

The Trustees' FAQs, received 26 June

The trustees have received so many letters of complaint that they have found it necessary to produce a list of answers to Frequently Asked Questions, which they can copy and paste in replies to complainants. Here they are, together with our responses in bold, written by Simon with additional material from Gill and Jasmine.

FAQs.

We are aware that a lot of misinformation is being spread, both from feedback internally and from people externally. Therefore, we have prepared a list of frequently asked questions that hopefully will rectify some of the misinformation

1. Do the trustees aim to achieve the existing charitable objectives?

There is no change to the charitable objectives of Monkton Wyld School. These are to provide an education centre for sustainable living to all people of all ages and backgrounds. Provide and day courses and training in low impact, low carbon living and land-based skills. Our resident community leads by example, making conscious decisions to live a sustainable lifestyle. Seek to promote and give examples of environment, conservation. Heritage and knowledge and practices. Aimed at children, young people, and the general public.

The ostensible aims may be the same, but numerous activities which promote these aims have been lapsed, scrapped, or ordered to leave, including the microdairy, the garden, the land-based volunteer provision, the scything activities and the Land magazine.

2. Why have the trustees not followed community procedures regarding disciplinary action?

Answer: the first attempt by the person raising a complaint internally was to use the community procedure, this was dismissed with abusive language. This was subsequently admitted in interview along with the acceptance that the person concerned had "anger problems". So, in the first instance there was an attempt to use internal community procedures.

The person in question, SW and I had some disputes in his first two months here. So? He often takes an adversarial approach in conversation. As for saying the word "fuck" to a cowboy builder like SW, though I did apologise for getting heated at the time, in retrospect I really don't feel a great need to apologise for the actual language.

This episode was not "dismissed with abusive language" it resulted in an apology and an agreement between us to try to get on better. This matter is addressed in detail in my proof of evidence, paragraphs 39-42 (see Resources page)

3. Why has a whistle blowing procedure been used, it should have been a community disciplinary procedure?

Answer: The allegations were not restricted to bullying and intimidation, they included financial irregularities, breaches in tenancy agreements, poor governance, and conflict of interest, as such they required a whistleblowing procedure. The investigation found evidence to support all these issues.

There were no disclosures of financial irregularities or breach in tenancy agreement itemised in SW's allegations. In fact MWC owes me £10,135 for improvements I have carried out to the property up until 2018. My tenancy agreement states that any issues arising with regard to the rental agreement should be addressed through community meetings. The trustees only had to ask to see my accounts, but instead they initiated a "whistleblowing investigation". When their HR investigator asked to see my accounts etc, on 17 April, I provided the information straight away. Gill Barron's rent was always paid on time.

The allegations of poor governance and conflict of interest were not directed at me or Gill Barron.

Due to governance failures prior to the trustees taking up post, a whistle blowing procedure, which is a mandatory requirement of the charity commission, was not in place. Neither was there a procedure allowing for anonymised complaints, another statutory requirement. Therefore, these procedures were poorly understood. The Trustees have complied with Charity Commission and ACAS guidelines throughout the whistleblowing process.

This is not the case. Our lawyer who has 26 years experience in employment law drafted this statement on my behalf.

You have repeatedly asserted that SW's complaint against me had to be processed as a public interest disclosure. His complaints against me, even if justified (which they are not) do not satisfy any of the conditions which must be met for PIDA to be triggered. None of the necessary factors are present such as SW having 'worker' status (unless of course you wish to maintain that we do have some form of employment status); there was no information showing or tending to show that there had been any breach of legal obligations; and nothing that would bring the complaints against me within the realm of public interest. All legal cases involving PIDA and the government and ACAS guidance on PIDA are clear that internal complaints of the nature raised by SW, are not 'disclosures' and should be dealt with using internal grievance procedures.

ACAS guidance on whistleblowing and grievances is outlined in Appendix I, below.

