

London Borough of Lambeth

**THE CYCLONIC
ORGANISATION:
Authority, Culture & Racism**

**Report of the Public Inquiry into the
Lambeth Community Alarms Service
(LCAS)**



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Report of the Public Inquiry into the Lambeth Community Alarms Service (LCAS)

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Similarly, no Public Inquiry report can be produced without the assistance of many other than its principal author. Thus I would like to thank all Panel members for their expertise and contributions; the Focus staff who worked on the Inquiry, but especially Andy Cadogan, Lin Eglington, Saheema Rawat, Annemette Simonsen and Rose Youd; the lawyers to the Inquiry, Arlington Sharmas; the stenographers from Marten Walsh Cherer Limited (Alan Bell, Mike Thear and Lynn Gifford); and, finally, those other than the Panel members who commented upon the drafts – Mike-Madelaine Elmont and Jagtar Singh.

Professor Chris Mullard

July 2003

London Borough of Lambeth

Report of the Public Inquiry into The Lambeth Community Alarms Service (LCAS)

1 INTRODUCTION

- 1 This report is the culmination of an investigation into a now defunct unit of Lambeth Borough Council, the Lambeth Community Alarms Service Unit (LCAS).
- 2 LCAS provided to Lambeth tenants, housing association tenants and private sector residents a 24-hour community alarm monitoring and emergency response service. This service rapidly became indispensable to a number of vulnerable people within the community, as it provided them with the opportunity to pursue a safe yet independent existence within a comfortable environment.
- 3 In order to provide the service to the standard required, and for that matter expected, it was important that from the outset the Unit should operate effectively, with a social dedication which reflected its task and - perhaps to state the obvious - with a minimum of conflict. But this was not to be. For during the period of LCAS's existence, from 1997-2001, a whole series of problems, issues and conflicts arose that came to permeate the entire Unit. This was not a case of a single complaint or perhaps a few complaints that could have been dealt with managerially or even through an investigatory process – rather, there developed a whole raft of complaints, involving claims, counterclaims, suspensions and dismissals.
- 4 They ranged from a set of deeply held concerns about the general style and authoritarian nature of management to the laziness, inefficiency and resistance of staff. Bullying, harassment, ostracism, misappropriation, negligence, aggression,

rudeness, erratic time-keeping, the flaunting of procedures and protocols, absenteeism, nepotism and favouritism formed the content of more complaints than could have been expected to have been generated in a Unit that employed no more than 16 people at any one time.

- 5 If there existed an overall theme which underpinned most of these complaints and in some cases formed their actual content, then it was that of discrimination – or, more precisely, racial discrimination, prejudice and racism, in both its institutional sense (as highlighted by Macpherson in his report on Inquiry into the murder of Stephen Lawrence¹) and in its personally internalised sense.
- 6 At the outset of this Inquiry, this latter sense is important to note, as in the words of the shop steward most closely associated with LCAS, *“racist policies (practices and behaviours) do not drop from the sky on to our backs. They are always policies carried out by actual people and those people are the Council management.”* (Alex Owolade, Public Meeting, 11 July 2003, p.31-32).
- 7 Although much more will be said in subsequent chapters about the nature of racism within LCAS and Lambeth Borough Council as a whole, the fact that it existed as much within the Council’s ideological and managerial climate as it did within its daily practices meant that it touched and shaped most complaints, claims and counterclaims. Together with the otherwise rather amorphous mass of concerns - and in the form of endemic racial conflict - it eventually generated an acrimonious, implosive and, ultimately, highly destructive situation which ended with the closure of LCAS.

1.1 SETTING UP THE INQUIRY AND COMPOSITION OF THE PANEL

- 8 As a result of a 2002 manifesto pledge by the Conservatives and Liberal Democrats - and as a result also of the continuous demands of former LCAS workers and current (mostly black and minority ethnic) Lambeth employees, of a small yet organised group of users, of the Lambeth branch of UNISON, and of the

¹ Macpherson, Sir William (1999): *‘The Stephen Lawrence Inquiry’* at: <http://www.archive.official-documents.co.uk/document/cm42/4262/4262.htm>

Movement for Justice (an organisation which campaigned almost daily and certainly vociferously for an independent and public investigation), in November 2002 Professor Chris Mullard was asked to appoint a Public Inquiry Panel and chair an 'independent' investigation into what many Lambeth managers, workers and LCAS users have described as 'the tragedy of a unit'.

9 The Panel consisted of:

- Professor Chris Mullard, Chairman of Focus Consultancy Limited;
- Bob Purkiss, Chairman of the European Monitoring Centre Against Racism and Xenophobia;
- Dame Jocelyn Barrow, Vice Chair, African Caribbean Positive Image Foundation;
- Martin Walsh, President of the Lambeth Pensioners Forum; and
- Baroness Howells of St David's, the House of Lords.

(For biographies of Panel members, see Appendix 7)

10 The broad terms of reference for the Inquiry were that:

"The investigation would examine the facts relating to the Unit identifying, where possible, causes of problems in order to make recommendations for the future provision of high-quality Council services, with a working environment founded on equality of opportunity and respect for the dignity of every employee."

Specifically, though, it would investigate the:

- "(a) Service delivery by the Unit;*
- (b) Management of staff within the Unit; and*
- (c) Responses to allegations of racism and racial discrimination within the Unit with a view to identifying the causes of any failures of poor performance and establishing the extent to which race was a factor."*

(For the full Terms of Reference see Appendix 7)

1.2 TIMEFRAME OF THE INQUIRY

11 It was initially envisaged that the Inquiry would be completed by March 2003, when the Panel would report back to the Council with its findings. It was thought that four months should prove sufficient for the purposes of the Panel's investigative process - the gathering of documentary information, the setting up of private interviews, and the holding of a maximum of three public meetings.

12 The Panel accordingly devised the following Inquiry stages and timeframe:

Stage	Elements to cover	Duration
Stage One	Background Information-gathering Establishing the parameters of the Inquiry Requesting documentation Scheduling orientational meetings Meetings with relevant groups	December 2002 – January 2003
Stage Two	Collecting specific information Public meetings Arranging visits to sheltered accommodation buildings to obtain information from users Private meetings	January 2003 – February 2003
Stage Three	Methodological assessment of information and evidence received and drafting of final report Assessment of information and evidence received Drafting of final report	February 2003 – March 2003

13 Rather later than anticipated, the Stage One process commenced in December 2002, and by January 2003, the Panel had:

- **Established comprehensive Terms of Reference for the Inquiry** - With reference to a collection of official documents supplied by the Council, and in conjunction with orientational meetings held with the four principal parties to the Inquiry (the users, Lambeth managers, LCAS workers and the Union), the Panel produced a document that covered all the essential elements of the investigation, as well as what could be termed the contextual remit of the Inquiry (see Appendix 7). Additionally, the Panel also established a clear set of

Inquiry Protocols that governed the investigative process, the behaviours expected at Public Meetings, and the manner in which the Chair proposed to conduct meetings, Panel interviews and visits (see Appendix 7).

- **Conducted orientational meetings with the relevant parties to the Inquiry** - The Panel also conducted a series of orientational meetings with the key parties to the Inquiry (Appendix 2). The importance of these meetings cannot be underestimated, for they gave the Panel a vital insight into the various allegations made against the Council, the Unit, the managers and the workers. They also provided views on what the different parties hoped the Inquiry would achieve. Although these allegations had to be treated cautiously, coloured as they were by individual interests, they nevertheless helped to shape the Inquiry as a whole, such that the overall process could become one of inclusivity, allowing all to participate equally within a framework that would encourage a mutual respect for different viewpoints rather than symbolic and actual hostility.
- **Requested documentary information from Lambeth Borough Council** – A vast amount of information was requested from Lambeth Council during the Stage One process. It should be noted here that its provision was, at best, *ad hoc* and incomplete, either because it was not easy to locate or because the individuals who could provide it were dilatory. As a result, there was a long delay in the processing and analysing of information, which inevitably affected the progress of the investigation.

- 14 In fact, by the end of Stage One, the Panel realised that the original timeframe of four months was wholly unrealistic. The issues of concern surrounding the way in which the Unit operated, and their effect on those inside and outside the Unit, made for a situation that was so complex, convoluted and conflictual that any attempt to adhere to the original timeframe would have resulted in the irrecoverable collapse of both the collaborative partnerships established with the managers, workers, unions and users which underpinned the investigative process and the Inquiry itself.

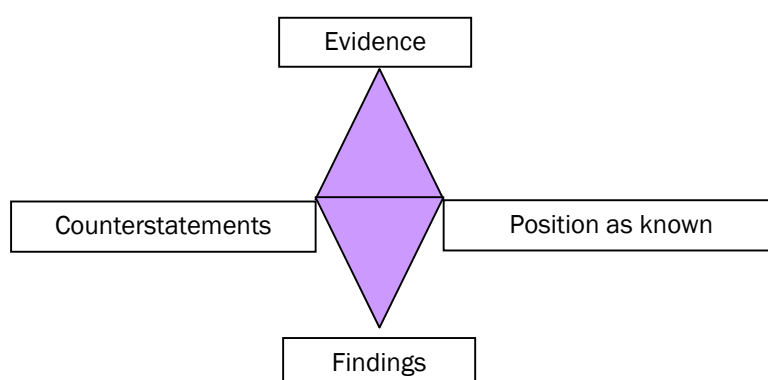
- 15 Before arriving at a final decision, the Panel deliberated at length, as it was crucial that not only should the investigative process be both fair and effective, but also that it should be seen by all to be so.
- 16 Other impediments to a speedy conclusion to the Inquiry included the fact that the necessary information was being submitted to the Panel at an extremely slow and haphazard rate, as indicated above. Moreover, some people - especially Lambeth Council managers (past and present) - were reluctant to appear at public meetings because they feared what they perceived as the 'aggressive and intimidating' behaviour of former black and minority ethnic LCAS workers in general and their representatives - the Movement for Justice and its lawyers - in particular. Conversely, some workers still employed by Lambeth Council felt that their careers could be jeopardised if they 'really told it as it was'. Thus the Panel had to obtain assurances in the form of an indemnity that neither the workers' careers nor their managers' would be affected (Appendix 7).
- 17 A combination of these and other factors (such as the lack of resources for the Inquiry and the availability of witnesses) determined that the Inquiry should be extended until July 2003. This extension was granted by the Council after the Panel submitted its Interim Report to the Deputy Leader of the Council in March 2003 (as can be seen in Appendix 7).

1.3 A METHODOLOGICAL NOTE

- 18 From the foregoing it can be seen that the Panel was faced with the enormous task of trying to decipher, process, analyse and evaluate the information provided, if they were ever to establish any semblance of 'truth'. To this end, the Panel needed to decide whether the form of analysis it would employ in analysing the vast quantity of material gathered from 19 public meetings, private meetings, depositions, submissions, interviews, visits, documents and other relevant sources would take a juridical or a social scientific form.
- 19 It was eventually agreed that a strong analytical underpinning of the investigative process was necessary, one which would allow for the material - including the

‘evidences’ given at public hearings - to be subjected to a form of interpretive analysis which would lead to approximate or relative if not absolute or final ‘truths’. In more practical methodological terms, this entailed:

- The devising of an objective measure for sifting through the materials, which entailed the classification of documentary evidence based upon a comprehensive bibliography and catalogue which by the end of the Inquiry consisted of approximately 90 pages (see Appendix 10);
- The holding of extensive and intensive consultations through the medium of orientational meetings, public and private, framed within a set of methodologically constructed principles which, in turn, allowed for a critical though objective evaluation of evidence;
- The ordering of verbal evidence and the transcribing of public hearing testimonies (amounting to several thousand pages), in a way which allowed for ready access and analysis (see Appendices 3-6); and
- The using of a triangulation method, which would enable the Panel to establish the relationship between subjective and objective accounts, as well as providing a means of verification:



20 From Appendix 2 it will be seen that, once evaluated in terms of its authenticity, the material obtained was plotted via audit trails or analytical grids before being subjected to a form of cluster-timeline analysis and/or a modification of the Wigmore analysis methodology.

- 21 Although all this methodological and analytical precision might seem rather superfluous to the casual reader of this report, it should be understood even before ‘the LCAS story’ is presented that the Panel was not simply dealing with straightforward factual evidence or statements – rather was it endeavouring to make some reasonable sense out of competing ideological positions and viewpoints; sets of clashing perceptions, distortions and assumptions; and the largely emotionally charged sets of accusations and defences which characterised nearly every meeting the Panel attended. The employment of more usual juridical or investigative methodology and analysis would have failed to have teased out and made social sense of the assumptions on which most LCAS actions rested and decisions were taken (or not taken).
- 22 But, unfortunately, no amount of care employed with respect to the collection and analysis of data can compensate for missing or incomplete data. The absence, departure or illness of former LCAS employees; the loss of both files and ‘memories’; and the distortions that arise in the presentation of evidence that is emotionally based or given with the benefit of hindsight, all contributed to incomplete data and inaccuracy problems, as well as to the development of the specific methodological approach described. Although such problems inevitably hampered the research, allowing only for partial analysis in some instances or in others the drawing of conclusions based upon reasonable assumptions as opposed to conclusive evidence, the Panel is still nevertheless of the view that these problems did not and should not distract attention from the deeply worrying nature of the general and specific findings, the conclusions and hence the recommendations set out in the last chapter of this report.

1.4 THE LCAS STORY

- 23 The LCAS Unit had its origins in a voluntary organisation set up in the 1970s, when the late Mrs Vida Walsh ran an informal ‘tea and chat club’ for pensioners in the south-east of Brixton. Despite the support of Age Concern Lambeth and the local residents’ association, resources were limited. Because of this members congregated in each other’s homes, enabling pensioners to meet on a regular basis to chat or just to maintain contacts within the community. This was

particularly important given the demographic changes in the area, which had meant that the older residents were no longer able to rely on previous familial support structures for advice or assistance.

- 24 The main catalyst for the formation of the type of service subsequently offered by LCAS was provided by the Brixton riots of 1981, following which the Brixton Resident and Traders Association (the main residents' group) met to consider just how older residents within the Borough could be best supported². The outcome of these discussions was the creation of the Brixton Sheltered Street Scheme (BSSS), which aimed to provide a rapid support and response service for older residents in the area.
- 25 During the formation of the BSSS, advice was gleaned from housing associations, local authorities and other charitable organisations. The premise of the scheme was simple: a user who required help would contact the control centre and speak to one of the wardens, who would in turn either request that a neighbour or relative help the user in question, or ask for the help of emergency services, as appropriate. Out-of-hours cover was provided by Broxbourne District Council, which had compatible operation equipment.
- 26 Application was made to Lambeth Inner City Partnership for funding for the building of a centre, the setting up of an alarm network and wages for two community wardens for a three-year period. Having achieved the necessary funding, the Brixton Street Shelter Scheme was formally established on 17 January 1984. It was the first service of its kind in London, and the third in the country. Owing to early difficulties, however, it was not until 1988 that the centre (which included residential premises for two wardens) was completed. During this period the BSSS was incorporated and employed its own Development Worker.

