

IN THE EMPLOYMENT TRIBUNAL

Case Nos.3200529/2017
3201437/2018

EAST LONDON

Final hearing of the consolidated claims: 20th-29th August, 2019

B E T W E E N:

MARK EDMUNDS

Claimant

- and -

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF TOWER
HAMLETS**

Respondent

WITNESS STATEMENT OF MARK EDMUNDS

I, MARK EDMUNDS, of [REDACTED] WILL SAY AS FOLLOWS:

GENERAL INTRODUCTION

- 1 This statement is filed in 2017 in relation to my claim for compensation for harassment and direct discrimination on the grounds of race and/or sex (**'the 2017 Claim'**) (as amended by order of Employment Judge Moore) and the claim filed in 2018 for compensation for unfair dismissal caused by direct discrimination on the grounds of race and/or sex (**'the 2018 Claim'**). In respect of the 2017 Claim, I accept that it will be for the court to determine whether the parts of the claim that would otherwise be time-barred are not through being a course of conduct amounting to harassment by reason of sex and/or race.
- 2 For convenience, I have formulated this statement by giving evidence about each of the paragraphs in the (amended) 2017 Claim. It will be noted that EJ Moore gave permission for some but not other parts of the 2017 Claim but ordered that the paragraphing of that statement of case remained the same. Consequently, some paragraphs will (e.g. paragraph 5) will not be addressed, which is deliberate and not an error.
- 3 Reference to #numbers (as, for example, #35) are to the Claimant's bundle of disclosure.

2017 CLAIM: HARASSMENT AND DIRECT DISCRIMINATION

Paragraph 1

- 4 I started working for the London Borough of Tower Hamlets on 25th January 2010, employed as its Olympics Strategy and Data Support Manager on a fixed term of two years. This contract was later extended via a number of short-term extensions until 31 March 2013 (#1-18).

Paragraph 2

- 5 I remained in continuous employment thereafter, being appointed as the Interim Drug and Alcohol Team (DAAT) Coordinator (on LP08 grade), providing maternity leave (for Rachael Sadegh) from 27th February 2013 (to 6th May 2014). Again, during this time I received several extensions to the initial contract before receiving a notice of redeployment and redundancy on 25 April 2014 -which gave my projected last working day with 12 weeks' notice as 20 July 2014 (#19-24).

Paragraph 3

- 6 On starting work as the DAAT Coordinator it soon became clear that the service had serious problems which needed addressing. An important issue being some DAAT service contracts had not been exposed to the market for several years and were in breach of EU Procurement legislation. This was alongside extra work to align its current responsibilities with the introduction of additional treatment services contracts due the Social Care Act (2012).
- 7 However, as I worked through these contracts and aligning team functions and tasks to the treatment service (i.e. including the novated Public Health contracts) I became aware that there was a mismatch of resources distributed across the various services which were not effectively targeted (e.g. the Community Drug Team with the highest number of service users received similar funding to the NAFAS (Bengali Drug Service which engaged around a fifth the number seen by the CMT).
- 8 I also became aware that the DAAT were spending around £1m per annum on residential treatment with relatively few effective controls in place to monitor spends and outcomes. For example, on a visit to a local residential facility (i.e. Harbour Recovery Centre) I asked about the current inpatients and amongst other details I was informed that most were not EU nationals (i.e. Bengali nationals) meaning they were not entitled to receive Local Authority funds to access the service. Further examination showed that the identities of those treated had not been verified prior to engaging treatment. As a result, access to Tier Four (residential treatment) was tightened up whereby eligibility criteria were implemented prior to funding being agreed.

- 9 Other work highlighted that many of the treatment service performance indicators were unable to measure activity accurately and therefore value for money exercises could not be conducted with any certainty. As the DAAT work continued a number of staff resigned and Andy Bamber commissioned Ottaway Strategic Management (OSM) to assist with completing a Needs Assessment and Service Review. This work involved reviewing information reported to the DAAT Board by the DAAT, which showed poor analysis and interpretation. As such it was agreed to refresh the reporting requirements. However, once completed the data generated showed large differences between the local information and that which was later reported to Public Health England (PHE).
- 10 At the time I thought the DAAT was in a malaise which required a complete overall. At a meeting with Andy Bamber in October 2015 (shortly before the resignation of Lisa Garwood) I reported that performance dropped and after further examination I concluded that the data were being manipulated or altered after submission by the various treatment providers as there were noticeable differences in the data collected at the local level from treatment providers and that reported to the NTA/PHE. However, Andy Bamber believed no investigation action was necessary as there was an external consultant reviewing the DAAT and treatment services and most staff had resigned.
- 11 However, in hindsight, the DAAT and some of the treatment provider services appear to have been arranged in a similar in such a way to the Youth Service and external suppliers which allowed Local Authority funds to be distributed without monitoring and scrutiny.
- 12 However, soon after Rachael Sadegh returned part-time from maternity leave (on 12 December 2013 #42) she made it clear that there was no longer term position for me and that as soon as she had returned full-time I would be no longer required to work in the DAAT. As such, I was given notice of redeployment and redundancy on 25 April 2014, with a projected termination date of 20 July 2014 (#23). However, this was despite OSM still being engaged to do work which I had the skills and knowledge to do and there being numerous vacant posts in the DAAT which had not been filled following the staff resignations. I later became aware that on 25 January 2014, while still employed in the DAAT, I had qualified as having permanent status as I had worked for the Local Authority continuously for four years. However, at no point was this referenced or mentioned in any contract extension letters or HR meetings and therefore I remained unaware at the time. However, on 6th May, (and before my redeployment period ended) Andy Bamber requested me to investigate Jamal Uddin (Head of Service for the Community Language Service (CLS)).
- 13 However, on February 23 2016 during a conversation with Damien Kennedy in the Payroll Section I was informed that I was still being paid from the DAAT budget despite having left the team almost two years earlier in May 2014 (#80). As such, I reported this as a mistake and expected it to be dealt with. However, On 21 March 2016 I received an email from the HR Business Information Team where I had been copied into an email containing personal information relating to a DAAT staff member (#83). After reporting this was incorrect I was informed by Sonia Woodley (HR) by email (22 March 2016) that I was still occupying the DAAT Coordinator post (held by Rachael Sadegh) which was

due to inaction by Andy Bamber despite attempts to get him to confirm my current position (#81) .

- 14 On 1 April 2016 the Council introduced a new online annual booking system (#85) which replaced the previous manual process where line managers physically signed off annual leave requests. It was at this point I started having problems booking annual leave whereby when I attempted to book leave I received a message informing me that I had an insufficient number of days to book the required time off work (#87). Given that I was initially trying to book time off in the first week of the new holiday year (3rd April 2016 – #86) I simply believed this to be a teething problem with the new annual leave booking system. However, further investigation by Cliff Peaston (HR Business Information Team) found that the insufficient balance was due to my contract end date being 31 May 2014 (#92) and not listed on the Establishment List (to which the annual leave booking system was linked) and therefore I was not considered to be a current employee and as such prevented the generation of annual leave.
- 15 On 12 April Claire Peaston emailed me to say she had made a temporary system change (taking me out of the Racheal Sadegh's post) so I could book leave and pending a formal decision regarding my role and JD (#94).
- 16 However, on 13 October 2016 I experienced further problems booking annual leave where again I was informed by an automated message from the system that I had insufficient balance to take the leave I had requested. However, as I knew I had plenty of leave remaining I contacted Claire Peaston again to assist me (#98/#99). The same problem booking annual leave occurred on 11 April 2017 which I reported to HR (#100) which was confirmed again due to HR having not been informed of my status and/or projected contract end date (which had been arbitrarily set at 31 March 2017) and as such I had no generated annual leave (#100).
- 17 On 24 April 2017 I questioned Claire Belgard about why I kept having difficulties booking annual leave and why incorrect information continued to be used (i.e. I had an arbitrary contract end date and temporary occupancy listed on the annual leave booking system) when I now understood I should be considered as having permanent employment status. I also reported that this was extremely annoying as it had a detrimental impact on my ability to plan holidays (#104). However, on 16 May 2017 I was informed by HR that they were waiting for a form to be sent to them from Claire Belgard providing a new contract end date as I was still showing as a temporary worker on the system (#108).
- 18 As the problems had not been resolved I asked my Trade Union representative to escalate the issue on my behalf who wrote to HR on 18 May 2017 to request action and a response to why standard procedures had been circumvented (#109). As no response was forthcoming my trade union representative escalated and repeated the request to Zena Cooke (Corporate Director of Resources) on 13 June 2017 (#113). However, despite assurances by Zena Cooke to action the request nothing materialised and so a follow up email was sent to her on 11 July 2017 (#115). While waiting for this to be resolved I continued to send email requests to Claire Belgard to request annual leave.

- 19 The situation with regards to my annual leave remained unresolved for the rest of the 2017/18 financial year as LBTH never adjusted my status to me occupying a permanent position which was a deliberate act so that I had no reference point on the Establishment List (as a permanent post would have been required to have been created) which would have contradicted how I was being treated in respect of my employment status and would have stopped LBTH from including me in the Youth Service restructure.

Paragraphs 6 and 7

- 20 Following Andy Bamber's request (from 5th June 2014) I was tasked to investigate Jamal Uddin (Head of Service for the Community Language Service (CLS) (#125). This worked continued throughout the summer months and I delivered the final report on 17 October 2014 (#135). However, I was never requested to attend his disciplinary hearing. I thought this to be strange but had heard that Members had put pressure on Shazia Hussain and HR. I later understood that a second investigation had been conducted by Karen Sugars and subsequently heard that the CLS manager had left the organisation on voluntary redundancy package.
- 21 During the summer months I also started to work on reviewing the Youth Service. On 21 July 2014 I emailed Andy Bamber some text to be used in a business case to create a new post - leading a review of the Youth Service and aligning it to the findings of the PCW audit (#160). Based on several conversations that I had with Andy Bamber, I understood this role to be a highly sensitive and senior role which would be remunerated accordingly. The job title was not completed on project specification document as I was unsure of the grade but I was under the impression it would be P09 or above (as I was informed I would be also reporting to Steve Halsey (Head of Paid Service) and advising Dinar Hossain (Head of Youth Service, LP09) of what actions he needed to take arising from my review of the service. A couple of days later (23 July 2014) Andy Bamber requested HR colleagues to remove me from the redeployment list as I was working on the Youth Service review and CLS investigation (#162). However, as I had not heard anything, on 8 August 2014 I emailed Karen Davis to enquire about progress with the new post (#165). As I received no response I emailed her again on 13 August 2014 – and again received no response.

Paragraph 8

- 22 At this time, the majority of the staff in the Youth Service were British Bengali (#166 – #183).

Paragraph 10

- 23 In early November 2014 Carole Wilson (a HR Consultant) approached me on my arrival at work on morning. She informed me that required me to draft my own Job Description so that a post could be created. I informed her that I had already produced some text and

that no post had been created. We agreed to gather some information and reconvene to discuss how best to address the request. However, on 11 November 2014 Carole Wilson asked me if I had drafted my job description which I replied I had not as that was not what we had agreed to do. After several emails it appeared that Carole Wilson did not want to do it or could not do it, so I reluctantly agreed to produce a draft my Job Description despite being very busy at the time. I was also baffled why Carole Wilson and/or HR could not do this as I was aware JD were produced by HR. On 12 January 2015 I received an email from Andy Bamber threatening me with dismissal if I did not produce a Job Description (#184). The attached emails from Michelle Vincent implied she was worried about me still occupying Rachael Sadegh's post (i.e. the DAAT Coordinator's post). On the same day I responded to Andy Bamber informing him that I would prioritise the drafting of the Job Description and informed him that I had been chasing HR since July 2014 about the creation of the post without any success. On 3 February 2015 I emailed the completed JD to Michelle Vincent copying in Andy Bamber (#190 -195) which was never acknowledged, and no post was ever created. In my whole time at LBTH I had never heard of anyone having to draft their own Job Description – and especially when a consultant was employed to conduct this role within Safer Communities.

Paragraph 11

- 24 The seriousness of this situation and having no regularised position only became apparent to me much later when Claire Belgard and Ronke Martins-Taylor were employed in the Youth Service as the Interim Head of Service and Youth Service Development Manager (in October 2015 and January 2016 respectively) who both took over elements of work I conducted but had no evaluated JD to support my position. I also felt affronted that both these female managers were paid more than double than I was at £120,000 per annum when I was repeatedly told by Andy Bamber that he paid me very well and that I should be grateful for the work.
- 25 On the times that I approached Andy Bamber and HR to regularise my role I was consistently undermined a made to feel insecure being told that I would be risking my job if I raised any issues of perceived problems. For example, in mid-April 2015 I was informed by Andy Bamber that he had to act to secure my role at the People Board. Consequently, on 22 April 2015 I emailed Michelle Vincent to ask how this had happened and why I still did not have a formal contract of employment (#198). After several emails without any response she emailed me five weeks later 28 May 2015 saying I was a Project Officer carrying out specific tasks for Andy Bamber on my existing terms and conditions. The next day (29 May 2015) I responded challenging her description of my position and said I felt that I was being treated differently to my peers and asked her to provide me with the documentation to support her assertions (#196).
- 26 Shortly after this, I received an invitation from Andy Bamber's PA (Karen Bradley) to attend a management meeting (with Andy Bamber and Michelle Vincent) scheduled for 8 July 2015. At first, I believed it was related to the investigations I was conducting but when I enquired about the purpose Karen Bradley refused to inform me what the meeting

was about (#199 – 200). I was called to attend the meeting a couple of days before it was scheduled. On arrival both Andy Bamber and Michelle Vincent were already in the room and there was a tense atmosphere when I entered the room with Andy Bamber holding a copy of my email (29 May 2015). After sitting down, he asked to explain why I had sent the email and what it meant. I explained (as he knew) I had no formal contract and that I believed I was not on a high enough grade for the work I was conducting. Andy Bamber's response was that he paid me well and if I did not like it, I could always leave and find something else.

- 27 Mr Bamber then invited me to speak, where I reported that I had drafted a JD at their request (in February 2015) which had not progressed and therefore it had not been evaluated nor my salary reviewed. The meeting ended quickly with Andy Bamber asking me to think about my position and asking Michelle to confirm my salary position. However, on 7 July 2015 I received an email from Michelle Vincent which included my estimated voluntary redundancy figures which I had not expected or requested (#201 - 202).