4. Do the trustees have legal responsibilities for Monkton Wyld Court?

Answer. Yes, the trustees have legal responsibilities as set out in the Charity Commission regulations for trustees and legal responsibilities as Directors at company house where Monkton Wyld is registered as a limited company. A summary of the legal responsibilities has been circulated previously to the community but can be circulated again upon request. The trustees have kept the charity commission informed and updated on the current situation always taking expert advice and following guidelines.

Guidelines which emphasise safeguarding of ALL beneficiaries of a charity which includes residents on charity premises as well as employees, and not just one favoured individual) have not been followed and there is substantial written evidence of abuses of power.

5. Why was the Human Resources investigator only a grade 3 poorly qualified person?

Answer: This is not correct. Kelly Marsden the HR investigator is a degree level, fully qualified professional with ten years' experience as an HR Director. She received an abusive letter aimed at intimidation from Simon Fairlie after the investigation finished. The accusation at her professionalism was repeated on the website he created. She is currently considering legal action for defamation.

She is described on her website as an associate member of the CIPD. To become an associate member all that is required is a course with "Average completion time: 12-16 months". If Kelly Marsden is better qualified than this she needs to put it up on her website. Whatever Marsden's qualifications, she is not a lawyer. We have gone to an established employment lawyer whose views are cited above in FAQ 3.

There was no letter “aimed at intimidation”, if she has one it is a forgery. On 1 May I sent an email complaining about her performance, and the fact that we, the community at Monkton Wyld Community, had to pay for it.

6. Was the Human Resources person advising the trustees on the appeal process properly qualified?

Anthony X is a highly qualified HR Director, retired from [a London] Council. Simon Fairlie wrote to one of his client employers to intimidate him from advising on the appeal process. Innocent professionals should not be subject to this type of behaviour when just doing their job.

I did not intimidate Mr X or threaten him in any way. I wrote to him explaining why I refused to attend the appeal; the email is reproduced in Appendix 2. Your above statement shows, once again, how loosely you interpret the term “intimidation”. It is I who am being intimidated and threatened, with loss of my home, my livelihood and my future, by the machinations of the new trustees.

7. Why did the trustees not allow Simon Fairlie or Gill Barron to view the complaints or any other evidence against them, so they therefore could not respond to the allegations?

Answer. This is not correct. The investigation is not disciplinary, it is fact finding to see if there is a case to answer. There were multiple opportunities during the investigation for Simon Fairlie and Gill Barron to respond to the allegations, but these opportunities were consistently refused. Witnesses were interviewed including ex-community members as well as existing community members. All wished to remain anonymous because of fear of reprisals from Simon Fairlie and Gill Barron. They were given the whistleblowing letter and investigation report findings before the disciplinary meeting. Simon and Gill's cases were heard at the disciplinary meeting, verbally and in writing before the disciplinary decision.

This is a blatant lie There were no opportunities for myself or Gill to respond to the allegations during the investigation, because, despite persistent requests, we weren't told what the allegations were or who made them. We received SW's letter of complaint in the very same email of 26 April that contained Kelly Marsden's report upholding the complaints, which was then accepted unquestioningly at the disciplinary procedure a week later, despite over 20 pages of evidence to the contrary submitted by myself.

Both Gill and Simon responded promptly and at length in writing to Kelly Marsden's written questions: this is on the record. Neither wished to engage by telephone, knowing that an interview unrecorded in writing was liable to be misreported and open to misinterpretation.

It is also a lie that “All [witnesses] wished to remain anonymous because of fear of reprisals from Simon Fairlie and Gill Barron.”

This is an excerpt from an interview conducted with one of the witnesses, CL.

SF: *Did you ask that your name be redacted because of fear of reprisals?*

CL: *No, as I told you before, she said at the beginning that the conversation was private and no names were going to be used but I didn't ask her. She just told me when we started talking.”*

And this is from an interview with another witness JL:

SF: *Did you ask that your name be redacted because of fear of reprisals ?*

JL: *No, I was told that all names would be redacted before the interview began.*

And this from a third, CS:

SF *Did you ask that your name be redacted because of fear of reprisals?*

CS: *No I don't recall this.*

And this answer to the same question, from SD

No. I can't remember exactly what I said, but I'm pretty sure I didn't say that.

