

PRIVATE AND CONFIDENTIAL

Sean Sayers



12 October 2017

Dear Sean

Disciplinary Outcome

I write to confirm the decision taken at the disciplinary hearing, which took place on 28 September 2017. This hearing was conducted by me; also in attendance was Sarah Grady, HR Business Partner, as HR Representative and note taker. You choose to be accompanied by DCO Ben Shadbolt, workplace colleague, at this hearing.

The reason for this Disciplinary hearing was to consider appropriate action following an investigation into the allegations of gross misconduct:

- **On the 15th June you carried out an inappropriate and unapproved restraint on a detainee**
- **On the 15th June you failed to follow the correct reporting procedures relating to the use of force on a detainee**

At the hearing I concluded the following in relation to the allegation (s) detailed above:-

- The CCTV shows you carrying out an unapproved use of force technique on a detainee
- You stated that your colleagues were not close enough to assist you and as such you had to act alone
- In your mitigation you stated that you acted for your own protection as [D313] had been verbally abusive to you since his relocation to E wing following a "spice" attack
- You stated it was not your intention to cover the incident up but that you forgot to report it at the end of a busy day with significant staffing pressures
- You confirmed you were aware that you should have reported this incident
- You have 9 years security experience which influenced your actions on that day
- You stated that [D313] later apologised to you for his actions
- You stated that you were confident that [D313] would have submitted a complaint if he felt he had been mistreated
- You understood the expectations of your role and the requirements of being a fit and proper person
- You showed openness and honesty at this disciplinary hearing

In making my decision today, I took into account the information contained within the investigation report and the information you provided at the Disciplinary Hearing.

Based on the above, I took the decision to issue you with a final written warning which will stay on your file for 12 months. You are advised that in the event of any repetition of this misconduct further disciplinary action may be taken against you up to and including dismissal. For the period that the warning is current, this warning will be taken into account at any disciplinary hearing arising from such circumstances.

You have the right to appeal this decision, which must be made in writing to Lee Hanford Centre Director at the address above, within 7 days of receipt of this letter.

I have enclosed a copy of the notes taken at the hearing for your records.

Yours sincerely

Signature

Sarah Newland
Head of Tinsley House, Borders & PDA
Gatwick IRCs