Paragraph 12

- 28 Throughout 2014/15 I worked diligently on reviewing the Youth Service and conducting numerous investigations (which were identified while progressing the review). I was initially tasked to conduct a forensic audit of the Rapid Response Team budget and to deliver my findings to both Steve Halsey and Andy Bamber. I was also given access to various email accounts, HR files and Financial records. Within two weeks I was aware there were serious financial problems and reported this to my managers. One of the key findings found was that all the Youth Service cost codes had been placed under one approving manager (Saifur Rahman) in May 2013 with his approval levels also increased to £25,000 per transaction - which was agreed by Andy Bamber (#208-210).
- 29 However, while the Service Review work was progressing numerous anonymous emails were received which provided information about corruption in the Youth Service and involving its senior Bengali managers. The information provided named those involved, their close relations and connections with Labour Members and how positions necessary to perpetrate the corruption were recruited to by circumventing procedures (#210-228). However, when I was later given access to the email account of the previous Service Head (Mary Durkin) Youth and Community Learning in 2015, I found an email raising very similar concerns of corruption in the Youth Service dating back to 2011 which was sent to the previous CEO Kevan Collins (#203-207). I reported this to Andy Bamber who asked me to print off as he wanted to show it to Steve Halsey. I was shocked as the email largely reflected the findings of the service review (and investigations) I was conducting which was the first investigation action to be taken – three years after the Council were first alerted to the problems. I was also puzzled as it appeared that the Youth Service had been transferred in 2012/13 to CLC from Children's Services following receipt of this information which was not now subject to Ofsted inspection, meaning the service having less scrutiny than it did before. Later analysis conducted showed that the syphoning of

funds increased sizeably from 2012/13 until the PWC intervention in 2014/15 (#327-329).

- 30 By September 2014 I had established some initial findings which indicated that internal systems and controls had been circumvented to recruit some undesirable individuals and that serious malpractice was endemic in the Youth Service (e.g. payments made to fictitious organisations and staff members and the circumvention of procurement, recruitment and financial procedures and processes). It was also very obvious that no simple checks had been made to establish the legitimacy of the various organisations and payments (#251-278). Further work established that there were identified links between Youth Service staff and the identified organisations of concern (#285) which led to a series of staff investigations involving numerous staff from the Youth Service including Dinar Hossain, Saifur Rahman, Shuman Khan, Anam Hoque, Muzamil Ali, Habibur Rahman, Ali Zaman, Liton Tahir, Shah Muhmud, [REDACTED] and Nojmul Hussain (#322-326). Further work showed the size and scale of the corruption and those involved (#330-360 and #361-384) and, as the work developed, I became concerned that key centralised services such as HR and Internal Audit had not delivered or fulfilled their protective functions. For example, unsuitable and unqualified individuals were recruited to posts and key financial checks (credit card spends) failed to be conducted.

Paragraph 15

- 31 When I started working on the Youth Service review, Andy Bamber had asked me not to tell anyone what I was working on. At the time I was hot-desking in an open plan office in the Council. However, almost every day I would be asked by Bengali colleagues about the nature of my work. During this time I when I left my desk I would typically fold up my note book and lock my computer if I left the workstation for any length of time. However, on one day in late June/early July 2014 I went to the toilet and soon after my return I noticed that my note book was missing. From that point when I left the workstation for any time I locked my documents in my locker.
- 32 However, soon after this I was in a meeting with Dinar Hossain when he started to ask me about the investigations. I told him I was able to discuss the service review work (as he was tasked to take action derived from the findings of this work. However, he persisted and repeated asked me to tell him what I had found. Why I refused to respond Dinar started to pinch the back of his had a kept repeating to me 'is it because of this' which I took as a reference to the colour of his skin. I informed him it had nothing to do with his skin colour and attempted to focus him on the purpose of the meeting. Eventually, the meeting finished and we left the room. The same day I reported the incident to Andy Bamber verbally who asked me to keep a record of similar incidents if they occurred.

Paragraph 15.1

- 33 A few weeks later, on 17th July 2014, I was aggressively confronted and intimidated by Dinar Hossain while walking back from lunch. I felt particularly worried when he starting swearing and pulled out his phone and started waving it in my face. I reported this to Andy Bamber verbally and in the form of a contemporaneous note the next day expressing my concerns, which gives a full and truthful account and on which I rely (#385). A few days later Andy Bamber told me he had spoken with Dinar Hossain about the incident and warned him about his behaviour. However, I was surprised that I had not been invited to this meeting given I was centrally involved or how I wanted it addressed. When I later enquired about it Andy Bamber simply informed me the matter was closed.

Paragraph 15.2.1

- 34 Sometime later, on 30 October 2015 I received an anonymous telephone call to my mobile telephone while I was working at home when a female (who I believed was Asian/Bengali) said 'something is going to happen' in a sinister tone before hanging up the phone. I immediately reported this to both Craig Lee (the police officer with whom I was working with investigating the potential fraud with the Council) and Andy Bamber (#386-388) who escalated the matter to Steve Halsey (Head of Paid Services) who requested that a risk assessment be conducted (#389-390). Andy Bamber requested me to produce a draft document which I emailed him on 10 November 2015 (#391-394).
- 35 However, despite chasing a few times, it was not until after the Christmas holiday (4 January 2016) that Andy Bamber directed me to Trevor Kennett to progress an on-site parking permit identified in the risk assessment (#411-412). On being redirected to facilities I engaged with them, who agreed I could utilise the underground parking while my pass was being processed (#413-416).
- 36 However, no parking permit materialised. On 25 January 2016 I chased Andy Bamber via email to enquire about the parking pass and then again on 17 March 2016 (#417). The parking permit was eventually approved by Steve Halsey on 24 March 2016 with an instruction that it be reviewed (#418-421). Although, I was happy that I eventually received the approval for the parking permit I was puzzled why it had taken five months for what was a relatively simple exercise. However, no parking permit ever materialised so I made a decision to continue parking in the secured area, without a valid permit (#428-429).
- 37 On 18th May 2016 Cllr. Rachael Saunders disclosed information about the nature and types of investigations taking place in the Youth Service (to a Council Cabinet meeting) from an email which had been drafted by Claire Belgard (#775-777). The release of this information was provided in an open session of Cabinet (without any restrictions or privacy measures in place) and without a risk assessment being conducted or I being informed in advanced. As a consequence and from this point, what I was working on became widely known across the Council and beyond. I was unhappy about what had

happened as I believed Member-Officer protocol had been breached which was especially pertinent given the investigations were on-going and confidential. Additionally, at this time my line manager (Andy Bamber) had gone off work sick (never to return) and I did not know who was best placed to discuss the potential consequences of the release of the information (e.g. many of the employees being investigated were ex-gang members with links to organised crime). Furthermore, I should add that I had no line manager support for three months (between 29 April and 2 August 2016) from when Andy Bamber went on sick leave and Claire Belgard was assigned the role.

Paragraph 15.2.2

- 38 It was during this period that on my way to work on 6 June 2016 a car containing three Asian males attempted to overtake me on a side road close to Stepney Way (they were prevented by another car travelling in the opposite direction). However, when I looked in my rear view mirror I believed I identified Habibur Rahman driving the vehicle. He had been dismissed in November 2015 due to an investigation I had conducted. The vehicle continued to follow me and remained very closely behind me until I reached the roundabout outside of the entrance to the estate where the Council buildings are located.
- 39 When I reached work, I was quite shaken and needed to compose myself before I could get out of the car. On entering the building I decided to report the incident and as Andy Bamber was on sick leave, I decided to speak directly to Steve Halsey. However, as he was not available I spoke to Robin Beattie in his office. I explained what had happened on my way to work and spoke to him about my concerns regarding the release of information by Cllr Rachael Saunders. He advised me to formally write to Steve Halsey to raise my concerns about the release of information and my vulnerability to continued threats and intimidation. However, he requested that I did not reference being followed to work as he thought this would be better discussed at the requested meeting with Steve Halsey – as I said I was not 100 per cent sure of the identity of the driver (#425-426).

Paragraph 15.3

- 40 It was at this point that I started to realise that the threats and intimidation were very real and serious given the history of many of those I was investigating (i.e. ex-gang members and drug dealers). Additionally, while conducting investigations I was regularly accused of being a racist and being a bully when all I was doing was my job in an attempt to intimidate me and derail the investigation process. As such, I faced risks both inside and outside of work where I needed to be on a heightened sense of alertness to ensure nothing I did could be misconstrued or misinterpreted and used against you. As time progressed I started to think that there was a concerted effort to try and engineer my removal from the investigations.

Paragraph 16

- 41 On 12 July 2017 I finally received a parking permit (#588). In total, this was 22 months after I had received the anonymous telephone call from which the initial risk assessment was requested to be completed. To put this into context, Lorraine Walsh who also had a risk assessment conducted due to the release of information to open Cabinet by Cllr. Rachael Saunders in May 2016 had It completed, approved and a parking permit within one month of it being triggered. Therefore I believe there can be no other conclusion that I was treated very differently from my female colleague when the risks I had reported were considerably greater in comparison.
- 42 It was also clear that senior management did not want to acknowledge the threats and intimidation that I was faced with – which is supported by none of the risk assessments being signed or approved. Also, to contain the knowledge of the threats and intimidation no reports were made to the police by any senior manager and the required mitigation of a threat assessments was never implemented and conducted. As such, I felt that I had not been fully protected and supported and deliberately placed put me under extreme pressure to hasten my exit from the organisation with the intention that the investigations could be quietly closed down. I believe these were political considerations and decisions and as such I was not considered of any worth, dignity or respect.

Paragraph 17

- 43 I believe that the failure to complete the various risk assessments and implement the associated safety measure shows that I was treated less favourably and differently due to my race. This was due to the corruption I investigated being largely perpetrated by Bengali employees and external associates and the Council failing to take action against the threats and risks I faced by suppressing knowledge of the nature and scale of the fraud and the unwillingness of senior managers to acknowledge any racial dimension.

Paragraph 17.1

- 44 The first risk assessment was conducted after I received the anonymous telephone and malicious call on 30 October 2015 (see paragraph 15.2). I emailed the risk assessment to Andy Bamber on 11 November 2015 which contained the details of a threatening call. It also stated that due to the nature of my work the threat had been reported to both the police and internally via my line manager (Andy Bamber) and the risks were not considered confined solely to the workplace. The risk assessment identified the following risks: physical injury, harm both inside and outside of work and risks to my immediate family. However, I never received an approved and signed copy of the risk assessment and only received approval for a parking permit four months later (24 March 2016). However, no parking permit ever materialised.

Paragraph 17.2.1

- 45 After I was followed aggressively to work on 6 June 2016, I met with Steve Halsey and Robin Beattie on 9 June 2016 where we discussed the above concerns. Also, Steve Halsey requested another (second) risk assessment to be conducted and asked Rachael Sadegh to do it. Initially, Rachael Sadegh drafted a generic risk assessment which would be developed once we had met (#430-434). However, after we met on 21 June 2016 it became clear that Rachael was unfamiliar with the risk assessment process (e.g. key items were omitted from the document such as a reference to working in a secure location, review timelines and the overall risk rating was provided as 'low' (#435-439).
- 46 On 22 June 2016 Rachael came to my office and we briefly discussed progress with the risk assessment. However, following this she then told me about a current complaint she was dealing with (i.e. from NAFAS a Bengali drug treatment service) asked me if I would willing to retrospectively draft a Record of Corporate Directors Actions (RDCA) as she did not have any record to show how Ottaway Strategic Management (OSM) had been commissioned to undertake the DAAT Needs Assessment and Service Review in 2013/14.
- 43 I responded by informing her that she should contact Andy Bamber directly as he had engaged OSM as he knew the Director as they had worked together previously. I also stressed my surprise at the request, given she was fully aware of my role as an investigator and asked to explain why she would ask me to do such a fraudulent act. At this point, she looked very uncomfortable and left abruptly. On 23 June 2016 I emailed Rachael Sadegh to confirm our discussion the previous day and reiterate that I would not provide a retrospective RDCA for her to counter the complaint (#441).
- 44 I did not receive a response to this my email. However, it was from this point that Rachael Sadegh disengaged from the risk assessment process and did not respond to emails I sent regarding it as on 28 June 2016 (#442).
- 45 It also soon became clear to me that the risk assessment was not progressing as it should have with numerous difficulties. On 18 July 2016, I was asked by Penny Thompson to submit a second car parking permit as the previous one had expired on 30 June 2016. I reported that I had never received the initial parking permit despite it being a requirement of the risk assessment dating back to November 2015 and that I had never been informed one had been issued to me. However, I complied with her request and returned a new application on the same day (#450-451). Later that day I was told by Karen Bradley that the cost code (83100) which had been used previously was now managed by Debbie Jones (Director of Children's Services) and therefore she could not confirm it could be used. However, on 19 July 2016 Claire Belgard confirmed that CLC had instigated the process to issue a parking permit but had failed to complete it and as such the cost code had not been previously used. She then provided 83100-R3042 to be used (#447-449). On 25 July 2016 Karen Bradley emailed me to ask if everything had been sorted out (with an email confirming approval from Kate Bingham attached below (#445-446). I chased

this up with an email to Penny Thompson on 27 July 2016 and she responded on 8 August 2016 saying the parking permit could not be processed until she had received a signed form, which she later confirmed needed to be signed by Will Tuckley the CEO and that I needed to send it to him (#444).

- 46 During a conversation with Steve Crawley (who had taken over conducting my risk assessment) he informed me that I should also complete an Accident Incident Report (AIR) Form and told me to contact Stuart McGregor (the Team Manager for Corporate Health and Safety) as all threats to members of staff were required to be reported and recorded. I telephoned Stuart McGregor on 25 July 2016 who sent me an AIR Form the same day (#453-461). I completed the form and returned it the next day (26 July 2016) but I was unable to complete it as it required sign off by my line manager as Andy Bamber was off on long term sick leave. By return email Stuart McGregor advised me to contact HR to enable Section 8 (#459) to be completed so he could process the form (#452). On 27 July and 1 August 2016 I emailed Karen Davis about who I needed to send the AIR form to for completion (#462). No response was received.
- 47 I received a finalised draft risk assessment from Steve Crawley, which he had completed on Rachael Sadegh's behalf on 15 August 2016 (#477). This risk assessment was given an overall 'High' grading with risks that could result in threats to life or serious injury. The risk assessment also documented it should be reviewed on a monthly basis (#470-473).
- 48 On receipt of the risk assessment I emailed Rachael Sadegh (15 August 2016) to request that she send it with the parking permit application to Will Tuckley (who had taken over the role of CLC Director after Steve Halsey left the organisation) to approve (#477). I received no response. I again, emailed her on 22 August 2016 asking her to confirm if my risk assessment and parking permit had been sent to Will Tuckley and reminding her that it had been two months since the risk assessment process had started (#476). Again, I received no response.
- 49 On 31 August 2016 I emailed Steve Crawley and Stuart McGregor to assist in progressing the risk assessment due to Rachael Sadegh's failure to engage with me (#476). On 30 September 2016 I again contacted Steve Crawley and Stuart McGregor informing them that I had had no update about my risk assessment and therefore believed it had not been signed off and therefore incomplete (#481). As a consequence, Stuart McGregor contacted Karen Davis directly (3 October 2016) and Zena Cooke (29 November 2016) about completion of the AIR Form and risk assessment respectively (478-480).
- 50 I heard nothing further so I continued to park in the underground car park as I worried and scared for my safety, as my CCTV room pass was automatically programmed to permit access. Then on 23 May 2017 I received an email from Penny Thompson requesting me to submit a parking permit application for 2017/18 (#494). I responded the same day stating that I had previously submitted a number of applications which had never materialised in a parking permit being provided (#494). However, at this point Claire Belgard emailed (both Penny Thompson and myself) which strangely requested

confirmation that there had been difficulties with the collection and issuing of parking permits, which I believed was a poor attempt to divert blame away from Will Tuckley who had not processed my earlier risk assessment (#493). In response, I requested that she confirm the parking permit had been paid from the 83100 cost code.

