

HCD06- Discipline Outcome

Brook House IRC
Perimeter Road South
Gatwick Airport
West Sussex
RH6 0PE

DPA

Vanessa Smith

DPA

24th April 2018

Adelphi Employee Number: 126773

Dear Vanessa,

Discipline Outcome

I am writing to advise you of my decision(s) following the discipline hearing on 24th April 2018.

After considering all the evidence presented, it was concluded that the allegations set out in the letter on 17th April 2018 were considered to be substantiated (in part) namely that on 22nd February 2018 you made inappropriate comments, and your conduct during a Personal Safety Training course on the 22nd February 2018 at Brook House IRC was not in adherence to the Civil Service Code.

Allegation 1 is proven and allegation 2 is not proven.

Evidence regarding the allegations was detailed within the investigation report compiled by the Investigation Manager Gary Norton. This report consisted of the statements of 4 witnesses present on the course, and in addition an interview with Vanessa.

Allegation 1 – (Proven) Vanessa admitted to using the words detailed in the report but in the context of the course. Upon questioning Vanessa did advise that the trainers had asked for feedback regarding the use of force and whether it was proportionate.

Vanessa responded with the words “he deserved it” “had it coming”. The response was inappropriate in the language used and a more suitable use of words should

have been considered. Vanessa confirmed when asked that there was no malicious intent with the language used.

Allegation 2 – (Not Proven) Hibiscus staff statements detail a number of points regarding Vanessa's behaviour, although a number lack factual information and appear to be personal opinions. Vanessa stated she did not act inappropriately. Healthcare statements do not corroborate the Hibiscus points. Regarding the point whereby Vanessa was nodding her head when the instructor mentioned "going to town on them". Vanessa clarified she was nodding her head in line with the actions being explained by the instructors as she had previously completed the course and was in agreement with the techniques being taught.

In summary Vanessa has acted inappropriately with her use of language and in the future needs to act professionally at all time and have an awareness of other stakeholders. Therefore ensuring her actions / language do not lead to potential disrepute.

The allegations substantiated constitute serious misconduct under the Discipline Policy and such conduct is unacceptable. Therefore the decision has been made that the appropriate sanction is a verbal warning.

This verbal warning will remain valid for 12 calendar months and expire on 24th April 2019. If during the period of the warning, another act of misconduct is proven, you may receive a higher sanction which could result in dismissal. It is therefore important that you improve your standard of conduct and behaviour to the expected of all employees and act professionally at all times.

You have the right to appeal against this decision. If you wish to exercise this right you should submit the Appeal Notification Form (HAP01) along with any supporting documentation to [Name Irrelevant] (Gatwick PDT SEO) within 10 working days of the date of this letter.

Please do not hesitate to contact me if you wish any further clarification of the procedures.

I would like to remind you that it is important that complete confidentiality is maintained and that this matter should not be openly discussed. You may of course, discuss the matter with your Trade Union Representative.

Should you require any additional information please contact me. I would also like to remind you that telephone advice and counselling is available from the Employee Assistance Programme, on freephone [DPA] for Home Office employees and [DPA] for Her Majesty's Passport Office.

Yours sincerely

Simon Levett
Decision Manager

