

> FROM: Neil F Liversidge
> Sent: 08 May 2013 19:27
> To: 'Jon Wilmer'
> CC: mag-uk-nc-list@mag-uk.org
> Subject: RE: [mag-uk-nc-list] Current position statement
>
>
>
>
>
> Jon
>
> You can tell Russ and Bev from me that I will wipe the slate clean with
> them.
>
> They are in the position that a lot of folk in Yorkshire and Northeast were
> in 12 years ago - thoroughly conned. Hipkins did the conning in Northeast
> while his bent mates Eborall and Lambert did it in Yorkshire. They did a
> very good job of it. I was made a hate figure while they milked MAG.
>
> Today, the people with whom I was at daggers drawn 12 years ago, are now my
> good MAG comrades.
>
> Being conned takes some coming to terms with. Nobody wants to believe they
> have been had. They feel foolish. They are embarrassed. There is a
> massive temptation to shoot the messenger. There is a big incentive to
> believe the lies that the con men are feeding you. All natural reactions.
>
> That's what happened to me in 2002 when I ended up fighting most of my own
> region. Eborall and Lambert were desperate that I should not derail their
> gravy train - the skim from the FYP gate. They found a ready ally in
> Hipkins who was lining his own pockets up in Northeast. Between them they
> spun the bullshit line that I was trying to take over Stormin. It took a
> long time. Some things I was able to prove in the 2002-4 period. Other
> people have had to find out, realise what really happened and admit it to
> themselves in the intervening years since then.
>
> I don't want Russ and Bev to spend 8 or 10 years out in the cold. They don't
> deserve that. If you like I'll travel down to TV and sit down with both of
> them and you and go through all this with them. They can ask me anything
> they like. I'll open the book to them. The offer is there.
>
> N&P have f**k*d us all over big time but the damage has to stop somewhere
> and the recovery process has to start. It might as well start here. Let me
> know and if they're up for it I'll make the time.
>
>
> NFL
,

20130509.0634

Neil F Liversidge

From: Neil F Liversidge [neil@wrpfs.com]
Sent: 09 May 2013 06:34
To: 'Louisa Smith'
Cc: 'Lynn Bradley'; 'Debbie Mactaggart'
Subject: Your Conduct

Dear Miss Smith

I received a complaint on Friday of last week from Mrs Tracy Smith who as you know is a senior Member of The Motorcycle Action Group of many years' standing and the Regional Representative for the Southwest Region.

Apparently Mrs Smith encountered you when she called in at MAG Central as you were delivering your latest sick note.

Mrs Smith spoke to you politely and pleasantly and you pointedly ignored her.

Mrs Smith's experience in this instance mirrors my own experience when I first met you. I have received similar complaints from others also.

This email is by way of placing on the record and making you aware that such discourteous conduct is not acceptable. This is also to give you fair advance warning that we shall discuss this with you upon your return to work.

For your information Peter Walker and I remain the Board's appointed managers of Central Office staff. Contrary to any impression you may mistakenly have formed, it is not your choice as to which Directors have authority in staff matters.

Yours sincerely

Neil F Liversidge

*Neil F Liversidge, Director, MAG UK Ltd
MAG Member 23660*

Tel 01977 808600; Fax 01977 667601; Mobile 07904 332531; Residence 0113 2869332

Office at West Riding Personal Financial Solutions Ltd, 17a Sagar Street, Castleford, WF10 1AG

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09/05/2013

647

From: selinaandpete@sandp.orangehome.co.uk [mailto:selinaandpete@sandp.orangehome.co.uk]
Sent: 10 May 2013 08:10
To: Pat van Aalst FMAAT; Toni Sharp
Cc: selinaandpete@sandp.orangehome.co.uk
Subject: Re: URGENT

Hi,
Sorry but I am confused.
The letter I saw from Paddy Tyson said that he would not be appealing.
I have not seen any communication from Nich Brown about an appeal.
Could you please clarify Toni.
Many thanks,
Selina Lavender
Director MAG UK

648

20130510.0915

Neil F Liversidge

~~From: selinaandpete@sandp.orangehome.co.uk
Sent: 11 June 2013 17:51
To: Neil Liversidge
Subject: FW: RE: MAG UK Selina Address~~

Message Received: May 10 2013, 09:15 AM
From: "Toni Robinson"
To: "selinaandpete@sandp.orangehome.co.uk"
Cc: "Gail Puttock"
Subject: RE: MAG UK Selina Address

Hi Selina

It was nice to talk with you earlier.

I hope our discussion has thrown a little more light on the matters at MAG UK and Qdos involvement. I have arranged for Gail to send over a copy of the report, minutes of the meeting along with proposed and actual letters sent out. Gail will be able to confirm when each document was specifically sent to Pat and the intended recipients.

We are not currently investigating MAG UK's concerns regarding Qdos services, which has been confirmed to Pat verbally and in writing. I can send you copies of the emails (to follow) which documented our comments.

Qdos of course would be more than happy to investigate any concerns that are related to the service provided to MAG UK, however, I would be grateful if MAG UK could be very specific regarding which aspects of the Qdos Service that you have not be satisfied with.

I am arranging to have copies of the files made and sent to your work address, however, given the size of the files, this may take a little while. Additionally, I have since found that Nich has specifically requested certain aspects of the file not to be released, therefore we will be unable to send this over until consent is given.

I look forward to speaking again soon.

Best regards

Toni



Toni Robinson
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Click to like, join or follow us.

~~Cc: Gail Puttock
Subject: MAG UK Selina Address~~

~~Hi Ladies~~

12/06/2013

649

Toni Sharp

From: Toni Sharp
Sent: 10 May 2013 09:37
To: 'selinaandpete@sandp.orangehome.co.uk'
Cc: pat.van.aalst@mag-uk.org
Subject: 10 May 2013 RE: URGENT 09:37

Hi Selina

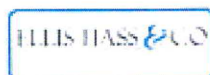
The current status with my clients is as follows:

Louisa: grievance appeal has been raised and she is attending her appeal meeting next week with Richard
Paddy: resignation tendered after losing all trust and confidence in MAG
Nich: appeal raised with Pat on 30 April 2013- he wrote to Pat because he was advised QDOS was no longer dealing and he emailed Pat with points he wished to appeal and asked for details of who had now been instructed to conduct the appeal hearing

I hope this assists.

Kind Regards

Toni Sharp 
Associate Solicitor
Ellis Hass & Co. Solicitors



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650

Message Received: May 10 2013, 12:21 AM
From: "Pat van Aalst FMAAT"
To: "Toni Sharp"
Cc: selinaandpete@sandp.orangehome.co.uk
Subject: Re: URGENT

Good evening Toni

We have just appointed another third party to investigate the two appeals received, his contact details are:

richard@hayfieldhr.co.uk
Office 01663 741 424

Best regards

Pat van Aalst FMAAT
National Finance Officer
Motorcycle Action Group

www.mag-uk.org

651

20130510,0001

GPP → SL

2013 0510,0001



Qdos, Qdos Court, Rossendale Road, Earl Shilton, Leicestershire, LE9 7LY
www.qdosconsulting.com

Attn: Selina Lavender
Cashbacs International Ltd
The Boathouse Business Centre
Harbour Square
Nene Parade
Wisbech
Cambridgeshire
PE13 3BH

10th May 2012

2013!

Dear Selina

RE Grievance Process. Louisa Smith, Paddy Tyson, and Nich Brown.

Please find enclosed some of the relevant documentation and emails in relation to the above as requested by you.

I have enclosed the following information.

Instruction email and date of 24/3/2013
Original Grievance letters dated 15th and 17th of March 2012 along with a Solicitors letter representing all three staff.
Investigation minutes form meetings arranged for Employees on the 8th April 2012
Investigation statements from Mr Liversidge and Mr Walker after telephone meeting on the 9th April 2012.

- Draft Report sent to Mr Van Aalst on the 15th April 2012 following a half day meeting on the 11th April to discuss the progress and the possible outcome of the grievances.
- Draft outcome letters sent on the 15th April 2012.
- Final outcome letters on 19th April 2012 to Miss Smith and Mr Tyson.
- Final outcome letter on the 22nd April 2012 sent to Mr Brown.

ALL
2013
SLOPPY

I have also included some supplementary information (case law) which should help you see why I arrived a decision I did, and, why Mr Liversidge's mitigation of the poor behaviour of the staff in the past, would not be mitigation that would carry much weight at the tribunal. Mr Van Aalst has been sent this information on email.

The paper files are quite hefty and so will need to be sent across after copying and I hope that you will understand the delay with these.

Mr Brown did submit some added information as emails etc however I have had to give him this back at his request and do not have copies of this. He has advised that he does not want certain information to be passed despite me asking him for his permission.

I hope that all of this is of help to you and MAG.

Very best regards Gail Puttock



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652

2013 0517-2247 Page 1 of 1
SSP

Neil F Liversidge

From: mag-uk-directors-list-bounces@mag-uk.org on behalf of Pat van Aalst FMAAT
[pat.van.aalst@mag-uk.org]
Sent: 12 May 2013 22:47
To: Directors Only
Subject: [mag-uk-directors-list] SSP
Attachments: MAG (UK) Ltd Discretionary Sick Pay Policy.docx; ATT00176.txt

Evening all

I'm afraid I failed to notify Julie to pay SSP only for April, I thought I had done. I have now, for any future payments, and will try and recover what I can – but I doubt it will be much.

I've also drafted the attached to remove the assumption of assent by silence in sick pay, for Board approval.

I can hear the conspiracy claims already but I can only assure you all as much as possible that it was simply too much flying around at the same time and I dropped the ball. Apologies to all, I'm honestly continually trying to manage my time better and reduce my commitments.

Pat van Aalst FMAAT
National Finance Officer
Motorcycle Action Group

www.mag-uk.org

13/05/2013

653

2013 05 13. 0001

**Disciplinary Investigation in Respect of
Nich Brown, General Secretary of MAG (UK) Ltd**

Introduction

I was asked to investigate whether there were grounds for disciplinary action against Nich Brown (NB). The allegations I was asked to investigate included insubordination, undermining the elected board of directors, failure to carry out reasonable management instructions, abusing his employed position at MAG (UK) to achieve his own political ends, failure to carry out his duties and manage his staff in a way fitting for a senior manager and having external business interests that are in conflict with his paid employment at MAG (UK) Ltd.

To investigate the allegations I spoke to Nich Brown, two members of Central Office staff and 5 directors. I also referred to e-mail evidence and statements collected from current and previous board directors.

Findings

My investigation leads me to believe that there are sufficient grounds to take disciplinary action against NB for the following reasons.

- Obstructing the staff meetings scheduled for 18th March. This seemed a reasonable approach by the board to get together with the staff to discuss the issues and agree a way forward. Selina Lavender (SL) had requested that Neil Liversidge (NL) and Pete Walker (PW) hold these meetings as she had come to the end of her tether in trying to gain the cooperation of NB and the Central Office staff. This is evidenced in a number of e-mails between SL and NL, as well as in SL's statements. The evidence shows that Nich Brown tried to stop this meeting taking place by putting forward various reasons why it should not. He also tried to avoid being present on the scheduled date by arranging to be at a conference in Europe on both Monday 18th March and Tuesday 19th March, although he was only originally scheduled to be at the conference on the Tuesday. Nich Brown did not reassure the staff about the meeting, as would be reasonably expected of a manager, but allowed them to get worked up and anxious about it.

In NB's evidence, he said that he objected to the meetings going ahead because the staff felt they were being bullied by NL and PW. NB and two members of staff have raised grievances concerning this and these are being dealt with separately. However, in my opinion NB could have played a constructive role in these meetings and encouraged the staff to have a positive dialogue with the board members. Instead, NB has inflamed the situation by encouraging people not to attend and so giving rise to the threat of disciplinary action. He also demanded that NL and PW leave the building.

