

Disciplinary Hearing Minutes 21.11.2018
GS Gary Siggins - Employee
SS – Steve Skitt Chair
MP – Mike Pimbleton Union
MF Michelle Fernandes HR Rep

Meeting Start 10.00am

Introductions of staff present by Steve Skitt

SS: Thank you for coming. MF is here for notes. We are here for a formal disciplinary hearing– have you had 48 hours' notice?

SS reads the letter aloud

SS: Have you had a copy of the investigation pack?

GS: Yes

SS: Disciplinary policy?

GS: Yes

SS: Honesty and integrity is paramount

SS You are entitled to bring someone with you and you have Mike Pimbleton. Are you aware of your role?

MP: Yes here as a union rep

SS: Do you have any questions before we start?

GS: The allegation states it's towards a detainee, it was regarding

SS: The comments relate to 18 October, now is the opportunity to raise anything or any mitigation. The event took place in E wing office and 10am on 18 Oct whereby you were heard to say 'leave the ligature in the room with him'.

GS: That was what I said, it just came out

SS: It is an inappropriate comment. We have done a lot of work around culture, things happened, we set professionalism amongst other staff. Why did you say it?

GS: I lost my baby, there's a possible court case with my ex-partner over my son, everything built up

SS: What about the other comments?

GS: I know I made a big mistake and I have learnt my lesson. This comment will never come from my mouth again

SS: You have to act professionally, and I understand detainees can be challenging

GS: He was a challenging detainee, at breakfast he said 'who do you think you are, talking to you, you fucking cunt.'

I have been here 8 years and not made a comment previously. Throughout the process I have shown honesty

MF: What was the build up to this comment?

GS: The way he was, 6 staff were injured previously, it could have been a ploy. I meant nothing by it

SS: The comment has been said

SS: You have 8 years as an experience officer, you are part of the POA committee, you are carrying out work with us, you have not just joined

SS: I am looking at the culture from Panorama, what was meant by the comment?

GS: Nothing meant by it, it was a stupid comment

SS: I could form the view you meant him to harm himself

GS: I was frustrated

SS: I have been in prisons and you are challenged by the nature of the people you are looking after but it is a bizarre comment.

GS: Nothing meant by it

MP: I know from speaking to GS, he can't understand why he said it, he has 8 years' experience and is usually professional.

On another note SE was the complainant who commissioned the investigation and detailed a person junior to it and it was her decision to take this to disciplinary

Will his previous record be taken into account?

MF: We can consider it

Meeting Adjourned: 2.40pm

Meeting Reconvened: 4.55pm

SS: Anything to add?

GS: No

SS: I am going to go through the queries you have raised. You raised that the allegation says it is towards a detainee, I form the view it is towards a detainee DX

An appropriate manager was designated to investigate this, ultimately it is my decision to take this to disciplinary hearing and I sent you the letter and signed it.

In terms of reducing the threshold, I have considered this and I don't find it appropriate.

The reason for the disciplinary hearing is to consider the appropriate action following an investigation into allegations of gross misconduct. That on the 18th October 2018 you made inappropriate comments towards a detainee. You were heard to say you should have the left the ligature in the room in relation to a detainee on a constant watch.

Taking in to account and considering the contents of the investigation report, witness statements and the additional evidence put forward by yourself in the hearing in response to the allegations against you, I find the allegations against you are proven.

At the hearing you have stated you have no idea why you said these comments and you stated it was out of character for you and it was a big mistake. In mitigation you stated that you had a number of personal issues and I acknowledge these. I also acknowledge your employment history at Gatwick IRCs.

Following the events of Panorama Programme that was aired last year that showed shocking and disturbing scenes at Brook House with certain actions and comments that were made by staff that demonstrated unacceptable standards portrayed by staff.

We have worked tirelessly to ensure that we treat all residents, staff and visitors with respect and dignity setting out a culture within the Centre in line with our values.

The comments that you have said are totally inappropriate stating a ligature should have been left in the room with the resident and I can take an inference from that that you would intend for him to harm himself further I can think of no other reason to come to that view.

We as an organisation have clear values. Your comments are entirely at odds with those values and are incompatible with your employment.

The definition of gross misconduct is one that is so serious or fundamentally damaging the relationship between employer and employee and make any further relationship impossible.

Therefore I have considered that there is no alternative but to dismiss you from our employment with immediate effect.

Your last day of employment will be today 21 November 2018 all monies owed to you 7 weeks in lieu of notice, annual leave and toil accrued will be paid to you.

Please ensure you return all G4S property including your uniform.

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You have the right to appeal my decision to the Centre Director. Full details of the appeals procedure are set out in the Company's Disciplinary policy previously provided to you.

Meeting End 3.45pm