1.5 HOW THE VOLUNTARY SCHEME FUNCTIONED

- 27 In 1987 Lambeth Inner City Partnership paid for the premises and the alarm

² For more information on the 1981 Brixton riots please see: Lord Scarman (1981): *'The Scarman Report'*.

equipment of the BSSS, together with the wardens' wages for three years, as mentioned above. Once this initial three-year funding period ended, the running costs of the BSSS were covered by Lambeth Borough Council (through its Housing Directorate). Through their joint-finance scheme, the Area Health Authority and Lambeth Borough Council paid for a co-ordinator's wages, along with some of the office running costs.

- 28 The BSSS made regular check calls on its users to ensure that the system was functioning properly, and also paid home visits to ensure the continuing well-being of users. This also helped to maintain an ongoing rapport between users and staff, as well as the bonds of trust vital between those providing a service and those receiving it.
- 29 It is clear from the BSSS's annual reports that there existed a transparent line of communication and accountability (Appendix 9, Ref: I). Those involved in organising the BSSS had ensured that its basic structure was sound, and that issues of relevance were brought to the attention of those in authority.
- 30 People from every stratum of society were involved in the organisation. Its Patron was the Right Honourable Lady Saltoun of Abernethy, and its Management Committee consisted of representatives of local organisations such as churches, residents' associations, the amenity society and various community organisations, as well as a local Councillor and an MP.
- 31 It should be noted that the innovative and inspiring aspect of the BSSS lay not so much in its functions, but rather in the fact that as a voluntary organisation it had created and developed a highly necessary service within the local community. Accordingly, the growth of the BSSS was phenomenal. Although initially it served 80 residents, it extended its catchment area to cover the St Matthew's Estate in 1989 and most of the southern half of Brixton in 1992, such that by 1994 it was serving 150 residents. The BSSS, however, was not content to rest on its laurels, and its intention was ultimately to cover the whole Brixton area.
- 32 By the early 1990s, Lambeth Borough Council had developed a similar scheme for those in sheltered housing. A decision was therefore taken to amalgamate the two

schemes into one Unit, and the BSSS network was transferred to Lambeth Borough Council on 1 April 1994.

1.6 LCAS' REMIT

33 Initially, the amalgamated Unit was called the Emergency Response Centre (ERC). It operated under this title from 1994 to 1996, when it was enlarged and renamed the Lambeth Community Alarm Service (LCAS).

34 As set out in the Unit's Best Value Fundamental Service Report of January 2000, the overall remit of LCAS was to:

"... provide a 24-hour community alarm monitoring and emergency response service to London Borough of Lambeth tenants, housing association tenants and private sector residents. The service aims to meet the following four key objectives:

- i) To respond to our clients needs appropriately and efficiently at all times, working as a team to achieve our collective aims and objectives.*
- ii) To complement and add value to other LBL departments in the provision of their services throughout the Borough.*
- iii) To work closely with other agencies to improve the welfare of our common client groups, particularly the elderly, frail, and disabled.*
- iv) To provide a service which is best value for the residents of the Borough."*

(Appendix 9, Ref: II)

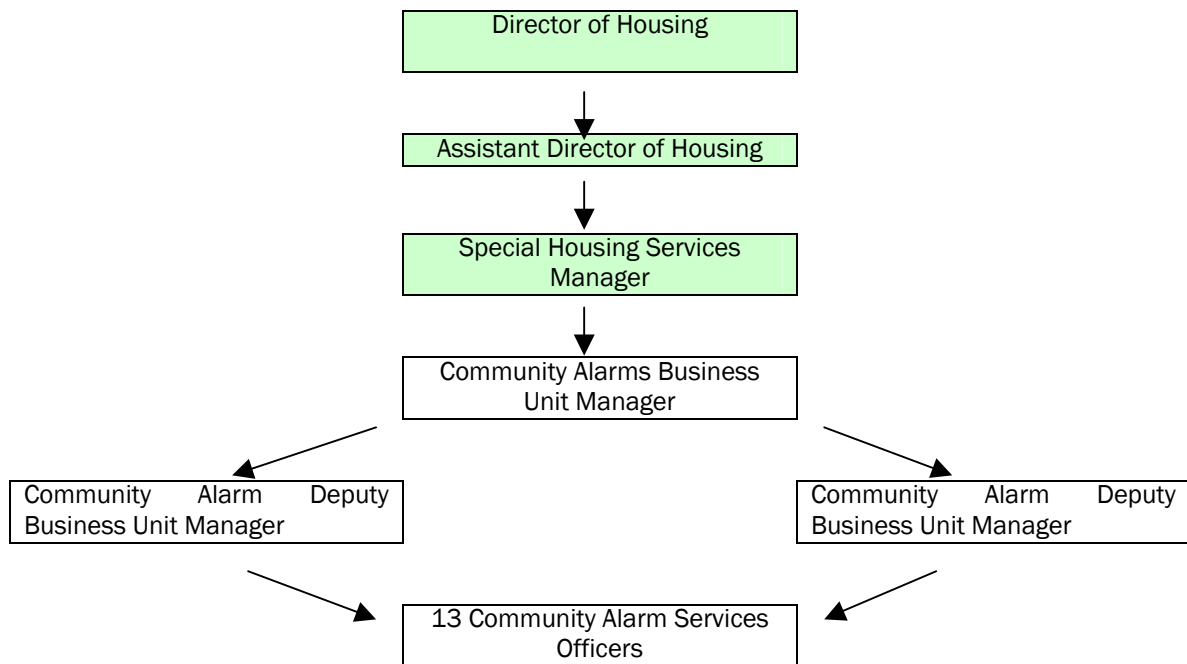
35 Its mission statement summed up its overriding desire to be a responsive and caring organisation:

"We aim to provide a caring, reliable and affordable community alarm service to the highest achievable standard, made available through a needs based assessment process, to any person in the Borough of Lambeth".

1.7 ORGANISATION OF LCAS

- 36 The LCAS Unit was located in the Special Housing Services section of the Housing Directorate, which commonly dealt with issues of homelessness, the housing register, sheltered housing and housing support.
- 37 **1998: Lambeth Community Alarm Services** - When the ERC was renamed as LCAS, its organisational structure changed to include two Deputy Business Managers (otherwise known as Team Leaders), who in turn directly managed 13 Community Alarm Services Officers (formerly Emergency Response Centre Officers³). The Emergency Response Manager was now recast as the Business Unit Manager, and the following lines of communication and accountability were established:

³ There is a discrepancy between the documents provided with respect to the job titles. The above-stated titles are taken from the organisational chart (Doc. No: A3) whereas the LCAS Business Plan (Doc. No: A19) states the job titles as being: 1 Community Alarm Service Business Unit Manager, 2 Senior Community Alarm Service Managers and 13 Community Alarm Service Officers.



The white boxes outline the LCAS structure and the green boxes outline the Housing Department structure within which LCAS was placed.

- 38 These clear lines of management and accountability were reinforced by specific job descriptions for each member of staff. The Community Alarm Business Unit Manager, the most senior manager within the Unit, was responsible for overseeing the day-to-day running of the control centre. This manager also had responsibility for planning the delivery of services within budget, handling issues to do with marketing and personnel, and reporting on performance indicators, as well as on the general development of LCAS as a whole.
- 39 The Community Alarm Deputy Business Unit Managers (or Team Leaders), the middle managers of the Unit, had direct responsibility for the coordination and supervision of the Community Alarm Service Officers, for compiling statistics regarding the calls, for making emergency visits as required, and for promoting the service within the Borough of Lambeth.
- 40 The Community Alarm Service Officers were the real front-line members of staff. They were responsible for call handling, Careline demonstrations and installations for users, paying visits to schemes as required, and maintaining the control centre equipment.

- 41 On paper at least, this relatively small though highly specialised and much needed Unit appeared to be professionally organised. There also appeared to be effective mechanisms in place for the resolution of disputes if and when they arose.

1.8 THE EVENTS

- 42 Despite the structures identified above, the apparently thought-out policies and procedures and what was, after all, only a small number of staff (sixteen in all) working in a socially useful and meaningful setting, LCAS found itself in turmoil right from its inception, inheriting as it had the unresolved problems of its predecessor, the ERC.
- 43 As the full details (in the form of a chronology) of the issues, conflicts and disputes which fuelled the turmoil can be found in Appendix 8, it is necessary here only to summarise the main events which punctuated the life and ‘story’ of LCAS.

1994 events

- Anya Oyewole arrives at the ERC as Emergency Response Team HSESR.

1995 events

- A disciplinary process begins against Ionie Shahsavari (the Emergency Response Manager of the then ERC). The allegations include negligence in the performance of duty, failure to obey legitimate management instructions and unprofessional conduct towards Anya Oyewole. Most of the charges are found proven and Ionie Shahsavari is given a final written warning (Appendix 9, Ref: III).
- Ionie Shahsavari submits a complaint of racial discrimination, victimisation and intimidation to the Employment Tribunal (Appendix 9, Ref: IV).

1996 events

- Ms Shahsavari is referred to a formal management panel in connection with her frequent absences. The Inquiry Panel recommends medical retirement and the

Panel recommend that, if the Lambeth Chief Executive does not agree with that, Ionie Shahsavari should be dismissed and offered a less stressful job (Appendix 9, Ref: V).

- The ERC team writes to Elderly Housing Services Manager Eve Elgar to complain about Anya Oyewole and Steve Nunn's conduct towards Ms Shahsavari; the team complains that Anya Oyewole and Steve Nunn were making fun of Ionie Shahsavari (the Panel has no copy of this letter).
- Ms Shahsavari submits a grievance against Ms Oyewole. There is a management investigation, which finds that Ms Oyewole was given an impossible task in managing Ms Shahsavari (Appendix 9, Ref: VI).

1997 events

- Anya Oyewole submits a grievance against Patsy Aduba (Assistant Director of Housing), alleging bullying, harassment and discrimination. According to Anya Oyewole, the grievance is settled with a letter of apology and an undertaking that Ionie Shahsavari will not return to LCAS (the Panel has no written evidence of this).
- Community Alarms Officer and Shop Steward Paul Fee submits a grievance against Janet Edwards (Team Leader), alleging that she has falsified his absence and return-to-work form (Appendix 9, Ref: VII). Anya Oyewole carries out an investigation and finds that Janet Edwards did not falsify the document (Appendix 9, Ref: VIII).
- Community Alarms Officer Patsy Laidley submits a claim of sexual harassment against Michael Mendez, a Community Alarms Officer (Appendix 9, Ref: IX). The matter is investigated by Janet Edwards and Peter Armah (from Human Resources) and is found proven. Michael Mendez receives a final written warning and a transfer to another post. (The Panel does not have written documentation of this.)
- Paul Fee complains that a UNISON meeting was deliberately disrupted by LCAS management (Appendix 9, Ref: X). The matter is investigated and found not proven (Appendix 9, Ref: XI).
- Alex Owolade (UNISON shop steward) organises demonstrations outside the ERC offices in support of Michael Mendez, alleging that Mr Mendez is the victim of racism. These demonstrations continue until 1998.

1998 events

- Patsy Aduba asks Special Housing Services Manager Dorothy Quest and other people not connected to the LCAS Unit to carry out a formal management investigation. The investigation is carried out by a panel chaired by Dorothy Quest.
- Patsy Aduba receives complaints from Anya Oyewole and Sue Davies (Monitoring Manager in the Emergency Housing Services Sub Division) regarding the demonstrations in support of Michael Mendez (Appendix 9, Ref: XII). Patsy Aduba assures the complainants that Dorothy Quest will carry out an investigation into the matter (Appendix 9, Ref: XIII).
- Mr Mendez submits a claim to the Employment Tribunal, alleging that he has been the victim of race discrimination, victimisation and unauthorised deductions from his salary (Appendix 9, Ref: XIV). The case is dismissed.
- There is an incident between Anya Oyewole and Paul Fee concerning some specific tasks Anya Oyewole had asked Paul Fee to carry out. At a meeting it is agreed that they will await the outcome of Dorothy Quest's report to resolve the matter (Appendix 9, Ref: XV).
- The LCAS managers receive the first draft of the management investigation into LCAS, about which they complain at the start of 1999, arguing that the report does not follow the terms of reference, that the terms of reference were not clear from the beginning, and that the content of the report (if published) will have a destabilising influence on the Unit (Appendix 9, Ref: XVI and XVII).

1999 events

- A second version of the management investigation into the Unit is produced by Dorothy Quest (Appendix 9, Ref: XVIII). The LCAS managers are not satisfied with this version, alleging that it would affect service delivery and performance, but it is later accepted.
- Anya Oyewole, Janet Edwards and Maureen Bowman submit a grievance to the Director of Housing Services, John Broomfield, regarding Dorothy Quest's report (Appendix 9, Ref: XIX). Anya Oyewole claims that the grievance was never heard.

2000 events

- A series of (in the main) favourable Best Value reports are produced, along with a MORI survey into the Unit. These reports culminate in the production of a Business Plan for the Unit, which sets out strategic options for the further development of LCAS (Appendix 9, Ref: XX).
- Mrs Maher (an LCAS user) remains trapped in her wheelchair for 7 hours despite having contacted LCAS for help several times (Appendix 9, Ref: XXI).
- Anya Oyewole carries out an investigation in connection with the complaint submitted by Mrs Maher's carer (Appendix 9, Ref: XXII).
- Community Alarms Officer Ashruf Cader is dismissed on the grounds of rudeness to clients and his inability to carry out his job to the required standard (Appendix 9, Ref: XXIII).
- Community Alarms Officer Eugenie Small complains about Janet Edwards' handling of her application for annual leave (Appendix 9, Ref: XXIV). Anya Oyewole and Dorothy Quest carry out investigations and find that Janet Edwards has in fact followed procedures (Appendix 9, Ref: XXV).
- Paul Fee submits a claim to the Employment Tribunal, alleging that he has not been allowed time off to attend training courses, that he has been victimised and that he has been unfairly dismissed (Appendix 9, Ref: XXVI).
- A disciplinary panel is held against Ms Small and Ms Davies for their involvement in the Mrs Maher incident. The defendants do not attend. The panel recommends their summary dismissal (Appendix 9, Ref: XXVII).
- Demonstrations (including a pamphlet campaign) in support of Ms Small and Ms Davies begin, organised by the Movement for Justice (Appendix 9, Ref: XXVIII).
- Ms Oyewole complains of being victimised in connection with the dismissal of Ms Small and Ms Davies. She submits a formal complaint to Patsy Aduba (Appendix 9, Ref: XXIX). Patsy Aduba denies that Anya Oyewole has been victimised. (The Panel has no written documentation regarding this.)
- New hearings regarding Ms Small and Ms Davies take place. The two employees are still dismissed (Appendix 9, Ref: XXX).
- Mr Fagbemi is left in his wheelchair for a long period of time. The case has slight similarities with the case of Mrs Maher, although Mr Fagbemi was reportedly quite happy with the service he received. Parallels were drawn with the Mrs

Maher case by Alex Owolade in the hearings of Ms Small and Ms Davies (Appendix 9, Ref: XXXI).