- 51 On 5 June 2017 due to some confusion I emailed Penny Thompson to clarify that I had never been notified to collect a parking permit and requested the cost code used to pay for the previous permit. However, I was totally shocked and angry when I received her reply (on 12 June 2017) as she confirmed that despite numerous follow up emails sent by the Facilities Department no response was provided by senior management to extend the initial three month parking permit and that Debbie Jones (Director for Children's Services) had refused to authorise the request for the parking permit for the following year, in July 2016 (#486).

Paragraph 17.3

- 52 Following this I was invited to attend a meeting with Claire Belgard on 13 June 2017 to update my risk assessment. Prior to the meeting I had a conversation with Claire Belgard and stressing the importance of ensuring this risk assessment was completed and that it was agreed by both parties so it could be signed off with any problems or further delay (given the history of my previous risk assessments). Following the meeting, to ensure the actions were captured, I sent an email to Claire Belgard clarifying the points we had agreed – which was to adopt a transparent and honest approach with the draft document to be agreed between us prior to submission to Debbie Jones for approval (#495). However, when I received the updated (third) risk assessment from Claire Belgard on 16 June 2017 (#496-502) I was very disappointed, frustrated and angry as the document did not reflect the meeting discussion, contained excuses for past failings, failed to accurately record why previous mitigations had not been implemented and mixed timelines to create alternative chronologies and timelines. On 19 June 2017 I emailed Claire Belgard with a long list of issues which I believed had not been addressed or had been dumbed down in the new risk assessment (#503-505). I never received a response.

Paragraph 18

- 53 I believe that senior management failed to implement safety measures and engage with the police to conduct a threat assessment as a direct consequence of my work as an investigator and after being followed to work by a former employee. I believe the Council failed to act as it was afraid reporting the issues to an external body and losing control of any associated publicity. I strongly believe that if an investigator from a BME background had experienced the same levels of intimidation and threats they would have been protected and made to feel secure. However, in contrast, I was treated appallingly and very differently and despite the second and third risk assessments identifying the need for threat assessments to be conducted and personal safety training to be provided (to my wife and me) neither risk assessment was approved or implemented by the most senior officers in the Council - Steve Halsey, Will Tuckley and Debbie Jones (Head of

Paid Services, CEO and Director of Children's Services respectively) who ignored them and refused to signed them off or who just simply refused to progress them.

Paragraph 19

- 54 In April 2015 a LBTH property (9B Burslem Street) came under attention of investigators working on the Youth Service corruption case (#589). The property was controlled by Cllr Shaled Ali but the address was also used by a number of fictitious organisations (e.g. Young Routes and CTUK) which had received funds from the Youth Service. On 1 December 2015 the possession of the property was recovered and secured by LBTH officers following complaints by local residents (#648). During this recovery exercise a large quantity of drugs was found. Further work by trading standards also identified other companies operating from the premises, including Stolen Land Limited (#649/#650). I referred this information to Andy Bamber on the same day (2 December 2015) confirming that the company directors (Khaled Sadique and Thamemul Haque) were members of the Youth Service (#651).
- 55 A couple of months later (3 February 2016) as part of another investigation (involving Ali Zaman and CTUK) I interviewed Khaled Sadique as a witness as I had identified him being included in email correspondence relating to a fictitious organisation (#652). At the meeting Khaled Sadique reported having worked for CTUK and having knowledge of its work. Following this I emailed him to request further information relating to a number of funding proposals (#671). I sent some further questions for clarification to him on 8 and 10 February 2016 (#668 - 670). However, by late February 2016 it became clear that he could not support all the assertions he had made and I detected that he was attempting to lay down an audit trail which appeared to be suggesting that I had threatened him and bullied him into participating in the investigation (#666). Due to the nature of the email I responded on 29 February 2016 to clarify my role and the investigation process and assured him of my impartiality (#665-666). At around 08:40 I then received a telephone call from Khaled Sadique in which he attempted to distort what I had previously said to him, accused me of being an ex-police officer and that he was afraid of me. At the end of the call I drafted a contemporaneous note as a record of the conversation (#664). However, a few minutes later I received an email from Khaled Sadique reported that he had issued a grievance against me (#665). As a result I emailed Andy Bamber and Karen Davis to alert them of the grievance and its malicious intent (#664).
- 56 On 3 March 2016 Khaled Sadique emailed Karen Davis issuing a Combatting Harassment and Discrimination (CHAD) complaint in which he makes a direct reference to my investigatory actions being racially motivated and making allegations of falsifying information and serious malpractice (#673). I attended a meeting with Andy Bamber and Karen Davis on 4 March 2016 where Andy Bamber informed me that he had discussed the issue with LBTH Directors and the CEO (i.e. Steve Halsey and Will Tuckley) who had agreed that I be removed from the investigation and should be handled over to Steve Wiggett. As a consequence, I emailed Andy Bamber and Karen Davis on 6 April 2016 to express my surprise at this decision and lack of support provided by them

for an unsubstantiated and malicious allegation and issued my own CHAD (#685). Andy Bamber responded the same day informing me that he would address it on his return from holiday (#685).

- 57 After a couple of non-scheduled short meetings with Andy Bamber following his return from holiday, on 15 April 2016, in which he attempted to intimidate me (by saying what I had done was career suicide), I emailed him to inform him that I would withdraw my CHAD if I received a written apology from Khaled Sadique (#684-685). On 19 April I received a response from Andy Bamber which suggested he had not engaged in any dialogue with Khaled Sadique, despite me initiating my CHAD two weeks before on 6 April 2016 (#684). On 23 April 2016 Andy Bamber emailed me to inform me that he had asked Steve Wiggett to take over the investigation and asked me to pass over all the information to assist him (#684). On 25 April 2016 I emailed Andy Bamber to confirm if he had any response from Khaled Sadique regarding my request for an apology (#683). To which Andy Bamber responded the same day stating I did not understand the complexity of the situation (#683). As I was puzzled by his response I responded (on 28 April 2016) saying all I had requested was an apology to enable me to withdraw my CHAD and provided a deadline for receiving an apology by 4 May 2016 or I would continue with the CHAD.
- 58 During this week I took a couple of days off work sick with a bout of flu. However, I was very surprised that on my return to work Andy Bamber emailed me (23 April 2016) to discuss my absence from work (#694). I responded (25 April 2016) stating I was happy to meet but requested that care be taken not to conflate my absence from work with the issues relating to Khaled Sadique (#694). At the sickness review meeting I reiterated my position and repeatedly confirmed my absence was not due to the current situation. No further action was forthcoming from Andy Bamber regarding this issue.
- 59 On 29 April 2016 Andy Bamber emailed me to inform me that he was on sick leave and was unable to address my demands concerning Khaled Sadique (#701). He never returned to work. Two months later (on 28 June 2016) I emailed Karen Davis to enquire about an update in respect of my CHAD (#707). On 30 June 2016 she responded stating she could not provide an update in Andy Bamber's absence but informed me of a management restructure in the coming months and as such my complaint would be picked up later (#707). However, I did not receive acknowledgement or any further communication about my CHAD until four months later, on 2 December 2016 (#1299). At a meeting held on 30 January 2017 with senior HR representatives, Mark Keeble confirmed in a letter dated 7 February 2017 that this CHAD should have been referred to another manager and it was too late to address the situation (#1299).
- 60 In November 2015 I joined Trade Union due to the problems I was facing.

Paragraph 20

- 61 Around the same time as I had issued my first CHAD which failed to be investigated, I became aware of other complaints and grievances which followed LBTH procedures and

therefore I believe that my complaint was not being progressed for other reasons. The complaints I was made aware of were raised by a number of LBTH staff from different ethnic backgrounds and both sexes which all appeared to follow due-process with management and HR engaging to address Officer concerns (#750-#774). These complaints focused on issues relating to discrimination, aggression, threatening behaviour, management performance, disability, CHAD complaints and appeals, disrespectful and inappropriate behaviour, bullying and victimisation. The complaints were raised by Bengali, Black and Male and Female Youth Service staff between April 2015 and October 2017, which covered the period of both my CHAD complaints (April and September 2016). I believe this information serves as a useful comparator to demonstrate I was treated very differently, my complaints either not being acknowledged or actioned by management. Despite raising concerns from manager to HR and senior management and CMT, I was just given lots of excuses with no action seemingly taken. This situation resulted in me feeling very deflated and insecure and strongly believe that this contributed to increasing anxiety and low moods which I experienced much more regularly than I ever experienced before. I ultimately sought medical interventions to help me cope with the increasing hostile atmosphere and environment which I faced at work.

Paragraph 21

62 On 18th May 2016 Cllr. Rachael Saunders disclosed information about the nature and types of investigations taking place in the Youth Service (to a Council Cabinet meeting) from an email which had been drafted by Claire Belgard (#775-777). In her speech Councillor Saunders outlined key aspects associated with the nature of fraud including: corruption, nepotism, failure to declare personal interests, failure to declare criminal convictions, breaches of procurement and recruitment processes, breaches of financial regulations, breaches of health and safety and data protection legislation. The release of this information was provided in an open session of Cabinet (without any restrictions or privacy measures in place) and without a risk assessment being conducted. I was not informed in advanced. As a consequence, and from this point, what I was working on became widely known across the Council and beyond. I was unhappy about what had happened as I believed Member-Officer protocol had been breached which was especially pertinent given the investigations were on-going and confidential.

Paragraph 23

63 On the 6.7.2016 Claire Belgard asked me to send her a copy of my job description which I did the same day (#781 - 782). She responded by informing me that it was out of date and it included 'something that had already moved on or picked up elsewhere'. She then informed me she had modified the document and informed me she was meeting with HR (7.7.2016) (#778 – 780). The email also made reference to the revised job description needing to being evaluated and alluding to my grade being lowered. I challenged this in a subsequent email by informing her I was conducting a high-risk job (subject to threat and intimidation) and had saved the Council millions of pounds via the work I had

conducted to date. I also asked her where my tasks had been picked up elsewhere; and I informed her that my initial JD was to address work which the previous head of service (Dinar Hussain) was unable to do and reported to the Service Head (therefore implying that the role was very senior and above LP09 grade and more senior than the interim role Claire Belgard held.

- 64 On inspecting the revised JD Claire Belgard sent me (**#783 - 785**) I immediately became concerned that the key senior reporting lines and tasks had been removed which essentially downgraded my role with the majority of these tasks being assigned to Ronke Martins Taylor who had joined the Council as the Youth Service Development Manager in January 2016 via a secondment via Redbridge Council on a salary equating to a £120K per annum and almost double my salary costs (**#796** and **#800**).
- 65 Due to the lack of formal consultation and my suspicions about the real reason for the unsolicited approach to modify and change my JD on 11 July 2016, I contacted my trade union representative about the attempted downgrading of my role (**#791**). I was shocked that Claire Belgard believed that she could modify my job description without any proper formal consultation as at the time she was a colleague and not my line manager. My line manager was Andy Bamber who had been off sick since the end of April 2016. At the time, I did not fully understand the reason for attempting to change my JD as it was not designed to save money as Ronke Martins Taylor where double my costs. However, as time progressed I started to realise to exit me from the organisation both Female managers needed to be in more senior positions which allowed them to control the future restructure and manipulate my position within the Youth Service by matching me to lower posts and managing the interview processes and procedures.

Paragraph 24

- 66 In addition to modifying my JD, both managers regularly and systematically prevented me from carrying out my role.

Paragraph 24.1

- 67 This was despite my diligent and effective work, from July 2014, to remedy the serious problems relating to non-DBS compliance with the Youth Service, which posed serious risks to children and young people and the Council (**#804-#808**). Additionally, from September 2015 I led on work to ensure the Council met its statutory obligations by referring to those dismissed from regulated activity to the DBS. I was supported by the Safeguarding Lead and the Local Authority Designated Officer (LADO) (David Hough and James Gilley), whose roles are designed to ensure that the Council acts properly and legally and protects children and vulnerable people (**#809-#821**). However as this work progressed, I became increasingly alarmed that HR and Senior Youth Service Managers did not understand their legal responsibilities; and that, as a consequence no processes for DBS referrals were in place meaning that those dismissed from LBTH for serious

wrong-doing (e.g. fraud and circumvention of safer recruitment procedure) were free to apply for other roles with children, young people and vulnerable adults as they had not been referred to the DBS to consider barring them from working with these groups.

- 68 One of the first cases that was flagged up was Mozabel Ali who had been initially dismissed in 2011 for serious offences and was deemed unsuitable to work with children and David Hough strongly recommended that he be referred to the DBS despite the four year delay (#822-#823). I made numerous attempts to engage Karen Davis to develop a DBS referral procedure which included internal and external Youth Service workers which she largely failed to respond to (#825-#830). As I became increasingly concerned about HR non-action, I added consideration for DBS referral to my investigation reports (#836-#1217, #1307 and 1877) and raised it as a standing item at each Youth Service Project Group meeting. However, HR colleagues requested that the referral suggestion to the DBS being removed from investigation reports (#837-#838).
- 69 Due to the problems I faced and the misinterpretation of the DBS process by senior colleagues I drafted a briefing paper (10 May 2016) which was intended to educate senior managers about their responsibilities to DBS referrals (#852-#865). Additionally, on the 15 September 2016 I produced a table which included the names of ten Officers who should have been referred to the DBS due to their investigations which were agreed by the LADO (#873-#879). From November 2016, it started to become very obvious that there was a problem referring these individuals to the DBS (#889-#894). Eventually a series of referrals were made to the DBS December 2016 and acknowledged January 2017 (#945-#951). However, when I requested sight of the referral information, I was very surprised that Claire Belgard refused citing that I was unable to see the information as it contained personal information (#953-#956). This led me to believe the referrals to the DBS were not made as reported or that the information sent to the DBS was deliberately misrepresented. I strongly believe the whole events surrounding the DBS referrals was a key matter in how Ronke Martins-Taylor and Claire Belgard (with support from HR and Legal colleagues) attempted to contain the Youth Service investigations so that no external organisation or bodies became aware of the serious issues being uncovered. As such, they took over leading on this workstream and eventually removing me from the workstream entirely.

