

DISCIPLINARY HEARING NOTES

Southside, London	26 March 2018		
Start Time:	2.05pm	End Time:	3.30pm

Steve Skitt (SS)	Hearing Authority
S5091	DCM
Andy Darken (AD)	Staff Association Representative
Michelle Fernandes (MF)	HR Advisor

SS	Welcomes and introductions, individuals roles within hearing explained We are here today for a formal disciplinary hearing in the allegations of gross misconduct; <ul style="list-style-type: none">An allegation of inappropriate conduct towards G4S colleagues Have you received a copy of the investigation report?
S5091	Yes
SS	And the disciplinary policy?
S5091	Yes
SS	If you wish to adjourn as necessary please let me know
S5091	Yes
SS	MF is here from HR and to take notes
S5091	Yes
SS	The report is a result of TOF I set the Head of Security at Rye hill. I have had the investigation back and I am not here to reinvestigate, but to give you an opportunity to say about the allegation, provide any new information about this and offer any mitigation There are 4 main elements within the report
S5091	Yes
AD	My concern is on 26 th February and Sara Edwards wrote to GP to say the investigation was not yet concluded yet the report states it was submitted on 09 th February
SS	You are alleging this report couldn't be concluded on 9 th Feb
AD	You are prejudicing a police investigation. In MH statement they didn't arrest him, it was logged on file until completed an internal investigation. Have there been discussions with the police? It could prejudice the police investigation
SS	She did report it to the police and they are not pursuing any further action. There is no contact with the police.
AD	The police are in contact with the establishment
SS	There is no police investigation. The contact has been through the victim. No policeman said that.
AD	On the 9 th the report was submitted and on the 26 th the letter advises that the report was not completed and the main witness is a liar about the police contact in the investigation.
	Meeting Adjourned 2.15pm
	Meeting Reconvened 2.30pm
SS	We have not been in contact with the police. S5092 contacted them and to file a formal complaint or carry on. There is no police investigation and no one in the Centre has been in contact with the police after the investigation.
SS	The writer completed the report on the 9 th and I questioned this for further evidence on the report. The person was on leave and SE was responding to the suspension and continuation of GP suspension. MD was the point of contact and had received everything on 06 March. A number of letters had gone out and the original hearing on 19 March.
AD	I hear your response. What about the crime ref number?
SS	S5092 may have had this

AD	It says you had the crime reference number. MB is your Head of Security. She told IM not the only thing investigated in statement on 6 th Feb
SS	There are 4 allegations go through them and if you wish to raise any points
SS	The first one on 25 August 2016 [S5092] as a message from you with 'where are the naked pics' and you deny this however there is a screenshot included in the pack
AD	Where is the communications for [S5092]
[S5091]	2016 was a long time ago and you are asking me about this. I don't know what conversation this is about or the pic?
AD	What has she said to him? She accepted [S5091] request, what was going on?
SS	Nothing further?
[S5091]	No I have already said
AD	It is unfair, it shows the contact with him, he may be responding to her. Why does she want [S5091] added to her?
SS	On 16 Mar 2017 [S5091] sat on the arm of a chair showing women on a Tinder App. It made a male uncomfortable and proceeded to send a message, When questioned [S5091] denied sending this.
AD	When?
MF	Mar 2017
AD	Paul Langton –Smith was there. There's no CCTV however I understand there was CCTV
[S5091]	I could say anything could have happened
SS	Why would someone say this?
[S5091]	I don't know
SS	Did you do this?
[S5091]	No I haven't
AD	In [S5092] statement she is told to watch [S5091] but it doesn't say who told her to watch [S5091]
AD	Why did she give [S5091] her number?
SS	Did she give her number?
[S5091]	No I haven't. I have not gone on her FB, 21 Jul 2017
[S5091]	Only been at TH from April 2017, when I took over from DB, DB went on leave I went down there and got EOM
SS	On that date in TH?
[S5091]	No always stated there but I was Brook House O1
SS	How would we get your pic in those comments
AD	We need to see the other part of the communications, to support the allegations we need to see both parts.
SS	Anything further to add?
[S5091]	Nothing from Paul Langton-Smith
SS	On 12 November 2017 IM during his interview said you were acting inappropriately and confirmed you lay across the desk, pulled down [S5092] collar and commented on senior manager breast size
[S5091]	Is there footage of this? [S5093] doesn't wear uniform
SS	You came in and made a comment on her neck, laid across the desk on your back and commented on the size of the breasts
[S5091]	None of this happened. In the statement [S5092] turned round and said is that your sexy pose?
SS	Did you make comments about the size of female manager breasts
[S5091]	No I haven't
SS	What is your view?
[S5091]	[S5092] & IM have colluded, they went away together. IM has not turned around and said that's inappropriate to 'is that your sexy pose'. It didn't happen. There's no CCTV.
SS	SS reads IM statement Why does he say that? None of that happened?
[S5091]	No I have already said it
AD	IM is also saying there is a lot of banter going on. Where was the line drawn? [S5092] replied yes I have a tattoo. She is responding to banter, quite clear. He says it is not appropriate – where is the line drawn. The Head of Security is going round saying [S5091] being investigated in the statement with IM. It's a one sided investigation.