2001 events

- An open letter to the Chief Executive is distributed by e-mail by Alex Owolade (Appendix 9, Ref: XXXII).
- The appeal panel in the case of Ms Small and Ms Davies concludes that they were guilty of gross misconduct, but that the penalty of instant dismissal was too severe. The penalty is changed to a final written warning for three years and a disciplinary transfer of the officers from their posts (Appendix 9, Ref: XXXIII).
- Ms Davies and Ms Small submit claims to the Employment Tribunal, alleging that they have been the victims of unfair dismissal, racial discrimination and victimisation. They believe that other white colleagues have made similar mistakes (ie - the case of Mrs Maher) without being dismissed (Appendix 9, Ref: XXXIV).
- The Panel looking into the complaint made by Anya Oyewole against Alex Owolade concludes that Alex Owolade's actions have breached Gross Misconduct rules 1 and 2, in connection with the incident of the 7 November⁴; his remarks on 'where's the racist'⁵; and his campaign in support of Eugenie Small and Elaine Davies (including the production and distribution of pamphlets). Mr Owolade is also said to have breached Lambeth Council's e-mail policy. He is dismissed. (Appendix 9, Ref: XXXV).
- LCAS management is criticised in UNISON's annual report (Appendix 9, Ref: XXXVI).
- Ashruf Cader submits a claim of unfair dismissal and racial discrimination to the Employment Tribunal; this is subsequently dismissed (Appendix 9, Ref: XXXVII).
- Ms Davies starts working in the monitoring section, which is located in close proximity to Anya Oyewole's office. Ms Oyewole submits a complaint about this to Patsy Aduba (Appendix 9, Ref: XXXVIII).
- Following the submission of a legal claim by Ms Oyewole against UNISON regarding the leaflets (printed on UNISON paper) distributed by Alex Owolade and others, UNISON writes formally to Anya Oyewole indicating that the leaflets

⁴ When Anya Oyewole accused Alex Owolade of aggression towards her when he accompanied Eugenie Small and Elaine Davies to the LCAS office to collect their belongings.

contained serious and defamatory allegations (Appendix 9, Ref: XXXIX). She is awarded an out-of-court settlement of an undisclosed figure.

- Ms Oyewole submits a claim to the Employment Tribunal, alleging victimisation and racial discrimination (Appendix 9, Ref: XL).
- Mr Owolade commences a claim of unfair dismissal to the Employment Tribunal. He later withdraws his application, only to submit a new claim at a later stage (Appendix 9, Ref: XLI).

44 From this abbreviated chronology of events, it can be seen that there were six Employment Tribunal cases submitted by LCAS workers, some three management investigations, and approximately 36 complaints from users and Sheltered Housing Officers. The number of incidents increased rapidly throughout 2001. Given the sensitivity of the issues at stake, the conflicts could not be ignored, and in December 2001, LCAS was disbanded.

1.9 ATTEMPTS TO DEAL WITH CONCERNS INTERNALLY

45 In an attempt to tackle some of the issues and resolve the ever deeper conflicts within LCAS, three investigations were held. The first, in 1998, sought ‘to improve the Emergency Response Centre’, whilst the second, in 1999, amounted simply to a substantial revision of the 1998 report. The third, which should have started in 2002, failed to commence, for reasons that will be given later. A brief account of each investigation follows:

(a) 1998 - Report of the Management Investigation of the ERC: Improving the Emergency Response Centre (commonly referred to as ‘Report A’)

This report was the outcome of a request from Patsy Aduba, who provided the following Terms of Reference:

“To identify the problems and issues that are adversely affecting and impacting on service delivery, and to make recommendations on the course of

⁵ Some witnesses claimed that they had seen Alex Owolade in the LCAS offices claiming he was ‘looking for the racist’.

action you would then wish to follow and to resolve these in consultation with myself.

“Your investigation should take into account the following:

- Letter from Officer A dated 15 October 1997 alleging sexual harassment of Officer B [Appendix 9, Ref: IX].*
- Allegation of harassment made by Officer B in December 1997 which Officer B did not pursue [Appendix 9, Ref: XLII]*
- Allegation of harassment by Officer C which Officer C decided to pursue privately [Appendix 9, Ref: XLIII]*
- Allegation of disruption of a Trade Union Meeting made by Officer D on 13 February 1998 [Appendix 9, Ref: X]*
- Complaint of harassment made by Officer E dated 9 March 1998 [Appendix 9, Ref: XII and XIII]*
- Complaint regarding the effect of Trade Union demonstration on staff by Officer F dated 16 March 1998 [Appendix 9, Ref: XII]*
- Complaint of harassment made by Officer B on 24 March 1998 [Appendix 9, Ref: XLIV]”*

As can be seen from the above list, the main concerns of the investigation were the circumstances arising from the case of sexual harassment alleged by Patsy Laidley against Michael Mendez. An investigation panel was set up, consisting of Mary Wasson (Manager of Housing Investigation Team), Andy Whittingham (Housing Investigation Team), Tony Berry (Hostels and Sheltered Services Manager) and Dorothy Quest (Special Housing Services Manager), who chaired the Panel and was its least experienced member (Private Meeting with Dorothy Quest 5 June 2003, transcript p. 17).

The panel held open interviews with LCAS workers and managers covering the way they saw the service, their position within it, and their ideas for its improvement. As the first general investigation into the Unit, it was intended to be sufficiently broad in scope to investigate all the different issues in a holistic fashion. The resulting report was neither published nor circulated. It consisted of

fourteen pages and heavily criticised the way LCAS was managed and specifically its managers (Appendix 9 Ref: XVI).

(b) 1999 - Management Investigation: Emergency Response Centre

Anya Oyewole, Janet Edwards and Maureen Bowman, the senior personnel in LCAS, were not at all happy with Report A, and - according to Dorothy Quest - James Dalgliesh (Director of Human Resources) believed that it should not be published as it would undermine the authority of the managers and hence LCAS management. The substance of the report was accordingly reviewed and a number of informal soundings were taken, following which a second version was drafted.

According to Ms Quest, the differences between the first and second versions of the report mainly involved areas of language, sensitivity and what was perhaps euphemistically termed the 'professionalism in the writing up of the final report'. In brief, this process included a time extension of several months, during which the first report was to all intents and purposes buried; the shortening of the report to five pages; and the production of a fairly innocuous set of recommendations, better described as proposals (Appendix 9 Ref: XVIII).

(c) 2002 - Internal Inquiry set up by Jonathan Flowers (Director of Culture Change)

Mr Flowers was due to commence an internal inquiry into the Unit in July 2002, despite its disbandment the previous year. However, the inquiry was terminated before it began, when the unions and the Movement for Justice issued a vote of no confidence in the substance of the investigation and made repeated threats to boycott the inquiry. Under these circumstances, neither Mr Flowers (who has since left Lambeth) nor the Council leadership wanted to continue the process.

- 46 Before this point was reached, however, it is clear that neither of the investigations that had been held had brought about an adequate resolution of the issues and conflicts. These consequently continued to bear heavily on the minds of the LCAS workers, inevitably to the detriment of service delivery.
- 47 Frustrated and often extremely angry, some workers thereupon requested the assistance of more senior managers outside of the Unit. This was a common

practice within the Council as a whole, and in the past many LCAS workers had bypassed the usual line-management structure and gone directly to the Business Unit Manager's line manager. This 'short-circuiting' of the official lines of authority had happened so regularly that it was felt to be commonplace.

- 48 Whilst the fact that this was a common practice indicated a high level of social and organisational dysfunction, it did not appear to be an effective practice. Accordingly, an alternative strategy was developed by workers, where concerns were brought directly to the attention of the then Executive Director of Housing, who suggested that all grievances within the Unit should be put to one side and that an external facilitator should be brought in.
- 49 Although this action was backed by Jon Rogers, Branch Secretary of UNISON, the LCAS workers rejected it because by this stage the extreme polarisation between management and workers had resulted in a dangerously high level of dissatisfaction and distrust.
- 50 At the point of the termination of Ashruf Cader's contract and his eventual dismissal, seven workers within the Unit sent a collective letter to the Chief Executive of the Council, Faith Boardman, highlighting their concerns. In it they criticised the management of the Unit and alleged differential treatment, racial discrimination and victimisation (Appendix 9 Ref: XXXII).
- 51 Matters had reached a stage where the issues could certainly not be dealt with at the local level, nor even by the Director of Housing. The conflict had developed a life of its own, superseding all other issues concerning the Unit to the point where service delivery was seriously affected.
- 52 The LCAS problem was eventually referred by the Chief Executive to the Director of Human Resources, who duly delegated it to an Employee Relations Manager within the Human Resources Directorate. There it appeared to remain, until the decision was taken to disband the Unit and to offer voluntary severance packages to the LCAS workers.

1.10 FOUR PARTIES: FOUR PERSPECTIVES

53 Early on in the Inquiry process, the Panel identified four main parties in ‘the LCAS story’: the managers, the workers, the Union (UNISON) and the users. Each possessed a distinctive perspective, although several different and often conflicting viewpoints and accounts of issues existed within each party.

54 The LCAS managers

The managers spoke of the issues they faced with respect to the efficiency of the Unit, the level of morale, instances where they were harassed by workers both directly and indirectly, the active disruption of Unit processes by workers and trade union representatives, and the lack of qualifications and professionalism of some workers. Whilst they professed to experience difficulties in trying to manage these ‘negative factors’ and problems, they were just as concerned by the lack of informal and formal support from their own senior managers, some of whom they felt neither understood nor were interested in the service. The Business Unit Manager also felt that her line manager’s style of management was defensive and reactive.

55 Generally, however, LCAS managers did not feel that service delivery was adversely affected by the internal conflicts, though they did feel that situations such as the Mrs Maher and Mr Fagbemi cases could have been avoided if greater harmony had existed in their relationships with their staff. Some managers pointed to difficulties they had had with individual staff members, such as Ionie Shahsavari, whom they found uncooperative and difficult to manage. But then Ms Shahsavari, in turn, spoke of being victimised by Anya Oyewole, who according to several workers, had *“deprived Ionie of the job she had been doing well”*.

56 Others, mainly outside the immediate internal LCAS management structure, informed the Panel of the frequency with which complaints were made against managers within the Unit, and how attempts to resolve them were thwarted. They, in turn, did not feel supported by their own managers, and felt they were constantly being complained about by managers within the Unit. Even more senior

managers stated they did not want to get involved in the issues of the Unit, as they believed they were being dealt with adequately by others.

57 LCAS workers

The workers fell into two distinct racial camps. The majority of black and minority ethnic workers believed they were treated less favourably than other members of staff. They alleged that there was a distinct lack of consultation over key issues, such as the development and implementation of the Unit's rota system and the improving of security for workers on night visits. They felt unsupported, at times harassed and intimidated, and yet at other times marginalised and alienated. They saw the Business Unit Manager as authoritarian, using her power to control and oppress in ways more akin to the style of a 19th century white colonist than a 21st century professional local authority manager.

58 In their view, the treatment they received and the managerial behaviours they experienced stemmed from the fact that they were black or from another minority ethnic group. Racism in all its forms and manifestations was the root cause of most of the problems. According to the majority of black and minority ethnic workers, and especially after the case of Michael Mendez was taken up by Shop Steward Alex Owolade, white managerial racism not only became the focus of staff resistance but also one of the main reasons why the Community Alarm Service could not be delivered effectively and to the standard demanded by users.

59 The majority of white workers, on the other hand, did not see racism as being the main issue or problem. They did not see any evidence of it or recollect any occasion when black and minority ethnic staff were openly discriminated against or, for that matter, subjected to undue pressure. By and large their collective position was that they *"tried to get on with everyone, workers and managers alike"*. If problems, conflicts and issues existed within the Unit, then they tended to be *"about small things like sorting out the rota"*. While deeper conflicts did exist, in this group's opinion they were interspersed with periods of harmony and cooperation within the Unit. In other words, the majority of the white workers who did not identify with and support the causes and struggles of black and minority ethnic workers chose, even when deliberately questioned by the Panel, to 'keep their heads down' and carry out their work quietly.

60 The Union (UNISON)

The Union considered that most of the problems could be viewed as problems which arose out of poor management. Although it appeared to accept the existence of discriminatory behaviour and racism, and even the presence of bullying and harassment in the workplace, it blamed management's failure to deal with these and other concerns, sometimes complaints, in a fair, equitable and consistent manner. In their view, the failure of Lambeth Council to address, for instance, wider issues of racism only exacerbated problems and inflamed conflicts further. The disproportionate number of black and minority ethnic staff in junior positions; the general reluctance to use formal procedures against white workers as opposed to the greater tendency to use them against black and minority ethnic workers; the lack of managerial support for black and minority ethnic workers confronting racial discrimination in the workplace - all led to a situation and set of conditions which, in the Union's view, precipitated not only an accusational and retributive climate but also the eventual collapse of the Unit.

61 The Users

The users were at the receiving end of all that was going on or, as so often was the case, not going on for them within LCAS. From their perspective, the internal issues - and particularly the time taken up with avoiding or dealing with them - took time and energy away from service delivery and customer care. They complained of rude behaviour from some LCAS staff, and insufficient time spent on introducing the service generally and on clarifying the responsibilities of LCAS, social services and other agencies for the provision of care. They felt that many LCAS officers showed little patience and understanding of their problems, needs and concerns, and that when they did complain, their complaints were not dealt with properly.

62 The users of African, Afro-Caribbean and Asian origin often experienced discrimination and were of the view that racism within LCAS impacted noticeably on the quality of the service they received. In short - and as recipients of a service designed specifically to meet their needs - they quite understandably viewed the rows they heard, the conflicts they witnessed and, in some cases, the racism they experienced as part and parcel of a huge, insensitive, bureaucratic system which

was concerned more with its own internal issues than with the delivery of a high quality service.