Evidence from the staff indicates that the communal meeting was quite tense and NL's communication was direct and somewhat aggressive. Some of NL's e-mail communication is also quite authoritative and to the point. However, this has often occurred after lengthy e-mail communication has failed to produce the desired action from NB. It appears that the board felt this more direct approach

654

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12

was required after the conciliatory approach attempted by SL did not achieve the required results.

- Insubordination. NB refused to leave the board meeting in October, even though the agenda made it clear that he would not be required for the whole meeting. A number of witnesses described him becoming very irate and heated and it took a considerable amount of time to persuade him to leave.
- Refusal to carry out reasonable instructions. After a long period of time when the board had requested that membership data be provided to the regional representatives, NB put forward an objection about data protection legislation. This could have been investigated and sorted out at an earlier stage rather than put forward as an objection at the final hour. The issue was taken seriously by the board and several directors looked into it. However, even when given the board's findings that the data could lawfully be released and instructed to release the data, NB continued to raise objections and allowed a member of staff to continually block the issuing of the data. NB also turned to the National Committee for their decision on the matter, even though this is an issue for the board.

Other examples of NB acting against the wishes of the board were mentioned in the statements but many of these occurred some time ago and were not investigated or addressed at the time, so I do not think these are relevant to the current investigation.

- Undermining the board. When NB did not get the response he wanted from the board, he looked for support through other channels. This included opening up communication to the National Committee and drawing the Chair of the National Committee, Den Powell, into the debate, even though she was not a member of the board or in his reporting line. NB also allowed his staff to undermine the directors, particularly Selina Lavender, by overwhelming them with information and queries to the extent that they were not able to carry out their proper role as directors.
- Being involved in outside activities which might adversely affect the Company's best interests. NB was granted permission by the Chair at the time to launch the magazine Overland. This was on the basis that it would not negatively impact on MAG's operations. It could be argued that the magazine itself has been used to undermine MAG as it potentially competes with the organisations own publication. NB has used MAG meetings to promote Overland which is abuse of his position to promote his own business. Permission was not sought or granted to extend the scope of Overland to operate tours which would require NB and another senior member of staff to be away from the office at the same time. Whilst NB said he was only promoting the tours not running them, the website said that he would be on the tour and he still has not removed this from the website.

655

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13

Summary

The evidence suggests that there have been concerns among the board members for a long period of time that the Central Office has not been running effectively. Due, I believe, to the voluntary nature of the board and differences of opinion among the directors, these issues have not been addressed effectively in the past.

This latest board is united in wanting to improve the performance of the Central Office. Attempts have been made by several board members to achieve these changes in a cooperative and conciliatory manner. However, NB appears not to have responded to this approach and the board concluded that a more direct approach was necessary to achieve the necessary improvements in performance. For this reason, they asked NL and PW to be the main interface with the staff and with NB in particular.

NL and NB have known each other for many years and have in the past been members of the MAG (UK) board at the same time so they know each other well. NB was not supportive of NL's election to the board and did not welcome NL's involvement in the management of Central Office. NL's communication can be quite direct and to the point and on some occasions a little more restraint would be advisable; however, he appears to have tried to gain NB's cooperation in a constructive way before becoming frustrated by the lack of progress on key issues, such as the development of the database and the issuing of membership data to the Regional Representatives. The evidence shows that NL was not the only member of the board to be frustrated by NB's perceived inaction but NL has been the main person communicating this frustration to NB.

NB's refusal to accept the authority of the board and his actions in drawing in allies to support his views suggest that NB does not agree with the direction in which the board is taking the organisation. NB is therefore using his position to obstruct this direction and to follow his own agenda. In my view, the relationship between NB and the board has broken down to the extent that the board has lost all confidence in NB's ability or desire to manage Central Office effectively or in accordance with the directions of the board. In my opinion, there is sufficient evidence to support disciplinary action against NB in respect to the above issues.

Lynn Bradley
Pennine Business Partners
13 May 2013

656

Minutes of an Appeals Meeting following a Grievance hearing held at Spring Bank Arts in New Mills

Tuesday 14th May 2013

Present	Louisa Smith	Deputy General Secretary
	Richard Binch	HR Consultant
	Julie Sperling	Accounts Administrator

Richard opened the meeting at 11.30 am by outlining the procedure for hearing the appeal. He pointed out that he could only deal with Louisa's appeal against the decisions made at the Grievance Hearing and look at any procedural faults.

He then described the organisation as he understood it from the papers he had read and checked with Louisa that this was correct.

As the grievance had looked at 4 points, namely:

1. Bullying & Harassment by Neil Liversidge and Pete Walker.
2. Change of Job title including loss of status.
3. Decisions on confidential member information which could breach Data Protection regulations.
4. Lack of confidence in the board of MAG as an Employer going forward.

he proposed to go through each point in order.

1. Bullying & Harassment by Neil Liversidge and Pete Walker.

This complaint had been upheld at the Grievance Meeting but Louisa felt that the full extent of her complaint had not been addressed.

She described the bullying as an aggressive tone in emails from Neil which attempted to undermine her boss. She stated that she had never met Neil up to 18th March 2013 or spoken to him on the phone.

She gave Richard a copy of an email from Neil dated 14th March 2013 to her boss, Nich Brown, and copied to all the other MAG Ltd Directors. In this he expressed his views about Louisa's attitude and general employment record. She said that this was the final straw and she

submitted her grievance the next day, 15th March 2013. She asked Richard to look at events before 18th March as she felt this had not been adequately covered in her original grievance.

Richard asked her what outcome she wanted from this part of her grievance. Louisa said she wished Neil and Pete be suspended whilst an investigation took place and hoped they would be removed as Directors of MAG Ltd.

Richard confirmed with her that all Directors were not employees covered by an employment contract with MAG Ltd, were unpaid and only claimed expenses. He then confirmed that the company's Disciplinary Policy did not apply to them.

Louisa then submitted a copy of The Constitution, Standing Orders and Rules of MAG. It was confirmed that there was no comment in this document on the conduct of Directors. They could be voted out by a majority of the Directors (Clause 6v). Louisa also stated that a Director could be stripped of their membership of MAG and this would disqualify them from being a Director.

Richard asked Louisa if she had the opportunity to present the email evidence to the other Directors. She said she had had no such opportunity.

Richard commented that evidence from anything that happened after the grievance was submitted was not technically admissible.

Richard also commented that as this part of the grievance was upheld he couldn't really consider it.

2. Change of job title including loss of status.

This part of the grievance was turned down. Louisa felt that her status had been undermined by her being taken off the National Committee mailing list. This was proposed by Neil in December 2012, resisted by her boss, Nich Brown, as well as being resisted by Selina Lavender in an email dated 13th January; regardless this was implemented in early March under the direct instruction of Neil Liversidge.

It had also been suggested to Nich that the job title be changed from Deputy General Secretary to Senior Administrator.

Richard asked if there was any correspondence to support this. Louisa said there was none.

Richard viewed her contract of employment which confirmed her job title as Deputy General Secretary. She also confirmed that there was no proposal to change her duties.

Richard expressed the view that the proposed job title change had not taken place and he could see why this part of the grievance had been turned down.

He stated that he would consider further.

3. Decisions on confidential member information which could breach Data Protection regulations.

This part of the grievance was turned down.

Louisa also pointed out that despite recommendations for 'best practice' regarding Members who had restricted the use of their data, that this had been ignored.

Louisa described that Neil had given a direct instruction that all member information be issued to the Area Representatives. She pointed out that a number of members had ticked a confidentiality box when joining. She believed that this could breach Data Protection regulations. She also confirmed that it hadn't happened yet.

Richard stated that Data Protection legislation was a difficult area. He felt that any breaches would be against the Company and noted that the original grievance investigation had found that Louisa was not the responsible officer. However, Louisa felt that as she had intimate knowledge of Data Protection Laws that it was her duty to point out any possible breaches and to protect the organisation from being prosecuted for breaking any DPA laws. She also revealed that she would not willingly undertake an instruction that would break any Data Protection laws, which is what she was being instructed to do.

4. Lack of confidence in the board of MAG as an Employer moving forward.

On reviewing the decision on the grievance, Richard could not determine what had been concluded. He stated that he would look at the issue freshly.

Louisa submitted a letter dated 4th April 2013 regarding keys. Richard refused to consider it was over 2 weeks after Louisa's grievance had been submitted.

Louisa expressed the view that the Board of Directors were not fit for purpose as it had allowed two Director's to bully and harass three of their employees unchecked.

She stated that she had advised Selina Lavender in a meeting in January 2013 that she felt bullied and intimidated by Neil Liversidge and Peter Walker.

She stated that she loved her job and that MAG was an organisation that she had truly believed in but they had “shoved a bomb in the middle of it” which has affected her and the people she works with.

In summary of her appeal, Louisa felt that she has been treated terribly and that the Board of MAG UK have taken no account of her recent illness in their approach. Nobody from the Board has enquired about Louisa’s health or well being since she has been signed off with anxiety, depression and work related stress. Louisa presented a letter from her Clinical Psychologist to her GP that expressed concerns about how the stress at work was affecting Louisa’s emotional and physical health.

She also felt that despite the findings of the original hearing that the Directors have ignored the recommendations and are carrying on as before.

Richard thanked Louisa and Julie for their time and presentation. He said he would investigate the points further before coming to a conclusion. He promised to give his decision by Friday 24th May at the absolute latest, but aimed to make a decision early that week.

The meeting concluded at 2.15 pm.

Notes from Appeal meeting
with Richard Birch.

Richard Birch, Louisa Smith & JS. (Julie Spedding is the Note taker)

Limit Appeal to grievance, the judgements as they've made and
- give an opinion within a week, will question in detail.
Cannot look at grievance, only the result of, nothing after
only can give advice on anything dated after. Results
by end of week.

- Usernames & passwords & my response
- Email regarding not talking to somebody.

Introduction & structure of organisation

Grievance, response & appeal I can't look at anything else.

Qdos - didn't do it right, other facts not to look at etc.

Appeal only - grievance - procedure only.

Board MAG - elected volunteers 5 paid employees. Gen Sec, NB, Dep of JS
LS, Finance JS, Campaign Manager PT (resigned) + CF Mem Admin. + 2 sub-committees

letter ~~18/4/13~~ 22/4/13 from LS with Appeal.

Feeling bullied & harassed for a little while. Jan meeting with Selina, lavender &
Neil Liversidge & Pete Walker (2 of 7 Board)
others Tony Cox, Keira Pete Davidson, Pat Vanardst & Steve Wykes
Notes from meeting with Selina in Jan. - what sent to Board
not directly referred to bullying. 11th Jan first raised with SL
but previously with Den Powell was National Chair.

Describe bullying & harassment - you are in Warrick & they're not
through emails, upto 18th March never spoken on phone & never
met until 18th March, previous good relationships with Pete Walker

email - hard.

aggressive, undermined, putting us down. have examples

- around Jan 13

starting before his election.

Co opt another member to the Board, but didn't want to do for 4 months as A/C in following April.

Dec Board meeting;

Manifesto needed to be rec'd by 31st Dec, ~~so~~ left at central office. not seeing Paul Turner, NE threatened to -

Still in post re-elected - 3yr. either re-stand - etc.

Problems started when he was interested in getting on the Board.

Sample email - copied by Richard 14/3 - grievance on 15/3 meeting with CAB via Macmillan - appointment made, as I didn't know what to do, think it was Thursday before meeting on Monday 18/3 NB & PT went. Not comfortable to have individual meeting, not happy to go on my own. NL did not know LS.