8. Why didn't the trustees take different actions, why couldn't they take a different approach?

The trustees are required by law to investigate whistleblowing allegations. If the investigation finds there is case to answer, then the trustees must by law follow a disciplinary procedure. There is no other action available.

Untrue. I have persistently asked what legal advice the trustees took before proceeding with the investigation, and it appears that none was taken other than advice from a poorly qualified HR consultant. I consulted a solicitor with 26 years experience in employment law who is adamant that this is not a whistleblowing complaint (see my answer to FAQ 3).

The behaviour by the tenants throughout has not facilitated any informal discussion. There have been almost daily, written accusatory emails, accusing the trustees of wrongdoing without fully understanding the procedures and legal responsibilities involved, attempts to intimidate expert advisors, continuing to harass and intimidate the whistleblower, and not responding to requests to meet and enter into discussions, as set out in the disciplinary outcome letters and other correspondence.

This is all untrue. The text of my emails to the trustees up to 26 April when I received the results of the investigation are given in Appendix 3 below.

I did not "continue to harass and intimidate SW". On one occasion only I asked him to follow prescribed procedure and let us know what his complaints were through his linker as described in my proof of evidence. Gill states "I have gone to great lengths to avoid any encounters whatsoever with the 'whistleblower' since early May. There have been NO occasions on which 'harassment and intimidation' could possibly have taken place. "

There have been two office break ins, the most recent one to print leaflets intended to intimidate the whistleblower; it has been admitted by Simon Fairlie and by Jon Hills that they were responsible. This is not the action of people who are willing to enter discussion, mediated or otherwise. It is rather intended to get outcomes by brute force, this unfortunately has been the behaviour consistently displayed to date.

There have been no break ins. In one case access was provided by CL, in the other case by DB. In any case this is the community's office, not the trustees', and as a member of the community we have every right to be there. The Land Magazine's rent includes access to and use of the office photocopier.

A whistleblower is protected by law, they should not be treated unfairly or lose their job because "they blow the whistle". Attempts have been made to vote to evict the whistleblower by Simon Fairlie, Gill Barron and Jasmine Hill, this is unlawful and has been considered in action taken by the trustees.

It is no way unlawful. We are following the prescribed and time-honoured acceptance procedure for the community (and for many other intentional communities), which is by invitation only, and through a consensus decision. To state that people living in a community do not have the right to decide who can and cannot move into their home with them is patently absurd.

Therefore, no other action has been possible. A request for facilitated discussion was made by the trustees to the community which has not been possible so far and so the trustees will be organising a facilitated discussion with the community as soon as it can be arranged.

9. Has Jasmine Hills, has been told to leave "with immediate effect" for no given reason"?

This is factually incorrect. The Trustees wrote to the Monkton Wyld community (including Jasmine Hills) on two separate occasions asking them to refrain from harassing and bullying the whistleblower. We explained in our correspondence that if this unacceptable behaviour continued, we would be forced to take further action. The harassment and bullying continued regardless. We revoked Jasmine Hills community membership on grounds of gross misconduct as set out in the community procedures.

The trustees have a duty of care to ensure that bullying, harassment and intimidation does not take place.

Jasmine lodged two complaints regarding SW's behaviour on 8th May and 16th May with the trustees, one of which was ignored and one she was told to use internal procedures. She informed them that she had already exhausted the internal procedures in respect of two grievances regarding SW's behaviour towards her that she had experienced in the months previous to this. She was ignored. She has requested evidence of their false allegations and has been ignored. She has been denied the right to a fair hearing process based on their opinion.

10. Are the trustees trying to sell Monkton Wyld Court and make a profit, to property developers.?

There is no evidence to support this allegation. It has been made about previous trustee boards, so it is viewed as a vexatious allegation that may have been more successful in the past.

