

Richard: Thank you for letting me complete my lunch, that's quite civilised.

Steve: We wanted to just try to draw a line under what's been happening, because it's been unpleasant for you I know and for everybody. So we want to try to leave behind us so that we can move on in a civilised way and get on with what we're here to do, ok. So the thing you asked me to look at was the fact that you were saying that Daz never made the complaint .

Telephone rings

Richard: That's not factually accurate, what you've just said.

Steve: Well, It's part of the letter you've sent out.

Richard: You've been presented with evidence. It's not my view, don't personalise it. I've got a record of Daz at your official disciplinary hearing saying those things. It's not just me saying what Daz said.

Steve: Well what I recalled at that point was what you told me last time.

Richard: What I wanted was an apology and exoneration from original complaint, and that would be my starting point and then we could move on.

Steve: So that's obviously not going to happen, because we know that original complaint was made.

Richard: Well I've not seen any evidence still, Steve.

Steve: But you've seen the original complaint, haven't you?

Richard: No I haven't, no. I've seen the one you took to Daz last week, and asked him to sign. But obviously that's bogus, cos it's not the same as the original warning – it's got different wording, it's got a different date, so no I've not seen any evidence at all.

Steve: That is the one that Daz signed up to having given.

Richard: He signed it as a record of what Angela had said last week.

Steve: He signed it as a record of the original complaint.

Richard: It's a statement of what Angela said. It's Angela Barney's statement of what she claims to have recorded at the time, signed by Daz last week.

Steve: So what are you saying exactly?

Richard: You asked me if I'd seen the original evidence, I've still seen nothing in the way of what I'd call original evidence.

Steve: What I'm telling you now is that statement was given to Daz at the time the original complaint was made.

Richard: And where is it now? Cos why have you gone back and asked him to sign something last week?

Steve: Because you asked me to be absolutely sure of what I was talking about.

Richard: But you should have been sure throughout this process.

Steve: No there was no reason to have this consigned (?) in the first place because there was no doubt about it.

Richard: There is doubt because we know...

/Steve: So what I'm asking you now, what I'm telling you now is that the findings that we have that I've looked into are that that was the original complaint, but that is fact and that Daz attests to that also, that that is the exact wording of the original complaint, okay?

Richard: No it's not cos in the warning letter, it refers to one case, in the statement that you got Daz to countersign - in Angela's statement and Daz countersigned it - you've got different wording, so it's not the same.

Steve: What I'm saying to you is that I need you to accept that that is the original complaint. That is the original complaint.

Richard: You're just trying to force me into accepting what's been going on.

Steve: I'm telling you...

Richard: I'm saying that the process hasn't run it's stage. Like I said to you last week, the finding of the hearing has not yet been taken to the trustees and therefore they have not accepted that as the final statement, so we're getting

ahead of ourselves, in terms of the trustees have not yet had a chance to ratify that decision.

Steve: It's ratified. I was given the authority to do that.
Okay. Like so.

Richard: Well I've got a problem with the (disciplinary) panel then, and the next step will be a formal grievance procedure against the Trust for having bad corporate governance and ropey disciplinary procedures which don't stand up to any external observation.

Steve: That's your right to do that.

Richard: But I still believe in the trust and the trustees, although... that's what my problem is, Steve, that the Trust has broken it's trust with me, in terms of, er, flying in the face of logic reason and fact. All I'm asking for is simple apology and an exoneration from that original warning. And then we can move on without me being tarred as the bad boy, the black boy, the scapegoat in all this. I don't want to move on into the future perpetuating this myth that it's me who's causing all the problems. If you accept and really do want to clear this up and you're prepared to get Angela to write an apology to me and waive the original warning, then we've got a chance of moving on to the next stage on a fair and equal footing instead of me being picked out and picked upon and bullied and put in this impossible position.

Steve: So I can tell you now that that's not going to happen.

Richard: Uhu. Well you started this by saying let's get this cleared up as soon as possible, how does it get cleared up? It's a very small matter for Angela to back down on this one issue. She's had Daz issuing a wish to withdraw the original complaint. That's been written down and distributed to all the trustees. Now what I don't understand is...

/ Steve: Okay I'm going to run through the process just one more time. A complaint was made. It was written down. Daz agreed that was the exact warning.

Richard: No he...keep your myth going.

Steve: Later you asked for an appeal. You appealed against the decision. The appeal panel heard what you had to say and agreed with the original finding..... that is where we're at.

Richard: That's reality.