Point 1 of grievance - behaviour going back to April 12
Appeal -

Cannot really appeal against as it was upheld. Richard agrees - find letter difficult to understand - Agreed that evidence regards to meeting -

Before 18th March I can look at - supports it

Richard asked - What outcome, what you were trying to achieve -

22/3 - suspended & dealt with accordingly
commitment to deal with him

Directors - elected - volunteered

Anything in roles / constitution - vote of no confidence

Constitution given over - how it can be done.

Disciplinary only covers employees - copy given over.

RB - doesn't see 'how they should conduct themselves'
nothing really stated as not employed. ^{under membership} has members should
conduct themselves

Point 1 - Appeal upheld - unless you want it toned
down it was acknowledging ~~to~~ prior to 18th March.
Badly written letter

* Recommend to the Board through Selina to look at
conduct -

Pete been complicit, would not communicate to him

RB - not PW did not bully or harass.

LS - PW does not respect him anymore.

RB - all I can recommend that the Directors look at
themselves - investigate some of this evidence LS
nothing has been done. I don't know.

RB - did SL present any of that, 18th March, opportunity to
put that to them. Did you give them the evidence,
no opportunity to show to other directors. Only PW + NL
at that meeting -

LS - I didn't want to talk to them about the grievance
NL is the most unimpeachable person, palpable after
~~being~~ listening to the recording.

RB - Find a way to give you that opportunity. You
could show some of that evidence to other Board members
for them to investigate, not clear in constitution.

LS - would find that not easy to do.

RB - Not suggesting that it would be. Big question is what you want out of this, how org is structured NL to not be on Board.

Point 2 - loss of status, with job title,

RB - I can listen to this, quite happy, what you have to say.

LS - I had my meeting with NL + PW, consisted of NL ranting - I had panic attack, taken from room by Ben Powell, told would have to attend meeting in Castleford NB not intimated about disciplinary -

LS handedth copy of email -

RB loss of status -

LS Senior administrator, demotion etc.. Sent NB email reduce stress, change job title not workload. 18/3/13 taken off NL mailing list.

Contract of Employment - Deputy Gen Sec. reissued - no Rec'd letter stating this - LS no.

RB Given copies of contract, etc to look at - handed back to LS

RB loss of status is difficult area, no evidence in employment law - change to job title, so hasn't occurred, need to re-issue Contract of Employment or letter from a date, no evidence that that has occurred. Your perceived standing in the business - deemed new grade for job.

Re NL list - removed from list week before meeting 18/3/13

Takeaway Deputy - no reason to be on the list -

list - Ian Mutch, Andrew Meredith, Neil Stevenson, Iain Murray NB & PT or National Chair or the Board can see have their own list. Aware of Board meeting that it was discussed or agreed, not minuted or ratified by NL.

Not had a disciplinary - threatened not actually had. If he had problems

Part 3 DPA

Not part of Job Title, documentation of who is listed - JS we think as named contact.

try to protect issue for MAC, always protect org.

Ignore DP^{MC} asked to supply

- M/ship details sent to RR to contact members in areas

asked for email addresses, no contact confidentiality - do not appear on list.

Issue reps with tel numbers, my position we haven't told members, only payment issues, bulk sms texting or phoning up not told members of this. NL didn't care members we should be able to contact them, intofore to do this to give option. All phone numbers given - Good practise to notify - Confidential retainers advice. Email quarterly

- tel. numbers are given out

- cannot access confidential info at present

Database project halted as 3 people out the office

Has NB agreed to this, an email further back. -

⊗ Would be breach if happened - but not as yet so no breach. as responsibility employee belief that it would happen.

Raise within organisation - interns - Fine - reasonable

summary - could be breach DPA, intention stated 7/3/13

to breach DPA but hasn't happened - Report via

whistleblowing PD, not going to do it. you are protected

by law - asked as employee asked to do something to

breach law, at that point, sorry not ^{sacked} employment

entitled to no due to law, if you fired them.

guilty of gross-misconduct, refusal failed to carry out

legislation, unfair dismissed so protected by law

Will probably agree, understand what you've said, to give
then a warning regarding this

Point 4 lack of confidence -

Not stated either way - no decision given -

'Does not appear'

Sympathetic response, no lack of confidence, maybe
there has since Pw & NL takeover HR March.

RB treat as no opinion given so I will give an opinion &
look at this, anything specific - plenty in relation to it point 1

My original grievance, NL behaviour, wading since then appeal
a negative decision, I don't know support you can appeal.

15/3 made looked at 18/3 demonstrated parts at the time
really deciding with that, 18/3 relevant, since then I cannot
look at it.

Part of it -

I don't believe that the current directors are fit for
purpose allowed one of their members to bully & harass employees
unchecked. Rec'd letter for Civil Recommendation, and
they've still - final part to them.

Very properly using the procedures.

I loved my job, org truly believed in, MHCs they've
put bomb in middle. & people I worked with.

Not confidence in your decision being followed through,
~~part~~ such notes have all been handed over but not
letter from Clinical Psychologist -

No health issues been asked how getting on.

Treated the same as any employee, modify approach
anyway in light. Signed off to 21st May.

As Rich suspended no contact.

Tracy Smith incident

PT rang to apologise acting Gen Sec on day of bringing Med 3 (on
spoke to PT regarding BL email (again after grievance)

Point is, despite - still bullying, negative emails,
negative emails to NC, on social media,

2 emails handed to RB to read, ²⁰⁰ After grievance &
appeal 1st before grievance result sent to NC

RB got as much as I need & need to go away & review
all & report back to SL with my recommendations.
Summaries, I will send directly my rec's to SL & my
findings of your appeal to you.

Presented me evidence that shows recommendations
not followed.

Difficult place to work - hear appeal give me
a few days before the end of next week.
LS could be the better.

----- Forwarded Message -----

From: Jon Wilmer <jonwilmer@hotmail.com>

To: Russel Cort <maxman1200@btinternet.com>; Bev Cort <beverlysummers@mac.com>; Paul Phillips <pjamesphillips@gmail.com>

Sent: Wednesday, 15 May 2013, 18:45

Subject: Private Briefing Meeting

Venue: The Club House, East Street, Chesham. HP5 2NN

Date/Time: 19/05/2013 12:00 - 16:00

Attendees: Neil Liversidge, Jon Wilmer, Russell Cort, Beverly Cort, Paul Phillips

Agenda

1. MAG Elected and Paid People / The Civil Service Principle
 2. History between Nich Brown and NFL
 3. History between Louisa Smith and NFL
 4. History between Paddy Tyson and NFL / Get a Grip
 5. Yorkshire MAG AGM October 2011
 6. NFL Nomination for Co-option in December 2011 and the refusal thereof
 7. AGC 2012 - NFL and PW Election / Jono Broad
 8. Board's position viz. staff names and numbers
 9. Experience of previous Board members (PVA, Sheila McMahon, Den Powell, Paul Turner)
 10. Experience of current directors other than NFL and PW
 11. Undermining of Contractors Ian Mutch and Neil Stevenson
 12. The 'Concerns' List
 13. Attempts to set things right / Resistance.
 14. Overland / Work Priorities
 15. Den Powell's failure to obtain an improvement
-
16. Selina Lavender's efforts
 17. 12 March 2013 - Selina hands over to NFL/PW
 18. The week of mayhem - 12 to 19 March 2013

All attendees are advised that information made available during the meeting will be privileged and/or confidential. It is shared for their personal benefit only. Any unauthorised use disclosure or transmission by any means of privileged and/or confidential information is prohibited and could in certain circumstances be a criminal offence.

Notes may be taken for personal use only. No mechanical or electronic recording devices will be permitted to be used at any time during the meeting.

All present will be required to sign a Non-Disclosure Agreement prior to start of the meeting. Each attendee will receive a copy of the agreement. This will permit frank and open discussion for all parties safe in the knowledge that anything said will not be repeated outside of the meeting.

668

----- Forwarded message -----

From: <bev.cort@mac.com>
Date: May 15, 2013 7:44 PM
Subject: Agenda etc...
To: <louisa.smith@gmail.com>
Cc:

Hiya

* This is Neil's 'structure' for the meeting:

MAG Elected and Paid People / The Civil Service Principle
History between Nich Brown and NFL
History between Louisa Smith and NFL
History between Paddy Tyson and NFL
Yorkshire MAG AGM October 2011
NFL Nomination for Co-opton in December 2011 and the refusal thereof

AGC 2012 - NFL and PW Election / Jono Broad
Board's position viz. staff names and numbers
Experience of previous Board members (PVA, Sheila McMahon, Den Powell, Paul Turner)
Experience of current directors other than NFL and PW
Undermining of Contractors Ian Mutch and Neil Stevenson
The 'Concerns' List
Attempts to set things right / Resistance.
Overland / Work Priorities
Den Powell's failure to obtain an improvement
Selina Lavender's efforts
12 March 2013 - Selina hands over to NFL/PW
The week of mayhem - 12 to 18 March 2013

* We decided that it would be advisable to get written permission as these structure items will involve discussing individuals, so were going to send you and Paddy (and Nich if agreeable) the below:

"Russell Cort, Beverly Cort and Paul Philips have been invited to a meeting between themselves, Neil Liversidge (Director of MAG) and Jon Wilmer (Regional Rep and Vice Chairman of MAG).

This meeting has been suggested by Neil so that so that the invited may hear his version of the truth about the circumstances and issues surrounding his dealings with Central Office staff.

Do we the invited have your permission to discuss matters with Neil and John which may relate to your individual position within MAG during your employment and which may pertain to issues being covered in current grievance procedures? (Please note we don't know what the grievance issues are so cannot say whether these issues will be discussed or not). Proposed Schedule for meeting from Neil, and list of questions from us included."

* Only tonight we have received a formal invite to the meeting from Jon Wilmer. The invite includes the following caveat. As far as we're concerned this defeats the object of the meeting somewhat as if we can't share the information we're told how can we inform the membership of what Neil is doing (with examples). Jon has agreed to me taking my laptop to take 'notes' as I touch type and it's faster than writing, although I've had to swear I won't audio record using the laptop.

All attendees are advised that information made available during the meeting will be privileged and/or confidential. It is shared for their personal benefit only. Any unauthorised use disclosure or transmission by any means of privileged and/or confidential information is prohibited and could in certain circumstances be a criminal offence.

Notes may be taken for personal use only. No mechanical or electronic recording devices will be permitted to be used at any time during the meeting.

All present will be required to sign a Non-Disclosure Agreement prior to start of the meeting. Each attendee will receive a copy of the agreement. This will permit frank and open discussion for all parties safe in the knowledge that anything said will not be repeated outside of the meeting."

* Also enclosed is a list of questions we were thinking of asking. If you didn't agree to us talking about you we would not be able to discuss some of the items on the structure - these are highlighted in orange. Text highlighted in red are our notes, and where it says Transcript - these are questions we probably should not ask as they directly relate to the information you passed to us. Our intention is not to share these written questions with Neil or Jon at all, we don't want him to pre-empt any questions. Obviously Neil will not have permission to talk about you, so when he does he will be breaching any terms of confidentiality he has with you.

If you could get back to us tomorrow it would be great. If we have to cancel the meeting based on what you tell us - or cannot talk about any of the items on advice from your solicitor we would need to let them know asap.

