

Appeal Hearing – Steven Payne

Date: 19.07.2016
Meeting
commenced: 11:30
Meeting closed: 12.31

Present

Employee Name: Steven
Payne
Rep Name: Scott Payne
Chair of Meeting: Ben
Saunders
HR Rep: Emma Picknell

BS Welcome first of all. This is an appeal hearing – can I check that you have received your invite letter.

SP Yes

BS Emma Picknell is here to take the notes of the meeting and you have Scott here as your workplace colleague. So, the purpose of the meeting is for me to hear your appeal, which you have the right to do. If we can work through your letter point by point, do you have a copy of your letter?

SP Yes

BS Ok, so we'll work through it and tick off the points. There are two ways I can deal with this, which is either to answer your appeal straight away today or we might need to go away and then write to you later on with an outcome. You can ask for an adjournment at any point to take some time out, you have the right to do that.

SP Okay.

BS It's not my job today to re-hear the disciplinary, the test for me is has a reasonable conclusion come from the meeting and did Steve Skitt have all the information he needed and was the outcome reasonable within the scope of the policy. Any questions?

SP No

BS I have various pieces of paper here, so if you can take us through your letter Steven so that we stay focused on it. So, start at point one and we'll discuss each point.

SP So, I mentioned at the time I was having health issues which I felt weren't taken into account before or during the hearing.

BS Talk us through that a little bit.

Sensitive/Irrelevant

BS Who did you talk to about that? You had a difficult time.

SP I spoke to Chris Donnelly in the morning when I came in he said I would have to have a meeting with HR, that didn't happen. I did have a one to one with Chris later that day, then later after that I was suspended.

BS What impact does this have on the appeal?

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SP It wasn't taken into account when I was suspended. I wasn't offered Occupational Health or Best Doctors.

Scott Payne it wasn't taken into account when they were moving him so he was frustrated.

BS So to summarise this point then, I need to find out if this was taken into account by Steve Skitt. But you are saying this wasn't taken into account in the decision making, is that right?

SP Yes

BS Did you agree with Chris Donnelly where you would work?

SP Yes, the Gatehouse was too strenuous and busy, so at that point I was put in visits internal.

BS How's your health now?

SP I have weird pains which the doctor said is nothing to worry about. I have to have a heart monitor fitted for 7 days on 22nd.

BS That sounds like a surgical procedure.

SP No no, it's just stickers.

BS Have you seen Occupational Health?

SP No

BS Ok, we'll explore that. And where are you working now?

SP I'm working all over now. I've cut out the energy drinks – I was having 1 per day, they're not good for you.

BS Yes, that will have a big impact on your levels during the day. Moving on to your second point.

SP Regards to Charlie Smith's letter to HR, I kind of feel he's trying to victimise me personally, I don't know what right he has to say these things. And he signed off the letter DCM Charlie Smith.

BS He's not a DCM

Scott Payne Steven was honest in his meeting and accepted what he'd done.

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- SP I've withheld the company values and told the truth. So if I had lied in my meeting and not owned up, it would have been my word against his.
- BS So you're not happy about Charlie's response to it. You acknowledged, accepted and apologised. We all make mistakes, which sometimes have its consequences, and some people get away with it. My view is that it's been dealt with by Steve Skitt, and whatever Charlie has said, Steve's got to the bottom of it. What was the outcome of the meeting for Charlie Smith?
- SP We've shaken hands
- BS So you feel it has been resolved?
- SP I've not really seen him much but I've got no issues.
- BS So you're saying here, had you not held your hands up there may not have been any awards given to you. My view is that integrity is really important and you may need to take something on the chin, but in my view your integrity is still intact – and that goes a long way. Ok, next point?
- SP I've been here for 3 years, my time keeping is good - I'm rarely late, I am 1 of 5 people knowing how to do the expected movements, I have learnt it and I pride myself in my work as an ACO, I can't do a DCO role due to my brittle bones.
- BS And I consider you a really good member of staff, as you know what you are doing. I would also consider you for mentoring. But, regarding your exemplary record in your appeal letter – do you remember a meeting regarding snapping at Derren Pickett? Do you remember that?
- SP I'm not sure.
- BS My view is you maybe have a tendency to snap at people – is that fair?
- Scott Payne. We've spoken about that and I told you to wind your neck in
- SP Yeah.
- BS From my point of view, front of house is so important, you are the face of Brook House – perhaps a bit of training in customer service might help.
- SP I signed up for that.
- BS Great, and also think about how you deal with things in the moment. Tell somebody if you think someone is being rude to you, keep your integrity intact. So I'm giving a gentle push back on that to remind you that sometimes you can speak out of turn. Is that ok?

