

11 Brandon Crescent
Shaw
Oldham OL2 7YB

24 May 2023

Nasir Dad
Director of Environment
Via email

Dear Mr Dad

Firstly I would like to highlight I have been made aware (both verbally and non verbally) there has been a breach of confidential information by way of a disclosure of the outcome of my hearing ie dismissal.

Both Court of Protection and Client Finance team workers were informed that I had been dismissed.

The Client Finance Team were informed at a team meeting by Kim Simister, who also stated she was available if anyone had any questions.

This is confidential information that only the panel should know.

Secondly I am writing to exercise my right of appeal with regards to your decision to summarily dismiss me from my role with immediate effect due to the following reasons:

- It was not a proportionate response to the allegations
- The finding I was guilty of committing alleged acts with no factual proof other than witness statements

I expressed my concern around a conflict of interest in my statement of case regarding the close personal relationships of the managers (my managers) and witnesses who raised the allegations. I informed you I raised an SAR with the organization in order to confirm/refute collusion (email included in the pack dated February 2022) and had still not received any response. (3 months later)

The investigator did not seek a balanced view for the report in interviewing the manager I was temporarily working for even though the timescale would have allowed this. I started working in Business Strategy in November 2022 and I was not interviewed until February 2023. I have worked with this manager before and have had no issues identified by her. You stated you did not feel this was necessary.

Management called a witness who is currently suspended from duties in the Council.

You stated that you had no assurance my behaviour would change. I had been working in Business Strategy since November 2022 until dismissal, and included an email in the pack from Vin Johnson, Senior Intelligence & Data Analyst, offering his appreciation and thanks to me and another colleague stating "we had been absolutely brilliant in helping out" and he had been impressed by our "attitude and reliability".

The displacement out of the Brokerage team in the organizational change caused me undue stress, and the selection process for the decision that I should be the one moved, when there were a number of us in the team, has still not been provided, despite me asking the management witness again for this at the hearing. You did not pursue this.

The disciplinary action in March 2020, which was not a live warning, recommended a Personal Improvement Plan and further training. I stated this was not implemented and do not accept your finding that I had other management conversations that should have sufficed.

The Occupational Health report stated a stress risk assessment with my line manager. You stated I could have asked for another manager. Why did my line manager not specify I could do this.

I had registered for DBS update and had a valid DBS dated from July 2022 which was in the pack, and provided email evidence I had recently been asked by HR to update however had responded saying I was having trouble accessing the link.

I gave an explanation about mandatory training and informed the panel that subsequently my problems accessing the system had been rectified by help from the manager in the Business Strategy Team and stated I had escalated to my manager in Client Finance at the time for assistance.

I am not available for an appeal hearing on Friday 22nd July 2023 or Monday 24th July 2023.

Yours sincerely
Ian Barkley