Thanks
Bev

669

1/2

Dear Sirs

The Report by Gail Puttock – MAG (UK) Ltd

Further to the above:

1. Having taken advice from lawyers and other HR professionals, all are amazed that NFL and PW were required by you to defend themselves against the allegations made, without having sight of the emails cited as evidence, especially as they issued the emails alleged to be problematical.
2. The professionals consulted are also amazed that your recommendations to the Board were included in the letters to the employees concerned, thus seriously prejudicing MAG (UK) Ltd's position. All say that they have NEVER seen any HR consultancy act in such a fashion. Kindly explain why you did this.
3. Gail Puttock referred to tape recordings, some made covertly, others made overtly, by Brown et al. Kindly explain in detail what steps Gail Puttock took to ascertain that Brown et al had not tampered with the alleged recordings. Gail Puttock also referred to 'transcripts' of the supposed recordings. Kindly explain in detail what steps Gail Puttock took to ascertain that the 'transcript' was accurate.
4. Court proceedings require disclosure of alleged recordings and transcripts to the other side for examination. Kindly explain why NFL and PW were denied access to the recordings and transcripts and why you apparently think it acceptable that they should be denied access to them. Access would have enabled NFL and PW to present a more informed defence by placing the recordings in context. Instead both were asked by Gail Puttock to "send me anything you can". Without knowing the context a meaningful defence was impossible.
5. The meetings scheduled for 18 March had, at the time of their scheduling, no disciplinary aspect whatsoever, and still had none at the time of their commencement. Upon their commencement no staff had received any formal verbal or written warning and nor had any staff been called to a disciplinary meeting. The meetings of Monday 18 March 2013 were convened specifically to make clear to the staff the standard of conduct required, this being necessitated by the staff's bad conduct in the past, especially Brown's own, which fell far short of the required standard over an extended period. The Directors aimed to communicate its requirements to all staff directly in a general meeting, and thereafter to allow all staff the opportunity to seek clarity, should they require it, from the two Directors specifically charged with their management during individual meetings. Staff were also invited to use the occasion to raise any other matters that they might wish to raise; indeed such was the first item on the agenda for each of the individual meetings.
6. The supposed 'concerns' of the staff re' the meeting arose immediately on being notified of the change in line management, at a time when no bullying allegations had been made, from two employees with whom NFL had hardly any previous contact and with whom PW had relatively little in Tyson's case. The third, Brown, sought to involve Den Powell and through her the NC, who were and are not part of the management chain, completely contrary to the provisions of the Staff Handbook.
7. All three employees repeatedly stated their unwillingness to attend the staff meetings in question, almost from the moment they were notified of them, clearly illustrating their antipathy toward and disrespect for their employers.
8. Brown and Tyson had tried to avoid the meeting by falsely portraying the date of a meeting in Brussels, to make it appear that it was starting a day earlier than it in fact was, so making it appear that Brown would need to travel earlier than was actually the case. This was notified to the NC, again ignoring line management, in an attempt to once more undermine the Board in the eyes of the NC. In the event Brown did not even bother to attend the meeting on the correct date, despite the Board having given clearance for his attendance.
9. All three employees previously have a substantial history of bullying, undermining, victimising and harassing other directors and contractors by various means, and of bringing unacceptable pressure to bear on the directors. The Board holds statements attesting to such.
10. Tyson and Brown have a history of taking time off sick with supposed 'stress'. This did not, however, prevent them running a magazine and motorcycle touring business alongside their

05/09/2013

670

/4

salaried employment, completely contrary to their contracts, something they have continued to do while Brown has been suspended and while Tyson - who has since resigned - was signed off as 'sick'. Brown was claiming to be 'stressed' long before NFL and PW joined the Board but again, it still did not prevent him running his own business on the side. Both have just led a two-week motorcycle tour in Tibet, the planning of which was completely unknown to the Board until Brown announced his departure on holiday slightly more than two weeks ago.

11. The use of the word 'tirade' by Gail Puttock is illogical, emotive, prejudicial and indicative of her lack of objectivity. This has led her allow herself to be co-opted as a virtual ally by three manipulative and deceitful individuals.
12. Brown et al submitted no actual grievance before 18th March, only non-specific 'notices of intended grievance'. The advice we have received is that the grievances can only relate to events prior to their submission, this excluding everything subsequent, in particular the meetings of 18 March 2013. You were therefore completely at fault to have even considered the subsequent events as part of the grievance submitted. If the staff wished to have the events of 18 March and subsequently considered, those events should have been the subject of a completely separate procedure.
13. We consider that the 'notices of intended grievance' were nothing more than a device to waste the time of the volunteer directors and to prevent them holding the staff meetings which they were entitled to hold. The notices of grievance came only after the employees concerned had spent almost six full days objecting to the planned day of meetings and trying by every conceivable means to wriggle out of them. They did not come before, or at the beginning of, or even during that six-day period.
14. The 'notices of grievance' cited no specific instances, times, dates or occasions of the behaviour about which they felt they had cause for complaint was alleged to have occurred, nor how it had allegedly been occasioned.
15. The timing of the lodgement of the 'notices of grievance' was such that any reasonable person must conclude it to be a deliberate attempt to sabotage the meetings and thereby to frustrate the Board's intentions. The added consequence was that the time of the volunteer directors would have been utterly wasted - time they had taken off work at their own expense. Likewise the expenses incurred by MAG (UK) Ltd for travel and accommodation would also have been wasted, arrangements having been made during the previous week. The timing of the notices - being as it was outside normal office hours and as late in the day as possible - also denied the Board the opportunity to even consider them before the scheduled meetings were due to take place.
16. Brown had - and always had - the opportunity to complain about specific instances of behaviour and to seek resolution of the same as and when they arose. However he chose not to, though he did instead make it known to one Director that he was storing up instances of what he imagined to be unacceptable behaviour by Board members, for use by him at some future time of his choosing.
17. Brown did not raise his 'notice of grievance' in accordance with MAG's Grievance Policy of which he was well aware, as he put it in place. This is set out on page 27 of the staff handbook. The same comments apply to Tyson and Smith.
18. We do not accept that the meetings of 18th March should have been cancelled. Those whose wages the company pays are not entitled to opt out of meetings at their workplace in working hours, or to insist that we deal with them via third parties.
19. No employees have been 'barred' from the building. We restricted the attendance of Tyson - who was claiming to be 'sick' to prevent the deliberate and illegal removal of any more of the company's property. he had already removed diaries and a wall planner and this disrupted the running of the office. Brown has previously stated that staff members who are signed off as sick are not allowed on the premises under the regime he himself applies.
20. MAG has generously supported Smith at great expense throughout her illness. She has repaid MAG's support by being an unremittingly rude and difficult employee. Even whilst on sick she has continued in her rude and unprofessional manner toward the Board and senior MAG Members. Her professed concern re' the DPA was utterly unfounded, indicative of her barrack-room lawyering mentality. It only arose at a point where every other excuse for not following her employer's reasonable instructions had been exhausted. Smith has also contributed to the harassment and persecution of other key individuals led by Brown and Tyson. We hold documentary evidence of the same.
21. Brown was guilty of a breach of trust in showing NFL's email of 14 March to Smith. Even so, that

3

- email clearly shows that NFL was encouraging Brown to work to improve Smith's behaviour.
22. There is substantial evidence that Brown HAS obstructed MAG's democratic process over a prolonged period. Witness statements and electronic documents discovered on Central Office computers attest to the fact that NB had prejudged NFL and PW before their election, and that his attitude and actions reflect not their behaviour as Directors but rather his own warped and malicious prejudices.
 23. The Directors asked Brown, in a meeting that he himself recorded, whether he had colluded with Tyson and Smith to bring forward all three grievances. Brown specifically refused to deny such collusion despite being asked the question a number of times. The Board believes it has the right to expect its most senior employee to be truthful and candid when asked such a question. Instead he seems to think he is entitled to something resembling the protection afforded by the Fifth Amendment to the Constitution of the USA. The format, wording and timing of all three 'notices of grievance' is such that any reasonable person must conclude that the three did indeed collude and to view that collusion as an attempt orchestrated by Brown, as ringleader, to sabotage the planned meetings and thereby frustrate the intentions of the employer, in utter dereliction of his duty to his employers.
 24. The staff are NOT entitled to decide who manages them as they so obviously wish, and as Gail Puttock seems to think they should be allowed so to decide, when she suggests that our role as Directors should be changed to exclude any dealings with the staff.
 25. Gail Puttock's advice and expertise is not of the standard we are entitled to expect from your company. As an example of this, we refer to her assertion that we would not be in a position to attack the evidence of any doctor who might appear as a witness. Whilst not by training a lawyer, NFL has drafted questions by which any such evidence may be tested very thoroughly, yet which Gail Puttock has clearly failed to consider at all.
 26. The fact that Smith has suffered from cancer does not entitle her to opt out of recognising and respecting MAG's management structure. Cancer is a terrible illness, not a licence for her to do as she likes.
 27. The alleged 'inappropriate management style' was in fact an entirely appropriate response to the staff's behaviour in the preceding week and on that very morning. Brown's own personal bad behaviour in the week prior and on the day set the pattern for similar behaviour of the other most senior employees working in his charge, namely Paddy Tyson and Louisa Smith.
 28. Gail Puttock's closing comments re' MAG's 'democratic structures' and a 'bottom up manner' set 'by the AGC', relating as they do to MAG's structure, of which Gail Puttock knows next to nothing, illustrate that she has uncritically put forward the staff's own view as to how they should be managed, without any recognition of the reality of the situation. These employees have shown by their actions that they need to be closely managed, yet Gail Puttock vaguely alludes to a structure being put in place by a once-a-year event, which has in fact just taken place last month; April 2013!. She states that this should be carried out via MAG's NC. The NC is not legally part of the management structure of MAG (UK) Ltd anyway.
 29. Gail Puttock's 'considered advice' amounts to "Employ a manager to manage your manager." This is unrealistic. We do note however the implication that Brown is not fit to be a manager.
 30. It is clear to us now that the Board is, in effect, playing in a match where the referee has money riding on the result. Qdos has a vested interest in not having clients claim on their insurance. Hence, Qdos' advice is hyper-cautious to the point of useless, biased toward the employees and self-serving, in effect denying MAG (UK) Ltd the coverage of the insurance Qdos used to 'sell' its services to Mr Van Aalst in the first place. Kindly explain why you did not explain this clear potential conflict of interest at the point when Mr Van Aalst sought your advice. You are regulated by the Financial Conduct Authority and as such are legally obliged to disclose conflicts of interest to clients with whom you transact business.
 31. Kindly explain why you allowed a journalist to accompany Tyson to his interview. The individual in question was not a workmate nor a trade union representative.
 32. Please supply details of your professional body and any complaints scheme or ombudsman service (relating to your HR advice) of which you are members. (We are aware that you are subject to the FOS re' your insurance services.)

Matters Relating to Financial Services

05/09/2013

672

15

As your website states Qdos Consulting Limited is an appointed representative of Qdos Broker & Underwriting Services Limited which is authorised and regulated by the Financial Conduct Authority. We were not provided with a Suitability Letter or Key Facts Document for the insurance that allegedly covers us. You are therefore in breach of the Financial Services and Markets Act 2000. We trust that you will be reporting your breach to your compliance officer for reporting to the FCA on your GABRIEL return? Please confirm that you are dealing with this as a regulated complaint as defined by the FCA which must under FCA regulations be treated as such. There is a laid-down timescale for responding to complaints. This complaint must also be reported on GABRIEL whether upheld or not.

Conclusion

In the light of the facts we can only conclude that Gail Puttock has gullibly allowed herself to be co-opted as an ally by two skilled lobbyists, whose allegations she has accepted at face value with no real critical examination thereof. We do not accept that NFL and PW were in any way at fault in the events up to, including and after 18 March 2013. The behaviour of the three staff concerned was appalling and a disgrace to the Members who pay their wages.