Legally the trustees cannot sell Monkton Wyld Court and make profit. This is not allowed in any legal framework and should be discounted as nonsense.

We have never suggested that this is what the trustees have in mind, since, as you say, it is beyond their powers. We have been told by trustees that there is a long-term plan and "need for a change", but we have not been told what this long term plan involves, and so there is speculation. One very prominent fear, given the sacking of the dairyman, is that the farm will be converted to holiday cottages or even residences, and the income used to "corporatise" the rest of the property, a move which would be in conflict with the charity's sustainable objectives. We don't know that this is what some trustees have in mind, but it has been mooted before by other trustees, and since the current trustees won't tell us what their plan is, we can but speculate.

11. Would making Monkton Wyld Court bankrupt, and the tenants getting a conglomerate together to buy it be an option?

There is significant evidence in emails provided to the trustee's sent by Simon Fairlie and Gill Barron to external suppliers and clients, as well as interfering with the office booking procedures that there is an attempt to reduce income to Monkton Wyld Court and therefore adversely affect the community.

It is disappointing that people who profess fondness for the community and Monkton Wyld should attempt to harm it. However, Monkton Wyld Court finances are stable and there is no question of bankruptcy..

Please show me the emails I have sent which you refer to. When have I interfered with bookings? It is absolutely not the case that we want to bankrupt MWC. We want to re-establish the financially viable working and residential community that existed here before the new trustees intervened and turned it upside down. It is the trustee's toxic interference that threatens the financial position of the charity

It is not legally possible for tenants, in conjunction with a conglomerate, to buy Monkton, and should not be considered an option.

Nobody to my knowledge has ever suggested that this should happen.

12. Does the procedure followed by the trustees, conflict with Article 6 (Right to a Fair and Public Hearing) and Article 8 (Right to Respect for the Home)?

Article 6 and 8 of the Human Rights act do not apply. Simon Fairlie and Gill Barron refused at every stage to engage, the investigation upheld allegations in the complaint, including ones of bullying against Simon Fairlie and Gill Barron.

We have not engaged a lawyer to assess whether there is any technical infringement of the Human Rights Act. For reasons given elsewhere and above, it is abundantly clear that we were not given a fair and public hearing. The trustees themselves stipulated

that the public should not be allowed to attend. Similarly, it is clear that the trustees, by refusing to allow the community to decide who resides here, sharing our meals and occupying the communal living rooms, showed absolutely no respect for our home.

The report that upheld the allegations against them (produced by the HR consultant) was based on evidence gathered from several witness statements from existing and past community members.

This is untrue: documentation of prompt and detailed engagement is available on request. Simon submitted over 20 pages of evidence to the tribunal (see Resources page) which was completely ignored in the judgment. In conflict with ACAS guidelines (see below Appendix 2) the witness evidence was not documented and so easily manipulated to fit a pre-determined outcome.

The Trustees have offered Simon Fairlie and Gill Barron a managed and supported transition, but they have not responded. In addition, their business interests are not intrinsically tied to Monkton Wyld, and can therefore be continued at another location. This will bring them income, so there is no need to be homeless.

13. Will the micro dairy, which dates back to 1941 and is probably the oldest established dairy of its size in the UK have to shut down?

The microdairy has not operated continually since 1941, Stroud claim to be the first cooperative community owned microdairy. But it is an asset and going forward, it will continue to operate.

The microdairy has operated continually since 1941, except for two years between 2008 and 2010. I have paperwork dating back to 1941. Stroud Microdairy was started by Kees Frederiks in 2017 after he came on our Microdairy Course held here in 2016.

Citing Stroud shows how little the trustees know about microdairying. I do not believe the trustees have any idea how difficult it would be to find somebody capable of running the microdairy without the mentoring that I could give them, or how much it would cost to get it restarted once I had withdrawn all the capital investment that I have up till now been planning to leave to MWC.

