

**Private and Confidential**

Shayne Monroe

15<sup>th</sup> October 2016

Dear Shayne,

I am writing following the meeting we held on Wednesday 14<sup>th</sup> September to discuss your grievance. We outlined that your grievance was made up of three main points of concern. The first concern raised was the way in which you were spoken to by Detainee Custody Officer Bonnie Spark on Friday 12<sup>th</sup> August and the possibility that racist language may have been used toward you. The second point concerned the way you were treated by Duty Director Sara Edwards when being asked to work at Tinsely House following the incident on 12<sup>th</sup> August. The third concern was the way in which you were suspended. We also discussed historic issues that you brought to the attention of acting Centre Director Lee Hanford previously, the concerns raised to Lee have been passed to Deputy Director Stephen Skitt. I have spoken to Stephen and he confirmed that he will take these concerns forward with you. Following on from notifying Human Resources of the incident and your grievance, I was requested by Centre Director Ben Saunders to complete an investigation into the events mentioned within your grievance.

In relation to the incident between yourself and Detainee Custody Officer Bonnie Spark, in our meeting we discussed the events of Wednesday 14<sup>th</sup> September and you explained that Detainee Custody Officer Bonnie Spark had initiated a verbal exchange between the two of you which led to you threatening to slap her and her calling you a "fucking black cunt" in the wing office. After our meeting I investigated local CCTV footage for the time frame of the incident and conducted interviews with those identified as being present with the exception of Detainee Custody Officer Chris Shambrook who has left the company. Most of the witnesses interviewed described themselves as being within close quarters when the verbal exchange took place and their accounts of the incident are fairly consistent with your account with the exception that none recall hearing the word "black" being used by Detainee Custody Officer Bonnie Spark. This is also something that Detainee Custody Officer Bonnie Spark denies saying.

From my investigation it appears that both yourself and Detainee Custody Officer Bonnie Spark used inappropriate language and breached the code of conduct, but that no racist language was used. As a result I am recommending that a mediation meeting take place between you and Bonnie given that both you and Bonnie have stated you would be open to this during meetings. The intention of mediation would be to draw a line under this situation and move forward to resume a healthy working relationship.

In regards to the meeting between yourself and Sara Edwards you are unsure as to why Detainee Custody Managers Dave Roffey and Jack Bannister were present as you had no one with you and they did not contribute in any way. I have spoken to Sara Edwards about this and Sara explains that after an allegation was made stating that you had threatened to assault Bonnie Spark Centre Director Ben Saunders was contacted and asked for his advice. It was agreed as a safeguarding measure based on the information in hand that you should be moved to Tinsely House whilst an investigation was completed. Dave Roffey was asked to be present as he is your line manager and Jack Bannister as a witness to the conversation. I would not anticipate much involvement from them. I have found that there is no recognised process for how such meetings should be completed as at this stage it was being handled informally. I have sort advice about whether this was conducted correctly. The feedback is that the meeting and those present was appropriate and in line with common practice.

The last point raised by you in our meeting was around your suspension. Whilst you were signed off work as sick you were contacted and asked to come in for a meeting. You feel that you should have been informed that

the meeting you were attending was a suspension meeting as opposed to a meeting about your grievance which you believed it to be. As part of my investigation I have spoken with Michelle Fernandes who provided me with a string of emails from her to you prior to the meeting. In those emails Michelle states *"As I mentioned it is relating to your letter and steps we need to take regarding it. We will also arrange a grievance hearing for next week."* Prior to Michelle arranging the interview she sought advice from Bryony Farey Human Resource Business Partner who agreed that a suspension meeting should take place even though you were absent from work. **It was important you were suspended as informs you** that you should not contact anyone from work. If you had not been informed of your suspension as soon as possible then contact with colleagues may have impeded the investigation. Whilst it was not ideal to hold the suspension meeting whilst you were absent it was agreed that a face to face meeting was preferential over a letter which could have been sent as a last resort. Michelle notes that she did offer you the opportunity for the meeting to be held "off-site" in a mutual location and that a work place rep was arranged to be in attendance. Looking at the steps taken and the consideration that was given, I do not believe this could have been handled differently as no one is given advance notice of a suspension meeting.

Please do not hesitate to contact me in regards to the content of this letter and I will be happy to discuss this with you.

You do have the right to appeal against my decision and should do so within 7 days of receipt of this letter.

Your appeal should be addressed to Michelle Fernandes, HR Advisor at the address above.

Yours sincerely,

Dan Haughton  
Support Services Manager  
Gatwick IRCs