The Board does not believe that anyone else could have done the job effectively had they approached it in a less robust way.

Qdos's actions have gravely prejudiced MAG's position and we require an immediate correction of the matters in question and answers to the questions raised.

Whereas the financial services complaint may follow the FCA's laid-down timetable we see no reason why the other points should not be dealt with immediately.

We reserve all our rights.

Yours faithfully

Mrs V S Lavender
Per Pro The Board
MAG (UK) Ltd

From: Louisa Smith <louisa.smith@gmail.com>
Sent: 21 May 2013 11:38
To: Richard Binch; Toni Sharp
Cc: selinaandpete@sandp.orangehome.co.uk
Subject: 21 May 2013 Re: Appeal against Grievance 11:38

Follow Up Flag: Follow up
Flag Status: Completed

Dear Richard,

Thank you for your letter.

I am very disappointed with all of your decisions. If you wanted to see further evidence supporting my case of bullying and harassment prior to the 15th March, I had a pile of documentation with me, however as you told me you were unable to make a judgement regarding that part of my grievance I only showed you the email where Mr Liversidge slates me, despite having never met or spoken to me.

I believe you have not taken into account the incredibly negative effect this whole situation has had on me.

I have a previously untainted work record and judgements have been made about me by Mr Liversidge that are uneducated, unfounded and untrue.

I will consider my position carefully, although I don't see how I can work with Mr Liversidge moving forward when I find him so intimidating that it gives me palpitations just thinking about it.

I understand this process is now complete.

Yours sincerely,
Louisa Smith.

674

Lynn Bradley <lynn@penninebusinesspartners.com>
21 May 2013 16.37
to me

Images are not displayed. Display images below - Always display images from
lynn@penninebusinesspartners.com

Nich,

Thank you for your comments which are noted. I did not provide further details of the incidents you have mentioned because it became apparent in the investigatory meeting that they occurred some time ago and were therefore not relevant to the immediate situation.

Regards,

Lynn Bradley
HR Consultant

T: 01484 841776

M: 07736 822966

W: www.penninebusinesspartners.com

675

HayfieldHR

14 Highgate Road
Hayfield
High Peak
21/5/2013

Mrs L Smith
28 Lawson Avenue
Tiddington
Stratford upon Avon

Dear Louisa

Appeal against Grievance against MAG (UK) Ltd

I refer to the Appeal Hearing held at Spring Bank Arts in New Mills on Tuesday 14th May when you were accompanied by Julia Sperling. I have now considered the arguments you put forward and the evidence you presented.

Your grievance consisted of 4 points, the first of which was upheld. You appealed against the decision on all 4 points claiming that the decision on the first point did not go far enough.

I have taken some time to investigate further and have spoken at length to Neil Liversidge.

In summary, I cannot accept your arguments in relation to the findings of Gail Puttock on your grievance and must turn down your appeal. I will now go through each point in turn.

676

1. Bullying & Harassment by Neil Liversidge and Pete Walker.

This part of your grievance was upheld. You were disappointed that the full extent of your complaint was not referred to in the letter of 22nd April. I have looked at the letter and am a little surprised that the judgment seems to be based on the meeting with Messrs. Liversidge and Walker on 18th March. Your complaint was made 3 days earlier on 15th March. You are correct that there is no mention of events prior to this date.

I have looked only at those events and note that you had never met or spoken to Mr. Liversidge before 18th March. You presented email evidence of an email of 14th March to your manager, Nich Brown, where Mr. Liversidge had made comments about you. You were not on the circulation list of this email and I struggle to understand how this could be seen as him bullying or harassing you.

The email does conclude by stating "our mission is to help Louisa grow into a valuable and happy employee. Part of that however involves her changing her attitude, and she must". In my opinion this email is aimed at directing your manager in how he should manage you, not at you.

So, I agree that the decision on the original grievance contained in the letter of 22nd April did not give an opinion on earlier evidence. However, this part of your grievance was upheld and I am not able to interfere with that judgement. On the earlier evidence that I saw I would not agree that bullying and harassment had taken place at the time you registered your grievance.

On the allegations regarding Mr. Walker, I agree with the remarks of 22nd April letter that there is no direct evidence to support those allegations.

2 Change of job title including loss of status.

This part of your grievance was not upheld and I agree with that judgment. There appears to be no significant change to your job duties apart from the issue of your removal from the National Committee mailing list. There clearly was a suggestion to change your job title from Deputy General Secretary to Senior Administrator

but there was no evidence presented that this had occurred. If it had occurred with no change to your main duties or terms and conditions of employment, I am not certain that this would be a loss of status given the number of employees in the Company.

3. Decisions on confidential member information which could breach Data Protection regulations.

This part of your grievance was not upheld and I agree with that judgement. My knowledge of Data Protection regulations is not that comprehensive. The giving out of phone numbers to area representatives for members who had asked for confidentiality may be a breach. However, it is clear that any breach would come back on the Directors of MAG and not individual employees. You are right in pointing out the possible implications of such a decision should it be made.

4. Lack of confidence in MAG as an employer moving forward

It was unclear what decision had been made on this part of your grievance at the original hearing, so I have looked at your concerns afresh.

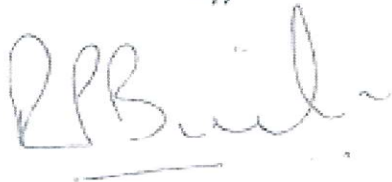
I think the situation here is the Directors' general concerns of the way the paid employees are supporting the Board's objectives. This has clearly led to issues within the office demonstrated by your boss being suspended and a colleague resigning. I accept that this situation has caused a difficult atmosphere in the office, but I find no evidence of a loss of confidence in you as an employee in the future by the Directors. Part of the email of 14th March from Neil Liversidge to Nich Brown which I quoted in point 2 demonstrates this. This has also been confirmed in my discussions with Neil.

Whilst it may be difficult for you to accept this at this point in time, I would encourage you to ask for a "clear the air" meeting with the Directors to try and find an acceptable way forward.

In summary, I cannot accept your arguments that the 3 parts of your grievance be upheld. I will inform the Directors of MAG of my decision together with any recommendations to improve the working relationships in the business.

As this is the final stage of the Company's Grievance Policy my decision is final and binding.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R Binch', written over a horizontal line.

Richard Binch

HR Consultant

MAG (UK) Ltd
Office of Neil F Liversidge, Director
17a Sagar Street
Castleford
WF10 1AG.

→ 21 MAY 2013

Nicholas Brown
222 Windmill Road
Longford
Coventry
CV6 7BE

21 March 2013

Dear Nich

Further to the disciplinary investigation carried out concerning alleged misconduct and gross misconduct on your part you are required to attend a disciplinary hearing at this office, 17a Sagar Street, Castleford, WF10 1AG, at 11am on Friday 24 May 2013. You will be paid for that day and MAG (UK) Ltd will meet the cost of your standard class train fare. Likewise MAG (UK) Ltd will pay the salary and meet the cost of the train fare of any colleague who accompanies you. For your assistance, the signage outside the office shows it as the office of West Riding Personal Financial Solutions Ltd.

The meeting will deal with the following matters of unacceptable conduct on your part:

- Obstructing the staff meetings scheduled by the directors for 18th March 2013 at MAG (UK) Ltd Central Office and endeavouring to absent yourself from the said meetings.
- Insubordination in previously refusing to leave Board meetings and becoming very irate and heated when asked to do so.
- Refusal to carry out the directors' reasonable instructions.
- Undermining the board by seeking to involve the National Chairman and National Committee of The Motorcycle Action Group in matters where only the Board of MAG (UK) Ltd had authority and failing to manage staff properly, allowing the staff to undermine the directors.
- Being involved in outside activities that detract from your ability to act in the Company's best interests.

We will also discuss the relationship between you and the Board and whether the differences between you and the Board are reconcilable and the breakdown in trust and confidence between the Board and yourself.

The purpose of the disciplinary meeting is to allow you to respond to the allegations that have been made. You are advised that should the allegations be upheld then you will be liable to disciplinary action which may include dismissal under the terms of the Company Disciplinary Policy and Procedures, a further copy of which is attached. Should you wish to submit any documentation to be considered prior to the meeting you may send this to myself in advance of the meeting.

680

At the meeting you will be given a full opportunity to state your case and respond to the allegations. Enclosed are copies of the documentation on which the Company intends to rely. You are entitled to be accompanied by a work colleague/trade union representative but no other third parties will be permitted to attend. Your companion will be entitled to address the hearing to put or sum up your case and confer with you but may not answer questions on your behalf. I should be grateful if you would let me know as soon as possible who your companion will be.

Please confirm as soon as possible your attendance and that of your companion at the meeting. I will conduct the disciplinary meeting which will also be attended by Dorcas Sturges, HR Consultant.

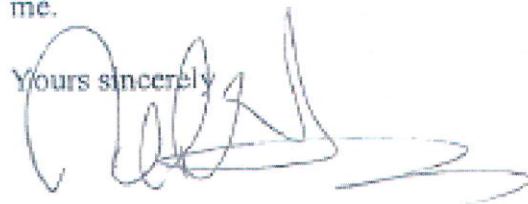
For the avoidance of doubt you will continue to remain on suspension under the same terms and conditions as referred to in our letter dated 20 March 2013 until the date of the disciplinary meeting.

We enclose documents indexed as below and it is these on which we shall rely.

20130307.1444	20130312.1649	20130404.0001	
20130308.0549	20130312.1658	20130407.0001	
20130308.1357	20130313.1833	20130409.0001	
20130311.1046	20130315.1346	20130409.0002	
20130311.1052	20130315.1412	20130409.0003	
20130312.0843	20130317.2015	20130426.0001	
20130312.1308	20130318.0900	20130428.0001	
20130312.1325	20130318.1750	20130429.0001	
20130312.1331	20130318.1848	20130502.0002	
20130312.1431	20130329.0001	20130502.0002	
20130312.1450	20130330.0001	20130502.0003	
20130312.1514	20130401.0001	20130513.0001	
20130312.1554	20130402.0001		
20130312.1631	20130402.0001		

If you have any questions with respect to this letter please do not hesitate to contact me.

Yours sincerely



Neil F Liversidge
DIRECTOR

Sent By Royal Mail Guaranteed Next Day Delivery

681

Mr Nich Brown
222 Windmill Road
Coventry
Warwickshire
CV6 7BE

22 May 2013

Dear Nich

It has only just been brought to our attention that you filed an appeal against the outcome of your grievance procedure on 30 April by sending an email to Pat Van Aalst.

You were of course informed by Qdos that you should send any appeal to them. We do not accept the reasons given in your email to Mr Van Aalst for not doing so.

Notwithstanding the fact that you did not file your appeal in time and in the correct manner, the Board has nevertheless decided that it will treat your appeal as if it had been correctly filed and received.

Accordingly you are required to attend an interview with Ms Dorcas Sturgess on Wednesday 29 May 2013 at 13.00 (1pm).

The meeting will be held at the offices of West Riding Personal Financial Solutions Ltd, 17a Sagar Street, Castleford, WF10 1AG.

In view of this you should not attend as previously advised at these offices this Friday 24 May 2013.

This is being sent to your personal email address. A hard copy will be hand delivered today.

Yours faithfully

The Board

682

28 Lawson Avenue
Tiddington
Stratford upon Avon
Warwickshire
CV37 7BT

Thursday 23rd May 2013

Dear Sirs,

I am writing to tender my resignation from the position of Deputy General Secretary of MAG (UK) Ltd.

In accordance with my contract, I am giving one months notice from today's date, meaning my last day of employment will be the 22nd June.