Paragraph 24.2

- 70 In May 2016 Claire Belgard started to develop the Youth Service Project Group (YSPG) to oversee the investigations and requested input into its development from me (#961-#964). However, despite me believing that I and the work I was delivering was integral to the YSPG, on 10 August 2016 I received a copy of some minutes which showed the initial meeting had been held on 29 July 2016 to which I had not been invited (#968-#972). In response I emailed Claire Belgard to ask why I had not been invited given the work I was involved in and the nature of the meeting and expressed my disappointment at being excluded from it (#966-#967). On 19 August 2016 Claire Belgard emailed me to inform me that the meeting was intended to be a planning meeting (#965-#966). However, this did not make sense as the meeting was not arranged as a planning meeting

and none of the items in the minutes referred to planning and on 22 August 2016, I sent her an email detailing my concerns (#965).

- 71 However, despite eventually being invited to join the YSPG my exclusion from key meetings continued. At the YSPG held on 15 September 2016 I was informed by RMT that I was not required to attend a key meeting (scheduled for 28 September 2016) with police to discuss the processes for criminal referrals following investigations (#976). This was despite my JD clearly stating that I was the ‘single point of contact’ with the police involving the investigations. I believe the manner in which this was done, within a meeting attended by other members of the YSPG, was clearly designed to undermine my position in the Group and my seniority. On 28 September 2016 I emailed Claire Belgard after she informed me what had been discussed to reiterate the points I had made earlier (#973). As before, I believed that my role was being purposely downgraded and that I was being marginalised from being involved in work tasks I had previously led. As time went on I believed I was becoming invisible.
- 72 I faced similar issues with work relating to reviewing the uptake of Further Education Courses by Youth Service staff. After being tasked by Andy Bamber to lead on this workstream in May 2015 and producing a detailed briefing paper showing how numerous staff who had bypassed HR procedures and directly enrolled on unapproved and expensive courses – some being reported a full-time and costing £8,000 (#993-#1008). However, in later briefings to senior management (14 July 2016) Claire Belgard made no reference to me producing the attached briefing and I was never asked to present my work to them directly (#1017) as I have done with senior managers before). Furthermore, no action was taken to recoup any funds which should have been around half the course costs.

Paragraph 24.3

- 73 On 2 August 2016 I received a letter from Karen Davis informing me of a change in line manager – to Claire Belgard (#1043-1044). Although, I considered this a temporary change of line management due to Andy Bamber’s absence from work, I was concerned of the purpose as the letter contained details relating to the imposition of a six month FTC – which I never accepted as my Trade Union had informed me that I had qualified for permanent status due to my long continuous service with LBTH.
- 74 However, despite receiving the letter about the change in line manager, I received no or relatively few emails informing me Youth Service operations and procedures, service planning and finances, staff training and updates, incident debriefings, monitoring and performance, restructure third party service providers DMT, SMT and general Council updates and information flows and simple seasonal greetings (#1045-#1083). So, few emails in fact that I did not consider myself managed by Claire Belgard or part of the Youth Service.
- 75 I also noticed that the number of meetings which I was attending had also markedly reduced with those I was attending largely generated as a result of work I had identified

myself. When I scanned Claire Belgard's and Ronke Martins Taylor's electronic calendars I was surprised with the number and nature of meetings they were attending compared to me. As such, they were being invited to meetings which I had previously attended, holding joint update meetings without including me and regularly attending meetings with senior managers to provide updates (#1084-#1123).

- 76 This led me to feel very isolated and devalued and believing the intent was clearly to hasten my exit from the Council so that I did not pose any challenge to their future permanent employment with the Council. I was also very convinced that because I was a White male, they believed I could and would not complain of my treatment given the Youth Service contained a majority of Black and Minority Ethnic staff and the senior service managers were all female (i.e. Director, Development Manager and Interim Head of Service).

Paragraph 24.4

- 77 Alongside my exclusion from meetings and information required to conduct my role and professionally develop a further and worrying aspect emerged. Despite numerous attempts by me to ensure my risk assessments were completed and approved (i.e. signed off by the Corporate Director) none of the three risk assessments started were ever fully completed with all the mitigations and safety measures put in place and implemented. Several safety measures identified in all three risk assessments conducted (in 2015, 2016 and 2017) were severely delayed or never actioned or addressed (i.e. parking permit personal safety training and Police Threat Assessment) which placed my family and I at serious risk (#418, #435, #471, #500 and #501).
- 78 I should strongly reiterate that many of those I was investigating were ex-gang members, linked with organised crime with long histories of criminal behaviour. Therefore, given that LBTH had actioned the installation of an alarm and panic buttons in my home I found it implausible that they believed other identified protective measures were unnecessary. However, I had a strong sense that any safety measures involving external organisations was not desired as knowledge of the seriousness of the internal corruption would become more widely known and therefore reduce the Council's ability to quietly close the issue down.

Paragraph 24.5

- 79 At the YSPG on 2 March 2017 the nine remaining investigations were assigned to Linda Baker by the Chair (Ronke Martins-Taylor) and Claire Belgard and I was assigned none (#1156-#1162). I believe my exclusion from these investigations was another way of humiliating me at these meetings to undermine my credibility and professionalism with the other members. Linda Baker had no depth of knowledge about the corruption in the Council and therefore it is not surprising that her investigations work was 'contained' and no new investigations were triggered. At many of the YSPG meetings I attempted to inform the members of the scale of the internal corruption and our statutory obligations to address it (e.g. referring those dismissed to the DBS). However, I made these attempts

in isolation as Ronke Martins Taylor and Claire Belgard appeared to want to control the Group and subsequent discussions leading me to believe there was another agenda – which was political and was to contain the investigations and exit Youth Service staff via redundancy processes.

Paragraph 24.6

- 80 Following the transfer of Youth Services from CLC back to Children’s Services in April 2016 I became aware that I was being bypassed and excluded from contributing to Freedom of Information (FOI) requests. On 6 June 2016 during a conversation with Robin Beattie he informed me about several FOI requests received by Council wanting information about the investigations in the Youth Service – which I knew nothing about (#1163). Following this I contacted Ruth Dowden who managed the FOI process who confirmed this was the case and informed me that Kate Bingham was compiling the response (#1164). I then contacted Kate Bingham informing her that I was leading on the Fraud Investigation work and should be sighted on the response before being signed off and provided (#1168). However, on 9 June 2016 I received a strange and non-committal response from Kate Bingham which did not include the draft responses to the FOIs in question (#1167-1168). I was later informed verbally by Claire Belgard that the responses had been provided and my input was not required.
- 81 A couple of months later (on 26 September 2016) I was emailed by Claire Belgard requesting my input into another FOI relating to the Youth Service investigations (#1169). However, after reviewing the information drafted by Claire Belgard I redrafted some text as some of the information Claire Belgard had included was incorrect, as the police had previously raised concerns with LBTH about missing information and the detrimental impact this had on the quality of the evidence they been able to gather and review in the course of their investigation (#1172, item 6). However, when I was sent a copy of the final response by Claire Belgard on 28 September 2016 my correction was not included, and I sent an email to her to inform of this (#1174). By this time, I knew that my input into such matters was only required if it supported the views of senior managers, otherwise it would be ignored. Therefore, to protect myself I sent the email to challenge the incorrect information incorporated in the final response. Following this I received no further requests for input into any FOIs.

Paragraph 24.7

- 82 On 8 June 2017 I submitted two draft investigations reports (#1225) involving two officers from Trading Standards and Transport and Highways services - Nazir Ali (#1188-1205) and Ashraf Ali (#1206-1224). These were acknowledged by Roy Ormsby on the same day indicating they were produced to a high standard (#1231). The finalised reports were sent on 23 June 2017.
- 83 On 12 July 2017 I met with Roy Ormsby to discuss the reports however when we met, he informed me that HR had changed the disciplinary procedures and as such he could not progress the disciplinary and that Stuart Young would respond to update me. This

was confirmed by email on 12 July 2017 (#1233-#1234) however, no response was forthcoming. Due to the unknown delay, I emailed Dave Tolley (Nazir Ali's Head of Service) informing him that he should seek advice from Legal Services in respect of Nazir Ali's position with regard to Council prosecutions (as he is a Trading Standards Officer) as I understood that the Courts needed to be made aware he was under investigation to ensure that no future challenges could be made (#1235).

- 84 On 2 August 2017 I emailed Zena Cooke (Director of Resources) as I had not received an update from Stuart Young to request an update of the changes to the disciplinary policy (#1236). She responded the same day and informed me that she would deal with the request as a priority (#1236). After this I did not receive any further correspondence from Roy Ormsby, Stuart Young or Zena Cooke. At the time of leaving left LBTH (on 25 March 2018) I had not been invited to a disciplinary hearing relating to either officer which I assume was never scheduled or heard and I understand that both officers remain in their posts to date.

Paragraph 25

- 85 Despite having received a letter from Karen Davis (on 2 August 2016) and Debbie Jones (on 16 December 2016) informing and confirming of a change in line management, Claire Belgard failed to set up any management meetings with me. However, on 5 January 2017 Claire Belgard sent me an email signalling that she wished to begin formal 1-2-1 meetings with me. As this was five months after the change of line manager letter I was surprised and responded asking her to clarify why she had not engaged formally with me during this time (#1254-1255). I did not ever receive a response. Over this period she had had regular formalised management meetings with other SMT managers – namely Hasan Faruq, Abzal Ali and Fazlur Rahman all of who had programmed monthly 1-2-1 meetings (#1256-1260).
- 86 However, on 1 March 2017 Claire Belgard sent me a 1-2-1 calendar invitation and PDR template (#1263). The next day I responded and asked to clarify why she had not arranged these meetings since 2 August 2016 when I was informed the change in line manager. I also asked her to confirm if the meeting was intended to review PDR objectives for the previous or coming year. I also requested if my Trade Union representative could also attend (#1262). I did this as by this time I had lost confidence in the relationship as it appeared, she did not listen to my concerns and made subjective records of meetings which misinterpreted or misrepresented my comments. As I did not receive a response on 8 March 2017, I emailed her informing her that I assumed the meeting was not going ahead and asked if we should rearrange it for another day (#1261-#1262). However, a few minutes after the meeting was scheduled I received an abrupt email from Claire Belgard which only partially responded the questions I initially raised (#1261).

Paragraph 26

- 87 Due to the continued poor and different treatment I was receiving from Andy Bamber and Karen Davis and my increased frustration with their inability or unwillingness to

address a range of issues affecting me in the workplace, I took a difficult decision to lodge a CHAD against my line manager and the Senior CLC HR Business Partner. Therefore, on 30 September 2016 I issued a CHAD complaint involving Andy Bamber and Karen Davis for being treated differently to other Officers – sending it by email to Stuart P Young (#1266-#1269).

Paragraph 26.1

- 88 Despite numerous emails sent to HR and senior officers (Zena Cooke and Will Tuckley) throughout October and November 2016, chasing an acknowledgment no response was received until 2nd December 2016 (#1270-#1279). By this time the acknowledgement was out of time (as it should have been within 5 days) and the investigation had not been actioned. On 14 December 2016 I was informed that Mark Baigent would lead on the CHAD (#1286). However, in response (on 15 December 2016) my Trade Union representative informed them HR that the CHAD had been timed out and that I had lost confidence in LBTH as the procedures had not been followed and requested an external investigator (e.g. ACAS) to be appointed (#1289). The next day (16 December 2016) Mark Keeble requested a meeting to discuss the issues and suggested some dates in January 2017 to meet (#1288). As I was on leave at this time, my Trade Union representative informed HR she would not confirm the meeting until after she had spoken with me on my return from holiday (#1290-#1291). On 6 January 2017 Mark Keeble emailed me with a meeting date (30 January 2017) which I accepted (#1292).
- 89 Following the meeting (on 7 February 2017) Mark Keeble produced a brief overview of the meeting in which he confirmed both CHADs (issued in April and September 2016) had not been acknowledged and had been delayed. In the letter he also advised me to consider making a Public Interest disclosure to the Commissioner or Clean Up Team and acknowledged he believed I was exhibiting signs of stress (#1299-#1302). However, at the meeting Mark Keeble also informed me that Andy Bamber had left the organisation under a compromise agreement and I queried why it had not been progressed prior to him exiting the organisation. As such, I saw little point in conducting the investigation as the key person involved was no longer employed.
- 90 In a further twist, on 13 November 2017 Mark Baigent emailed me to ask if wanted my CHAD investigated to which I responded informing him it had not been acknowledged or actioned (#1305-#1306). I found this email quite strange, as it was 14 months after I first lodged the CHAD (in September 2016) and 11 months after HR had nominated him the manager to review the CHAD, and I was not unclear of his intentions. However, on 23 November 2017 Mark Keeble emailed Mark Baigent confirming his understanding and the position in relation to my CHAD (#1303).

Paragraph 26.1

- 91 Therefore, I strongly believe that LBTH failed to investigate my concerns for several reasons. Firstly, I believe it was due to the nature of the investigations I was working on as many of officers I was investigating were closely aligned to Council Members so by

not taking my concerns seriously and ignoring them implied that my worth to the organisation was negligible and as such exerted pressure on me to consider leaving the organisation.

Paragraph 26.2

- 92 Secondly, I believe my second CHAD was not actioned as it involved a senior HR employee (Karen Davis) who's line manager (Mark Keeble) was responsible for arranging the investigation. I also believe that this was done to protect her and that no action was triggered as I was male and White.

Paragraph 27

- 93 On 17 December 2015 I sent the finalised copy of the disciplinary investigation report involving Habibur Rahman to Andy Bamber which contained findings of serious fraudulent activities such as falsification of timesheets, submitting false pay claims and the involvement of drafting and submitting of illicit funding proposals (#1307-#1319). Some four months later, on 14 April 2016, Habibur Rahman was dismissed (#1320-1321). However, on 16 May 2016 he appealed (#1324-1#325), and he was reinstated by Cllr. Danny Hassell (Chair of the Appeals Sub Committee) on 14 November 2016 (#1326-#1328).

