

**What went wrong and who is responsible? Episode 10.****The Maoni Report - what does it say?**

The Maoni Report starts by providing a background to the Woodsmith Grant Application which was made to the Town Council in December 2022 with the offer “*being accepted by two Council Officers in January 2023.*” The reference to two Council Officers is significant because there were only two employees of the council - Mrs Marley - the Town Clerk and Responsible Financial Officer and Helen King - the Head of Hub and Community Services.

The report goes into some detail before reaching its most significant conclusion - that the Woodsmith Grant should be returned. The council's claim at the Employment Tribunal is that because the money needed to be returned the position of Head of Hub and Community Services was no longer financially viable and council had to make Helen redundant to reduce costs. At the Tribunal, Mrs Marley (para 34 below) stated that funds and grants were being “*applied for without her knowledge*” but the Maoni Report informs us that the Woodsmith Grant was “*accepted by two Council Officers in January 2023.*” There were, at the time, only two Council Officers. Judge Flanagan:

34. The Respondent raised other issues with the Claimant and the issuing of grants, with Ms Marley stating that grants and funds were being applied for without her knowledge. I was not directed to any specific policy or other document that precluded the Claimant applying for grants without Ms Marley’s knowledge.
35. Significantly, prior to the Maoni report into funding being received, advice was sought by the Respondent about terminating Claimant’s employment. The response to the enquiry was that Claimant could be made redundant, although no further context was provided. When asked about why this enquiry was made, Ms Marley stated that her ‘*impression at time was that the Claimant and I could not work together*’. The Tribunal was satisfied that the reason for the enquiry being made was because of the personality conflict between the Claimant and Ms Marley.

Judges tend to use the word significantly when they are referring to matters of such importance that they are likely to affect their decisions. Judge Flanagan, in the opening sentence of paragraph 35 above informs us that “*Significantly, prior to the Maoni Report into funding being received, advice was sought by the Respondent about terminating the Claimant’s employment. The response to the enquiry was that the Claimant could be made redundant. When asked about why this enquiry was made, Mrs Marley stated that her impression at the time was that the Claimant and I could not work together.*”

Judge Flanagan goes further in para 90 of the Judgement: “*The Respondent had access to human resources support, but inaccurate information had been supplied to the advisers.*” Reasonable people would ask what the “inaccurate information” was that had been supplied to the human resources advisers and why inaccurate information had been supplied. Unfortunately, we do not (yet) have access to this “*inaccurate information*” but we do not give up and will continue to make further enquiries. We are reminded of Judge Flanagan’s finding:

73. This Tribunal was satisfied that had the Claimant not raised a grievance against Ms Marley, the ‘redundancy situation’ would never have arisen and the dismissal would never have occurred. It follows that there was not a genuine redundancy situation and the entire process was a sham.