As you are aware, I am currently signed off sick with 'anxiety, depression, and work related stress'. I am requesting garden leave for any of my notice period, that isn't covered by a sick certificate.

Having endured bullying and harassment from Neil Liversidge and Pete Walker for quite some time, I raised a grievance in the hope that the situation would be taken in hand and dealt with. However, my concerns have been repeatedly ignored, the serious nature of my complaints considerably downplayed, my treatment for raising the grievance has been exceptionally poor and the grievance process itself has been a shambles. I have lost every ounce of trust and confidence in the organisation and there is no option but for me to leave. I am shocked and appalled that despite the serious nature of my complaints, Mr Liversidge and Mr Walker have never once been suspended from their duties. The entire grievance process has been a fiasco and even the initial recommendations made by Gail Puttock, resulting from my grievance, have not been followed and quite blatantly ignored. It is clear that I have a 'choice', to remain at work and continue to be bullied and harassed by Mr Liversidge and Mr Walker and to risk further detriment to my health or to leave. I do not see this as an actual choice. My concerns and experiences are shared by several others and the actual physical evidence as well as witness accounts has clearly been ignored. It is evident that nothing will change and I am saddened to think that an organisation I put my heart and soul into is continuing to act as though what has happened has not.

Despite the fact that I reported to Selina Lavender directly in January that I felt bullied and intimidated by her fellow directors Neil Liversidge and Pete Walker, as did Nich Brown and Paddy Tyson, this was not dealt with. Instead the very people that were guilty of bullying and harassing three paid members of staff, were then put in charge of HR issues; the only negative issues we related directly to them. This was an unacceptable position for the paid members of staff to be put in.

Before this had even occurred, I had already requested an appointment with Citizens Advice via the Macmillan Cancer charity regarding how I felt bullied, intimidated, and undermined. I was also at this time concerned for the welfare of my colleagues as we were all being placed under a lot of

683

stress. I was and still am concerned about my own personal health, as being in remission from cancer, my health is the most important thing in the world to me.

It is because of the continuing lack of any duty of care by MAG (UK) Ltd to me as a recovering cancer patient who has been suffering from residual health issues, that I have had to make the choice to resign from a job I love, because I am too scared to return to it.

While I have been absent from work no one from the Board of MAG (UK) Ltd has enquired about my health. They perhaps won't be aware of the letter sent by my Clinical Psychologist to my GP expressing her concerns that the situation at work was having a detrimental effect on my physical and emotional health, though I gave Qdos Consulting a copy of this letter, so you should have seen it.

My sick certificates have stated my reasons for being off sick as work related stress, anxiety and depression, all of which has been directly caused by the bullying and harassment from predominantly Neil Liversidge, yet no one has done a thing. No one has contacted me to see how I am, no one has contacted me to discuss any of my concerns. The only contact I have had is from Neil Liversidge when he has berated my response to a letter that I received, despite the fact that none of the matters I addressed in the letter were answered and then sent me an email 'telling me off' for not speaking to Tracy Smith when I dropped off a sick certificate to Central Office.

For your reference, Richard Binch stated that I shouldn't open any emails from Neil as he shouldn't be emailing me while I'm off sick. I regard these emails as further attempts to bully and intimidate me. I would request that Neil Liversidge immediately deletes my personal email address from his records and stops harassing me, or else I will have no choice but to take further action. It has also been brought to my attention that Mr Liversidge was quite willing to have a meeting with members to discuss details of my case as well as Nich and Paddy's case. This is in breach of the ACAS Code of Practice and in breach of confidentiality owed to me as an employee. Again, it indicates that Mr Liversidge is trying to form battle lines, creating a divide. His behaviour has been completely unprofessional throughout and yet he remains in his current position.

Despite the fact that the original grievance meeting conducted by Qdos Consulting ruled that Messrs Liversidge and Walker were guilty of bullying and harassment of THREE paid members of staff, MAG (UK) Ltd has acted with contempt in that they appear to have ignored this finding and not taken any notice of the flimsy recommendations that were made, despite them not going anywhere near far enough.

I have then, because I believe in doing things right and following procedure, put in an appeal regarding further issues that I felt hadn't been properly understood, despite all the time feeling really that the Board of MAG (UK) Ltd, were doing nothing to facilitate my return to work. In fact what it did do, was write to me requesting my office key fob and to change the passwords on my work PC, not supportive behaviour at all, especially as my key fob has never previously been requested when I have been absent before.

684

I have then had to spend a long and exhausting day travelling to an appeal meeting, where the notes taken on the day do not reflect in any way the letter that I have just received from Richard Binch. This leads me to believe that he has either been told what to write, or that he has completely disregarded everything that was discussed in the meeting and in fact that the whole process was a complete farce.

I have notes from this meeting, really good notes and a witness who not only took those notes but will back them up. I am concerned and disappointed specifically that Mr Binch has highlighted a lack of evidence regarding bullying and harassment taking place prior to the 15th March. I showed him one email and he said that that was enough. To then indicate that I had not provided enough proof when I had a pile of evidence with me is negligent on his part.

This grievance process was a last resort for me and the appeal process even more so. I feel incredibly let down by MAG (UK) Ltd as an employer. I am absolutely devastated that I have been forced to resign from a job that I loved, because of bullying and harassment by the people that were elected to directorial positions to protect the organisation, including its paid members of staff.

I am absolutely disgusted with the contempt that has been shown for me and my colleagues, specifically by Mr Liversidge. He wanted a MAG without Nich, Paddy and I in it and the Board of MAG (UK) Ltd are complicit in allowing this to happen.

Yours sincerely,

Louisa Smith.

685

From: Nich Brown [mailto:nichontheroad@googlemail.com]
Sent: 24 May 2013 17:30
To: Neil Liversidge; Selina & Pete; Pete Davison (Veece); Pat van Aalst FMAAT; EdinburghMAG@aol.com;
pwalker@maphq.karoo.co.uk; blackpoolmag@aol.com
Cc: Paul Turner
Subject: Grievance appeal hearing

Dear sirs

I note your comments about my appeal and your assertion that I have not acted in time or in the correct manner.

I received a letter from Qdos Consulting on 24th April 2013 advising me of the successful outcome of my grievance that I had been subject to bullying and intimidation over a period of time. On the same working day I contacted Qdos for clarification about some of the content of the letter. I was then advised that Qdos had been told by MAG(UK) Ltd. that they would not be handling appeal and so, given the failure of the Board to give me fresh instructions in this matter I contacted the Board via Pat van Aalst on 30th April (the fifth working day after receiving the outcome letter). This was acknowledged by Pat the same day.

I do not accept that this has only just come to the attention of the board as my solicitor confirmed the situation in an email conversation with Selina Lavender on 10th May.

Having consulted my solicitor on the proposed appeal hearing I must again point out that Qdos recommended Messrs Liversidge and Walker should play no further part in HR matters at MAG(UK), yet I continue to receive instructions from Mr. Liversidge and the board requires to hear my appeal at his business premises. It is obviously unacceptable to hold a hearing on the subject of bullying, intimidation and poor treatment at the premises of the person who has already been found to have committed those acts when an alternative venue could easily be found. I must also ask whether Mr. Sturgess has been appointed and/or briefed by Mr. Liversidge in this matter as this would also be entirely inappropriate. I see no reason why an investigator who operates closer to the MAG(UK) offices could not be appointed and briefed by a director not directly named in my grievance. Indeed, until now the board has appointed different people to deal with the grievances and disciplinary matters and I note that Mr. Sturgess is apparently to be present at my disciplinary hearing.

I note that two of my colleagues have now resigned their employment, citing the failure of the board to act correctly among their reasons for doing so. I can only conclude that by continuing to behave in a similar manner toward me the board is attempting to achieve the same outcome. I believe that the board has acted negligently concerning staff grievances and is putting the organisation at further risk by continuing to do so.

Sincerely

Nich Brown

General Secretary, MAG(UK)

The logo consists of the number '686' in a stylized, bold, blue font. The '6' is significantly larger and more prominent than the '8' and '6' that follow it.

----- Forwarded message -----

From: Neil F Liversidge <neil@wrpfs.com>

Date: Fri, May 24, 2013 at 6:30 PM

Subject: RE: Grievance appeal hearing

To: Nich Brown <nichontheroad@gmail.com>

Cc: dorcias@topazhrservices.co.uk, Debbie Mactaggart <Debbie.Mactaggart@jordanssolicitors.co.uk>

Dear Mr Brown

In reply to your email below:

1. MAG's Board has appointed myself and Mr Walker to deal with all staff matters. The Board has rejected the Qdos findings and recommendations. MAG's management asserts its right to manage.

2. Had you submitted your appeal to Qdos as instructed it would have been dealt with appropriately. You were not given any instructions to the contrary. You had the option to appeal or not to appeal. Qdos were not contracted to provide you with advice. Notwithstanding the foregoing, as has already pointed out, the Board is treating your appeal as if it had been correctly received.

3. You are currently receiving full pay and likewise shall receive full pay for the day in question along with your travel expenses. The time of the meeting has been arranged with your convenience in mind and to minimise travel costs, avoiding peak hours. The venue has been selected to minimise costs. As your employer, and as the contracting party, MAG is fully entitled to choose whom it contracts and the venue.

4. For the record, your various allegations made below and elsewhere are not accepted. Likewise your incorrect assumptions.

The hearing will proceed as notified on Wednesday 29th May 2013 at 13.00 at the address below. No further correspondence shall be entered into.

With kind regards,

Yours sincerely

Neil

Neil F Liversidge, Dip PFS
Managing Director

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Registered Office is at 17A Sagar Street, Castleford, West Yorkshire, WF10 1AG.

Website at www.wrpfs.com

Tel 01977 808600; Fax 01977 667601; Mobile 07904 332531; Residence 0113 2869332.
As you can see, we aim *always* to be available for our clients.

Our Mission: *To Deliver Honest Advice in Plain English*

687

28 Lawson Avenue
Tiddington
Stratford upon Avon
Warwickshire
CV37 7BT

24th May 2013

Dear Louisa,

Your Resignation

Further to your letter dated 23rd May in which you gave 1 month's notice to resign from the position of Deputy General Secretary with MAG (UK) Ltd, I write to confirm the Board's acceptance of your decision with great regret.

Given the views expressed in your resignation letter, I agree that it is inappropriate that you attend work through your notice period. I propose that as we have a Med 3 Form to cover until the 20th of June, we treat this time as sick leave and Friday the 21st of June as "garden leave". This means that you remain an employee of MAG (UK) Ltd until Friday 21st of June and will be paid accordingly. As of Thursday the 2nd of May you are on SSP (Statutory Sick Pay), which will be paid up to and including Thursday the 20th of June.

If you wish to take up alternative employment during your one month notice period, you should seek my permission to end your employment earlier.

You will be paid your salary to the termination date plus £1188.46 in lieu of 12 days holiday not taken in this holiday year. Could you please make arrangements with Paul Turner or Julie Sperling for the return of any company property at your leaving date.

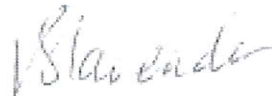
688

We note the comments made in your letter and are aware that you have been able to express your views through the company's Grievance Procedures. We are disappointed that this has not been able to resolve the dissatisfaction that you feel for the Board of MAG (UK) Ltd.

I have checked the Employee Handbook and whilst I find no mention of the Company's Confidentiality policy contained within your contract, I hope that you will not join the social media debate on the grievances that employees have with the board.

I wish you well for the future.

