paragraph 20. We can also provide the number of ineligible complaints for 2021/2022, please confirm which information required.

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.

12 July 2023

Reference: FOI 483 Freedom of Information Request

Thank you for your email, which we received on 7 July 2023. Your request has been handled under the Freedom of Information Act 2000.

You asked us:

To provide the number of complaints assessed as ineligible for investigation during the 2021/2022 business period.

Our response:

Out of 4,442 cases that the PPO received in the 2021/22 period, 2,368 (53%) were assessed as ineligible for investigation. The reasons given were as follows:

Not followed procedure	1832
Third party	184
Out of remit	183
Out of time	157
Subject to legal proceedings	11
Other	1
Total	2368

There was a notable difference by location:

- 51% of complaints from prison were ineligible
- 92% of cases from probation were ineligible

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/>