1.11 INTERIM CONCLUSIONS

- 63 To begin to understand the perspectives of the managers, workers, unions and users - and to make any meaningful sense of both what happened and what should have happened - calls for an approach anchored into these definitions, views, perceptions and experiences of the parties concerned. This has not only meant the development of a triangulated methodology as briefly introduced in Section 1.3, but also the arrival at conclusions (after the completion of the Interim Report) about what appeared to constitute the main areas of concern (see Appendix 7).
- 64 With respect to the managers, these conclusions pointed to the inadequacy of initial and additional training, the unclear nature of procedures, poor communication, unprofessional attitudes and behaviours, the breakdown of line management and authority, inconsistent leadership and support, and a managerial culture that seemed more exclusive than inclusive, divisive and aloof to the point of being unhelpful.
- 65 Incompetence, non-cooperation, prejudice, aggression, ineffectiveness and laziness were some of the initial and rather superficial conclusions suggested at the Interim Report stage of the Inquiry. Others included the concern that many workers had not received adequate training and preparation and, quite simply, did not know what to do in certain situations. On a more fundamental level, it was clear also at this stage that a culture of resistance if not outright rebellion had developed, one which consciously rejected the authority of managers and hence the kind of legitimations on which it was based.
- 66 Whilst the interim conclusions with respect to the users were mainly concrete and specific - ranging from inadequate referral and assessment, logging of calls and complaints procedures to the lack of information and managerial response to

requests - those which related to the Union were less definitive. Unhelpfulness, however, figured prominently, as many of the workers who had contacted UNISON were disgusted with the *ad hoc* support and/or service received. Nothing could be said conclusively at the Interim Report stage about the whole area of Union distance, complicity and attitudes, though an early study of the material indicated that some declared policies had not been implemented in practice.

- 67 The presence, problem and theme of racism was highlighted by the four main parties to the Inquiry. It provided a constant reminder to all Panel members that not only does racism form part of an historical, post-colonial legacy but that - even more disturbing after Scarman, Macpherson, race relations legislation and the work of the Commission for Racial Equality - it also forms (contextually for all and actually for many) an uncomfortable and dehumanising part of the daily life of black and minority ethnic people of all ethnic, religious, linguistic and cultural origins. Its individual, collective, structural and institutional forms and manifestations were to be found in both LCAS and Lambeth Borough Council as a whole.
- 68 From these preliminary and essentially broadly construed conclusions, it became possible to tease out three dominant themes, or what might be termed conceptual, analytical and - if it is not a contradiction in terms - practical policy areas. These the Panel considered would allow data and material to be organised, presented and evaluated in a way which would lead ultimately to a set of coherent findings and recommendations. For from 'the LCAS story' itself, as well as from the viewpoints and perspectives of the parties to the Inquiry, it was clear that apart from the problem of racism, there also existed huge problems centring around the nature of authority and/or working cultures inside and outside of LCAS.
- 69 Given this, the following chapters which present the findings in relation to the managers, the workers, the unions and those most affected by the quality of the service - namely, the users - will be structured conceptually and practically around these three key and interrelated problems, policy and thematic areas: 'authority', 'culture' and 'racism'.

2 MANAGEMENT FINDINGS

2.1 AUTHORITY

2.1.1 LEADERSHIP

- 1 From both the evidence presented during the course of the public hearings and the specific interviews undertaken with a number of key managers, three overriding concerns arose during the investigative process. The first stemmed primarily from the lack of detailed submissions by Council managers (both past and present) at public meetings. Apart from an opening depositional statement, only two provided evidence at public meetings. The second concern was about a form of what can only be described as ‘buck-passing’ with regard to the specific responsibilities normally associated with and expected of management at all levels during any local authority investigation. The Panel’s third concern was the issue of communication from managers at all levels to workers at LCAS.
- 2 **Lack of management input:** With regard to the first problem, the lack of submissions, the Panel was troubled that it was not going to receive information from key parties to the Inquiry. Although it was understood that at least two senior managers had made laudable attempts to encourage others to provide information to the Panel, only two out of 17 managers invited to submit actually did so. The fact that one of the two was Faith Boardman (in her capacity as Chief Executive of the Council, from September 2000 to the present day) suggested - as she stated in her own submission at the Public Meeting on 23 April 2003 - that a very real problem existed.
- 3 Reasons for non-attendance included the fact that certain managers had left the Council or indeed the country before the commencement of this Inquiry, and – the most often cited reason – that some felt intimidated at the prospect of giving information at a Public Meeting. Despite the Panel’s continuous attempts to make the process as neutral and as comfortable as possible for all parties, and particularly for those giving information, this perception of intimidation persisted throughout the Inquiry. Although initially the Panel were worried about this - as the non-attendance at meetings by management stood in stark contrast to the

attendance of former workers, and thus would in itself provide a distorting factor - it asserted its right to exercise its power under Inquiry Protocol Seven, which states:

“ In addition to the public meetings, the Panel may find it necessary to use other methods of obtaining information to ensure that they cover the groups outlined in (i) to (vi) in the Terms of Reference.” (Appendix 7).

- 4 From what amounted to a rather convoluted and often tortuous means of obtaining information, the Panel was nonetheless able to establish a clear finding - namely, that at all stages in the Inquiry, there existed a high degree of reluctance to clarify information or to accept responsibility for actions committed during the period covered by the Inquiry.
- 5 **‘Buck-passing’:** This emanated from and can be linked to the leadership at the very top of the organisation. Although professing to receive a substantial amount of documentation on a weekly basis, both the Chief Executive and her office appeared eager to pass concerns downwards, without the follow-up checks necessary – as some would argue - to ensure that matters had been dealt with effectively.
- 6 When questioned on this and her responsibilities, she replied:

“The actual people who run this Council are the members. I have a certain responsibility, which I take very seriously. My responsibilities are within a framework of policy and requirements which are set and agreed by members. In terms of my professional responsibilities, my responsibilities would be to try and ensure that the members were given appropriate advice; and that would need to involve, quite clearly, my concern for staff and the effects on the general morale and the general well-being of the Council and, therefore, its customers. But it would also have to involve professional legal advice, which I am not qualified to give. Certainly, I have responsibilities, but it must be within that framework.”

Faith Boardman, (Public Meeting 23 April 2003, transcript p. 17)

- 7 When Ms Boardman was asked about the way in which the letter from the seven LCAS workers was handled, her response was:

“When it comes to letters and written materials, I am afraid we have to weigh them rather than count them, but in the course of a week I get a pile of written material which is something like 6-foot high. The process has recognised that, given that weight of work and weight of people who, for one reason or another, want to contact the Chief Executive, it is a physical impossibility for the Chief Executive personally to investigate, personally to reply and personally to follow up in detail all the numerous items of business which are required to be dealt with.

“What I did was to follow the processes very specifically and very clearly by taking advice from the Head of Human Resources. I did personally write back. I personally acknowledged the complaint and I gave an assurance in that letter that it would be dealt with according to the Council's formal procedures. I was, therefore, passing it on to the Head of Human Resources for his attention.

“As I say, that is a process which experienced people in my office at the time have been following for some ten or eleven years. I did not personally follow up or monitor what was then done. It is not normal for me to do so. If you take the context of that number of items that come into my office each and every week, you will understand why it is not normal.”

Faith Boardman, Public Meeting 23 April 2003, transcript p. 22

- 8 Whilst the quantity of mail received by Ms Boardman is quite believable, it is puzzling to note that she did not apparently feel it appropriate to insist on feedback if the very serious matters identified in the letter were not resolved. It appears that the Head of Human Resources neglected to inform Ms Boardman that the issues had not been resolved, and that the matter had instead been ‘swept under the carpet’ through a long line of correspondence between Human Resources and the workers. The process ended in the offering of voluntary severance to the employees concerned.
- 9 As a concluding point to this extraordinary state of affairs, it should be mentioned that the key Human Resources staff member who was dealing with this complaint

contacted the Panel Administrator when the Inquiry started, to ask if she was likely to be called to answer questions. When told that this would be a decision for the Panel, she immediately informed the Administrator that her involvement was solely to process the papers that related to Alex Owolade's dismissal and not to any other matters related to LCAS. This officer has since left the Council.

- 10 On a general level, the Panel found that this style of leadership (or, to put it more accurately, non-leadership) appears to have characterised the whole management structure, replicated from Chief Executive level downwards, with managers at every stage neglecting to ensure that matters had been actioned satisfactorily. An overall air of superficiality permeated the management style, with managers seeming to deal purely with specific complaints and neglecting to ensure either the involvement of those likely to be affected by actions or, more importantly still, that the matter in question would not recur.
- 11 **Inapproachability of management:** This style of leadership was particularly apparent in the LCAS Unit, where the Panel received allegation after allegation from black and minority ethnic workers of an unapproachable and distant leadership. This manifested particularly in what was perceived to be the 'closed-door' mentality of the Business Unit Manager and Team Leaders, where managers were alleged to be in meetings during most of the working day, or to congregate at local cafes for long discussions. These managers were also alleged to be hostile to concerns raised by workers and to their suggestions for improvements within the Unit.
- 12 For instance, Pam Snelling told the Management Investigation Panel for Report A on 2 June 1998:

"There are many things to remember when you go on visits - movement book, key book and incident book. I once made a suggestion to Anya on how to improve this but it was dismissed."

and:

"I made up a form on the computer after Audrey [Stapleton] had suggested to highlight to management the extent of our work. I did this at home because there are no computer facilities at the office for word processing. Audrey and Eugenie [Small] tested my form and made suggestions. This was raised at a team meeting and management took it away to consider." (Appendix 9, Ref: XLV)

- 13 Similarly, Elaine Davies told the Panel on 12 May 1998:

"I have made suggestions to Anya on how to extend (the) customer base but Janet told me it was not my concern. We could improve (the) service by having proper literature to send to potential customers." (Appendix 9, Ref: XLVI)

- 14 Further information regarding management's inapproachability was provided by Eugenie Small during her submission to the Panel. She spoke of the difficulties workers faced in trying to change the work systems at the office, and in trying to raise issues with managers in a constructive way. These issues were pertinent to the very real problems that workers in the Unit were facing. According to Ms Small, they were disregarded by both the Team Leaders and the Business Unit Manager. For example:

"You have got clients who abuse the system. They will call in – one particular gentleman would call in and say, 'I am on the floor'. If you say, 'I am on the floor', you immediately have to respond. So we would be in a position where we were sending out ambulances to this man maybe six or seven times a day. And then he would say, when the ambulance got there, 'Could you get me a drink of water?'"

"I said to them, 'Look, this gentleman is putting people at risk' and, you know, I said, 'If we have a contract, then, if they start to abuse the system, you can actually take them off'. I also said if you have people who are senile - because we are working in a position where people aren't going to get any better - that is a fact of life. So, if they become senile, they will constantly press the pendant because in the end they don't know what it is for. We need to look at other services to put in place so that, if that does happen, you have a contact with the family; you have contacts with social services - these kinds of things. But that was never addressed."

- 15 This context of perceived inapproachability - combined with a lack of communication, or communication merely through memos - brought about a situation where certain workers felt that their concerns were either being ignored or dealt with inadequately.
- 16 The management style of the Business Unit Manager Anya Oyewole encapsulated much that aroused suspicion, resentment and eventual resistive disarray. Her target-driven approach conflicted with the usual management ethos of Lambeth Borough Council, which appeared at that time to lay little stress on accountability or, indeed, inclusivity. Though goal-orientated and at times, it was alleged, abrasively authoritarian, Mrs Oyewole's style also contained elements of favouritism, which did nothing, of course, to help to resolve issues and conflicts within the Unit. In fact, as a problem-solving strategy it only made things worse, dividing staff against staff in a way which legitimised the authority of some and severely undermined that of others.
- 17 This can be seen in the general tone of the communications issued by the Business Unit Manager, which seemed both heavily subjective and also rather harsh, abrasive and dismissive - a tone which appeared to derive from an entirely different set of managerial mores and cultural traditions than that normally associated with 'the Lambeth way of doing things'. The fact that the Business Unit Manager was of a different European white culture needs to be taken into account, as the interfacing of different cultures and hence what constitutes the legitimate exercise of managerial authority can and does differ in different societies.
- 18 Another instance of this abrasive and dismissive style of management can be seen in the operation of the LCAS team meetings, where - as has been acknowledged by both managers and workers - workers' concerns were generally either not included on the agendas or were deemed of secondary importance to those of management. Although managers have alleged that this was because workers tended to include 'frivolous' items, it should have been understood that what might appear frivolous to one group was by no means necessarily frivolous to

another. Mature and responsive management depended then, as it does today, on an appreciation of this adage.

- 19 In brief, the Panel considered that the Business Unit Manager's abrasively dismissive form of management did not promote an environment of inclusion and consultation within the Unit. In fact, quite the reverse: it served to promote a hostile, fractious and anxiety-ridden climate, where some workers felt they could resolve issues neither within nor immediately outside of the Unit itself. This perhaps explains why some workers felt it more appropriate to submit concerns to (ostensibly) sympathetic senior managers who were only tentatively related to LCAS. But even at this level issues were not adequately resolved, as the defensive nature of management within the Unit undermined and indeed prevented effective communication with the outside senior managers approached. Thus there could be no critical review of the situation, and the cycle of unresolved issues continued to escalate.

2.1.2 ROLES AND RESPONSIBILITIES

- 20 **Lack of clarity about LCAS's functioning:** As already demonstrated, there was a clear lack of example set by the top level of Lambeth Council, which trickled down to affect the workings of the LCAS Unit, not only in terms of its general ethos but also with regard to the workers' understanding of the service they were employed to provide. Although the information given to the Panel by most workers indicated that they did indeed realise the nature and importance of the service with which they were entrusted, there appears to have been a general lack of consistent understanding as to precisely what the service was actually supposed to offer. Given the critically important nature of LCAS's remit, this was a worrying finding for the Panel.
- 21 In the case of Mrs Maher, for example, the Panel found that different workers would have responded in different ways to the incident in question, indicating a real confusion around both procedures and responsibilities. After reading the transcript of the telephone conversations between Elaine Davies, Mrs Maher and (to a lesser extent) Eugenie Small, the Panel could not find any element of malice or laziness on the part of the workers, but rather a general feeling of confusion on

the part of Elaine Davies, and an understanding of what she perceived to be the correct procedure (i.e. not to visit Mrs Maher) on the part of Eugenie Small.

- 22 With this in mind, the Panel had no option but to conclude that there was a distinct lack of clarity with regard to vital procedures within the Unit. This operated on two levels: firstly, with respect to the implementation of clear and consistent procedures for workers to follow; and secondly, with respect to the provision of training. Some workers informed the Panel that the training they received was minimal, and in some cases even non-existent.
- 23 **Case of Ashruf Cader:** To quote the specific case of Ashruf Cader, who joined the Unit as a Temporary Community Alarms Officer, Ashruf was not provided with a training manual until ten days after his initial start date. He informed the Panel that there was no structured approach to his training, and that he was not given the opportunity to ask further questions as he did not have a nominated individual to whom he could turn. Other workers such as Pam Snelling have confirmed this, and have informed the Panel that they were actively discouraged from helping Mr Cader with his tasks.
- 24 In addition to this, it has been alleged that the treatment of Mr Cader was essentially punitive in nature. He was 'humiliated' on a number of occasions, being played recordings of his own telephone conversations with clients and being checked with test calls by the Business Unit Manager. As Mr Cader's personnel file has been lost by the Council, it is not apparent whether he was given appropriate support by management, nor is there conclusive information on the competencies he actually possessed.
- 25 On perusing the scant documentary information provided by the Council's Legal Services section, however, it appears, that no support was provided to develop him as a Community Alarms Officer when complaints were made against him. In fact, it appears that every error Mr Cader made became the subject of much concern for LCAS management, particularly Maureen Bowman, who informed the Panel at a private meeting that she was afraid that Mr Cader would end up killing a user. There were, however, three points associated with management's role here that are of particular concern to the Panel.