Steve: And I'm telling you that subsequent to that – in case there was any doubt and, of course, there wasn't, for us – to emphasize that Daz was responsible for the original complaint, that has now been done. And we are 100% certain that Daz did make in those words the original complaint. And Daz will attest to that. So exactly where you go from there I don't know.

Richard: Daz wishes to withdraw the complaint

Steve: Irrelevant at this stage.

Richard: The hearing heard the opposite evidence in various ways.

Steve: If you wish to question the panel, then you can do so.

Richard: I wish that everything's brought out into the open because then everyone would be able to see the reality of what's been going on.

Steve: Well I'm sure that they have, so the decision stands.

Richard: Okay, so we'll see what happens at the trustees meeting next week.

Steve: There'll be a report back.

Richard: So you did say that you wanted a resolution to this and all I've seen is that you're trying to bury yourself deeper in it, Steve.

Steve: What are you saying then, if the trustees ratify that decision, then you're happy with that?

Richard: I'd make the original point that I've had trust in the Trust and that for the disciplinary hearing part of the Trust to come up with the reasoning and the conclusion they have done defies all logic, defies all reality. It's shown me nothing at all in terms of evidence that I could see to make, in order to make this a learning process. If your supposed motivation is to improve me as a worker, to make it easier for me to work in a team, I've seen nothing that encourages that. All I've seen is that all those nasty words which Angela wrote and ascribed to Daz originally are exactly what's happened to the project in the last 4-5 months because it's fallen apart since then. That's the bottom line. That's what you ought to be interested in as a trustee, as chair of the trustees, as an employer. You ought to ignore all this nonsense

/ Steve: And why is that?

Richard: / and look at the bottom line of project delivery, cos you're the chair of the employer-trust in this case.

Steve: Why is it falling apart?

Richard: That is why I think we ought to have a review and that's why I've been asking repeatedly since April that we get on and have the original review that was agreed to by the Trust in December and was originally programmed in for April, but has gone by the wayside.

Steve: There will be a report about this at the committee meeting next week and they will have the chance to hear what we've said. I don't expect anything, I'm not going to pre-empt them, but I'm not anticipating there'll be a change of decision, because that was left to the Appeal panel who had all the evidence.

Richard: If you want to have the process as more important than people's perception of reality then you do run into...

/Steve: Well it does seem to be your perception of reality that needs changing.

Richard: I'd call that bullying and I'm going to leave the meeting on that basis

Steve: I'm asking you not to leave now.

Richard: Ok fine I won't leave, but I'm going to call it bullying, Steve and I'm going to say that it's one thing for one person to bully another and for that person to put up with it for years, but its another thing for the Trust to go on the side of the bully, that becomes corporate bullying, it 's a whole different matter.

Steve: Ok, it feels to me at the moment that we're not going to get any further on that.

Richard: Well, show me real evidence of the original statement that was made. Show me something that I can learn from and then we've got a chance of learning and proceeding.

Steve: The original complaint, you've seen.

Richard: That's as in the warning, is it?

Steve nods

Richard: So it is different from the statement you got Daz to sign last week.

Steve: No

Richard: Shall I get my paperwork cos then I could actually answer.

Steve: What I'm saying is that it refers to that. That that was a piece of evidence.

Richard: And it's different from what was included in the warning.

Steve: Well it may well be.

Richard: Different in terms of wording, different in terms of dates. It could seem to me as an employee, as someone who's supposedly accused that you're making up evidence to suit you in arrears of the actual event. Why, if you're so certain about your case all along, why have you gone back and forced Daz, coerced Daz into signing that statement last week?

Steve: So you're suggesting now that I coerced Daz?

Richard: You, as Chairman of the employer, and Angela as manager of the project, just your presence in that room politely requesting Daz to sign that is equivalent to coercion. You didn't have to raise your voice. You didn't need to come heavy with him. I think just your presence in that room, both asking something of Daz in that form, is equivalent to coercion. He's got his line manager and the Chairman of his employers 'politely requesting'.

Steve: It was at his invitation that we were there.

Richard: But from an outsider's point of view or an accused's point of view, it doesn't quite seem right. And quite why you were asking him to counter-sign what Angela had stated originally. And it was presented that what we've got there is Angela's statement, now the way it's presented in the warning is as if it was all Daz talking and Angela backing it up.

Steve: We're going over ground again which won't bring any more clarity to the situation.

Richard: I believe it will do Steve. It's worth me articulating that.

Steve: I think I've had all the information I need.

Richard: Trying to censor me and shut me up is part of the problem.