	s5092 made friends with s5091 on FB and gave her number.
S5091	The Head of Security said its not the only thing being investigated
	I didn't say I wasn't there, I could be walking through
SS	There is a room with these people
S5091	IM turned around and said he was disgusted and walked away. When I lay across the desk s5092 said something yet IM was not there. They spoke and wrote their statements together. Was I in the O1 office – possibly?
SS	Were you there?
AD	Do you recall that incident?
S5091	No I don't, its upsetting
SS	Do you want to adjourn?
AD & S5091	No
SS	On 16 th December can you remember this?
S5091	Yes
SS	Were you there?
S5091	Yes
SS	It was a night out?
S5091	Yes that's correct
SS	You indecently assaulted 3 DCOs?
S5091	Can I stop you there, it was 2-3 DCOs
SS	SS reads this aloud.
S5091	I admitted to touching s5092 breasts
SS	Why?
S5091	I was invited to. OP stated in her statement 'mine are perky have a feel'
SS	From who?
S5091	s5092 am not disputing this
SS	You are in a public house?
S5091	Yes
SS	Drunk
S5091	Yes
SS	And this was consensual?
S5091	Yes
SS	s5092 said mine are perky have a feel? You also felt S5094
S5091	Where's that statement. I didn't do this
SS	You lifted the skirt of S5096
S5091	No that didn't happen
SS	Your saying that you touched s5092 breast and she said you could do it
AD	How is this related to G4S?
SS	You are bringing the company into disrepute by your actions
S5091	I can show you picture of everyone that was there on my phone. Those 4 people together and s5092 there with a smiling face after the incident
AD	She didn't seem too upset or bothered by it. The witness was not bothered by it, and it was invited. There is a crime reference number and then the police are not investigating it. They didn't interview anyone else.
SS	s5095 statement, why would s5095 say that?
S5091	Everyone was drinking and I was invited to touch s5092 breasts. There was a picture of everyone, I would suggest you interview everyone
SS	Why would s5095 say this?
S5091	Where s5094 statement?
SS	Do you remember this?
MF	s5095 felt uncomfortable enough to walk away by these actions
AD	She didn't report it, only when interviewed

SS	Do you think it's acceptable to do this in a public house?
S5091	That's nothing to do with G4S
AD	It's an irrelevant question
S5091	You should see what S5092 and IM did that night, talking about inappropriate behaviour IM hands were up her top and down her trousers. In November IM carried out inappropriate stuff with S5095 who came in on her day off twice at the weekend in the kitchen. I told SE about this.
AD	How about S5098 SX was touching another officer
SS	We are investigating this
AD	S5098 Statement states 'everyone was drunk, everyone was bad', there's no reason to pursue the matter against S5091 Someone has said 'have a feel' The letter states the investigation is not concluded yet SE interviewed IM and not seen this MB Head of Security said there are more things being investigated to IM This is a biased hearing and I am disappointed with G4S
SS	The lifting of the skirt – did this happen?
S5091	No as far as I was concerned she wasn't wearing a skirt
SS	SS reads S5096 statement
S5091	NP wasn't interviewed and No I haven't done it
SS	I am trying to understand, you walked across and lifted his skirt up – are they lying?
S5091	Yes. You haven't interviewed S5097 , S5096 and S5092 are friends. It didn't happen. I showed you a picture she's not wearing a skirt. S5091 shows SS another picture of S5096
SS	You can't tell its dark
AD	The other person wasn't interviewed, only these 4. Why don't you interview them?
S5091	VT groped someone and not interviewed.
AD	The process is so unfair to S5091
SS	Why would people say all of this?
S5091	S5092 is lying she said JM was there. If he was there he should have been interviewed
AD	Of the people interviewed I concur with S5091 the statements say the girls are as bad as the guys, another person didn't seem bothered about touching of the breasts, 3 rd - person was heard to invite to touch breasts, why are we here? They concur with S5091 is being investigated for other matters and SE stated it was still under investigation on 26 th and spoke to S5092 where is this statement?
S5091	There is no CCTV and I have 6 shifts left. I attended a social event last weekend and a former employee said don't you come in here touching other people. Tell me how that's persons knows? Whoever has written it has told him
SS	You are assuming the only other person is S5092
AD	IM might want to see S5092 statement, completely unfair to S5091
AD	All the other facts support S5091 there is nothing inappropriate in that report. Many things are inappropriate that I see on a daily basis, it's not G4S problem, otherwise all 20 people affected. IM refers to the line drawn
S5091	SX sexually assaulted S5098 and that was reported over a month ago. You would have suspended her. For 5 weeks I did not know what was going on. I cannot walk into BH/TH and I have been worried about being arrested
SS	It is not for me to report this to the police
S5091	My brother is a police officer, for 5 weeks I have been at home and people have told me
SS	This is the first time you have raised these issues to us
S5091	I told MD straight away, I was told by people why I was suspended
SS	Who?
S5091	I reported that staff members were talking about it. My Drs Certificate cites stress

AD	<p>IM and s5092 - Head of Security said other matters investigated SE statement from IM and s5092</p> <p>It states the girls are as bad as the guys in the report</p> <p>s5092 is an unreliable witness with one sided conversation</p> <p>There are photos of the night out with s5092 cuddling s5091 after the alleged incident</p> <p>s5092 added s5091 to her FB page</p> <p>Its half a conversation</p> <p>s5091 has never lived in Brighton</p>
S5091	I live in Worthing. I have decided to leave the company, I can't work there. I have been loyal and honest, I want to leave and start a new career. Have a look at the people working for you and interview them
SS	If there are any issues with any member of staff put it in writing
SS	Any further questions to all All parties state no.
SS	I am not making a decision today as you have provided a lot to consider, therefore will adjourn
	Meeting Adjourned 3.45pm

Notes are not verbatim but are intended to be a true record of the meeting content