- 94 When I heard the news that Habibur Rahman had been reinstated I could not believe it and I was totally shocked about how anyone could be reinstated given the weight of evidence against him. One of the reasons provided by Cllr. Danny Hassell in his letter was that I as the Investigation Officer had failed to interview anyone that Habibur Rahman had suggested that I speak to as his witnesses. However, I was not required to interview them as I had enough evidence which I had secured from accessing his LBTH email account. In fact, Habibur Rahman could have called any of his witnesses to support him at his disciplinary hearing which he chose not to. Therefore, I found the appeal outcome difficult to understand. I was also concerned how Habibur Rahman's reinstatement would affect me personally as he was the officer whom I believed had followed me to work aggressively in his vehicle on 6 June 2016 – an allegation I had made which had never been investigated. It all seemed very odd, and concerning, that the Council was willing to reinstate an officer who had committed fraud against his employer while the Council could not complete a risk assessment and put safety measures in place for me (as an Investigating Officer).

- 95 I should also add that the appeal outcome letter to Habibur Rahman also imposed a Final Written Warning (to replace his dismissal) for a period of 18 months which was later not enforced when Habibur Rahman was reported by police working in the Pupil Referral Unit for wearing a politicised Pro-Palestinian t-shirt while working with vulnerable children – and only five months after returning to work (#1340-#1345). This information confirmed to me that I was unsafe and vulnerable as there appeared no interest by the Local Authority in properly managing this individual and his behaviour which was the opposite of typical expectations for other Council officers.

Paragraph 29

- 96 On 11 January 2017 I received an email from Claire Belgard informing me that my post was in scope and that I was included in the Youth Service restructure with a letter attached providing details of consultation meeting scheduled on 23 January 2017 (#1346-#1347). This was the first time I had been informed that my role was now considered to be within the Youth Service. I could not understand how I could be in the Youth Service as I had been employed in the CLC Directorate and had never consulted about being transferred to it. In an email later the same day Claire Belgard confirmed I had no contract, but I had qualified for permanent status due to my long service with the Council. However, she also confirmed that there was no equivalent post in the Youth Service (#1351). Therefore, I became fearful that my inclusion in the Youth Service restructure was simply a means of exiting me from the Council. I should add that my fears were real as my wife was expecting our second child, I needed employment security she worked in the private sector and had inferior maternity benefits compared to the public sector.
- 97 Also, by including me in the Youth Service restructure I was excluded from being considered roles included in other restructures planned elsewhere in the Council. After being informed that I was ‘in scope’ for the Youth Service restructure, I approached Claire Belgard to challenge her about my inclusion, at which she asked me if I wanted to go on to the redeployment list. However, agreeing to this would have contradicted my position that I was a permanent employee as I would have agreed to being given 12 weeks’ notice when other restructures had not been scheduled or started – meaning I would have been in a very vulnerable position. As such, I was placed in a service area where I was the least likely to secure a role – especially when I had no operational knowledge of the service area.
- 98 I therefore believe that my inclusion in the Youth Service was a deliberate discriminatory act designed to remove him from the organisation. I should highlight that the existing Youth Service Structure Chart did not include my post or anything comparable (#1382/#1383).

Paragraph 29.1

- 99 On 22 February 2017 I received an email from Claire Belgard with the Staff Consultation Paper (#1361). In this document I was shown to be assigned into the Hubs Operations Manager (LP06) ring-fenced recruitment pool alongside three Bengali officers (Hasan Faruq, Abzal Ali and Fazlur Rahman) who all of which had sizeable operational experience and which I had previously investigated (#1376).
- 100 I strongly believe that this was designed to humiliate me and to encourage me to exit the organisation. I should also note that I was not assigned to the Head of Service (LP09) for which there was no competition and which under previous restructure arrangements I would have been directly assimilated into the post. I am sure that a significant factor behind my treatment was that I was a white man investigating Bengali officers; and I reach that conclusion in view of my treatment as a whole, as outlined above.

Paragraph 29.1.1

- 101 Following a request from me, on 8 August 2017 Claire Belgard sent me the document used to Job Match my role showing only 13% match to the Hubs Operation Manager role and conducted by Ronke Martins-Taylor (#1467-#1474). However, I believe there were several issues with this exercise which highlighted serious failing and shortcomings. Firstly, the job match score (13%) should have indicated that I was highly unlikely to be recruited and no action was taken to review it. Secondly, it seems implausible that the person who took over a number of my core tasks (Ronke Martins-Taylor) and who managed the Youth Service restructure could score me so low. Also, a conflict of interest should have been disclosed by her and another suitable officer appointed to conduct this task and the restructure has not been independently assessed.
- 102 I should also highlight that during this period both Paula Cowles and Martin Wheatsheaf were employed temporarily in Internal Audit as investigators/auditors demonstrating that suitable roles were available in other parts of the Council.

Paragraph 29.1.2

- 103 I strongly believe that I was deliberately and purposely placed into the Hubs Operations Manager (LP06) ring-fenced recruitment pool (as shown in the Staff Consultation Paper attached, #1376) with three Bengali officers (Hasan Faruq, Abzal Ali and Fazlur Rahman) who all had sizeable operational experience to ensure I was disadvantaged and prevented me from being recruited. I also believe that this decision was designed to antagonise these three managers – who all commanded significant respect from other Bengali staff members due to their relative senior positions in the Youth Service and standing in the local community (i.e. had previously reported having direct access to both Tower Hamlets First and Labour Council Members).

Paragraph 29.2

- 104 It is my firm belief that my inclusion in the Youth Service restructure and the recruitment pool alongside these officers was designed to create a very hostile environment with the wider Youth Service staff members with the object of alienating me. When I attended the consultation meeting on 23 January 2017 at the Professional Development Centre my inclusion in the restructure and Youth Service was challenged in a hostile manner in front of the whole of the Youth Service in attendance by several officers who I had or was invested or investigating. The most vocal person was Shah Muhmud who stood up and identified me to the whole Youth Service in attendance and shouted something along the lines of ‘what’s he doing here’ and ‘he doesn’t belong in the Youth Service... what’s going on here’. Other officers including trade union representatives also asked questions about my attendance at the meeting and inclusion in the restructure. HR representatives and Ronke Martins-Taylor and Claire Belgard did nothing to stop this happening and allowed the personalised antagonism to continue. This was very humiliating and hurtful and, when the meeting finished, I left quickly to avoid the possibility of further confrontation. I was very shocked and angry that anyone could think that including me

in the Youth Service restructure was a good professional decision especially given the numerous threats that I received and without any risk assessment conducted to determine how the risks should have been managed.

- 105 I also believe that my inclusion in the Youth Service restructure (as a White male) served to distract attention away from Ronke Martins-Taylor and Claire Belgard (BME and White females) and their aspirations to lead the Youth Service in the future. I believe this was potentially very dangerous as it politicised my inclusion by suggesting that the lead investigating officer into the Youth Service would somehow become part of it and be job matched against three Bengali managers involved in the serious corruption uncovered by him.

Paragraph 29.3

- 106 Previous restructure exercises conducted by the Council typically assimilated officers into roles when there was no competition for equivalent posts. As such, the new procedures adopted for the Youth Service restructure meant that I was not automatically placed in the Head of Service (LP09) role as the only senior officer (at LP08 grade) within the Youth Service. Therefore, the adoption of this new procedure was detrimental to me as I had no direct assimilation to the LP09 role – even though I had worked above this level in my Service Review and Investigation role (as I advised the previous Head of Service).

Paragraph 31

- 107 On 9 March 2017 Claire Belgard sent me a meeting invitation to join the Youth Service Senior Management Team, (SMT (#1482)). Again, this decision shocked me as the SMT included three senior Bengali managers (i.e. Hasan Faruq, Abzal Ali and Fazlur Rahman) who had all been investigated. The members of the SMT only knew me as a senior investigator who had led the investigations into the Youth Service and this decision created a tense and difficult environment in which I had to work and endure. On 4 April Hasan Faruq sent an email to other members of the SMT objecting to my inclusion in it and to galvanise their support (#1483). On the same day Hasan Faruq also sent a list of items for discussion at the SMT meeting to the other members (including myself), Claire Belgard and representatives from three different Unions (#1487). The first item on the list was my inclusion in the Youth Service (#1487). This was followed by another email the following day (5 April 2017) sent by Fazlur Rahman to the same group of people who also objected to my inclusion in the Youth Service (#1495). After this, I started to believe there was a conspiracy against me resulting in harassment that was driven by the Bengali managers in the SMT who had been antagonised by my inclusion in the Youth Service.

Paragraph 32

108 On 4 April 2017 two emails were sent by LBTH officers John McLoughlin and Hasan Faruq (using the Council IT systems) which I believe show officers colluding together to object to me being in the Youth Service due to my race and gender.

Paragraph 32.1

109 On 4 April 2017 John McLoughlin (Unison Branch Secretary) drafted an email for Hasan Faruq which named me and objected to my inclusion in the SMT and restructure based on my race and gender (i.e. as a 'white male officer'). This email was sent via the LBTH IT system (**#1492-1493**).

Paragraph 32.2

110 Later the same day (4 April 2017) Hasan Faruq used the text drafted for him by John McLoughlin and sent it to Claire Belgard, SMT and three Trade Union representatives. As before, email named me and objected to my inclusion in the SMT and restructure based on my race and gender (i.e. as a 'white male officer'). This email was sent via the LBTH IT system (**#1496**).

111 I strongly believe that these officers colluded and acted together to ensure that I was removed from the Youth Service restructure or at the least not be successful in obtaining a post within it. I also believe that my non-inclusion or removal from the Youth Service was critical as I understood the involvement of the senior Bengali managers in the Youth Service corruption. Despite senior management (Claire Belgard) being a recipient of the offensive email from Hasan Faruq on 4 April 2017 I was never approached by her about it and as such I can only conclude that no action was ever taken by management against those responsible. The emails were also sent via LBTH IT systems in work time and therefore should have been actioned as there was undeniable evidence to support an investigation. I very certain that if I had sent an email complaining about Bengali colleagues using similar statements and language I would have faced investigation and dismissal.

112 Due to the hostility I faced at work I started feeling unwell which resulted in me taking a few days off work in early April 2017. Consequently, on 10 April 2017 I received a letter (among other documents) from Claire Belgard informing me that I was subject to absence review meeting and as a result I was referred to Occupational Health to be assessed (**#1508-#1516**). On 3 May 2017 I was assessed by Dr Sperber (Occupational Health) and he reported his findings to Claire Belgard by letter in which he detailed my health and wellbeing and highlighted the difficulties I was facing at work and the lack of management support (**#1517-#1518**). To ensure the assessment of my health situation was accurate I also requested my GP to provide a letter for Occupational Health detailing her understanding of my health condition. In her letter (24 May 2017) my GP expressed specific concern regarding the rapid negative changes to my health and the risks posed and working in a hostile environment (**#1519**). In early April 2017 I was also assessed

by the Primary Care Psychology Service in Hackney following referral from my GP. This assessment showed me diagnosed with moderately severe symptoms of depression and moderate symptoms of anxiety, related to my work issues (#1520-1521).

Part Two (Detriment Suffered due to Protected Disclosures in Public Interest)

Paragraph 1

- 113 From 2015 I started to have a strong sense that the investigations that I was involved in were not being properly addressed as some key involved officers had been allowed to leave the organisation (with redundancy and severance arrangements) without investigations being triggered, there were protracted delays between officers under investigation being suspended and their disciplinary hearing dates meaning some were in receipt of full pay for over a year. Also, the narrative used to describe the corruption in the Youth Service belittled the true scale of the problems encountered. As such, the investigations seemed contained to areas known publicly and failed to take a global focus and examine wrongdoing across the Council and beyond. From the investigations I had conducted there were clearly problems within all the Council directorates in addition to CLC and namely Development and Renewal, Adult services, and Children's Services and the departments which supported them (e.g. Human Resources, Internal Audit and Finance).
- 114 As such, the investigation of corruption in the Youth Service often led into other areas (which were involved) from which I needed information. Much of the information provided was partial or incomplete hindering investigatory tasks. For example, some people in the Youth Service had been recruited without interview or by circumventing the Safer Recruitment procedures, with inadequate qualifications and serious criminal histories. Additionally, credit card expenditure was supposed to be subject to a monitoring regime with 1 in 10 spends checked by Internal Audit. In some cases, checks had not been conducted for three years which had allowed large and irregular expenditure to escape scrutiny. Furthermore, large sums of public money were paid to fictitious organisations based on them holding a bank account and a borough address. When looked across the piece, the issues were so pervasive that it was impossible to believe that the problems were isolated and low level – 'involving a few rotten apples' as it was regularly referred to by the like of Andy Bamber or 'process and procedure issues' commonly cited by Minesh Jani in Internal Audit.
- 115 After the Commissioners started at LBTH senior management regularly spoke at meetings and via intranet messages to encourage officers to speak to the Commissioners if they had any concerns. I took this as a very clear indication that those in control of the Local Authority wanted and supported this type of disclosure to clean up the Council to end corruption and malpractice. Therefore, from November 2015 I met regularly with the Commissioners to inform them of issues and areas on which to focus their efforts (e.g. credit cards misuse, procurement and recruitment irregularities, senior management

obstruction, the non-recouping of public funds and officer DBS and criminal referrals. I always met the Commissioners off-site and provided the information in hard copy only as I wanted to ensure anonymity. My whistle-blowing status was later confirmed by Sir Ken Knight on 26 October 2016 Sir Ken Knight wrote to all the whistle-blowers you had engaged with them to reassure them of their commitment to protect them (#1522-#1523).

Paragraph 2

116 Following this I was introduced to James Richardson of the Clean Up Team by Max Caller (in November 2016) where I continued to provide information to support its aims (#1524-#1530). However, by mid-January 2016 I had become very disillusioned and disappointed with the Clean Up as I had informed (Mala Jones at the YSPG on 8 December 2016) at the that officers under investigation had left the Council after entering into settlement agreements with the Council. It was also apparent that these settlement agreements had been signed off by members of the Clean Up Board in their Council capacities (#1531). As my requests for clarification could/would not be answered by James Richardson I decided to disengage with the Clean Up Team (#1532-#1535).

