

### What went wrong and who is responsible? Episode 5.

In Episode 4 we learned from Cllr Smith that the reason for the Review and Staffing Committee ending the Disciplinary Procedure against the Clerk, Mrs Marley, was that the Council “*would be left in (the) lurch and in disarray without Mrs Marley.*” We are now going to investigate the murky business of the Maoni Report which, it will be remembered, decided to recommend to the Council that they should return grants to the Woodsmith Foundation, amongst others. We will also investigate how this was used as a pretext to make Helen redundant. Let us remind ourselves about what Judge Flanagan said in his Reasons for finding in Helen’s favour:

**31.** *In a further Council meeting on the 20<sup>th</sup> December 2023, Cllr Thompson was elected Chair. The confidential notes also state that meetings had taken place ‘which were unauthorised with the Claimant and Cllr Towse’, as well as a discussion about how the Claimant would be managed now that Cllr Towse had left his role.*

This is an extraordinary claim even for this council. Their claim is that Reg Towse and Helen King took part in meetings with the Woodsmith Foundation ‘*which were unauthorised.*’ Reasonable people, like our readers, would be entitled to ask themselves the question “Why can’t Reg Towse, as Chairman of Newby and Scalby Town Council, meet with whoever he sees fit?” Back to Judge Flanagan:

**33.** *Shortly afterwards, the Respondent made the decision, with the assistance of Ms Marley, to undertake an investigation in to the Woodsmith Grant; entitled the ‘Maoni’ report. The result of an investigation was that the investigator determined that the money received from the Grant should be returned. In evidence, the Claimant made complaints regarding the Respondent failing to disclose communications between the Council and the Maoni investigator around this time. In any event, the Respondent later characterised the position as that the money had to be returned, as there had been a failure to comply with the conditions attached to the Grant. It is notable that the Claimant and Cllr Towse had spoken with Woodsmith in November 2023, when there was no suggestion that the money needed to be returned and that no demand for repayment was made at any stage.*

Let us not forget that the *Respondent* is Newby and Scalby Town Council whilst *Ms Marley* is the Town Clerk, who also carries the designation of the Proper Officer and Responsible Financial Officer who, we recall, has been accused of being a bully. The *Claimant* is our friend - the soon to be made redundant, Helen King. It is easy for us to lose our way given all this legal terminology. The Clerk is supposed to provide independent advice to the Council who then decides policy direction. It is important that we hold the independence of the Clerk in mind as we read in 33 above that the Council decided to undertake an investigation into the Woodsmith Grant “*with the assistance of Ms Marley.*”

Our readers, would no doubt question how a Clerk who has not been cleared of the accusation of being a bully can possibly be able to provide fully independent advice to the Council about a matter to which there is such a close, personal connection. So, what is the Maoni Report and who is the investigator who carried out the investigation on behalf of the Council and, of course, ourselves as the precept<sup>1</sup> payers? It turns out that the person carrying out what the council refers to as an “*independent investigation*” (note that Judge Flanagan, for reasons known only to himself, avoids placing the word “independent” in front of investigation) is none other than the Regional Director for the North of England of the Society of Local Council Clerks - the same society which Mrs Marley is a member.

Readers will have to be patient as we move on to Episode 6.

<sup>1</sup> The precept is the amount paid to the council by local residents - currently about £36/year.