14. Will the Land magazine need to close down for a while?

The Land Magazine is completely separate to Monkton Wyld, it is only mentioned as a postal address for payment. It is a business run by Simon Fairlie and Gill Barron who rent a room at Monkton to produce it. The magazine does not need to close down. It can be easily run remotely or from a small room rented elsewhere. There is no need for it to be on site.

The main purpose of MWC is to provide spaces for educational enterprises to operate in. Many educational enterprises rent space here, including schools, colleges, universities, environmental groups, musical groups, artistic groups, actors, tutors of land-based skills, and of course The Land magazine. The main difference between The Land magazine and the other enterprises is that the Land has been here permanently for 13 years; that doesn't make it less of an educational asset, in fact it makes it a quite valuable asset. Venue bookings and other guests are drawn to Monkton Wyld because it is the home of The Land magazine. The room it takes up and pays rent for is miniscule, it used to be the medicine cupboard. I defy the trustees to find any other enterprise to provide such benefit and educational kudos to MWC through the rent of this tiny and poorly-serviced space which has no phone line, wifi, or heating.

The magazine could in theory be run from another rented office. But the prospect of finding somewhere where cows, The Land magazine, the scythe shop and residential accommodation can be stationed, and moving it all there in time to get the winter issue out is totally unrealistic.

Appendix I ACAS Guidance

ACAS Guidance makes it plain that SW's complaints did NOT constitute a whistleblowing disclosure in the public interest, and should have been dealt with through disciplinary procedure. Witnesses should have been asked to make signed witness statements, that should have been handed to Simon and Gill.

“By law, there are several issues you can whistleblow about. These are called ‘qualifying disclosures’.

Qualifying disclosures include:

- a criminal offence – for example, if an employer has been trying to bribe people;
- the breach of a legal obligation by an organisation – for example, if an employer has neglected their duty of care towards children in a care home;
- a miscarriage of justice – for example, if a member of staff has been fired for something that turned out to be a computer error;
- someone's health and safety being in danger – for example, if an employer has forced staff to serve food they know has been contaminated;
- damage to the environment – for example, if an employer has been regularly polluting local rivers.”

If your concern is a personal problem only and not in the public interest, it will not be covered by whistleblowing law.

<https://www.acas.org.uk/whistleblowing-at-work/what-someone-can-whistleblow-about>

When there is a possible workplace disciplinary or grievance issue, the employer should find out all they reasonably can about the issue. This is known as an ‘investigation’.

An investigation is to:

- see if there is a case to answer
- make sure everyone is treated fairly
- gather evidence from all sides
- help the employer to see what should happen next

To protect everyone involved in a disciplinary or grievance case, the employer must make sure they follow a fair procedure. If the employer does not carry out a reasonable investigation, any decisions they make in the disciplinary or grievance case are likely to be unfair. This could risk legal action.

<https://www.acas.org.uk/investigations-for-discipline-and-grievance-step-by-step>

If there's anyone with information about the discipline or grievance issue (a ‘witness’), the person investigating can ask them to write it down (a ‘witness statement’).

The person investigating can also have a meeting with a witness to ask them what they know or saw. Someone should take notes during the meeting. At the end of the meeting, the witness should sign the notes and these can also form a witness statement.

“The employee under a disciplinary investigation or who has raised a grievance case should be given a copy of any written evidence, including witness statements.”

<https://www.acas.org.uk/investigations-for-discipline-and-grievance-step-by-step/step-4-if-there-are-witnesses>

Appendix 2 Email to Anthony X

On 30/05/2023 23:30, Simon Fairlie wrote:

Dear Tony X

I understand that you have agreed to preside over my appeal against the decision of Monkton Wyld Court to evict me along with my microdairy, and the other activities I have pursued here since 2010, from the community that runs the property on behalf of the charity,

I am writing to suggest that you withdraw from this assignment for the following reasons:

