

Disciplinary Meeting Notes – 30.05.2017
IM Ian Macdonald
SS Stephen Skitt
MF Michelle Fernandes HR Rep
Meeting Start 08.05am
Meeting Adjourned:08:20am
Meeting Reconvened: 3.30pm
Meeting End 3.40pm

Introductions of staff present by Steve Skitt

SS: Thank you for coming. The reason for the meeting is we are carrying out a disciplinary hearing. It is a formal process. MF is here to take notes and give advice. Did you receive the letter?

IM: Yes

SS: There was an investigation carried out after a detainee removed the handcuffs on a hospital escort on the 4th March. You are entitled to be accompanied?

IM: I'm fine

SS: If at any time you wish to reconsider please say

SS reads out the invite letter

SS: I am not here to reinvestigate. It is your opportunity to say anything and talk through this and offer a summary. Your duty on the day was Oscar 2?

IM: Yes it was

SS: You understand the role of this O2

IM: Yes

SS: I will go through the conclusion with CDJ. During the investigation there was a 1st escort and keys did not go out with it– were you part of this?

IM: Yes, you need the key to put the cuffs on, it may have been put back in a clear bag.

SS: Where did the key turn up?

IM: I'm not sure, the 2nd escort the key was there

SS: What about the bag from the 1st escort there?

IM: It was definitely taken off, the bag was on the side, the detainee was taken out straightaway

SS: What happened?

IM: The bag wasn't checked.

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SS: The first escort gave everything?

IM: It was in the bag

SS: IS91 states it is the of Oscar 2 once the escort is in to check and reissue it

IM: I didn't do it as everything was in the bag

SS: You never the less should have checked

IM: Yes

SS: Talk me through D334

IM: I spoke to NW about the handcuff process. I went through the risk assessment and PER. I highlighted he was a drug user/weapons and can be manipulative on the wings. When he came down I explained the cuffs.

SS: Restraints?

IM: D334 Cuffs

SS: So who were the escort staff?

IM: NW, JR and DF

SS: Why was NW briefed?

IM: As the officer in charge

SS: She's a relatively new member of staff

IM: 3 months

SS: What about Mr Flack?

IM: I preferred him to be the cuffing officer. He was more experienced and larger build and similar to D334

SS reads through the risks of D334 from the escort paperwork

SS: Would this raise concerns to you?

IM: I see what you are saying, I had no reason to change as I had faith in the three officers

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SS: Did any of the escort staff raise concerns?

IM: NW did have concerns about being the IC. I said if there are issues we will change staff for the 2nd escort

SS: So if I had 3 experienced staff who would you want?

IM: In hindsight I would have changed this, I had faith in it

SS: He could have escaped, there's a risk to public. My understanding is the IC is usually more experienced member of staff

MF: Are you aware of this?

IM: No. DF gave some guidance. I asked NW to do it for experience and she was nervous

SS: That's why we have an experienced member of staff. We take it seriously the potential risk. When the IC raised concerns for the 2nd escort you have someone with considerable experience?

IM: I would have changed her

SS: I have to make balanced decisions on risk with escorts. Members of staff may not have the experience or competence to do it. What happened when they came back in?

IM: They informed me and I asked them to write reports and informed SN

SS: Immediately?

IM: Once the reports completed I went upstairs to see SN.

SS: The first escort – where was the briefing?

IM: I checked the paperwork in the office, I briefed the staff then the detainee came down and I watched them put the cuffs on

SS: Did you provide the briefing?

IM: Yes I did

SS shows IM the briefing paperwork

IM confirms this is for detainee: **D334**

IM: I checked the cuffs

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SS: Did you check the key?

IM: I wasn't informed the key was missing at all until last week. I thought they put the cuffs on him

SS: How do you check the vehicle search?

IM: The driver searched the vehicle and signs the paperwork. The IC checks the paperwork and signs it, appointment slips, first aid box, handcuffs.

SS: How do you know both vehicles were searched? Did you presume JR searched?

IM: 1st vehicle I saw JR go round it, he was checking the backseats, presumed it was a search

SS: Have you gone back to the staff to ask the question?

IM: No

SS: Was the briefing gone through line by line?

IM: No I hold my hands up

SS: There are 19 points on this route order. This is an aid memoir for the staff. I need compliance where managers are doing this

Telling staff about the search after the toilet aids people. If a member of staff is not satisfied they don't sign it.

Anything else to say?

IM: I didn't complete the route order correctly

MF: NW states there are things she wasn't aware of in her minutes

IM: They had ample opportunity to read through the paperwork. After the 1st escort there was no indication that she wasn't happy as I would have changed this.

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SS: Do you have any mitigation?

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IM: Yes I missed the times, on D Wing I was filling it in and had the wrong page. The other allegation the staff were briefed. I have done this for 10 years. The brief was not as full as it should have been. The key had to have been there after the first escort

SS: Anything else?

IM: No

Meeting Adjourned: 3.30pm

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SS: I understand you were not at the hospital and cannot be held accountable. I expect managers dispatching escorts to carry out the briefing and go through all 19 points. This is the second time you are here for a conduct issue. You are showing the bare minimal with your capability and attention to detail. I consider it a poor decision around the IC and not providing the full brief which staff have said the briefing was not carried out. Everyone has to be diligent and if every DCM does this they are complacent. The potential consequence is the detainee escapes and injures a member of the public. You are already on a final written warning. I have been deliberating all day up to dismissal and considered demotion. I am not going to dismiss you but issue a FWW for 12 months.

I will speak to your line manager as you are not throwing yourself at this 100% and believe there is a capability issue. If other people are the same they are also accountable.

If we are sat in the same position again I may not be able to provide the same outcome.

You can appeal my decision within 7 days of receiving the letter.

The matter is concluded.

Meeting End: 3.40pm

Signed:_____ Date:_____

Employee Name

Signed:_____ Date:_____

Chair of Investigation Meeting Name

Signed:_____ Date:_____

HR Rep Name