Yours on behalf of the Board of MAG (UK)



Selina Lavender

20130525. 0149 2

/1

Neil F Liversidge

~~From: Neil F Liversidge [neil@wrpfs.com]
Sent: 03 July 2013 07:38
To: pc01@wrpfs.com
Subject: FW: Urgent - Nich's 'Appeal'?~~

From: Pat van Aalst FMAAT [mailto:pat.van.aalst@mag-uk.org]
Sent: 25 May 2013 01:49
To: neil@wrpfs.com; selinaandpete@sandp.orangehome.co.uk; veece1@gmail.com; pwalker@maphq.karoo.co.uk; tony.cox@mag-uk.org; edinburghmag@aol.com
Subject: Re: Urgent - Nich's 'Appeal'?

Good evening Neil

The letter did state that any appeal should be directed to Toni, but then Qdos were pulled out so couldn't deal with an appeal. They gave my name as an alternative to contact in order to be informed of how the appeal would be dealt with so I could put them on hold. Then Selina picked it up and received the appeals to pass on to Richard.

Pat van Aalst FMAAT
National Finance Officer
Motorcycle Action Group

www.mag-uk.org

From: Neil F Liversidge
Sent: Tuesday, May 21, 2013 7:07 PM
To: selinaandpete@sandp.orangehome.co.uk ; veece1@gmail.com ; pwalker@maphq.karoo.co.uk ; tony.cox@mag-uk.org ; edinburghmag@aol.com ; pat.van.aalst@mag-uk.org
Subject: Urgent - Nich's 'Appeal'?

Pat, I understand from Selina that Nich may have sent an appeal to you. If so, why? The staff handbook says -

Appeals

- 1.16 An employee who wishes to appeal against a disciplinary decision must do so within five working days. A nominated senior manager will hear the appeal and his/her decision is final.
- 2.4 The Company's formal grievance procedure has three clear stages as follows:-
 - 2.4.1 **Investigation by the Company.** The Company will carry out such reasonable investigation as necessary so that it can properly deal with your grievance.
 - 2.4.2 **Grievance hearing.** The Company will hold a grievance hearing at which it will carefully consider those complaints made by you. You will have an opportunity to state your case and question any witnesses. The decision of the investigating officer will be confirmed in writing to you.
 - 2.4.3 **Appeals.** You have the right to appeal if you are not satisfied with the outcome of the grievance hearing. You should appeal by writing to the person specified in

03/07/2013

690

the letter confirming the outcome of the grievance hearing within 5 working days of being notified of the outcome. Your letter should clearly state the grounds upon which you are lodging your appeal. A further hearing will then be arranged in order to consider your appeal. The decision of the appeal officer will be notified to you in writing and will be final and binding.

Gail Puttock's letter dated 22 April gave brown 5 working days to submit an appeal to Toni Robinson at Qdos. I checked with Qdos today and they have received nothing from him. This is the only official communication he has had as to where his appeal should be sent. If he has sent it elsewhere for whatever reason, and that 'elsewhere' has not sent it on to Qdos, tough on him.

Have you received anything Pat?

If so - why and when? What is it dated, when did you receive it and how did you receive it? By post or by hand? You have told us that you are not in communication with Nich, so why would he send it to you? How would he know where else to send it apart from Qdos unless somebody had told him so? And why would you not tell Pete and I that you had received one when we are the people dealing with the lawyers and HR company?

Nich has been summoned here Friday 11am for his disciplinary hearing which I am carrying out with Pete and a HR consultant present. I need answers tonight please Pat.

With kind regards,

Yours sincerely

Neil

Neil F Liversidge, Dip PFS

Managing Director

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From: Neil F Liversidge [mailto:mag@wrpfs.com]

Sent: 27 May 2013 12:57

To: Frampton, Simon

Cc: 'Ian Mutch'

Subject: RE: Your email to Paddy Tyson

Simon

Obviously there is a difference of opinion or we would not be having this conversation. However being a democrat and not a Stalinist, differences of opinion are something I can cope with whilst historically my opponents' only methods of coping with my opinions have involved attempts at expulsion aided by copious amounts on lies that would not stand the light of day whenever they were exposed to it.

I am aware of my duty of care and I am exercising it. Had my predecessors done likewise I would not be following the circus with a bucket and shovel picking up s***. I don't know if you run your own business Simon, but I do, and I can tell you that neither I nor any businessperson I know would tolerate one employee setting up his own business while working for me, let alone the two most senior doing it together. We found a situation where N&P were taking gross advantage of MAG. previous Boards had let them get away with it. We were resolved not to do so.

Timetable: I would love to give you one. However, I am not the one that determines it. Nich has repeatedly delayed this process by various means. Even now, having appealed part of the process, he is whining about how and where the appeal will take place. It's like dealing with a petulant little boy who does not want to go to school. That's the routine we've had to cope with all along. Paddy And Louisa did the same. As explained previously, the denouement you are looking for can only come once all tribunals are either over or the windows to use them are closed. That is not my choice, that is the legal advice on which we are acting.

Happy to discuss by phone if you wish.

With kind regards,

Yours sincerely

Neil F Liversidge

Neil F Liversidge, Director, MAG UK Ltd

MAG Member 23660

692

Email from Neil Liversidge to Jon Wilmer and Simon Frampton:

On 27/05/2013 17:32, Neil F Liversidge wrote:

John, Simon, it is obvious we are all on the same page. For us to be ripping each others' throats out is fucking insane.

Simon, re the staff, all I can say is look at the facts and trust me. I stood up at the YMAG AGM 2011 and argued for Yorkshire to keep funding Central when the region was totally pissed off with how Central were carrying on. I kept NP&L in jobs. I spent a full year trying to work with them only to realise that they are determined not to work with ANY directors whom they cannot control. Basically mate, they are meant to be working for MAG, but in reality MAG has been working for them. They've spun this fantasy that we targeted them but the reality is that we have reams of paper that prove they have taken the piss for years.

Both of you please take a deep breath and let's fucking well stop this now. Simon, I want you to stay in MAG and an activist. You are obviously committed. Fuck knows why there's this big hate campaign against JM though. I had Russ on my case about him also. I can only put it down to N&P because I do know for a fact that Nich tried his best to keep JM out in the cold just as he did with me. Mr B is great at getting others to fight his battles.

All the same, to put it bluntly, for an intelligent guy - which he is - NB has been the most stupid individual imaginable. All he had to do was do his job; it's not like we wanted blood or fucking miracles. Instead we've had a year of him trying month in month out to be an awkward twat and finding ways to waste our time. He's cost me personally upwards of £20k in business I should have done otherwise had I not had to fight him minute by minute over really basic pathetic stuff. Meanwhile Paddy and Louisa have been scamming sick pay by claiming 'stress'. It's the Members money they've been taking Simon, and it fucking stinks. Claiming to be ill when there's fuck all wrong with you, and taking money under false pretences, is no different in principle to any other form of fraud.

Think about it Simon. There is no reason for us to be at odds with each other.

Neil

From: John Mitchell [mailto:john.mitchell@mag-uk.org]
Sent: 27 May 2013 19:27
To: mag@wrpfs.com
Cc: Frampton, Simon
Subject: Re: Email to Paddy Tyson

Neil, long deep breath taken. A nice bit of digging in the sun getting the garden sorted out before the end of May, which is quite an achievement.

Simon, as you can appreciate, I will fight passionately about the organisation I believe in and give up so much time for (much to my wife's chagrin) - like Neil who has been that way for a lot longer than I have. However, as Neil says, we are on the same side though and whatever opinion you have of me or my methods, I'm prepared to bury the hatchet. I'd rather you work with me than against me - especially as you've taken the decision to re-join MAG (amusingly, the day before the bus lane trial opened). I appreciate that must have taken some thought.

As Neil says, you - and others like you - have got caught up in this hate campaign created by Nich for whatever reason (Paddy's definitely not the organ grinder in this). It's not even like we're in the same part of MAG's history, he was on the Board when I first got elected to the NC in 2003 and then disappeared soon after, so I couldn't see what his problem is with me. Maybe he thought an ally of Neil's had come back so the Shuvvy Press/Overland gravy train had come to an end. And if you're in that situation you do all you can to wear people down and stop them getting in your way - especially if you've got something to hide; such as blocking my access to the National Committee email list. That was despite procedure being in place for a volunteer who comes forward being allowed to be acting rep until such time of the region AGM; and have access to the list - as was given on June 22nd last year. He told Louisa Smith to cut access less than a week later with no reason why.

Den Powell asked him to speak to the local reps, Chris included, which would have saved the misinformation that went out - but again, that wasn't done, so you can imagine why I feel the way I do about the present situation. If you weren't on Nich's favoured list of Regional Reps, you got nothing. No information on what should be done and a lot of stalling and bullshit, as Neil mentioned. That's now changed. (day before I resigned)

We have been moving MAG forward in leaps and bounds - especially recently. The staff have been 'allowed' to talk to the corporate members, which Nich and Paddy kept to themselves. Carol and Julie brought in a grand's worth of corporate membership renewals that had been neglected in the last week; this in turn has paid two thirds of the cost of the new computers they need so much-needed database that has been hanging around for 18 months can be installed and tested; as well as work more efficiently. If Nich had been doing his job properly, all that would have been sorted out months ago.

If you want to talk in person, I'm happy to meet up somewhere and put the world to rights over a pint (it's usually the best way). I'll even come over to you. I've not been to the Stanley Arms for a long time (not since my Stag Night 11 years ago), so I'm up for that.

All the best,

John

694

From: Nich Brown [mailto:nichontheroad@googlemail.com]
Sent: 27 May 2013 19:33
To: Neil Liversidge
Cc: dorcas@topazhrservices.co.uk; Debbie Mactaggart
Subject: Re: Grievance appeal hearing

Dear Mr. Liversidge

Thank you for your reply.

Please confirm when and how the decision to reject the grievance finding in my favour was communicated to me.

Sincerely

Nich Brown

General Secretary, MAG(UK)

On Mon, May 27, 2013 at 8:00 PM, Neil F Liversidge <neil@wrpfs.com> wrote:

Dear Mr Brown

Further to your earlier email, you previously explained why you had not sent your notice of appeal to Qdos. Notwithstanding the fact that the Board does not accept the excuse given, please explain why it was sent to an individual director (Pat Van Aalst) rather than the Registered Office of MAG (UK) Ltd.

Regardless of course, for your benefit the Board has decided to treat the notice as properly received. Please confirm your attendance on Wednesday.

Yours sincerely

Neil

Neil F Liversidge,

Director , MAG (UK) Ltd

Member Number 23660

696

From: Nich Brown <nichontheroad@googlemail.com>
Sent: 28 May 2013 10:05
To: Neil Liversidge
Cc: Toni Sharp; Selina & Pete; Pete Davison (Veece); Pat van Aalst FMAAT;
EdinburghMAG@aol.com; pwalker@maphq.karoo.co.uk; blackpoolmag@aol.com
Subject: 28 May 2013 Re: Your Notice of Appeal 10:05

Dear Mr Liversidge

Qdos confirmed that had not been instructed to hear the appeals by MAG UK and that they expected Pat Van Aalst would be in contact shortly to confirm the revised appeals process. Because I had heard nothing from Pat I raised my concerns with him within five working days. Pat immediately acknowledged this as receipt of my appeal.

I had understood the meeting tomorrow would consider those points I raised regarding the Qdos finding. However, as you are now telling me that the board has rejected the Qdos findings I now appear to be in a position where I have to appeal against the board's decision. As far as I can see, I had not been notified of the board's decision until your email of Friday last, nor have I been advised of the grounds for the board rejecting the independent decision and recommendations it commissioned from Qdos.

I cannot be expected to mount an appeal without knowing this information and being given sufficient time to prepare.

Please advise when the board communicated it's decision to me and the grounds for rejecting my grievance so that I can prepare an appeal.