- (i) With all due respect, I don't believe that as an HR consultant you are qualified to adjudicate the matter as this is first and foremost a housing matter and I am at risk of being evicted from my home of 13 years. It also involves an understanding of how intentional communities operate, which I'm not sure you will have.
- (ii) The other person on the panel is Laura Guest who has been the principal person driving the move to have me evicted (and the two other people subject to eviction.) This is equivalent to the prosecutor being the jury and judge. Laura Guest, and the only other three trustees have been on the board of trustees less than five months, while I have been living and working the community farm here for 13 years. Eight of the 11 people currently living and working at Monkton Wyld have signed a Vote of No Confidence in the trustees. In our view the place has been carpet-bagged.
- (iii) The time given to prepare for the appeal is ridiculously short, given that this involves eviction from my home and demolition of everything I have put my life into over the last 13 years. I am required to present any additional material by Friday 2 June and to attend the appeal on 5 June. This is an absurdly short time to prepare a proper defence. I am still trying to locate a competent and affordable lawyer, which is not easy since the matter is complex and involves employment law, housing law, charity law and the Human Rights Act.
- (iv) Even more ridiculous is the 45 minutes allocated for the appeal. I have attended many planning appeals where loss of the appellant's home is at stake, and a hearing or public inquiry of this nature can last two or three days. I rely upon a substantial proof of evidence with appendices. and I intend to call up to a dozen witnesses. I would also need to cross examine the complainant SW, and any other people bearing witness against me. I would consider at least one day, and probably two, to be a more appropriate time to allow for a full consideration of all the evidence.
- (v) Finally, the trustees have organised an appeal by Zoom, knowing full well that I don't do Zoom and never have. Frankly this is an insult. I refuse to be thrown out of my home and my livelihood by talking heads on a TV screen. I resist Big Brother and talk truth to power face to face.

Appendix 3

Emails sent by Simon Fairlie to the Trustees in April 2023

6 April

Dear Alexa and Laura

Could you be more explicit please as to what these issues are please, and who has raised them.

Many thanks

Simon

6 April (in response to a request from Laura Guest for a meeting that never happened):

Dear Laura

I should be able to do any day during that time, but preferably not Mondays.

best wishes

Simon

6 April Dear Alexa and Laura

Thank-you for your invitation to write to you with queries or for clarification. This letter comes from me independently; it does echo some of the requests made by Jasmine in her recent email (though it was written before I saw hers).

I have been expecting that you would soon let us know what the issues are about; but we are still in the dark, and as small items of information are released, I am becoming increasingly perplexed, while speculation within the community is rife. I am therefore writing to request that you please explain fully and openly what is going on, in particular as regards the following:

- (i) We have been given to understand that the issues raised are in part a matter of "behaviour". This suggests that that someone has lodged a complaint. I would be grateful if you could confirm whether or not this is the case. If it is not a complaint or grievance, what is it?
- (ii) If it is a complaint coming from someone residing temporarily or permanently at MWC, it should be referred back to the community since we have a procedure for lodging and dealing with complaints and grievances, and in this putative case it is by no means clear that this procedure has been followed. Only when the procedure has been exhausted and no solution arrived at should such matters be referred to the trustees. This is both to ensure that allegations are not made about people behind their backs; and to protect the trustees from having to deal with remediable, petty or vexatious complaints that we can deal with ourselves. For the same reason it makes sense for complaints from guests and short term volunteers to be dealt with by us in the first instance, always with the assurance that the complainant can appeal to the trustees if no resolution can be found.
- (iii) I therefore find it quite peculiar that we are not told what is going on; and still more odd that details about this matter are being provided to a third party (Kelly Marsden) whilst we are still kept in the dark.
- (iv) Equally strange is the decision to follow ACAS guidelines. ACAS is a voluntary service offering conciliation between employers and employees, including trades unions, and is clearly unsuitable for an intentional community such as Monkton Wyld. Should we need a mediator we are able to call in someone from the nearby Pilsden community who offers this service and who is more likely to have an understanding of the dynamics of communities.
- (v) Finally I gather that xxx was asked not to attend the trustees' meeting about these issues on Tuesday 4 April. Could you explain why please? xxx has been involved with Monkton Wyld longer than any of the trustees

or the current residents and has herself lived in similar communities, so she has a very well-grounded understanding of how Monkton Wyld Court operates. Given that all the other trustees, bar Alexa, are new, surely it makes sense to benefit from her experience?