Paragraph 3

117 One of the allegations I made to the Commissioners and Clean Up Team concerned procurement irregularities involving the commissioning of external services to provide the Summer Programme for the Youth Service. On 10 June 2016 Claire Belgard had asked me to join her and Ronke Martins Taylor on the tender evaluation panel on 29 June 2016 for the Summer Programme (#1564). However, at the panel I became very concerned how the various external organisations were being awarded scores which did not reflect the information presented and there was a large mis-match between the scores awarded by Ronke Martins Taylor and Claire Belgard compared to myself with the former awarding high scores while I awarded low scores. However, at the panel meeting Ronke Martins-Taylor attempted to pressurise me by saying that we needed to select enough organisations to deliver the required services – despite many of the applications having missing or inadequate information which meant it was impossible to give them a score which would equate to awarding them a contract to conduct the required work.

118 At this point Ronke Martins-Taylor looked particularly angry when she said that she would need to inform the Mayor (John Biggs) that the Summer Programme would not be going ahead as we could not make a decision. I informed her that the panel was being held late and had insufficient time built into the process to allow for such issues to be addressed. I also informed her that I had spent the last couple of years investigating officers who had said that previous Youth Service managers had similarly pressurised them. Therefore, I refused to be brow-beaten by her and stood my ground at which she looked visibly annoyed and told me she would report the matter to the Debbie Jones and the Mayor.

119 However, after a couple of email exchanges, on 4 July 2016 Ronke Martins Taylor sent an email to Claire Belgard and myself showing four organisations which she reported

had surpassed the threshold score. However, she also reported that she had changed the scores and introduced a retrospective threshold score (#1565). On receiving this I was very concerned as I understood that Ronke Martins Taylor had fabricated the scores which she was asking me to condone. Due to my concerns I attempted to ensure that due process was followed, and the various organisations selected by Ronke Martins-Taylor were scrutinised, as no discernible checks had been undertaken prior to the panel meeting (#1568 and #1576-#1577). I also made notes of further events which I drafted into a contemporaneous note, which I sent to myself by email, designed to capture the salient issues and detail a chronology of events. This note also indicates that by 6 July 2016 that Claire Belgard considered me as a substantive CLC employee, who was required on an interim basis to support Youth Services and without prompting could explore a settlement agreement (#1578). I should highlight that it was from this point (my first meeting with Ronke Martins-Taylor) that I started to experience hostility from her – which I believed was due to me standing up to her and challenging her approach which I considered unprofessional given the recent history of the Council.

Paragraph 3A

120 As a direct consequence of my experience of the panel meeting and subsequent behaviour of Ronke Martins-Taylor (and lack of support from Claire Belgard who was visibly unable to stand up to her) I reported the issues relating to the Youth Service Summer Programme to the Commissioners on 17 November 2016 as I believed what had happened was illegal and as a consequence the whole exercise should have been re-run. At the meeting with Max Caller and James Richardson I handed over a series of documents including the email from Ronke Martins Taylor detailing her changes to the panel scores on 4 July 2016, evaluation spreadsheets with modified scores and Summer Programme monitoring forms showing the awarded organisations and services provided by them as unsatisfactory (#1565, #1596-1607 and #1699-1723).

Paragraph 2

121 On 21 February 2017 I was contacted by Anne Miller (from the Clean Up Team) in my capacity as a LBTH officer (and not as a whistle-blower) seeking my assistance with her investigation into the Summer Programme 2016 (#1579). I met Anne Miller on 23 February 2017 and subsequently provided largely the same information as I had done previously to the Commissioners (#1580 and #1587-#1607). The information I provided was anonymously documented in the Clear Up Project Final Report (presented to Cabinet on 27 June 2017).

122 However, after reading the report I was both very shocked and disappointed with the investigations and the outcomes and actions taken which reinforced my concerns that some officers had not been investigated (and had signed settlement agreements signed by members of the Clean Up Board, #1531) or not been sanctioned appropriately. For example, no officer appeared to have been reprimanded for any of the allegations raised. More specifically, the allegation of fabrication of scores in respect of the Summer Programme which I had raised had only resulted in a weak and non-descript

recommendation alongside the consideration of possible additional training (#1652). This chimed with similar outcomes from the Youth Service investigations which also resulted in no criminal prosecutions, relatively few dismissals and reluctance to refer to the DBS, which typically obscured protracted suspensions on full pay and use settlement agreements.

Paragraph 4

- 123 As I was upset and suspicious of the findings, I then decided to do some investigation for myself and trawled the open calendars of Ronke Martins-Taylor and Claire Belgard to see if I could find anything to support my concerns. I soon found details of a meeting which had been held on 26 January 2017 entitled Clear Up Scoping Stage and attended by Ronke Martins-Taylor, Claire Belgard, James Richardson and Anne Miller (who was investigating the Summer Programme issues, #1691). The Scoping Phase of the Clean Up project was I to qualify the allegations in advance of a full investigation (#1672). However, I was puzzled why Ronke Martins-Taylor and Claire Belgard would be meeting the Clean Up Team investigators to discuss this when they were subjects of the investigation and if the purpose was to discuss the Summer Programme allegation why had they met the investigators at the same time and in the same meeting. Therefore, I concluded due to the nature and detail of the allegations I submitted combined with the poor methodology utilised by the Clean Up Team (i.e. seeing the other two Summer Programme panellists together when there were only three in total) allowed my identity and role as a whistle blower to become known to my managers at this time.
- 124 I believe my conclusion is supported by another set of events. On 8 February 2017 I requested a copy of the Job Marching exercise which was conducted and used to assign me into the Hub Operation Manager (LP06) role which was provided the same day by Claire Belgard (#1674). On inspection of the Job Match document I found it was signed by Ronke Martins-Taylor and dated 13 January 2017 (#1681). However, further examination of the document properties showed it to have been created on 7 February 2017 – over three weeks after the date on the document (#1693).
- 125 Therefore, I strongly believe this clearly shows that the job match document did not exist on 13 January 2017 on the date it was allegedly signed by Ronke Martins-Taylor. Rather, the information tells another story which shows it was created about three weeks later on 7 February 2017 and almost two weeks after the meeting with the Clear Up Team (held on 26 January 2017). As there would be no legitimate reason to modify the signatory date on the Job Match document and all I can conclude that my job match deliberately scored low so I could be manoeuvred into the Hub Operation Manager recruitment pool (against three managers with significant operational experience) after my identity as a whistle blower had been revealed to ensure my exit from the organisation. I also believe this was a personal vendetta (directly linked to my disclosures) by Ronke Martins-Taylor which was designed to humiliate me and encourage me to leave the Council.
- 126 As a consequence, of believing my identity as a Whistle-blower being known my Trade Union representative emailed on 27 June 2017 Will Tuckley (CEO) on my behalf to

inform him about legal proceedings due to the failure to investigate my complaints and also to ensure he was aware of my status as a whistle-blower requiring protection (#1695-#1696) . No response was forthcoming from Will Tuckley. A week later 5 July 2017 my Trade Union representative sent the same email again to Will Tuckley (#1697-#1698). Again, there was no response or associated action.

(Continued overleaf)

UNFAIR DISMISSAL CLAIM (3201437/2018)

Paragraphs 1-2

127 My contract of employment details have been previously provided in paragraphs 1 and 2 of the 2017 claim above.

Paragraph 3

128 Although, the last contract extension letter I received from Human Resources on 25 April 2014 provided a termination date of 20 July 2014 (#23) I remained employed with the Council for over eight years (from 25 January 2010) until I was dismissed, purportedly on the grounds of redundancy on 25 March 2018 (#1724-#1726).

Paragraph 4

129 This claim for unfair dismissal is in addition to the previous claim (issued on 8 June 2017) for alleged less favourable treatment and harassment on the grounds of sex and/or race which were subsequently joined.

Paragraph 5

130 The contents of my initial 2017 claim are repeated to support the unfair dismissal claim alongside new facts to support my account of employment and the treatment I was subject to by the Council.

Paragraph 6

131 I was employed in the Communities, Leisure and Culture (CLC) Directorate from 25 January 2010 and although I was informed that my employment as the Interim Drug and Alcohol Team (DAAT) Coordinator (in CLC) would be extended to 20 July 2014 I continued to be employed in this post beyond this date, paid from the DAAT budget to the end March 2016 (#80).

Paragraph 7

132 From May to July 2014 Andy Bamber (Service Head for Safer Communities) requested me to lead on an investigation into the conduct of Jamal Uddin the service Head for the Community Language Service following a team grievance (#125-#159 and #162).

Paragraph 8

133 In March 2014 serious concerns were raised about the governance of Tower Hamlets under the elected executive Mayor Rahman by the BBC's Panorama TV programme. These concerns included allegations of fraud by employees and officials of the Council.

The broadcast led to the Secretary of State for Communities and Local Government investigate the wrongdoing (under s10 of the Local Government Act (1999) and whether 'best value' was being offered in relation to procedures concerning its grants and external contracts and sale of properties and assets. PWC were appointed to investigate these matters and reported their findings in October 2014 (Best Value Inspection of the London Borough of Tower Hamlets Report). Following the report publication, in November 2014, the Secretary of State appointed three Commissioners to assume executive control over procurement processes and the allocation of grants within the Local Authority.

Paragraph 9

- 134 The PWC report relating to the LBTH Youth Service derived from Grant and SLA files they sample tested found a catalogue of failings with important documentation shown to be missing or with significant gaps (e.g. application assessment, recommendation and approval documentation was missing; there was limited evidence of grant funded activity and expenditure; procurement, assessment and monitoring documentation was either not found or partial and there were missing SLA documents and gaps in payment approval documentation).

Paragraphs 10 and 11

- 135 As I have said in my statement of case, in April 2015, following the trial of an election petition, the election of Mayor Rahman (in May 2014) was declared void by the Election Court and he was found guilty of corrupt and illegal practices (*Erlam & Others v Rahman* (2015) EWHC 1215(QB)). One of the key findings was the unlawful use of grants, to and through the Youth Connection Service (later re-designated as the Youth Service) to bribe electors (contrary to s 113 of the Representation of the People Act 1983 (see paragraphs 461-463)).
- 136 The PWC Report was a report commissioned and published by the Department for Communities and Local Government under its statutory powers. It is a report that led to Commissioners being appointed to oversee decisions within the Respondent and its contents have been accepted by the current administration, since Mr Rahman's election was declared void and a new mayor elected; and I therefore as the tribunal to have regard to its findings of fact where relevant: in particular state of the Youth Service which I was charged to investigate. The findings of fact were made after a trial over 30 days in which a findings of fact were made to the criminal standard of proof. While I do not seek to make submissions of law within this witness statements, I understand that the Tribunal (and courts) should accept facts proven within judgments of courts or tribunals unless the contrary is proved. I therefore rely on those findings of fact.

Paragraph 12

- 137 From June 2014 I worked as a Project Manager originally reporting to Andy Bamber and Steve Halsey, Head of Paid Services the most senior officer in the Council (#162-#164

and #190-#195). The work involved a systematic review of the Youth Service aligned with the findings from the PWC Report; lead on disciplinary investigations and facilitate formal criminal referrals to the police and produce updates to inform the Commissioners. My role was remunerated at LP08 grade which reflected its seniority however, it was always subject to evaluation (as I was reporting to the Head of Paid Service and Service Head for Safer Communities and overseeing the work of the Head of Service) but it was never conducted (see paragraph 7 of the 2017 Claim which details my attempts to formalise my role via the drafting of a job specification for a business case to create a new post).

Paragraph 13

138 Since the beginning of my employment with LBTH as the Olympic Strategy and Data Support Manager (on 25 January 2010) and while leading on the Youth Service Review and investigations work (under the line management of Andy Bamber) I was continually employed in the CLC Directorate. As such, given the sensitive and political work I was tasked to conduct and threats I had received it was highly inappropriate and dangerous for the Council to later integrate my role to the line management of the service I was investigating.

Paragraph 14

139 When I was tasked with the review of the Youth Service and investigations work the staff composition of the service was mostly persons of Asian ethnicity (British Bangladeshi) (#166-#183).

Paragraph 15

140 I believe the information previously provided in the 2017 Claim (paragraphs 10-17) highlights the nature of obstruction I faced from managers, employees and/or agents while conducting the investigations into the Youth Service which was in addition to the discrimination which also occurred which appeared to be related.

141 Andy Bamber went on 'sick leave', from which he never returned at the end of April 2016. However, on 22 February 2017 Peter Allnutt emailed several LBTH colleagues informing them that Andy Bamber had cancelled his leaving drinks due to transport disruption. I believe this email provides an approximate date of when Andy Bamber left the organisation (#1727-#1728).

Paragraph 16

142 I firmly believe that there was and remains a need for an experienced forensic investigator to undertake the work which I conducted. I also strongly believe that my duties to investigate corruption in the Youth Service (and beyond) were obstructed by senior managers who wanted to stop effective investigations into employees of the Youth Service and other areas of the Council and/or avoid criticism for misfeasance and

corruption within the Youth Service which I had uncovered. Therefore, I believe those responsible for the obstruction and those who allowed it to have breached their duty to the local residents to prevent and punish wrongdoing by its employees. Therefore, my role was not redundant in 2017 or in early 2018 or at all as there was no genuine business need for this important work to cease. As such, I believe the following points confirm the points I have made outlined above:

- 143 In April 2016 the Council failed to dismiss the complaint against me by Khaled Sadique or investigate my complaint against him (see paragraph 19 of the 2017 Claim).
- 144 The email from Will Tuckley (CEO) on 8 April 2016 highlighted that the Internal Audit report ‘Fact Finding – Youth Service Review provided additional confirmation of poor practice and corruption (#2483).
- 145 My investigation into Habibur Rahman was obstructed (see paragraph 27 of the 2017 Claim).
- 146 Key tasks were removed from my Job Description or taken over by other senior officers (see paragraph 23 of the 2017 Claim). In particular:
 - (1) I was obstructed from carrying out my role by Claire Belgard and Ronke Martins Taylor between June 2016 and July 2017 (see paragraph 24 of the 2017 Claim).
 - (2) The Council failed to take the appropriate action and inform the Courts about the investigation involving a legal officer (Nazir Ali) working in the Business Regulations and Trading Standards Service (see paragraph 24.7 of the 2017 Claim).
 - (3) The Council obstructed and failed to progress the disciplinary investigations of two officers (Nazir Ali and Ashraf Ali) who were found to have been involved in serious malpractice and misfeasance (see paragraph 24.7 of the 2017 Claim).
 - (4) The Council failed to progress these investigations to disciplinary hearings and the officers remain in post (see paragraph 24.7 of the 2017 Claim).
- 147 I believe that the emails sent by John McLoughlin and Hasan Faruq (paragraphs 31 and 32 of the 2017 Claim) complaining of my inclusion in the Youth Service and its restructure due to my ethnicity unlawfully influenced the decisions made by Ronke Martins-Taylor and Claire Belgard to reduce my workload and responsibilities in order to create the wrongful impression that my role was redundant and to dismiss me (without a genuine business case) and therefore subjecting me less favourable treatment due to my race.
- 148 After I was instructed to send a finalised investigation report (involving Joynul Ahmed) to Ronke Martins-Taylor by Claire Belgard on 4 August 2017 no disciplinary hearing was ever arranged despite serious evidence of misfeasance being identified by employees of the Youth Service. Six months later on 6 February 2018 Paula Clowes (internal Audit) reported that she believed no disciplinary hearing had been held in respect of Joynul Ahmed (**#2208 and #2219**).