Steve: Yes, I am. I've had all the information I need. We're absolutely convinced on the evidence that we had in the first instance and of the reasonableness of the oral warning which was issued to you.

Richard: So, we're going to move on to a project review on the grounds that I did something terrible at the meeting, which I can't identify and I've got no idea what it was, and that's going to solve everything and make everything alright.

Is it?

Steve: I haven't quite finished yet. I have another perhaps more important issue, because what's come to our notice is that you've been continuing to air these grievances that you've got.

Richard: And again I'd call it sharing, transparent, just being transparent about the process.

Steve: Okay. Well what I want now is for that to stop. What I want now is for you not to share with the residents, with the volunteers, with the learners what is going on for you.

Richard: That's a pretty tough request, isn't it Steve?

Steve: It's one that I'm going to ask you to sign up to.

Richard: Uhu, really?

Steve: Absolutely.

Richard: Well, there's no problem with that. The letter, the warning, was not marked private and confidential. I think this shows you're really scared of being open and transparent. I can see that this causes knock on effects in terms of unsettling others, but I'd have to suggest that the original source of this is actually where you'd want to enquire to get some resolution.

Steve: I'm really satisfied that we've done that.

Richard: In terms of the open days, that everyone was unsettled and not sure about what's going on at the open days, that's nothing to do with my behaviour in a meeting, that's to do with management and being responsible for the decisions that management takes and I can't help you on that, Steve.

Steve: So you're happy to sign up to the fact that you're prepared to no longer talk to people?

Richard: No, I've done it already, I'll carry on doing it. I think that's fine.

Steve: You'll carry on doing it? Because I'm going to ask you now to sign a statement saying that you're not going to do it.

Richard: Well, you're not going to get a response.

Steve: I need you to sign it.

Richard: Well, I'm sorry Steve that is the point at which I leave the meeting.

Steve: Richard, I really haven't finished this meeting.

Richard: What else do you want to talk about?

Steve: Please sit down I've not quite finished.

Richard: Do you just want to force me to sign that, is that all you've got? What else do you want to talk about? I'm still here. Carry on.

Steve: What I'm talking about is I need you to sign this.

Richard: For what purpose?

Steve: Because we're concerned about the effect that it's having on everybody else.

Richard: I've told you, get an apology letter drafted, get an exoneration from the original bogus warning that the complainant counteracted in the hearing and wants to withdraw now, that you're not paying any attention to. You know for Daz it's not a nice experience. His words have been used against him, against the project. He's been brought up in front of a tribunal he didn't know was happening. Hearing.

Steve: You took him.

Richard: He didn't know anything about it, that's the point Steve. I took him along and he was thankful to go, cos he could start to get it cleared up in his mind.

Steve: And now it's cleared up.

Richard: Well, there's no need to sign anything then.

Steve: Please don't leave until I'm absolutely convinced I've finished.

Richard: Carry on, Steve.

Steve: I need you to sign up to this. If you don't sign up to this, then I'm going to have no option but to suspend you.

Richard: ...coughs...If you'd mentioned it to me the first time I showed everyone one of these kinds of warnings three and a half years ago, or 3 or 2 and a half or one and a half years before, or six months ago or 3 months during this process, then I'd think you've a leg to stand on, but as it is... No. I think it's an unreasonable request.

Steve: Please don't leave just yet. If you think it's an unreasonable request, then you're not leaving me with any alternative and I will suspend you.

Richard: Well you started this meeting by saying you wanted it all resolved so we can get back to work, you've demonstrated the opposite, Steve.

Steve: Please don't leave, just yet.

Richard: You're telling me you're going to suspend me not just for no reason, but against reason.

Steve: Richard, please don't leave because I need to before you walk out of that door...

Richard: Is it some kind of contractual obligation that I have to sign what you say? Is it in my contract that I'm not allowed to talk about these things?

Steve: Yes, it is now.

Richard: So you've changed my contract, which I haven't even signed for three and a half years.

Steve: It's an instruction that's coming now.

Richard: It's not in my contract. Good.

Steve: We are concerned about the, we have had representations and complaints from people about the manner in which you're doing that. We are concerned about people. If you don't sign this, please do consider yourself suspended as of right now.

Richard: No. I don't think you've got any grounds. I think I'm fine. If this goes to an employment tribunal, then you've got a problem.

Steve: Richard, you are suspended as of now.

Richard: Thank you, Steve. Cheers.

Steve: Richard, and I want you to leave the site right now.

Richard: Oh, right.