In short I would be grateful if the trustees would be open and frank about these and other issues. All of us in the community want to work co-operatively and amicably with the trustees, as we have done for the last seven years; but this new climate of top-down secrecy does not foster good relations.

Yours sincerely

Simon Fairlie

8 April

Dear Alexa and Laura

Thank-you for letting us know that this is a matter of a complaint.

Since we have our own procedure for dealing with internal complaints, could you please confirm that these complaints come from persons not currently living in the community. This would go a long way towards alleviating current concerns.

Thank-you

Simon and Gill

16 April

Dear Kelly Marsden and Trustees

Distress to Steve! What about the acute distress to myself and Gill having this vindictive person living in our home making allegations about us behind our back and refusing to say what they are. That to my mind is bullying. How would you like it if you lodged a builder who was contracted to do work for you in your home on a temporary basis and he made vexatious so-called "whistleblowing" complaints behind your back, and refused to tell you what they were so you couldn't answer them, and you daren't even ask him to leave your home because he would probably invoke Section 103A "unfair dismissal"?

I find it hard to believe that the Public Interest Disclosure Act was drafted in order to address this sort of situation. I assume you have taken legal advice which confirms that the Act applies to self employed people lodged temporarily in the home of the self-employed people they are complaining about. I would be grateful if you could forward it to me as I surely have a right to see it.

Yours sincerely

Simon Fairlie

PS I would also remind you that SW is not a member of the community, and I am. Why am I not being safeguarded from this person's bullying and harassment?

22 April (in response to an email from the trustees stating that Marsden's report was complete

Dear Trustees

Does this mean that I will finally be allowed to know what the complaints against me are, and who has lodged them?

Yours sincerely

Simon Fairlie

24 April Dear Trustees

Given the stress I and others are under, I would appreciate a prompt response to the question in my email below. (of 22 April).

I would also appreciate a response to my earlier request for an explanation why these grievances are regarded as whistleblowing complaints in the public interest.

Yours sincerely

Simon Fairlie

26 April

Dear Trustees

This business has gone on for nearly a month, and we still have not been told what these complaints are. This is unacceptable and causing acute stress within the community. Could you please let me know when we will be told what these complaints consist of and who, other than Steve has lodged them.

Could you also please explain what it is that causes this matter to be viewed as a “whistleblowing complaint in the public interest” rather than a simple grievance; and let us know of any legal advice you have taken on this matter.

We are also still waiting for Kelly Marsden to forward the alternative version of the minutes for the business meeting of 27 April, which as yet it seems no one else has seen.

Yours Sincerely

Simon Fairlie

27 April

Thank-you for finally letting me know what these complaints consist of.

I am willing to attend a disciplinary procedure on the following conditions:

(i) I cannot and do not do Zoom, and anyway that is totally inappropriate for a hearing of such gravity. I insist that it is in person.

(ii) Given that you have had over a month to investigate these allegations without revealing them to me, the six day's notice you have given me is insufficient time for me to address them. I contest all your allegations, but in order to do so I will need to engage and brief a lawyer or other expert, and amass witness testimony. I therefore insist that the disciplinary hearing is delayed for at least a month.

(iii) You say I can make an appeal. I need to know to what body this appeal can be made?

(iv) I do not have confidence in Laura Guest being an unbiased recorder, and request that a professional non-aligned minute-taker be hired for the proceedings.

Could you also please tell me what date the disciplinary procedure you sent me was drafted and ratified by the board of trustees, and when it was last amended.

Could you also please tell me who is or are recipients of the email address monktonwyldtrustees@gmail.com The invitation to a disciplinary procedure is signed “me” but we are not told who “me” is.

Yours sincerely