Sincerely
Nich Brown
General Secretary, MAG(UK)

697

On Tue, May 28, 2013 at 10:24 AM, Neil F Liversidge <neil@wrpfs.com> wrote:

Dear Mr Brown

Your employers the Board decide which of their number manage the staff.

Mr Walker and I remain the directors appointed to deal with all staff matters.

Your appeal hearing tomorrow concerns the aspects of the Qdos report with which you disagreed - nothing more. You have had ample time to prepare.

As per my three previous emails, please confirm your attendance here tomorrow.

With kind regards,

Yours sincerely

Neil

Neil F Liversidge, Dip PFS

Managing Director

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698

From: Nich Brown <nichontheroad@googlemail.com>
Sent: 28 May 2013 10:47
To: Neil Liversidge
Cc: dorcas@topazhrservices.co.uk; Lynn Bradley; Debbie Mactaggart; Toni Sharp
Subject: 28 May 2013 Re: FW: Your Notice of Appeal 10:47

Dear Mr. Liversidge

on Friday last you informed that "The Board has rejected the Qdos findings and recommendations". That decision would appear to render irrelevant any appeal I may want to make about the Qdos findings, but I have asked my solicitor to advise me on this and will advise you as soon as possible.

You have been quite clear in your communication of Friday last that the Board has rejected the Qdos findings and recommendations. I must insist that the board has not, as far as I can see, communicated to me it's decision, nor the reasons for doing so and I believe I am entitled to have received this information before now.

Sincerely

Nich Brown
General Secretary, MAG(UK)

699

From: Nich Brown <nichontheroad@googlemail.com>
Sent: 28 May 2013 14:35
To: Neil Liversidge; Selina & Pete; EdinburghMAG@aol.com; blackpoolmag@aol.com; Pat van Aalst FMAAT; Pete Davison (Veece); pwalker@maphq.karoo.co.uk
Cc: Toni Sharp; Paul Turner
Subject: 28 May 2013 Resignation 14:35

Dear Mr. Liversidge

Please accept this email as notice of my immediate resignation from the position of General Secretary at MAG(UK) Ltd. A hard copy will be sent by recorded delivery.

It has been an honour and a privilege to work for the members of the Motorcycle Action Group and its objectives.

However, I have finally lost all trust and confidence in the process employed by the board regarding the grievances that I and colleagues raised, and in the disciplinary process which followed my objections to your treatment of staff at Central Office. Never before in my professional career have I had to send a member of staff home or see another reduced to a panic attack, much less have two colleagues placed on sick-leave, following the actions of a director. I found your subsequent accusations that my colleagues had been 'downright dishonest' to be grossly unjust.

You then suspended me pending investigation in to my grievance against you and Mr. Walker (which is unusual, especially as you and were both left in position) as well as vague allegations of misconduct. In April of this year the board appointed an HR consultancy to conduct an independent investigation in to grievances that I and other members of staff had raised, concerning behaviour toward the staff by you and Mr Walker. On 22nd April, in they upheld my claim saying that I had been "... subjected to sustained and escalating incidents of bullying, intimidation and poor treatment by your employers, MAG(UK) Ltd."; similar grievances by two of my colleagues were also upheld.

The independent investigator recommended that you and Mr. Walker should be removed from any future involvement in staffing matters, that all directors need training in employment law and that the internal governance of MAG requires change. You then terminated the contract with that HR company before any further hearings on matters of detail could be heard.

Since then you have failed to do anything to repair the damage done, or to prevent recurrences, or to communicate to the staff any proposals in that respect. As a result of this and other failings of the board, two of my colleagues have already felt forced to resign from their employment at MAG(UK) Ltd.

On 24th May that you advised me for the first time that the Board has rejected the findings of the independent investigator and their recommendations. When I asked why you had not informed me of this earlier, and asked on what grounds you taken this decision, you were very evasive and eventually told me that you are under no obligation to do so. This effectively denies me the ability to appeal and is clearly unjustifiable.

Even though the grievance process has not yet been completed, you have held a disciplinary investigation against me. I have analysed the case against me and laid out a rebuttal to each of the charges. I regard these allegations as an attempt by you and other members of the board to divert attention from shortcomings that I have been trying to get you to address for more than a year, and which the independent investigator's recommendations and earlier advice received by the company would support.

There are several aspects of the disciplinary process that leave me with no confidence in the process, much less that I will be treated fairly.

You appointed a separate HR consultancy to handle the disciplinary investigation and I have co-operated with them. I asked for specific incidents of alleged misconduct to be disclosed to me before, during and after the investigatory meeting I attended at the end of April. On 21st May the investigator emailed me to say "I did not provide further details of the incidents you have mentioned because it became apparent in the investigatory meeting that they occurred some time ago and were therefore not relevant to the immediate situation." However, when I received the package of evidence you have brought against me on 22nd May it became clear that this is not the case.

I note that your covering letter to the disciplinary charges was dated 21st March and that two of the statements of evidence are dated April 2012. This could indicate you have been planning this action for some time, but I am more inclined to believe it is a simple case of ineptitude if only because the copy of the company's Disciplinary Policy and Procedures that you said you had enclosed was missing. I find this significant given your recent statements questioning my abilities.

It is my sincere belief that you and the board have mishandled both the grievance and disciplinary process and that you are working to an agenda which required the removal of loyal and hard-working staff and that there is no prospect of a fair process. The National Committee appears to have already decided not to take seriously its duty to oversee the work of the board and therefore my only remaining option is to resign immediately.

It is now ten weeks since I was suspended on full pay. To date I estimate that the losses faced by MAG due to loss of staff time through suspension and sick-leave, employment of solicitors and four different HR companies, travel expenses and so on must be in excess of £10,000.

As you know, the company's grievance and disciplinary process is intended to be an internal solution to resolving disputes with the staff. Had the board acted reasonably, I believe we could have avoided almost all of the cost to MAG's fighting fund and reputation.

I have some items of property belonging to MAG and there are items of my own at Central Office, I will make arrangements with Paul to return them.

Sincerely

Nich Brown

----- Forwarded message -----

From: Neil F Liversidge <neil@wrpfs.com>
Date: Tue, May 28, 2013 at 3:21 PM
Subject: RE: Resignation
To: Nich Brown <nichontheroad@googlemail.com>

Dear Mr Brown

Thank you for your email below.

As you have notified us that your resignation is with immediate effect, your last day of employment with MAG (UK) Ltd is today, ceasing at 14.35 (the time of your email), and you will be paid accordingly. As the payroll has already gone this month, we shall advise you in due course of the overpaid salary of which repayment is required.

For the record, your various assumptions, assertions, accusations and fantasies below are not accepted.

The letter dated 21 March was simply mis-dated, as I realised almost immediately after it was posted. With word-processing and other electronic means of communication, such things occasionally happen. As you will recall, in the emails you sent me around the time of the March meetings, I had to point out to you that your computer was mis-timing every email you sent. Anyhow, the electronic copy of the letter in question, on file here, shows the actual date of creation.

Your allegation that 'the copy of the company's Disciplinary Policy and Procedures was missing from the pack' is simply untrue. The contents of the pack we sent were checked as they were packed, item by item, by a staff member here, and a scan kept of the entire pack.

This correspondence is now closed, though we shall, as I say, advise you in due course of the repayment of salary due.

Yours sincerely

Neil F Liversidge

Neil F Liversidge, Director, MAG UK Ltd

MAG Member 23660

Tel 01977 808600; Fax 01977 667601; Mobile 07904 332531; Residence 0113 2869332

Office at West Riding Personal Financial Solutions Ltd, 17a Sagar Street, Castleford, WF10 1AG

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222 Windmill Road
Longford
Coventry
CV6 7BE

Mr N. Liversidge
MAG(UK) Ltd
Oaksiaide
Hatton
Warwickshire
CV35 7LE

28th May 2013

Resignation from position of General Secretary

Dear Mr. Liversidge

It has been an honour and a privilege to work for the members of the Motorcycle Action Group and its objectives.

However, I have finally lost all trust and confidence in the process employed by the board regarding the grievances that I and colleagues raised, and in the disciplinary process which followed my objections to your treatment of staff at Central Office. Never before in my professional career have I had to send a member of staff home or see another reduced to a panic attack, much less have two colleagues placed on sick-leave, following the actions of a director. I found your accusations that my colleagues had been 'downright dishonest' to be grossly unjust.

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The independent investigator recommended that you and Mr. Walker should be removed from any future involvement in staffing matters, that all directors need training in employment law and that the internal governance of MAG requires change. You then terminated the contract with that HR company before any further hearings on matters of detail could be heard.

Since then you have failed to do anything to repair the damage done, or to prevent recurrences, or to communicate to the staff any proposals in that respect. As a result of this and other failings of the board, two of my colleagues have already felt forced to resign from their employment at MAG(UK) Ltd.

On 24th May you advised me for the first time that the Board has rejected the findings of the independent investigator and their recommendations. When I asked why you had not informed me of this earlier, and asked on what grounds you taken this decision, you were very evasive and eventually told me that you are under no obligation to do so. This effectively denies me the ability to appeal and is clearly unjustifiable.

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It is my sincere belief that you and the board have mishandled both the grievance and disciplinary process and that you are working to an agenda which required the removal of loyal and hard-working staff and that there is no prospect of a fair process. The National Committee appears to have already decided not to take seriously its duty to oversee the work of the board and therefore my only remaining option is to resign immediately.

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As you know, the company's grievance and disciplinary process is intended to be an internal solution to resolving disputes with the staff. Had the board acted reasonably, I believe we could have avoided almost all of the cost to MAG's fighting fund and reputation.

Sincerely



Nich Brown

704

Craig Whitney

20130529, 0850

Neil F Liversidge

From: Neil F Liversidge [neil@wrpfs.com]
Sent: 29 May 2013 08:50
To: 'Nich Brown'
Subject: Craig Whitney

Nich

Please explain why:

1. Mr Whitney describes himself as MAG's 'Corporate Sponsorship Manager'. The Board has no knowledge of any such appointment.
2. You have apparently paid him £150pm over a seven month period, ending coincidentally in March 2013 around the time of the staff meetings. The Board has authorised no such retainer.

Pat Van Aalst confirms this, and he has been on the Board a good while longer than have I, as you know.

I note Mr Whitney's association with Overland Magazine.

I look forward to receiving your explanation.

Yours sincerely

Neil F Liversidge

Neil F Liversidge, Director, MAG UK Ltd
MAG Member 23660

Tel 01977 808600; Fax 01977 667601; Mobile 07904 332531; Residence 0113 2869332

Office at West Riding Personal Financial Solutions Ltd, 17a Sagar Street, Castleford, WF10 1AG

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29/05/2013

705

29-05-2013 MAG resignation – Statement to members

Yesterday, the resignation of Nich Brown – MAG's General Secretary – was received by MAG Central Office.

The Board has accepted the resignation.

The office continues to function as normal with the sterling efforts of Julie Sperling and Carol Ferrari, who continue to work as usual and enjoy a cordial relationship with the Board who are consulting with them, and also with MAG's National Committee, as to how best MAG's Central Office can be configured to undertake the work MAG requires.

The Board particularly wishes to place on record its appreciation for the efforts of Julie and Carol during what has been a difficult time, and for the forbearance of MAG's Members.

The Board is now working to re-staff the organisation appropriately and make MAG Central Office fit for purpose. It will advertise the post in The Road magazine and in other media.

Again, we thank you, MAG's Members, for your forbearance during this difficult time, for your heart-warming support, your unremitting work and most of all your unstinting generosity, which makes all of MAG's work possible.

John Mitchell
National Chairman