

Meeting with Jane Hayden Smith 9.10.02

1. No legal obligation on behalf of SMT  
to pick up the bill for 'constructive dismissal'
2. We are the employer organisation with the consequent liabilities
3. 1<sup>st</sup> letter to law adopted the line because SMT thought law did not realise how serious the situation was & the need for him to be clear of the situation.
4. Grey area as to whether we were legally entitled to 'suspend' but law & Tony did say they understood the reasons 'for standing aside' - but there is a time issue.
5. 2<sup>d</sup> letter to law about 'the employer's' making efforts to retain trust & confidence of the employee. Same mechanism for regular contact. Do not have the right to appoint a replacement CEO yet so practical issues may need to have a mechanism for contact  
Need to point out to them the possible dangers of contact with previous employees
6. Senior Management Meeting to make it clear what they can & can't do re law
7. Do we have a resp to keep them up to date on what is happening so they can pick up the job?

8 Ask Ian what he would like to keep him up to date? Board / Pec / Minutes but we do not consult about decisions

Fareham  
Reach out  
or how?  
or no??

that are made. I could meet with him on a monthly basis to bring him up to date as I can control what info is given to him - need to maintain a working relationship - Ian should only raise issues about <sup>him with me</sup>

9 Make sure Ian is off all distribution lists

10 Ian still has all the entitlements as a CEO wherever he goes - we re-charge his salary.

11 Redeployment. We must keep an eye on MB being progressed & happening & demonstrate we have done this

12 No management investigation until police have finished?

13 Police investigations

corporate manslaughter

possible MB conduct in a public office

unlawful killing

conspiracy to pervert the course of justice

14. Any investigation by an external person of the findings are to be made public the trust must be able to deal with the disciplinary issues first before findings are public

'trust & confidence' scenario would be

has one would discipline for something that happened previously in another organisation