- 26 Firstly, it should be noted that Mr Cader had in the main good references that identified his potential to work effectively in the caring services. However, one verbal reference (which cannot be verified as it was taken during a telephone conversation between the Human Resources Department and the referee) alleged he ‘played the race card’ and was ‘difficult to handle’. It appears that these allegations were used against him.
- 27 Secondly, management’s response to a situation where a white worker neglected to make a follow-up call to an elderly user, found dead a few days later, was very different from their treatment of Mr Cader - when Julie Matthews was questioned, it emerged that she was never in fact disciplined for her inaction.
- 28 Thirdly, it concerned the Panel that the information about the white worker’s negligence was not voluntarily provided by either the Council or the worker herself but rather surfaced through the protracted questioning of Julie Matthews by a representative of one of the significant parties. Indeed, when the Chair asked Julie Matthews whether she had been involved in any management investigations, she informed the Panel that she recalled making a statement about ‘something’ but could not remember exactly what. This inability to remember clearly the circumstances surrounding a dereliction of duty which led to the death of a user was something that the Panel found difficult to comprehend.
- 29 **The delegation of the delegated:** Against this backdrop, it was very difficult to find managers who would provide information about their own levels of accountability, which made the Panel suspect that this was part of the general management culture of the Council. Indeed, this apparent practice of what is termed here ‘the delegation of the delegated’ (the deliberate avoidance of management responsibility) pervades much management practice. The Panel considered that in this context it could be related to the lack of leadership and the lack of acceptance of roles and responsibilities from the very top of the organisation downwards.
- 30 In conclusion, if people cannot easily identify their own roles and responsibilities within a unit or indeed an organisation - and therefore their accountability - it is

difficult to identify the precise nature of the service they are employed to provide. The Panel found that LCAS tended to operate with the long-term objectives in mind but with a lack of direction with regard to issues outside of the long term. Because of their neglect of everyday issues, problems and concerns - and the consequent sense of disillusionment that came to pervade the Unit - it became impossible to generate the necessary sense of solidarity, professional collaboration and team spirit, and so ensure effective delivery of proposed long-term measures and objectives.

- 31 The high level of role confusion, the racial favouritism which (as will be shown shortly) operated as a managerial behaviour that divided staff from staff, and the lack of demarcation of responsibilities all suggest that managerial authority was either not always asserted when necessary, or was often abused when it was asserted. The significance of this finding will become increasingly evident as the evidence presented by the workers, unions and users is reviewed.

2.1.3 MANAGERIAL INSENSITIVITY

- 32 Another finding that pervaded the evidence received by the Panel was that management's general response to the numerous concerns of staff was to dismiss them as mere 'grumbles' or – in the case of staff-initiated agenda items – 'frivolous'.
- 33 **The Quest report:** A particular example of this concerned the creation and implementation of the rota system, where it appeared that there was inadequate consultation with staff. Staff concerns were amplified in the management investigation into the Unit chaired by the Special Housing Services Manager Dorothy Quest, where six out of thirteen staff members expressed concerns about the overall effectiveness of the rota system. As there was disagreement between staff members as to a viable alternative, the rota system was not changed.
- 34 In the first version of the Quest Report, something of the flavour of the problem of 'sensitivity' regarding the rota can be gleaned:

“The present rota is for three months. I made suggestions to staff for improvements but they were not happy and I would not put forward suggestions to management without the approval of staff.”

Pam Snelling, information provided to Management Investigation Panel (Report A), 2 June 1998, (Appendix 9, Ref: XLV)

“The same people always complain about the rota - Paul, Audrey, Elaine, Pam and Eugenie - but the complaints about this rota are the worst. We asked staff to come forward with ideas but they did not.”

Maureen Bowman, information provided to Management Investigation Panel (Report A), 29 May 1998 (Appendix 9, Ref: XLVII)

- 35 In the first version of the report, this problem of sensitivity (or insensitivity) begins to converge with the problem (already noted) of managerial dismissiveness:

“The current rota is contentious and undoubtedly one of the major problems. Staff do not believe they were properly consulted, whilst management maintain that staff were given every opportunity to contribute ideas. Sickness and absenteeism amongst staff are running at high levels, which has resulted in unacceptable pressures on the few staff who are willing to cover additional shifts.” (Appendix 9, Ref: XVI)

- 36 The report recommended that, to help restore co-operative relations and to instil a more sensitive and sensitised managerial approach, a review of LCAS should be urgently carried out. It also recommended that staff should be actively involved in the design of a new rota (possibly through a working party consisting of staff and management representatives), and that, in particular, the issues of six shift weeks and shift patterns needed to be addressed. Further, the definition of flexi-shifts needed to be clarified (as this had clearly changed with the ending of overtime and was interpreted differently by staff and management), and the allocation of flexi-shifts needed to be improved in order to give staff fair warning of the hours they would need to work. Moreover, to counter staff objections, every effort should be made to inform all staff members of the need for supplying contact telephone numbers, and the reasons for doing so.

- 37 Although the Panel does not have the information it ideally requires to ascertain whether or not the recommendations were ever implemented - or to go beyond describing in general terms the problem of insensitivity - it appears from the information the Panel possesses that, obversely, the concerns of LCAS management with regard to the report were not acted upon.
- 38 **Concerns of management:** According to the Business Unit Manager, these concerns were:
- That the report was filled with allegations against management and did not mention anything about the harassment case against Michael Mendez;
 - That on some issues Dorothy Quest knew the answers, but she did not include them in her report (Mrs Oyewole gave an example of a pilot staff rota that Dorothy Quest must have known about, given that she had been at the meetings where it was decided);
 - That Janet Edwards and Maureen Bowman had told Dorothy Quest that there were problems with senior management (Patsy Aduba and Dorothy Quest), but in the report the only problems mentioned were those with the LCAS Business Unit Manager;
 - That the Business Unit Manager would have liked to have had an opportunity to reply to the allegations made in the report and would have preferred a formal investigation; and
 - That she felt that Dorothy Quest had no understanding that the 14-page report (which had taken 9 months to complete) would undermine management.
- 39 When considering the report more generally, it seems that the concerns addressed to management by black and minority workers within the Unit and their suggestions for improvement were also disregarded. This can perhaps be explained by the deep divisions within the Unit, which meant that management perceived possibly legitimate concerns and suggestions as highlighting gaps with regard to their roles and responsibilities, and therefore viewed such actions as challenges to their authority. Coupled with the initially negative reception by LCAS management of Report A (which triggered the drafting of a second version of the report), this indicates a level of hypersensitivity on the part of management, which

itself seems to have reacted negatively to perceived adverse reactions, both internally and externally.

40 **Recommendations of the Quest investigation:** It should also be noted that during the course of the Quest investigation there were no allegations of racial discrimination within LCAS. The investigation did identify, however, a number of management measures which needed to be put in place in order to improve staff morale and the efficient running of the service. These mostly addressed the compounded issues already outlined here of managerial support and communications, together with the underlying issue of managerial sensitivity. The measures included:

- Relocation of the service manager to the control centre in order to give closer support and access to staff;
- Regular supervision and appraisal;
- Improvements to recruitment practices within the section;
- Measures to improve communication within the team;
- Individual training programmes for staff;
- A review of the rota system; and
- Improved awareness of Health and Safety issues for the team.

41 Again, it is not clear whether these recommendations were ever implemented. From the information the Panel has received from those within the Unit, it does not appear that they were.

42 Management did not appear to view users as a group with the right to be consulted on a regular basis, and it appears that the only substantial evaluation of the service was conducted during the Best Value Review of 2000. A continuing consultation process which is accessible to all parties is crucial for the kind of service provided by LCAS, and it is a sad indictment of the Unit that this appears to have been neglected.

2.2 CULTURE

2.2.1 MANAGERIAL STYLES

- 43 Changes in management style and the effect on the culture within the LCAS Unit serve to explain a great deal about the conflicts and issues that arose during its lifetime. From the days of the Emergency Response Centre (ERC), with its almost *laissez-faire* approach which - it is alleged - appears to have allowed workers to operate flexibly within the Unit, to the promotion of Anya Oyewole to Business Unit Manager in 1996, there appears to have been a shift in style from the traditional bureaucratic towards more of a business-orientated and target-driven approach (as already mentioned). This shift was very much in keeping with the management ethos in vogue at the time – namely, that of ‘new public management’, which entailed, amongst other things, the creation of an ‘enabling’ authority, a ‘competitive’ Council, devolved management and a distinctive customer orientation (see Appendix 1).
- 44 But regardless of this shift in style, there appears to have been an almost total neglect of those workers’ concerns that were emerging within the Unit. This neglect reflected a negativity towards the behaviour of some of the workers, an attitude which had come into existence during the time of the ERC and developed further during the time of LCAS. Paradoxically, it was an attitude which in fact worked against the development of the new management style within LCAS, leading to a situation where management and some workers could claim to be part of the target-driven grouping, whilst others within the Unit were seen as part of the ‘old guard’. Moreover, it encouraged a cyclical mode of organisational behaviour within LCAS, where conflicting priorities would compete but were never resolved to the satisfaction of any group or individual concerned, thereby perpetuating an unsatisfactory status quo and never developing beyond that.
- 45 The target-driven style of the Unit in general and its manager in particular (who was largely perceived as dictatorial in approach) was from the outset doomed to failure, as it was a style that was openly rejected by certain workers within the Unit. Furthermore, the confusion caused by the different styles, together with the

conflict between the *laissez-faire* and target-driven approaches, effectively led to a state of inertia, non-management and disillusionment.

- 46 Although workers had the same targets to achieve and ostensibly the same level and amount of work was required of them, the subsequent ‘rebellions’ which arose manifested, for instance, in absenteeism when required to work as part of the rota system, leading to situations where some workers had inevitably to work harder than others. This, in turn, undoubtedly affected the morale of the Unit as a whole.

2.2.2 COMPETENCY

- 47 **Lack of support for and from LCAS management:** Although senior management could claim to be supportive on some level (as exemplified by Patsy Aduba’s letter of complaint to UNISON regarding the leafleting campaigns in support of Elaine Davies and Eugenie Small), it could be argued that there was generally a distinct lack of support displayed by senior management towards the management at LCAS.

- 48 Anya Oyewole did not feel that Patsy Aduba was supportive of her, and alleged that Ms Aduba had in fact given negative information about her to John Broomfield (The Panel, however, did not receive verification of this). This was despite the fact that Ms Aduba had written to Mrs Oyewole stating that Mrs Oyewole’s method of working and the improvements she had made to the service were appreciated, and that she herself was “*a strength to the Emergency Services Sub-division.*” Something of the flavour of Patsy Aduba’s oscillation between support and non-support of Anya Oyewole can be detected in the following extract:

“In relation to Lonie’s [Shahsavari] original return to work, it is quite clear that you did not get the support you had a right to expect from more senior management, and in that I include myself along with Eve [Elgar]. In what was a totally dysfunctional area, I would have liked more time and sensitivity shown in sorting out a range of festering problems, and unfortunately with this being replicated across the Division in so many areas I certainly do not feel this was done ... Anya, you are a strength to the Emergency Services Sub-Division.”

(Appendix 9, Ref: VI)

- 49 Mrs Oyewole felt that Dorothy Quest was equally unsupportive and that she did not have the professional knowledge to deal with the issues that affected her. When supplying information to the Panel, Dorothy Quest described Anya Oyewole (in a manner which left some nagging doubts in the minds of the Panel about her sincerity) as a person who was target-driven and delivered results:

"If I said to Anya, 'Climb out that window, climb that tree over there and pick me that apple at the top of the tree and bring it back to me by 5 o'clock tonight', that apple will be with me by 5 o'clock tonight. She might not have climbed the tree herself and she may have moaned about it by habit. That is why I have described our relationship as professional and productive. She has never given me any reasons to take issue with her, either personally or professionally."

Dorothy Quest, Private Meeting with Panel 5 June 2003, transcript p. 56

- 50 Mrs Oyewole felt that, over time, the senior management attitude towards her shifted from non-supportive to active harassment. To substantiate this indictment, she gave examples of the perceived lack of support afforded to her during the Elaine Davies and Eugenie Small leafleting campaign and the subsequent reinstatement of Elaine Davies. She found this all the more surprising, given that Patsy Aduba had written to Jon Rogers (Branch Secretary of UNISON) to complain about the leaflets (Appendix 9, Ref: XLVIII), and had requested of Elaine Davies that she try to "keep out of the way of Anya Oyewole". Or, in the words of Elaine Davies:

"I was along the corridor from her [Anya Oyewole's] office and I was told not to talk to her or have any interaction with her, and I was also told not to use the lift up to the third floor, but to use the stairs ... The impression I got was -- because I had this surreal chat with Dorothy Quest and she just kept saying, you know, 'This is going to be OK, isn't it, Elaine; nothing's going to happen? You are OK with seeing Anya, aren't you?' I was extremely insulted because I thought she was trying to insinuate that I was going to try to attack Anya, and then for her to say, 'Use the stairs' -- 'Yessir, massa', just use the back stairs like a slave -- I was quite insulted."

Elaine Davies, Public Meeting 19 March 2003, transcript p. 85

- 51 The LCAS Team Leaders, on the other hand, felt as though they were not supported by the Business Unit Manager, especially when greeted with comments such as “*You’re a manager, manage!*” (Private Meeting, Maureen Bowman 10 February 2003) when they broached issues of concern. Perhaps unsurprisingly, the two Team Leaders forged a close bond, as they were very much the managers in the front line.
- 52 **LCAS management structure:** The workload issue - which was a common subject of dispute throughout the history of LCAS - is one that is quite puzzling. During the time of the ERC, the Unit was managed by one person. When LCAS was officially launched, there were two Team Leaders and 13 Community Alarm Service Officers, who were managed by the Business Unit Manager. As the Panel has not been asked to look at the current Careline service, it is not appropriate to provide any substantial material on this particular point, except inasmuch as it relates to ‘the LCAS story’. But it should be noted that the current management structure at Careline has one Team Leader effectively in the position of/carrying out the functions of the Business Unit Manager and two Team Leaders, who have now left the Council’s employ.
- 53 The adoption during the time of LCAS of a top-heavy management structure seems strange, and – given the ‘them-and-us’ mentality that some of the workers inclined towards - may have served to intensify any already existing conflicts. This situation was further aggravated by the fact that, with the new target-driven focus, the workload of the staff themselves had increased considerably. This raises the question of whether it was practicable for the Unit to contain so many managers, under one manager who was not actually located within the Unit.
- 54 **Racial favouritism:** The following of internal and Council-wide procedures seems to have been at best an *ad hoc* affair, and to have been connected to an unofficial ‘procedure’ of racial favouritism and the formation of a racial hierarchy that operated generally within the Unit. For instance, Audrey Stapleton was asked:

Q. “... when Elaine Davies spoke here, she said that there was a racial caste system in LCAS. How do you feel about that statement?”