- 149 Additionally, the Council failed to refer officers (e.g. Joynul Ahmed) identified as being involved in fraudulent activities to the police for investigation despite me informing Ronke Martins Taylor of the serious issues unearthed by my investigation on 16 August 2017 (#2207).
- 150 On 22 August 2017 I reported that I had evidence of serious corruption by Delwar Hussain which the Council failed to act on and he left the organisation on a generous redundancy package on 31 August 2017 (#2210-2218).
- 151 Therefore, I strongly believe that Senior Managers such as Ronke Martins-Taylor, Claire Belgard and Menish Jani deliberately obstructed and failed to refer members of the Youth Service involved in corruption to me to investigation (and was not effectively dealt with) to deprive me of work so I could be falsely made redundant.

Paragraph 17

- 152 I firmly believe that my dismissal from the Council was engineered by obstructing my investigations work (due to me being a White male investigating a service largely staffed by Bengali employees involved in corrupt practices) and that I was dismissed so the Council could avoid complaints that it was discriminating against Bengali employees, even though it knew the complaints I was investigating were substantiated. Therefore, I believe I was treated differently compared to a hypothetical BME non-White employee performing the same role and that these factors caused or contributed to the decision of the Council to make me redundant despite the need for my work to continue.
- 153 Information supporting further obstruction (in addition to 2017 Claim, paragraphs 10 to 20) is provided below.
- 154 The Corporate Debt Recovery policy (2011) outlines the responsibilities of the Local Authority to recovery of debts and by enforcement if necessary (#1743- 1752). To ensure effective recovery of debts in relation to the corruption in the Youth Service I met with Roger Jones (Head of Revenue and Benefits) to develop a clear process. On 30 October 2015 he emailed me with an enforcement procedure (#1753-1754) which I briefed Andy Bamber on. However, despite raising this issue at numerous meetings and recommending financial audits for those involved in Youth Service corrupt practices neither the existing nor revised recovery procedures were enacted - which resulted in no public funds being recovered because of the Youth Service investigations.
- 155 Despite many Youth Service officers being investigated (#1786-#1787) and large sums of money being syphoned from the public purse (#1761-#1763), investigations and outcomes were contained and controlled (#1755-#1760) with few referred to the DBS (#1788) and none resulting in prosecution – meaning external scrutiny and exposure did not occur. I believe the following information shows that the corruption in the Youth Service was a long-standing issue, which was never effectively addressed and punished – with some officers seemingly rewarded for their wrongdoing.

- 156 In 2010 an investigation involving the Head of the Youth Service and Deputy Head of Service (Dinar Hossain and Hasan Faruq) was conducted to investigate serious breaches of financial and procurement regulations and code of conduct after a payment of £35,000 was made to an organisation (Shade Consultancy) which was controlled by a former Youth Service employee. I believe that this was prototype on which future money syphoning from the Youth Service and other departments was later based. Neither officer was dismissed despite the disciplinary findings against them (#1789 -1800).
- 157 I believe the information gathered during the Service Review and investigations indicated that Saifur Rahman (the Rapid Response Manager) was centrally involved in the Youth Service corruption (e.g. Brady Youth Forum). However, this officer left the organisation in February 2014 without being subject to an internal investigation and potential referral to the DBS with a view of barring him from working with children and vulnerable people (#1801-1826). It is understood that this individual currently works in the NHS and is a budget holder.
- 158 Enquiries conducted showed that a Youth Service employee (Shuman Khan) worked with children and young people for over a year after circumventing the safer recruitment procedures (i.e. by working without having a valid DBS certificate due to his criminal history which was known to his managers in the Youth Service) . However, rather than an investigation being conducted and referral to the DBS he entered a settlement agreement with the Council (#1857) for £12,000 on 24 July 2014 (#1827-#1864).
- 159 In 2016 Ali Zaman (a Rapid Response Team Manager) was investigated for serious misfeasance and corruption and was later dismissed. However, Human Resources (Mala Jones) reported on 8 December 2016 that he entered into a settlement agreement before leaving the employment of the Council (#1865-#1895). Despite attempts to understand who and why this decision had been taken by senior officers I was not a given an appropriate response (#1890-#1891).
- 160 Despite an extensive investigation and findings of serious fraudulent activities involving public funds Habibur Rahman (a Rapid Response worker) who was initially dismissed for Gross Misconduct (April 2016) was reinstated by the Appeals sub-committee (Chaired by Danny Hassell in November 2016) without good cause (#1896-#1912). A later breach of his Final Warning was not actioned or subject to investigation.
- 161 A youth worker (Muzamil Ali) who had previously been dismissed for gross misconduct in 2011 was later re-employed by his same manager with serious breaches in employment regulations and safer recruitment procedures (in 2015). However, rather than being formally investigated this matter was dealt with under probationary procedures and the individual was not referred to the DBS. Those involved in his re-recruitment escaped serious reprimand (#1915-#1965).
- 162 Despite an investigation disciplinary report finding serious fraudulent allegations involving Anam Hoque (Youth Service Training and Development Manager) another

key allegation relating to a rental property was removed by Andy Bamber for no good reason and a financial investigation was not actioned following is dismissal for gross misconduct to recoup stolen public funds. This officer also remained on full pay while suspended for 14 months (#1996 and #1998) and remained suspended for eight months after the completion of the disciplinary report. I believe that the delay was deliberately orchestrated to provide the officer with a ‘severance’ bypassing the typical process (#1966-#2008). This officer currently works for Tower Hamlets Homes, where he has worked since March 2019

- 163 Despite a briefing note being produced showing serious problems concerning the Youth Service (e.g. procurement irregularities, unauthorised staff payments, circumvention of recruitment and safeguarding procedures) and the management by Dinar Hossain (Head of Service). He was not formally investigated about these matters and exited the organisation on enhanced redundancy terms. A later FOI response confirms that Dinar Hossain’s voluntary redundancy was approved by Andy Bamber and Steve Halsey – but the post was not deleted and subsequently filled by Claire Belgard. Given the seriousness of the corruption within the Youth Service during his tenure as its Head of Service, it is inconceivable why no formal investigation was actioned with a potential referral to the DBS (#2023-#2047). I understand that Dinar Hossain now works advising Local Authorities on Youth Service development matters and lectures on Youth Work on Further Education courses. Since leaving Tower Hamlets he has worked for the London Boroughs of Lewisham (2016), Redbridge (2017) and Brent (2017 to present).
- 164 An investigation into the Prevent Coordinator (Nojmul Hussain) found him to have falsified information against a community-based organisation (in his official capacity) for use at Court to support his friends divorce proceedings. However, despite this and evidence he had circumvented Home Office Prevent funding rules he left LBTH on a settlement agreement and was not referred to the DBS. While the police reported they would no longer work with the staff member he was not disciplined and later joined Waltham Forest Council as its Prevent Coordinator and currently works for Tower Hamlets Homes (#2048-2095).
- 165 Liton Tahir (Youth Worker) was investigated for serious fraudulent activities by falsely over-claiming for hours worked which equated to almost £9,000 in total. However, despite resigning with immediate effect in a letter to Andy Bamber on 15 September 2015 it was not accepted by Andy Bamber until 17 November 2015 – during which time this officer (Liton Tahir) was absent from work sick. Coincidentally, the amount of additional pay generated in the intervening period almost equated with the monies he owed – which I understand was then recovered from him (#2096-#2112). I believe it is obvious from this matter that senior Council officers conspired and colluded with those under investigation and were involved in the misuse of public funds. As such, these senior officers (Andy Bamber) should have also been investigated as a consequence.
- 166 In March 2017 I concluded an investigation involving Joynul Ahmed (Youth Worker) found serious fraudulent activities and identified the involvement of another Youth Services officer, Delwar Hussain. Despite providing the investigation report and various

emails explaining this to Ronke Martins Taylor, Claire Belgard and Menish Jani of Delwar Hussain's involvement no disciplinary hearing was held for Joynul Ahmed and no further investigation was triggered for Delwar Hussain (who left the Council on voluntary redundancy terms at the end of August 2017 despite his involvement in this matter being known to senior managers and Internal Audit (#2170-#2221).

- 167 In August 2017 I was requested by Ann Corbett to investigate Mohammed Aklim Saleh Ahmed Uddin (Youth Worker) for serious fraud and financial impropriety (who was suspended on full pay on 8 August 2017). However, despite completing the investigation on 15 November 2017 no hearing had been arranged prior to me leaving the Council on 25 March 2018 – over four months after the report was submitted and the officer having been suspended for almost eight months at this point. Additionally, a follow up investigation involving another Youth Service officer (Joynul Abidin) who had been identified in this investigation (#2142-#2143) was not actioned while I remained employed by the Council (#2134-#2169). Again, I believe this officer left the organisation on generous voluntary redundancy terms.
- 168 It is of note that three senior managers (i.e. Hasan Faruq, Fazlur Rahman and Azbal Ali), with whom I was placed alongside in the recruitment pool for the role of Hubs Operational Manager, had all be investigated for allegations of serious wrongdoing. Hasan Faruq was investigated for bringing the Council into disrepute for financial impropriety and misconduct (#2115-#2126), Abzal Ali was investigated for his involvement in the recruitment of Muzamil Ali which circumvented safer recruitment procedures (#1919-#1934) and Fazlur Rahman was found for not disclosing his interests relating to his family members employment within the Council – two of which he directly managed (#2132-##2133). Therefore, I believe that if the correct actions and outcomes had been applied to these cases it is arguable that I would still be employed by the Council.
- 169 In addition to officers not being properly investigated and dealt with, a similar approach was used to obscure wrongdoing by a series of community-based organisations. For example, these included: the Training Hub for financial irregularities (#2262-#2305); Life Skills Development, a private company directed by the family members of a Youth Worker and supported with collusion of other Youth Workers (#2306-#2329); Malmesbury Community Project, directed by two Council officers and which was found to have breached its contractual arrangements and breached health and safety regulations (#2330-2336); and Youth Impact, which despite receiving payments could not be traced and was believed fictitious (#2404-#2419). I should also add that a number of these organisations are still commissioned by the Council to deliver services for the Youth Service.
- 170 The investigation by Internal Audit into the misuse of credit cards was, I believe, obscured and contained. Despite me identifying excessive expenditure by Youth Service card holders equating to £290,000 for 2013/14 with one Youth Service Manager (Shah Muhmud) spending close to £100,000 in an 18-month period (between April 2013 and October 2014). However, despite many dubious purchases (e.g. for large volumes of make-up, repeated restaurant visits and gym personal gym membership) no-one was ever

prosecuted, and no funds were ever recovered. I should also note Internal Audit who were tasked to conduct the credit card investigation were also responsible for the monitoring of expenditure over the period in question (e.g. one in ten purchases should have been routinely checked) which was not done (#2420-#2451).

- 171 In addition to all of this was the large volume of files and information which went missing before and during the investigations – which was not reported to the Information Commission by managers despite requests. On 22 June 15 I emailed Minesh Jani to request update on missing files and if information governance was aware (#2454). On 30 June 2015 I emailed Minesh Jani and requested information relating to how file storage and security (#2455-2456).
- 172 On 1 July 2015 I emailed Dinar Hossain asking him for a full list of files which were known to be missing (#2457). On 12 November 2015, in response to some other files going missing from Andy Bamber’s office, I emailed him to advise him that the matter should be reported to the police and the Information Commissioners Office and offered to take on the task of doing this (#2477). To my knowledge no action was taken. It is also apparent that although large amount of information went missing during the investigation this risk should have been identified by Internal Audit and Andy Bamber and all the necessary file seized prior to the investigations commencing. Finally, despite senior officers knowing about missing files, LBTH FOI responses were both misleading and incorrect (#2478).
- 173 Given what I understood had really happened and how the investigations had been ‘contained’ (as described by Ronke Martins Taylor on page 2510), I was very surprised when on 17 March 2017 Will Tuckley wrote to all Council workers informing them that all powers would be returned to the Local Authority on 1 April 2017 and that this decision was a ‘resounding vote of confidence...in the way the Council is run’ (#2481-2482). In contrast, I believed it should have been described as cover up to avoid political embarrassment to the Labour Party whose members were involved in both the initial corruption and later the control of the investigations, which were closed down by Debbie Jones, Ronke Martins Taylor and Claire Belgard who were directed and supported by Labour Party officials (#203-#207 and #2483).

Transfer of the Claimant’s line management to within the Youth Service

Paragraph 18

- 174 On 8 April 2016 I received an email from Fahima Begum (HR) with an attached letter dated 7 April 2016 from Mala Jones (HR) informing me that the Youth Service had transferred from CLC to the Children’s Services Directorate on 1 April 2016. It also stated that ‘all staff directly affected by the change in reporting lines have been notified by letter’ (#2554-#2555). As I was uncertain why I had received the letter, on 11 April 2016 I emailed Mala Jones to ask if the transfer affected me. She responded the same day

informing me that the letter was for information only and as I was considered part of the Youth Service my post was unaffected by the transfer (#2556-#2557).

Paragraph 19

- 175 On 6 July 2016 I sent my Job Description to Claire Belgard after she requested to see a copy. On the same day she emailed me and informed me that she had modified it as it was out of date and that some tasks had been ‘picked up elsewhere’ (#780-#781). I was particularly unhappy with the latter comment as I had not been informed or consulted previously about anyone taking over any aspects of my role.
- 176 I was concerned as I did not believe other senior aspects of my work had been considered (e.g. reporting to the CEO, tasking the previous Head of Service, Dinar Hossain, and delivering large and significant service savings due to the tightening up of financial and procurement procedures which had prevented further fraud). I was also unhappy as I believed my role carried significant personal risk, which had not been considered an important factor. I therefore considered the removal of these key tasks as a crude attempt to downgrade my role by stealth as they were all still necessary and required as demonstrated by being conducted by other Council officers (#779-#791).