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- SP Yes.
- BS Ok, and you were saddened by the written warning you were given.
- SP Yes
- BS So, because you owned up you're being issued with a written warning. You think that's harsh? Perhaps a verbal warning?
- SP Yes, I was suspended for 3 months plus the warning is on my record for 12 months and it states I breached security on the letter.

Ben looks at the outcome letter issued to Steven Payne.

- BS Ok, I will go back to Steve Skitt and ask him what that means. I will reassure you Steven that if you are not used to the disciplinary process, it might feel that suspension is a punishment plus the 12 month warning, but suspension is a completely neutral act and isn't blaming you for anything – it's neutral and a written warning would always stay on your record for 12 months. So you're asking what is the breach in security part in the letter regarding and that the written warning is too severe a penalty
- Scott Payne I understand that suspension is neutral but he was never offered Best Doctors or Occupational Health.
- BS Your point of contact was Dan I believe which you had contact with I ?
- Scott Payne There was a long period between contact.
- SP I arranged to do sit down jobs with Pete Crompton and I was supposed to see a doctor a couple of days after the incident in Sainsburys.
- BS I don't think HR were involved in that.
- Scott Payne The meeting with Chris Donnelly was just before he was suspended so the paperwork should have gone to HR.
- SP It was all written down.
- BS It sounds like that information wasn't passed to HR. Okay, you talk here in your letter about, at most you should have been given a verbal warning and your integrity should have been taken into account in the decision – do you think it was?
- SP I think holding up my integrity is what the company would want.

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- BS And you think that we have made an example of you.
- SP Yes by other things that were going on in the business – perhaps I was given a harsher award.
- BS Certainly from a company point of view that is not what we would do. At Medway, that was taken into account. My view is that any disciplinary award should be fairly managed. I will discuss that part with Steve Skitt. You will be doing Acting Inclusively training
- SP Yes, in October I have a refresher.
- BS And the customer service training.
- SP Yes, Vicky came round yesterday so I jumped at that. Not sure when it is but it's online a level 2 so it'll help in the Gatehouse and in Visits.
- BS Is there anything else you wish to add?
- SP I think we've covered everything.
- Scott
Payne The only thing is regarding what happened in the meeting with Charlie. Do you want to say? I think you should.
- SP Okay – I got the award for swearing. Before my meeting with Charlie I was talking to Steve Skitt about his new house and he said the word "fucking" 8 times – and I was given an award for saying it once and the Deputy Director says it 8 times in one conversation.
- BS That's difficult to respond to. Was he swearing at you? Did you take offence?
- SP No, but still.
- BS There's a case perhaps of double standards here. How do you want me to deal with it?
- SP I don't want to make a big deal of it.
- BS I think there is a subtle difference between saying f'ing in a meeting like that and there's irony around it as perhaps it's not appropriate. I take your point and it's good to raise and I would expect it to be challenged at any level. It's behaving appropriately, taking into account those around us. We all have to be conscious of it. I want to create an environment where we can raise it without retribution or causing offence. Okay, anything else?
- SP No, we've covered everything.
- BS We'll adjourn for a few minutes, I'll have a chat with Emma then we'll write to you
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with an outcome.

Meeting adjourned 12.15
Meeting reconvened 12:30

BS I have everything I need from you Steven, so we'll close for now. There are a few actions that Emma and I will look into and formally write to you with an outcome. Thank you

SP Thank you.

Signed: _____ Date: _____
Steven Payne

Signed: _____ Date: _____
Ben Saunders

Signed: _____ Date: _____
Emma Picknell