A. *" Yes, I actually ... I mean, it sounds a bit strange for me to say, but some people, the lighter you are, the better they treat you; the darker you are, the worse they treat you, know what I mean? For a lot of black people I think they understand what I am saying to you, and a lot of white people do that. So the lighter you are, if you're very light, they treat you quite nice. If you're very dark, they treat you very badly.*

" I can testify to that because my husband is very, very dark and he has loads of problems, he has most black problems, but his friend was very, very light and he didn't have any problems. It's something I have grown up with. I am 45 years old - it's something I have grown up with from a youth, and I recognised that in Anya as well.

"She was OK with me, she was quite nice to me, but she was really horrible to Eugenie; she was really, really horrible to Eugenie. Although she was nice with me, she was a lot nicer with Elaine; a lot nicer to Elaine. I recognised this but I thought it was just me. I thought it was just me and then, when Elaine said it, I was thinking, 'Wow', then I realised I'm not the only person who actually thinks like this. I know this happens a lot, but she treated me better than – I would say a lot better than Eugenie, because she treated Eugenie absolutely terrible, she treated me OK and she treated Elaine a bit better than me. But then to say all three of us, she treated us badly, if you see what I mean."

Audrey Stapleton, Public Meeting 16 April 2003, transcript p. 69

- 55 A more concrete example of how this racial favouritism (or, more accurately, racism) operated was the almost imperceptible shift that took place in the case of Mrs Maher from the investigation into her complaint, to the activation of the grievance procedure against Elaine Davies and Eugenie Small. The use of gross misconduct charges against these black workers not only helped to stimulate a culture of racial fear but also led to the removal from the Unit of problems that could have been prevented, such that they had to be dealt with by the Council itself. In short, LCAS management transferred 'difficult' issues, ones that did not fit within its desired remit of achieving a business-orientated, self-financing status,

such that they were dealt with in a more rapid and, it could be argued, more racially adroit manner.

56 The case of Mr Fagbemi should be noted at this point. Here the Panel found a situation where an investigation was set up by management in such a way as to overturn the previous management investigation decision and to rebut accusations that management's investigations were subjectively and racially conducted. The Panel was concerned to find that the two workers at the centre of this investigation (Pam Snelling and Audrey Stapleton) had also signed the seven-signatory letter to the Chief Executive, and that the situation was only reinvestigated after Alex Owolade had brought the discrepancy between the Fagbemi case and the case of Mrs Maher to the attention of the Council during the disciplinary hearings of Eugenie Small and Elaine Davies.

57 The Panel was also concerned to hear that, had Mrs Oyewole not gone on long-term sick leave following the investigation into the Fagbemi case, she would have been disciplined. This information was never relayed to Mrs Oyewole, who expressed extreme shock when informed of this by the Panel.

58 Following on from this, it was almost inevitable that the monitoring of workers' performance should follow a similarly inconsistent pattern. Some workers spoke about the way in which certain (mainly black and minority ethnic) colleagues' work was monitored closely, whilst that of others (mainly whites) was not. In the words of one such black worker:

"When I worked in LCAS, and I have said this before, I was constantly watching my back because I felt very much as though I had to kind of dot my i's and cross my t's, or whatever they say.

"There was an incident where a woman came in and asked for a plumber because her toilet was blocked, and she then made an allegation that the plumber had assaulted her. Paul Fee and myself were on shift. I didn't know this until the police had rung. From the way the investigation was conducted, I got the impression that they were trying to find Paul and myself at fault; it was not about what had happened to this lady.

“ So if you are trying to say, where did that perception come from that I felt that I was being targeted, then that is what I would say. That was a real fear about the way the investigation was carried out. I did actually talk to Dorothy about this and say, ‘Can you look at the way they investigate?’ She said, ‘I have put procedures in place to balance out the way they investigate.’ But, obviously, I have gone through this process, so I don't know how those procedures were implemented anyway. That is what I am trying to say to you; that feeling of being targeted.”

Eugenie Small, Public Meeting 15 March 2003, transcript p. 37

- 59 The ‘pro-management’ white workers did not experience any feeling of being targeted. For example in answer to the question, *“Did you notice any difference in behaviour to black team members, as opposed to white team members?”*, Carmel Corcoran, a white worker, answered: *“No. Not really; no.”* (Public meeting 25 March 2003, transcript p. 87)
- 60 Similarly, some workers spoke of other (white) workers as being protected by management on issues that could easily have merited disciplinary procedures. An example was given by Paul Fee of a white LCAS worker who was allegedly taking backhanders with respect to the installation of telephones for users. When this was discovered, managers allegedly had a quiet word with the worker, but no further action followed.
- 61 In the context of the racial favouritism that operated within the Unit, it can therefore be argued that the way in which workers’ performance was monitored by management and the way in which certain workers were protected whilst others were not demonstrates the operation of racism in its most insidious form – as an institutional and personally internalised acted-out behaviour, one which will be addressed more systematically in subsequent sections of this report.
- 62 As an incontrovertible consequence of this, a form of racially-based administrative disparity developed further within the Unit. Direct parallels can be drawn between the treatment of Julie Matthews, who was not disciplined following her failure to check on a user who was subsequently found dead, and that of Patsy Laidley, who most probably would have faced disciplinary proceedings following a similar

incident had she not taken sick leave shortly afterwards. Evidence of this can be found in the fact that a transcript of the call Patsy made to the user at Malham Court was produced for management perusal, and that Patsy was asked to provide a statement and to attend a meeting with management on the matter. The Panel received no information to indicate that Julie Matthews faced the same kind or level of investigation.

- 63 A further example of racial favouritism can be found in the difference between the training given to Ashruf Cader compared with that given to Carmel Corcoran. During its meeting with Mr Cader, the Panel was informed that he had only received a training manual ten days after he had commenced work in the Unit. There had been no structured approach to his training, and as no one seems to have been directly responsible for his training, he did not receive adequate supervision. He also informed the Panel the he did not receive first aid training. In the case of Carmel Corcoran, in contrast, the training she received on starting at LCAS was, in her own opinion, quite comprehensive:

Q “...did your managers ever give you training so that you understood you were being trained?”

A. “Well, for the first couple of weeks, the managers oversaw your training anyway. I mean, they would come and stand behind you in the control centre - you know, monitor what you were doing if you were able to, could you take the calls properly. I mean, I was told several times that I wasn't keeping my hand long enough on the speech unit and cutting myself off and things like that.”

Q. “Were you ever shown a manual which you were told you ought to read?”

A. “Yes. We were given a training programme when we started. We were given, you know, different paperwork. I can't really remember now, but we were given a training programme. I think it was about three weeks and there was this specific thing that we would do for each day.”

Carmel Corcoran, Public Meeting 25 March 2003, transcript p. 64

- 64 This difference in treatment was also referred to in the submission of Elaine Davies, who informed the Panel that she did not receive the training manual which was allegedly given to Carmel Corcoran and other white staff upon their arrival at the Unit (Public Meeting, 19 March 2003, transcript p. 64)
- 65 In brief, the effect of these disparities in treatment at best reinforced already existing feelings of ostracism and at worst - and more sinisterly - could be seen as aiding a managerial strategy of 'divide and rule'. Within the white group, there was simply an assumption that they would be protected, whilst the black and minority ethnic group knew that they would not be and that, as a consequence, they were not secure in their positions, regardless of their level of professionalism and output.
- 66 Many of the early disputes and situations could still have been resolved by means of careful management and consultation with workers. However, the conduct of management during the latter period of LCAS towards certain workers, with its implicit victimisation, only exacerbated and deepened conflicts to a point where they became structural realities and part of the normative lives and behaviours of all but the 'conflict blind' in the Unit.

2.2.3 COMMUNICATION

- 67 Relations between most black and minority ethnic workers and management at LCAS were fractious due to a range of issues that affected the Unit. Management neglected to rectify the situation by attempting to resolve matters with staff - instead they opted to focus on immediate and long-term strategic objectives at the expense of workers' concerns. The rationale for this neglect is not immediately apparent, but when linked with the above findings, one factor could well have been the animosity created by the racism that operated within the Unit. But it is evident that, as issues remained unresolved, management's task became increasingly difficult.
- 68 Team meetings became a symbolic battlefield, and deeply reflected the conflict between some workers and management. It seems that management used these meetings as a means of maintaining and appropriating power, with the effect that issues not pertinent to management thinking were ignored and any possibility of

challenging the existing order was stifled. In fact, the very place where many would expect real dialogue and communication to have occurred – namely, the team meetings – was instead the place most characterised by a lack of communication.

69 Further, the distinct lack of systematic and consistent consultation on certain issues (including the implementation of the rota system, the development of training for LCAS staff and the need for security for night visits) served, in the first place, to exacerbate the culture of disillusionment amongst the workers and unresponsiveness in management. Secondly, and perhaps more seriously, it helped foster a state of chaos, operational machiavellism and, ultimately, rebellion.

70 But before this stage was reached, communication through memos had fast become the norm within the Unit - partly as a means by which management could protect themselves from subsequent allegations from workers, and partly as a means of distancing themselves from contact with workers.

71 A notable example of this is Mrs Oyewole's memo to Elaine Davies and Eugenie Small, requesting that they refrain from 'confronting' her in front of other people over the investigation into Mrs Maher's complaint.

"I am writing to you concerning the above investigation and your repeated attempts to engage me in a discussion about the matter in front of your colleagues. This happened again during the last team meeting on 6 July (2000).

"As you are aware that the matter is part of a formal management investigation and it is totally inappropriate for me to discuss this with you outside a formal setting. Please refrain from discussing the matter in front of your colleagues or other staff in my absence."(Appendix 9, Ref: XLIX)

72 Regardless of the accuracy of the information contained in the memo, such a bald directive could never be an effective means of dealing with what had become a fractious relationship.

- 73 The Panel has found that this kind of approach towards the group of largely black and minority ethnic workers allowed management to win the battle fought during team meetings. However, it militated against winning the war of achieving long-term objectives for the benefit of the Unit and – as has to be emphasised again here - for the benefit of the users.

2.3 RACISM

- 74 In a post-Macpherson society, it is now understood that institutionalised and, indeed, institutional racism forms part and parcel of everyday life and work experience. However, during the early years of LCAS, racism - though suspected - was not accepted as being part of the ‘ideological air we breathe’. It was largely covert and, as has been shown, manifested in operational and managerial cultures and behaviours seemingly differentiated on the basis of racial and ethnic criteria.
- 75 Just because it was largely covert, even unintentional, and sometimes difficult to ascribe to any particular individual, does not mean that its presence should be viewed only as an institution acting in a racist way. For all institutions of this kind are composed of people who collectively or, in some instances, individually act on their behalf. From this standpoint, racism then becomes as much the responsibility of the individual as of the institution, and hence it can not be dealt with solely as an institutional problem.
- 76 Although the greater part of the LCAS period was covered only by the provisions of the Race Relations Act 1976 (and in particular Section 71 of the Race Relations Act), there did exist during the time of LCAS a statutory duty to ensure equality of opportunity and good race relations, and to eradicate racial discrimination from its activities.
- 77 Local government responses to the legislative provisions available at this time can be generally subdivided as follows:

- Category 1 - The position of assuming that opportunities are the same for all: An assumption – borne principally out of apathy, ignorance and political and bureaucratic inertia - that discrimination does not exist, that equal opportunities are available for all and that no further action is thus required;
- Category 2 - The assumption that all people start from the same position: Based on this assumption, a local authority would make a formal declaration of intent not to discriminate, and to give equal opportunities to all persons, irrespective of colour, race, ethnicity, nationality, etc; and
- Category 3: The revision of priorities in favour of disadvantaged groups: Here the local authority would actively pursue a policy of equal opportunities by recognising racial discrimination and disadvantage, and by taking appropriate measures (through the provision of equal access) to enable black groups to benefit from genuine equal opportunities commitments⁶.

78 LCAS tended to operate within category 1 - at best. The managers who gave information to the Panel stated that they were not racist, that racism was not an issue within the Unit, and that there were equal opportunities for all. Nonetheless, there existed a significant number of workers who believed that racism did operate within the Unit, to the detriment of black and minority ethnic staff.

79 The development of racial conflicts, favouritism and hierarchies at LCAS and the precise manifestations of unconscious racism on the part of management can be effectively identified. How both overt and covert forms of racism undermined the professional interests, emotional stability and career development of black and minority ethnic staff within the Unit can also be seen in the everyday interaction of the Unit.

80 For instance, many black and minority ethnic workers who gave information to the Panel talked of personal comments made to them by Anya Oyewole. They said

⁶ Ouseley, Herman; Silverstone, Daniel and Prasher, Usha (1981): *'The System'*, The Runnymede Trust

that, at first, they did not fully appreciate the implications of Mrs Oyewole's remarks, but that they gradually came to realise that the comments were stereotypical and were in fact quite offensive. They became aware, in other words, that they were on the receiving end of what amounted to racism.

81 One such black worker expressed the sentiments of many when she said:

" I didn't even think at first it was racism. I think, you know, I was a bit naive. I would say I was naive. I was sitting on the Piper Network Controller and at the time it was like working up on the stairs and she was sort of chatting to me, just making polite conversation, and she was going down the stairs, she was actually going down. She was actually going down because she was coming from the office, chit-chatting, and she was going down the stairs.

" She said - I don't even know how the conversation came up, but she said, 'It's a well-known fact that West Indian women have more – it's a well-known fact that West Indian women have children outside marriage more' – no, what she said was, like in other races, the West Indian women was the ones that had it more. And I went, you know, like, because we were talking about something that was a completely different subject and I was, you know, I was trying to change the subject really and she said, 'I'm not racist; it's statistically proven. It's in the papers', and I said, 'Oh.' It didn't really, it was actually a white person, Paul Fee, and I think because he knew of all the catalogue and history of the lady, he was more afraid of her than I was, and I really didn't think more of it. It only became more apparent as the years went on, as I saw other things happening."