Paragraph 20

- 177 Although, I had drafted a business case to create a new post provided on July 2014 (#160-#161) and a full Job Description provided on 3 February 2015 (#190-#195), no new post was created. I later found out that during this time (from May 2014 to March 2016) my salary was paid from the CLC Safer Communities DAAT budget and approved by Rachael Sadegh – despite having not worked in her team during this period. However, throughout 2015 and 2016 I regularly contacted HR to enquire about my employment status but received little clarification or reassurance that my role had been properly established (#196-#202 and #2558-#2573).
- 178 Three months after Andy Bamber had gone on sick leave (on 29 April 2016) I received a letter from Karen Davis (HR) on 1 August 2016 informing me that my line manager had changed from Andy Bamber to Claire Belgard. The letter also attempted to impose a six-month fixed term contract (#1042-#1044). As other staff who were managed by Andy Bamber had received temporary management arrangements while he was off work, I considered this to be a similar temporary arrangement for me. However, I was more troubled at the time with the inclusion of the references to a six-month contract as I had the understanding I had qualified for permanent status (since 25 January 2014) due to my long continuous service with the Council. Therefore, I challenged the imposition of the fixed term contract and its legality (#2574-#2584).
- 179 As I sent more emails and requested more information from Human Resources, I became aware that the letter (1 August 2016) was designed to exit me from the organisation. Information I obtained later via a Subject Access Request clearly showed that HR and Claire Belgard were intending to issue me with notice at the end of December 2016 (page

#2592-#2597). This view was supported by Claire Belgard not conducting any of her management duties with me (e.g. 1-2-1 meetings and PDRs were not arranged) and so I started to challenge these issues also in an attempt to ensure the Council acted properly and to protect myself as much as I could (#2598-#2607).

Paragraph 21

180 In response to my challenges, on 16 December 2016 I received a letter from Debbie Jones (Director of Children's Services) reiterating that my line manager was Claire Belgard and she would be in touch in the New Year to arrange supervision meetings (#2608). However, the letter simply reaffirmed my line manager being Claire Belgard. On 5 January 2017 Claire Belgard emailed me to inform me she would be arranging supervision meetings (#2609). Therefore, at this point, I had not received any communication from HR or senior management informing me that I had been transferred to Youth Services.

Re-structure of the Youth Service, redundancy, consultation and dismissal

Paragraph 22

181 On 11 January 2017, without consultation or prior notice, I received an email from Claire Belgard informing me that my post was considered 'in scope' and I was now included in the Youth Service restructure (#1346). This was the first time I had been informed he was in the Youth Service (despite the restructure being announced about three months prior in around September 2016) and only 12 days before the start of the consultation process on 23 January 2017 (#1347). This contradicted what I then understood and what I had been previously informed by Mala Jones on 11 April 2016 – which confirmed that my post was not included in the Youth Service and therefore it was unaffected by the transfer of the Youth Service to Children's Service – and I had no reason to believe this position had changed (#2556).

Paragraph 23

182 As such, I believe that I and my role should not have been included within the Youth Service restructure and my dismissal on the purported grounds of redundancy was a direct consequence of being included in the restructure and within a recruitment pool (with others who had significant operational experience of Youth Work) very clearly placed me at risk of redundancy – which was obviously very unfair for a number of reasons including:

- (1) I had not been transferred to the Youth Service before 11 January 2017 when I was first informed by Claire Belgard I was included in the restructure.
- (2) I had not been informed of my transfer to the Youth Service or been given any opportunity to challenge the transfer.

- (3) I believe no reasonable employer would have transferred my role to be line managed to within the service I was investigation – especially given the intimidation and threats I had received.
- (4) My role as a project manager and investigator had no relationship to the management and operation of the Youth Service and therefore it is inconceivable why I/my role was included in the restructure of the Service I was investigating. On 5 January 2017 a letter offering legal advice was provided by Jo Beill (LBTH Legal Services) to Ronke Martin Taylor confirmed that there was no equivalent permanent post in in the new Youth Service structure (#2610-#2614).
- (5) My inclusion in the Youth Service Senior Management Team (SMT) was very humiliating and unfair as it included three managers (Hasan Faruq, Abzal Ali and Fazlur Rahman) who I had previously investigated. I believe my inclusion in the SMT was designed to antagonise these and other Bengali staff in the Youth Service as they knew me to be the lead investigator examining corruption within the service which created a hostile and very uncomfortable environment in which I had to work. I also believe that my inclusion in the Youth Service (which is largely comprised Bengali staff members) contributed to the decision to dismiss me due to me being White – and not representative of the community demographic profile.
- (6) I firmly believe that my role was not redundant (on 25 March 2018) as there was no genuine business case for my dismissal. Indeed, as I have outlined there was an important ‘business case’ – and public interest – in greatly increased resources being added to the investigation of the very widespread corruption within the Council.

Paragraph 24

- 183 Additionally, I believe the redundancy and consultation process utilised by the Council was flawed and unfair on grounds set out below.
- 184 The first restructure consultation meeting, at the Professional Development Centre, was held on 23 January 2017 (#1346-#1347).
- 185 On 23 February 2017 at a restructure surgery I asked Claire Belgard numerous questions about why I had been included in the Youth Service restructure, management failings, my exclusion from meetings and correspondence which she failed to or only partially answered (#2693).
- 186 I asked Claire Belgard and HR further questions in a series of emails concerning my inclusion in the restructure which were not adequately answered (#2694-#2716).

- 187 I was not given an adequate opportunity to object to my inclusion in the pool with the only alternative option provided to me being to opt to be placed on the redeployment list (with 12 weeks' notice).
- 188 I believe there was a serious conflict of interest which was not addressed by the Council in that Ronke Martins-Taylor and Claire Belgard were responsible for line managing me, the Youth Service restructure, conducting and scoring my job matching exercise, interviewing me for the Hubs Operation Manager and Head of Service roles. As such, they managed the entire process at every stage. I believe this was done to ensure I was purposefully and deliberately exited from the organisation and not left to chance and the risk of another manager recruiting me. I should stress that my exit also meant that both Ronke Martins-Taylor and Claire Belgard had a free run for the most senior posts in the Youth Service.
- 189 I understand that the Youth Service restructure was never independently assessed and which, I believe, if conducted would have raised serious concerns about the processes and procedures adopted for it and the over-reliance and involvement of two external managers – with Ronke Martins Taylor obtaining the second highest position in the Youth Service.
- 190 I firmly believe that the new procedures and processes adopted for the Youth Service restructure were utilised as they guaranteed the required and desired outcomes. Using competitive assimilation compared to direct assimilation (and ensuring the membership of the interview panel) allowed Ronke Martins Taylor and Claire Belgard to choose the candidates they wanted for the roles. Otherwise, as the most senior officer in the Youth Service I would have been directly assimilated into the Head of Service (LP09) role or above (given I would have been able to demonstrate I had a better job match against the Service Development Manager's role held by Ronke Martins Taylor - as she had 'picked up' some of my tasks from my JD as described by Claire Belgard in her email on 6 July 2017. As such, I believe I was subject to less favourable treatment compared to BME and females within the redundancy pool.

Paragraph 25

- 191 Furthermore, I was put at a significant disadvantage by being included in the Youth Service restructure. As a project manager and more recently as a forensic investigator, I did not have the relevant skills to compete with employees with significant management experience within the Youth Service. Ronke Martins-Taylor and Claire Belgard knew this and I believe their decision to include me in the Youth Service restructure was both inappropriate (as I was investigating the service) and unfair and designed to ensure I would not be successful in obtaining a role and therefore be made redundant.
- 192 I believe my views were supported by Ronke Martins Taylor when she wrote to my trade Union representative stating 'In hindsight given the level of the job match in the new structure at 13% Mark would not necessarily have been assimilated to any role within the new structure' (#2728).

193 I believe several key facts show how this was achieved:

- (1) I believe I was unfairly job matched against the Hubs Operation Manager (LP06) when I held a role more than two grades higher (LP08) than the assimilated position (#2721-#2726). This equated to a four-grade differential and therefore would not have provided salary protection (#2727-#2739). I should note that the Council still uses P07, LP07, P08 and PL08 grades (which sit above P06). Although, I understand that the Council does intend to phase of P07 and P08 at the time of the job matching exercise they were still in use and had not been deleted from use. I should highlight that I was awarded the identical score for the job match for the Head of Service post (at 13%) as that awarded for the Hubs Operation Manager role. Given this, it seems somewhat strange why I was assigned to the lower graded role alongside officers with significant operational experience and not in the higher graded role for which no other officers were assigned (#2739-#2747).
- (2) My failure to obtain the positions of Hubs Operation Manager and the Head of Service (on 21 September and 22 November 2017) were both a likely and a foreseeable outcome of my inclusion in the Youth Service restructure (#2749 and #2759). This is supported by the very low score (7/35) Ronke Martins awarded me for my interview for the Head of Service and very clearly wrote 'not appointable' on the top of the marking sheet (#2763). Both Ronke Martins-Taylor and Claire Belgard knew my skillset and experience as a project manager and forensic investigator (for which there was a continuing business need for him to continue investigating the Youth Service).
- (3) I strongly believe that Debbie Jones and Human Resources acted to ensure that Ronke Martins-Taylor and Claire Belgard (female managers on temporary contracts) would go unchallenged when they applied for the permanent senior service roles. I believe this is supported by the failure of Debbie Jones to investigate Ronke Martins-Taylor for 'fabricating' scores for the Summer Programme 2016 applications for which she should have been dismissed (#1652).

Paragraph 26

194 I believe that the Council failed to follow a fair redundancy process and find me alternative suitable employment. In particular:

- (1) By including me in the Youth Service restructure I was restricted from applying for roles outside of the department (which were also being restructured) as the roles available were only open to those from within the service area in the first instance before being opened to those from outside of it. Therefore, more suitable roles in other departments, where my investigative and project management skills and experience would have been relevant, were not made

available to me. I believe the timing of internal restructures was also ensured my exclusion from more relevant service areas. For example, the Strategy, policy and Performance service area, where I had worked as the Head of the Olympics Team, conducted its restructure at about the same time as the Youth Service whereas Safer Communities in where I was based prior to the Youth Service did not conduct its restructure before I left the Council (in March 2018).

- (2) My inclusion in the Youth Service also disadvantaged me as I believe it decreased my ability to be promoted within it as my experience as an investigator and project manager made me less suitable than my colleagues in the Youth Service to the more senior and future roles likely roles to become available in the department.
- (3) I believe that the Council failed to make a number of roles, within my previous department Safer Communities, available to me by deciding to make them agency or contractor roles. These roles were not recruited to via its internal process, which would had allowed me to apply but were publicised and recruited externally and outside of the Council's recruitment processes. These roles and contractors were as follows:

- ASB Support Manager (Alun Goode)
- Investigation Officer (Barry Scales)
- Project Manager and Interim Head of Communities and Enforcement (Karen Proudfoot)
- Rapid Response Manager, Crime Reduction and Rapid Response Manager (Paula Wilkinson)
- Markets Manager (Roy Wayre)
- Rapid Response Team Community Safety Project Management (Robin Newman)
- Lead Consultant, Drug and Alcohol Recovery Programme Service Review (John Curry)

195 All these roles were created and appointed to after Ann Corbett became the Divisional Director for Safer Communities in June 2017. I believe that all these individuals were engaged via external employment agencies and paid between £300 and £600 per day. As a result of the process utilised to recruit these individuals I was not considered for these roles and therefore excluded from them – when I believe I had the experience and skillset to conduct these roles. My personal profile which I submitted to HR on 11 January 2018 clearly demonstrates my previous experience, skills and knowledge with direct relevance to the roles outlined above (#2842-#2853).

196 Additionally, while I was on redeployment (from January 2018), I also became aware of the recent employment of two investigators within Internal Audit (Martin Wheatsheaf and Paula Clowes). Again, these were roles which were suitable for me but was again I was made aware of them being advertised internally. However, HR were aware of my

redeployment status and skillset and these roles were neither communicated nor offered to me.

- 197 On 14 December 2017 John Adeniyi (HR) emailed me issuing the 12 weeks statutory notice of redeployment and redundancy (#2825). The next day I received a letter from Lucy David (HR) confirming my effective last day of service would be 25 March 2018 and details of my redundancy payment (#2826-#2829). Following my return to work after Christmas, on 11 January 2018, I submitted my Employee Profile required for redeployment purposes (#2842-#2853).
- 198 During the redeployment period only two jobs were identified as being potentially suitable alternative employment. The first post was Head of Business Applications (IT) for which I was unsuccessful at the sifting stage prior to interview (#2856-#2857 and #2860-#2863). The second post was for a Neighbourhood Community Safety Manager for which I was offered an interview by Alun Goode on 8 February 2018 (#2869 and #2872-#2873). However, on 31 January 2018 I became aware that the post was graded at P07 level (three grades below my current grade of LP08) which would have meant my salary would not have been protected if I had been offered the role (#2871). Additionally, Roy Wayre also confirmed that the post was temporary six-month contract (#2875). I therefore did not consider the post suitable. Therefore, I informed HR on 6 February 2018 I could not accept the offer of the interview and I would need to consider my position following my appeal against the notice of redeployment and redundancy (#2881).
- 199 On 15 January 2018 I submitted an appeal against the notice of redeployment and redundancy (#2923 and #2936-#2937) in which I made the following points:
- (1) I have never been consulted about any transfer to the Youth Service or changes to my contract of employment;
 - (2) I have never received a letter or any correspondence stating I had been transferred to the Youth Service;
 - (3) My Job Description makes no reference to my role being in the Youth Service;
 - (4) My Contract makes no reference to my role being in the Youth Service;
 - (5) My role has never been included in any historical Youth Service Structure; and
 - (6) I have never been included in the Youth Service staffing list.
- 200 At the hearing, on 1 February 2018, I presented these points with supporting evidence (see appeal points #2926-#2932). However, my appeal was rejected as Suzanne Jones (Chair of the Appeal Panel) concluded that the process for selection for redundancy has been correctly followed and that it was not unfair or unreasonable (#3004).

Paragraphs 27 onwards

- 201 This witness statement and the hearing in August 2019 are concerned with liability only. Consequently, I do not address the other matters pleaded in these paragraphs of the 2017 Claim, which concern the quantum of my claim.

STATEMENT OF TRUTH

I believe that the contents of this witness statement are true. I am duly authorised by the Claimant to sign this statement of truth.

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Date: 23.7.2019

MARK EDMUNDS