

Formal Complaint about LEASE Chair

Background

1. On 10th May the Department received a complaint (Attachment 1) from Sebastian O’Kelly (SOK), chief executive of the leasehold knowledge partnership (LKP) about the behaviour of the LEASE Chair, Wanda Goldwag (WG) towards the LKP Chair, Martin Boyd (MB) during a meeting held on 25th April. The core elements of that complaint are presented in a nine-point list on the first and second pages. In summary the complaint alleges that WG engaged in a “*malicious*” and “*abusive*” attack on MB by:
 - i) alleging that he had caused considerable distress to LEASE employees through the tweets he had posted.
 - ii) telling him to “*stop behaving like a macho idiot*”
 - iii) swearing aggressively throughout the meeting
2. Later that day the Department received a follow up email from MG and I also received an email from him on 17th May. Whilst both of those emails referred to the complaint, neither offered additional facts about it.
3. Legal advice was that the complaint could be considered in accordance with the approach in the staff handbook. It was therefore passed to me to consider as senior sponsor of LEASE, acting in place of a line manager. The staff handbook approach begins with a fact finding discussion to enable the line manager to hear the individual’s response to the complaint before deciding how to proceed. I met with WG on 24th May.

Fact Finding Discussion

4. A full note was taken, but key points are recorded below.
5. WG confirmed that the meeting on 25th April had been “*colourful and robust*”. She had specifically gone with the intention of ensuring LKP understood the impact of their criticisms on LEASE staff. She firmly believes campaigning organisations have an important role in a democracy but wanted to make clear that it is not acceptable to insult junior staff. She considered she had achieved that aim and that this was confirmed by SOK’s email to her following that meeting. She provided a copy of that email and her response. (Attachment 2).
6. She had directed her comments at MB because she considered that he was responsible for the negative tweets about LEASE that had caused distress to her staff. She stated that he did not deny that he was responsible for the tweets.
7. WG confirmed the words attributed to her about the distress caused to her staff were accurate with one exception – she denied accusing MB of targeting individual members of LEASE. I asked if she could substantiate her claims and she explained that this distress had been highlighted in written staff survey responses that specifically mentioned LKP. She read out an example. She said it was true that LEASE staff have cried in meetings because of the criticism they have received, “*again and again I was told they felt under attack and importantly they could not defend themselves because they are Civil*”

Servants". Individual staff members had mentioned MB personally. She had said that this criticism specifically affected junior staff, many of whom are women and from ethnic minorities. She confirmed that she had asked for counselling services to be made available to LEASE staff.

8. WG agreed she had used "*navy language*" during the meeting of 25th April and that this is the way she would normally conduct private sector meetings. She was giving LKP an unwelcome and uncomfortable message. She admitted telling MB he should "*stop behaving like a macho idiot.*"

Conclusion

9. What happened in the meeting is, in the main, not disputed. Given this strong level of agreement about the facts, I do not intend to draw out this process by undertaking further interviews. The decision on next steps depends, firstly, on whether the claims made by WG were untrue and therefore malicious; and, secondly, whether the way she presented those issues was inappropriate.
10. Both SOK and WG agree that the latter explained the impact on LEASE staff of critical LKP tweets. SOK's follow up email states "*we will take on board the consequences of our criticisms of LEASE on its staff. It is an important point and one we will reflect on seriously*", suggesting LKP did not question the accuracy of that description. Furthermore, WG was able to substantiate those claims by reference to the staff survey. Having considered all the available evidence I strongly believe to be accurate WG's claims that negative LKP tweets have caused distress to LEASE staff.
11. The meeting of 25th April was clearly heated one, described by WG at the fact finding meeting as *colourful and robust*" and by SOK's follow up email as a "*full and frank exchange of views*". Again, the facts are largely undisputed, WG does not deny swearing. She also concedes that she directed her concerns at MB who she and her staff considered responsible for the negative tweets. The question is whether WG's behaviour was inappropriate and to the extent that would justify upholding a complaint against her. In doing so, the staff handbook requires me to take into account the wider picture. I note the seriousness of the issues she was raising, that she considered it important to make her points forcibly and the heated nature of that meeting. I also note that LKP's initial response, as set out in SOK's email, was to say, "*we should now move on and rebuild trust.*" With regard to the specific occasion when WG told MB to "*stop behaving like a macho idiot,*" WG has volunteered that she should not have said that and is prepared to apologise. I consider this apology to be an appropriate response.