Audrey Stapleton, Public Meeting, 16 April 2003, transcript p.66

82 According to another black worker:

"Just, throughout my time there, just some of the comments she made, even the looks, the way she would look at some of the staff, and she made a comment to me that – she said words to the effect that, you know, African people are mainly cleaners but that's OK because they study, even though they clean, but West Indian people like to live off the State, off State handouts, because they don't want to work."

83 The Panel also received information to indicate that Anya Oyewole made similar comments to black and minority ethnic Council officials outside of the Unit. When the Panel questioned her on this matter, she stated that the remarks she had made had been 'in good faith' and that they had either been misinterpreted or reinterpreted. It is difficult to see how the remarks made to Audrey Stapleton and Elaine Davies, if quoted accurately, could have been misinterpreted, and it is the Panel's view that Mrs Oyewole's own cultural history and her racialised experience manifested - whether consciously or not - in distorted relations with black and minority ethnic staff. Her behaviour, together with the attitudes, values and beliefs from which it derived, seemed to endorse and perpetuate the existence within the Unit of a racial hierarchy- something which also found support among the more junior Unit managers.

84 The following extracts from Elaine Davies's testimony to the Panel tend to confirm this:

Q. "Would you say that there was a racial hierarchy within Community Alarms?"

A. "Yes."

Q. "Who was responsible for that system?"

A. "Anya."

When asked to elaborate on the racial hierarchy, Ms Davies went on to say:

"Well, she herself treated people as we have just said. You know, she treated the white people better. I was just under, I was mixed race, and then below, her [junior] managers did the same. They looked to her for leadership, but she is their manager. This is what she is doing ... she is the one encouraging certain people to go on courses and certain people not to. So those managers then took that on board, even though one of them was black. They treated us all [i.e. mixed race staff] exactly in the same way. The white people were supreme; I was sort of just under there; and then African and then the West Indian people."

Elaine Davies, Public Meeting, 19 March 2003, transcript p. 62

- 85 Other workers confirmed in their own accounts not just the existence of the deliberately sustained racial hierarchy the Panel had discovered but also something about how the way it operated within the Unit. Audrey Stapleton put it quite cogently:

“... the lighter you are, the better they treat you; the darker you are, the worse they treat you.”

She continued:

“I am 45 years old; it's something I have grown up with from a youth, and I recognised that in Anya as well. She was OK with me, she was quite nice to me, but she was really horrible to Eugenie [who was darker in colour]; she was really, really horrible to Eugenie. Although she was nice with me, she was a lot nicer with Elaine [who was lighter]; a lot nicer to Elaine. I recognised this but I thought it was just me. I thought it was just me and then, when Elaine said it, I was thinking, ‘Wow’, then I realised I'm not the only person who actually thinks like this. I know this happens a lot, but she treated me better than – I would say a lot better than Eugenie, because she treated Eugenie absolutely terrible, she treated me OK and she treated Elaine a bit better than me. But then to say all three of us, she treated us badly, if you see what I mean.”

Audrey Stapleton, Public Meeting, 16 April 2003, transcript p. 69

- 86 Although the Panel's findings on 'administrative disparity' have already been recorded, it is important to demonstrate how racism affected the handling of suggestions for improving the efficiency of the Unit. For example, Eugenie Small recounted attempts by herself, Audrey Stapleton and Elaine Davies to communicate such suggestions to LCAS management, only for them to be dismissed. Suggestions made by white workers such as Pam Snelling were usually accepted. As Pam Snelling (a white worker) informed the Panel at the Public Meeting on 25 March 2003:

“I know that when Eugenie had requested certain things – her holidays – that she didn't get them; whereas I generally got given what I wanted.”

- 87 Rather paradoxically, the ‘exception to the rule’, which usually signifies the presence of racism, surfaced in the way Pam Snelling herself was treated. While the investigation into the case of Mrs Maher remained closed, the case of Mr Fagbemi was re-opened and, as a result, Pam Snelling was disciplined. When asked by the Panel why the investigation had been re-opened, she replied:

“Well, I’ve been asking all the time. I asked UNISON and they said, ‘You’ve done nothing wrong, Pam’, and I said, ‘Why are they doing that?’ I think it was because they were angry with me; they were trying to get their own back. And then somebody said, ‘It’s because you’re white’, and they treated white people differently from black people, but I said, ‘I’ve done nothing wrong.’ I really do not believe I had done anything wrong.”

She responded to the question “When you say ‘It’s because you are white’, what do you mean by that?” with:

“ Well, because it seemed as though it was just black people who were being disciplined within central control, apart from Paul Fee, who had been disciplined. I am not quite sure what he had been charged with, but I know he was one who signed letters on behalf of black workers, as I did.”

Pam Snelling, Public Meeting, 25 March 2003, transcript p. 42

- 88 No mention at all was made in the Quest Report either of the allegations and actual examples of racism reported here (or anywhere else in this report), or of racism as a phenomenon or practice that unquestionably shaped many actions and behaviours inside and outside LCAS. This seems surprising, given that Report A was produced almost concurrently with the Macpherson Report, and especially given that some workers still allege that they had at the time complained of racist attitudes and practices within the Unit.
- 89 Not only did managers themselves and the LCAS management in general ignore them but there was, if anything, a stubborn denial that racism existed at all. Or in the words of the Business Unit Manager herself: *“How can I be [racist]? I am married to a Nigerian.”*

3 WORKERS FINDINGS

3.1 AUTHORITY

- 1 By and large, the management within LCAS was seen by many workers as slipshod, operating to serve particular interests that did not include the concerns and issues that they themselves felt to be important. If any attempts were made by senior management outside of LCAS to address matters, these workers felt that the issues were often misunderstood:

“No action was ever taken when complaints were made about racist comments, racist statements. In fact, when we sent the letter of complaint to John Broomfield, when he did actually reply, what he recommended for us was a facilitator. And the staff then said, ‘No, we will not have a facilitator because, at the end of the day, we don't believe this is a communication problem. We believe that this is about racism and harassment and this has been going on too long’.”
Eugenie Small, Public Meeting, 15 March 2003, transcript p.5

3.1.1 LACK OF RESPECT

- 2 The varying perceptions of the legitimacy of authority within the Unit provided the main backdrop against which many of the issues arose. In order for management to operate effectively, it was essential that the authority of the line management structure within the Unit should be recognised - and respected - by all those involved, at all levels. The Panel found that, although the line of authority within the Unit was recognised, the element of respect was lacking, manifesting in annual leave disputes; rota system debates and, indeed, debacles; failure to follow disciplinary procedures; and openly hostile relations between management and certain workers.
- 3 One example which is particularly worth noting here concerns the letter sent to the Chief Executive by seven workers of the Unit (Appendix 9, Ref: XXXII). It alleged:

- (1) That LCAS leaflets publicising the service showed only white LCAS officers and management;
- (2) That white workers were getting favourable treatment in connection with annual leave during the Christmas period;
- (3) That only black and minority ethnic officers faced disciplinary action – with the exception of Paul Fee and Pam Snelling, who had defended black and minority ethnic workers;
- (4) That management investigations were carried out by a line manager in the case of a white worker but by Anya Oyewole in the case of a black worker;
- (5) That racist comments had been made by Anya Oyewole;
- (6) Favouritism and nepotism; and
- (7) The failure of management to deal with workers' complaints.

Not only did this letter indicate a distinct lack of respect for the LCAS management but, given the nature of the allegations made, it also highlighted the severity of the issues and conflicts existing within the Unit.

- 4 **Case of Paul Fee:** A further example of disrespect within the Unit - though this time emanating from management towards workers - involves the case of Paul Fee. According to Mr Fee, he had requested annual leave due to personal problems; the period of leave was initially agreed by LCAS management but was later reduced, despite the fact that the holiday Mr Fee and his wife were to take had already been booked. Mr Fee informed management that he had to take his holiday, and he duly took the time off. He was thereupon reported as being absent without leave and disciplinary charges were brought against him, which were subsequently upheld.
- 5 This example highlights the lack of consideration and respect management appears to have shown for workers' problems, as well as their disregard of normal procedures. For it should be stressed that Mr Fee had checked with Maureen Bowman, his immediate line manager, at the outset as to whether he could book time off and, relying on the agreement reached, he had gone ahead and paid for the holiday. The fact that Paul Fee was a shop steward and had attempted to represent a number of LCAS workers in their concerns should be noted as a

possible reason for management's change of mind, and for the personal and professional disrespect shown to Mr Fee.

- 6 **Case of Eugenie Small and Elaine Davies:** The case of Eugenie Small and Elaine Davies, who faced disciplinary charges after the Mrs Maher incident, also needs to be revisited in this context. As can be seen from the procedures audit presented in Appendix 3, the investigation conducted by Anya Oyewole (and the subsequent disciplinary charges brought against Ms Small and Ms Davies) was severely flawed in terms of the lack of consultation with those under investigation. Furthermore, the increasing level of hostility and disrespect expressed by Mrs Oyewole towards Eugenie Small and Elaine Davies during the course of the investigative process could not have helped in effecting a satisfactory resolution. As Anya Oyewole's attitude towards both at this time appeared aggressively disrespectful, it is hardly surprising that the decision to dismiss instantly the two workers was deemed at the appeal stage to be too harsh, leading to its eventual overturning in favour of charges of misconduct and the subsequent reinstatement of Elaine Davies. (It is, moreover, difficult to fathom why these two officers, already deemed to be a risk to clients of the service, were charged with gross misconduct but yet allowed to remain in their positions as Community Alarms Officers throughout most of the investigative process).
- 7 **Report A:** Finally, the almost secretive and certainly selective manner in which Report A was disseminated - along with the somewhat vitriolic reaction to its contents from, at first, LCAS management as a whole and then from Anya Oyewole alone - points to the level of disrespect that existed throughout the Unit. For it seemed as if those who were trusted and respected were favoured with either an early draft copy or a verbal summary, while those who were not but yet were affected by its contents had to wait an inordinate length of time for its appearance.
- 8 On its appearance, as opposed to its publication, it evoked fierce reactions. Senior managers considered it to be disrespectful of managers and staff alike, ignoring their contributions to community and social care. One senior manager in particular, James Dalgliesh, angrily stated that the Dorothy Quest report could be published but "*on her head be it*" (private meeting with Dorothy Quest, 5 June

2003, transcript p.24). The slowness of feedback to workers – and in some cases reported to the Panel, the total lack of it - suggested that deeper conflicts and forms of disrespect characterised management/worker relations.

- 9 Further endorsement for this can be found in the lack of support shown by other managers for the serious concerns described in the report. (For instance, James Dalglish, who had direct knowledge of Report A, failed to bring this information to the attention of Faith Boardman when the latter received the letter from the seven LCAS workers). This meant, in short, that the necessary next steps for and of further investigation were not followed. Instead, a considerably toned-down version of the report was produced, which was five pages long and took nine months to surface (Appendix 9, Ref: XVIII). Indubitably, the whole mismanagement of this report intensified the climate of disillusionment and low morale which already existed in the Unit.
- 10 It also illustrated the lack of trust which characterised the relationship between workers and managers, a state of affairs which continued to deteriorate long after Dorothy Quest had completed her investigation. In fact, at the point in 2000 when Ashruf Cader's contract was prematurely terminated, LCAS workers felt that the situation in the Unit had deteriorated so far that they felt moved to send the seven-signatory letter directly to the Chief Executive, thereby bypassing all the management structures and procedures in between.

3.1.2 MANAGERIAL STYLES

- 11 It is apparent that the situation had by this time escalated to such a degree that the Unit had effectively imploded, splitting into two polar opposite camps, with 'pro-management' group on one side and the 'anti-management' group of workers on the other.
- 12 To begin to provide a cogent explanation for the almost total breakdown in management/worker relations in the Unit, it has to be remembered that it derived in the main from management's attempts to change the lackadaisical and *laissez-faire* management style of the ERC and to streamline the service to a state where it could be afforded self-financing status.

- 13 The situation management faced was one where – so it has been alleged - the ‘old guard’ was used to spending time in cafes, shopping and outside activities. One person informed the Panel that a worker allegedly took ‘backhanders’ for telephone installations from users of the service. The introduction of a target-driven, goal-orientated system within this context meant that old practices (which were of benefit to workers but not to the service) had to go.
- 14 While it can be stated that most of the conflicts in the Unit were those that arose between management and the ‘old guard’, it is difficult to ascertain exactly why this should be the case, though several possible explanations can be proffered. In the first place, many of the workers were used to some considerable leeway in how they planned their time, and how they did or did not do their work. Secondly, many resented the fact that a white manager had replaced the previous black one. And, thirdly, a noticeable class and cultural difference existed between the ‘old guard’ workers and the new managers.
- 15 But whatever the explanation, from the workers’ perspective, the sudden appearance of a new management style within the Unit proved to be a major problem. Ostensibly set up to deal with the failures of the previous management and to end alleged malpractices and abuses of workers’ roles and responsibilities, this new style (as shown in the last chapter) was openly rejected by one group of workers. According to information received from the managers, these workers subverted all attempts to introduce a new rota system. Furthermore, both Team Leaders alleged that this group of workers deliberately phoned in sick when it was their turn to perform duties under the system. The net result was that the other workers - and the Team Leaders themselves - had to work all the harder in order to ensure the delivery of the service.
- 16 The managers also told the Panel that they had received phone calls ‘about nothing’ when they were off duty but on standby; that they had received unsolicited pizza deliveries in the early hours of the morning; and that photos of themselves in communal areas had been defaced.

- 17 This all indicates that the disaffected group of workers saw the new management as the ‘enemy’, people who needed to be contentiously undermined and shown no respect. Whether or not this was due to the reasons already offered - or the outcome of a frustration borne of a lack of formal power - or, as suggested earlier, due to management’s inequitable treatment of LCAS workers, it all added up to one overriding conclusion: LCAS was fast becoming unmanageable, and any legitimate authority that had previously existed was rapidly being eroded.

3.1.3 DEVELOPMENT OF CONFLICT

- 18 Although management may have had the formal responsibility of ensuring the efficient and effective running of the Unit, the workers had a responsibility, in their position as front-line staff, to ensure effective team-working and delivery of service. It appears that the workers who did not agree with the managerial beliefs, values and practices were not only told they were not delivering the services but were also ostracised.
- 19 The culture of ostracism, however, was not the domain of management alone, but also seems to have been encouraged by anti-management workers. An example of this type of ostracism was related to the Panel by Philip Long, who reported the allegation of sexual harassment against Michael Mendez (concerning Patsy Laidley). When asked by the Panel whether Ms Laidley was marginalised as a result of her complaint against Mr Mendez (who was seen as a part of the anti-management group), Mr Long replied:

“Yes, she was, both during the investigation and even more extremely after Michael was found guilty. Patsy and Amanda (Steele) were victimised by their colleagues, who had been witnesses for Michael and they also made written statements. She was also victimised by Alex Owolade using trade union meetings where, according to Patsy, he issued threats and organised a public campaign to make Michael out to be a victim and Patsy some vindictive scorned woman. I believe Patsy and Amanda went off long-term sick with stress. Patsy came back, but Amanda never did. In my opinion management and personnel were very supportive of Patsy throughout.”

Philip Long, statement to the Panel 20 June 2003 (Appendix 9, Ref: L)

- 20 Some workers who were not part of the anti-management group spoke of simply wanting to get their jobs done, and refusing to become involved in LCAS office politics and the rows and resistive struggles which, by the time of the Mendez case, were all-pervasive.
- 21 Whilst such workers witnessed the conflicts, they also insisted that there were 'patterns of harmony'. For example, Shirley Taylor informed the Panel that she often used to bring in home-cooked food, which was enjoyed and well received by all LCAS workers together, regardless of their pro- or anti-management position. During the periods of relative calm, when all workers did apparently coexist amicably, the conflicts noted in this section of the report only surfaced - in the view of these particular workers - as murmurings and gossip within the Unit.
- 22 However, once UNISON shop steward Alex Owolade became involved - firstly, with the concerns of Michael Mendez and then, secondly, with those of Eugenie Small and Elaine Davies - a new level of consciousness and political potency developed amongst these as well as other workers. The murmurings and gossip and, of course, the conflicts on which they were based metamorphosed into a more coherently rebellious campaign within the Unit.
- 23 The cyclical recurrence of the issues that had been raised but not resolved was now being dealt with in a different manner, one that directly challenged the authority of management through the deployment of the 'representational' tactics of Alex Owolade. On a deeper level, what was being (re-)stimulated and revealed was the development of a new workers' consciousness forged out of experiences and perceptions of 'oppression', 'exploitation' and 'discrimination'. Once organised as a series of political actions under the guise of Union representation, it appeared to provide the rationale for various challenges made against both the individuals (particularly Anya Oyewole, who reported instances of extreme victimisation) and the authority they exercised.

3.1.4 INCONSISTENCIES AND INADEQUACY OF PROCEDURES

- 24 To return to the highly casual and often lackadaisical style of earlier management, it is now clear that this and the practices associated with it formed the symbolic if not actual starting-point for the conflicts which arose, and for their (non-) management.
- 25 For instance, Ionie Shahsavari, in her role as Emergency Response Manager, was often required to work from 3.00pm to 11.00pm and, as a result, was in the office during this period. According to the evidence she gave to the Panel, this timing had allowed her to perform administration tasks, look at staff training and deal with any problems from workers who were delivering the night service. The new manager saw this as unreasonable absence from the office and changed Ms Shahsavari's hours to 9.00am–5.00pm, which impaired her ability to perform her duties effectively. This change alone set the stage for conflicts to emerge around the former manager of the old Unit (ERC) and the new manager of LCAS, who made it quite clear that she was 'the boss'.
- 26 **Inconsistency within the Unit:** The change in style as well as managerial and work ethics was complicated and compromised by the fact that, after the changes implemented by the Business Unit Manager, certain members of staff were still allowed to go shopping during Council time whilst others were not. As those who were allowed this privilege were not able to tell the Panel whether all staff were similarly benefited, it is difficult to verify the allegations made by those who were denied time off to shop, although it certainly does appear that the allowing of time off followed an inconsistent pattern that favoured some workers over others.
- 27 Admitted by Mrs Oyewole, the lack of training (and refresher training) for certain workers within the Unit (eg, Ashruf Cader) demonstrated further inconsistency, even the operation of dual standards. Moreover, the lack of consistent work-related and personnel procedures in the Unit meant that not only did users receive different levels of service, but also that the levels of awareness of the standard of service to be expected varied greatly.

28 As a direct consequence of the lack of consistent procedures, the Panel found that workers often had to use their own initiative when out on calls, deciding for instance what constituted 'an emergency'. In the Panel's view, the lack of procedures for situations that required quick responses led directly to a general level of inconsistency across the board, which in turn affected the level and standard of service provided to users. Given the understandable reluctance of users to complain (as they feared repercussions), there is no way in which the extent of this can be systematically measured, though the examples of Mrs Maher, Mr Fagbemi and others must serve as a lasting indictment against LCAS' s standard of service delivery.

29 **Lack of access to necessary knowledge:** Evidence of this problem of inconsistency - and particularly of how some work ethics and practices were manipulated by managers - can be gleaned from the fact that many workers lacked not only the general knowledge necessary for their jobs but also specific knowledge about the procedures which regulated, standardised, ethically informed and professionalised their work. According to Eugenie Small:

"When I first came into the section, Janet would say, 'Read the procedures', but the procedures are a little bit abstract."

Eugenie Small, Public Meeting, 15 March 2003, transcript p. 11

When asked by a Panel member if there were written procedures on how to deal with a person in a wheelchair, Ms Small emphatically replied: "No."

Eugenie Small, Public Meeting, 14 March 2003, transcript p. 39

30 Other workers reported that they did not have access to training manuals, grievance procedures or other relevant documents, and that attempts to obtain procedures and documents were often fraught with difficulty. For instance, the requests for a medical dictionary - whilst seeming eminently reasonable, given that many workers did not know what certain medical conditions meant or entailed - did not appear to have been followed up:

Q. "Have you had to make decisions about prioritising calls in medical situations?"

A. *"Mm hmm."*

Q. *"Did you have any medical training?"*

A. *"No, no. I know that one of the things that Elaine [Davies] had asked for was a medical dictionary and that never materialised; or it did but it wasn't the right one. I can't remember."*

Eugenie Small, Public Meeting, 14 March 2003, transcript p.16

Elaine Davies, however, could remember, and she recalled that:

"... if you went out to someone's home and they had a medical problem, they would explain to you what that problem was or they would say whatever it was – like, I don't know, impetigo, or vertigo or something – and you would write it down and go back and type it in; but I didn't know what they were. I didn't know what a lot of ailments are. Everybody knows the obvious things but some of them I didn't know. We had a dictionary so we could look up the spelling, but I didn't know what they were, so I couldn't put 'diabetes' and, say - I didn't even know that people take tablets or insulin for diabetes. I didn't know what it was. And the database was very sketchy, so this person would come up and you had all these words that sounded like they were off [the TV soap drama] 'Casualty', but I didn't know what they were."

Q. *"Did you ask management for something to help you with that?"*

A. *"Yes, I asked for a medical dictionary so that we could look up these ailments and maybe put some brief but vital information down, because we would have to judge what to do based on that information and if you didn't know that some conditions were life-threatening or needed certain medication, then we could make the wrong decision. So, yes, I asked for a medical dictionary and I think, I was at LCAS for maybe three and a half years, four years, and I asked for that all that time – every team meeting I attended I asked for a medical dictionary – and we never got one."*

Elaine Davies, Public Meeting, 19 March 2003, transcript p. 27

- 31 **Workers' rights:** These requests, if granted, would clearly have improved the knowledge of workers and so have impacted favourably upon the standard of service delivery. On the other hand, the lack of knowledge which existed around workers' rights (with regard to particular personnel issues, grievance procedures and so on) severely undermined their ability to critically question perceived injustices and malpractices and, just as importantly, to defend themselves against allegations.
- 32 From the Panel's extensive audit on procedures presented in Appendix 3, it is evident that the following of them was *ad hoc* and subjective. For instance:
- Meetings were not held with the involved parties in many of the grievance cases raised by workers;
 - Managers showed an enthusiasm for making gross misconduct charges when misconduct charges would have seemed more appropriate;
 - The lack of a consistent and practicable timeline was detectable in the following of many of the procedures, particularly those concerning complaints and disciplinaries;
 - A lack of consistency was apparent in the reporting back of the outcomes of hearings etc to staff against whom disciplinary charges had been made or who had submitted grievances;
 - The autonomy afforded to managers when conducting investigations into complaints was almost irresponsible; and
 - The completely inconsistent use of disciplinary procedures against staff (again, mainly black and minority ethnic staff) supports the critical findings of UNISON's Black Workers Group, which commented on the Council as a whole in the early 1990s (Jon Rogers, Opening statement to Inquiry Panel, 12 February 2003).
- 33 **Breach of confidentiality:** Possibly even more disturbing than the implications of the cavalier attitude towards following laid-down procedures, the inconsistency and the favouritism, was the information the Panel uncovered about the Unit's PNC database system, which held vital information on all the users. For the Panel

received evidence to suggest that relevant information had been taken off the system. Moreover, it was alleged that some (white) workers were given the managerial privilege of deleting information from the system. Although these allegations cannot be completely verified by the Panel, the sheer amount of circumstantial evidence received on this topic suggests that the security of the database system should have been guarded more closely.

- 34 The fact that certain staff had access to the system and hence to confidential, very personal and other user-related information, and the fact that these staff were subjectively appointed and not in formal positions of authority, raises not only the question of the non-existence of data protection procedures but, just as problematically, the question of the rights of the elderly, powerless and physically or emotionally infirm customers who used LCAS.

3.2 CULTURE

3.2.1 'NEW' STAFF, 'OLD' CULTURES

- 35 Central to any understanding of what happened within LCAS is an appreciation of not only the nature of managerial authority exercised – as already shown – but also the nature of the distinctly different approaches to work exhibited by the 'old' and the 'new' staff. Whilst both spawned their own specific (sub-)cultures, the division between the two exemplified in part the social and behavioural contours of the pro- and anti-management groups that developed.

- 36 So one factor that served to further deepen divisions within the Unit was the arrival (from 1996 onwards) of new staff such as Julie Matthews and Carmel Corcoran. These staff, who admitted that they were not interested in the office politics that dominated the Unit, were seen as part of the pro-management group. According to one manager:

"The co-operative staff are the newer staff. Sometimes new staff change – for example, Elaine (Davies) was fine at first but then she started to distance herself."

Janet Edwards, information provided to Management Investigation Panel (Report A) 29 May 1998, (Appendix 9. Ref: LI)

- 37 Some LCAS workers felt that, although the relationship between management and workers had improved somewhat since the Dorothy Quest investigation, management tended to be distant and secretive. In the words of Paul Fee:

"I always feel as though I have something to prove. (The) relationship between myself, Maureen and Janet has improved since this [Dorothy Quest's] investigation and they are more polite to me. Their attitude is that they shout at people who are not doing things their way. They are secretive, they close their door and lock it when they have meetings, even when they go to the toilet they lock the office door."

Paul Fee, information provided to Management Investigation Panel (Report A), 8 June 1998, (Appendix 9. Ref: LII)

- 38 Other workers – of black, minority ethnic and white origin - felt that management favoured certain (white) staff over others (of black and minority ethnic origin):

"Many (of the) new staff are coming from HomeCare. Some are bad at their jobs ... Two weeks after being acted up, Maureen was recruiting EROs. She has recruited two staff from HomeCare. Maureen, Pam, Carmel, Julie and two temps are all from HomeCare. Julie is the partner of the son of the cleaner at Balmoral, Anya's old [sheltered housing] scheme, and she knows Anya. I believe Anya showed favouritism."

Joseph Yeboah, information provided to Management Investigation Panel (Report A) 19 May 1998, (Appendix 9, Ref: LIII)

- 39 One of the workers perceived to be 'favoured' had a different point of view on how the Unit operated:

"(The) problem with the majority of staff is they do not like work. They have had it too good for too long and they do not want to work. The job is well-paid and interesting ... We need to get rid of bad staff and shake people up."

Julie Matthews, information provided to Management Investigation Panel (Report A) 3 June 1998 (Appendix 9, Ref: LIV)

- 40 These quotations and many of the interview and public hearing submissions contained in Appendices 4 and 5 clearly show that there existed different perceptions of staff abilities and different allegiances within the Unit, which tended to depend on shared career backgrounds and shared interests. It should also be noted that these different perceptions were not confined to workers but were also evident among management, as indicated by the words of Janet Edwards above. It is further apparent that staff from the old ERC were seen as more difficult to manage, perhaps because they had come into the LCAS Unit carrying with them the legacy of ERC inefficiency.
- 41 **Case of Patsy Laidley:** But, then, in some cases management were indubitably correct in their perceptions. For a worker in a conventional office job to neglect to make a follow-up call – as did Patsy Laidley – may result in an irate client or the slowing down of a particular task; in a service such as LCAS, such neglect could have a devastating result for the user, as well as repercussions for colleagues. For in this case, a secondary outcome of Ms Laidley's negligence was the shock and horror experienced by a fellow worker (Shirley Taylor) who discovered the decomposing body of Mr Thomas. Ms Laidley does not appear to have been too concerned about this incident.
- 42 On another occasion Ms Laidley terminated a call initiated by the sounding of a fire alarm, on the grounds that she could not hear the user. According to the transcript of the terminated conversation, Ms Laidley asked the user to call back when the alarm had stopped. Had a passerby not noticed smoke coming out of the user's house and immediately called the fire brigade, the outcome would have been far worse.
- 43 **Workers' subcultures:** Within the Unit different subcultures tended to develop amongst different groups of workers. For example, new recruits to the Unit spoke of being introduced by workers to practices that allowed them to 'slack off' during the course of their duties. Maureen Bowman, who started as a Community Alarms Officer within the Unit, informed the Panel that once she became a Team Leader,

she noticed a significant degree of hostility directed towards her, partly because she knew workers' practices and, as a result, was 'wise to their tricks'. Due to the lack of a consistent induction programme within the Unit, the workers' informal alternative form was a very powerful one.

- 44 The workers' subculture in general was such that individuals who were not seen to participate in the addressing of certain concerns, or whose own concerns did not fit into the anti-management perspective, were sometimes ostracised. For example, Shirley Taylor informed the Panel that she had faced hostility from some of the workers who had sent the letter to Faith Boardman because she herself had refused to sign it (on the grounds that she had not been a witness to many of the events the letter described).
- 45 A particularly worrying example was the hostility expressed towards Patsy Laidley by a group of workers following her allegation against Michael Mendez of sexual harassment, as evidenced by Philip Long's statement quoted above. This showed clearly that the bullying tactics of some workers were directed not only against management but also against their colleagues. In fact, it seems as if the 'anti-management' workers were extremely resistant to any negative feedback, no matter whence it came. With their reliance on adversarial tactics rather than the strategies of negotiation, their style at times was so confrontational that it proved very difficult for management to implement long-lasting change with sufficient buy-in and/or majority support.

3.2.2 PROBLEMS WITH PROCEDURES

- 46 The Panel noted that, while there appears to have been a general basic understanding of the requirements of the service, some workers adapted their approach and behaviour to meet everyday contingencies because, quite simply, and as already discussed, the laid-down procedures simply did not cover many areas of concern. In the case of Mr Fagbemi, it seems that there was such confusion with regard to the correct procedure that even the Team Leader on duty at the time did not appear to have been aware which procedure should have been followed.

- 47 Furthermore, although workers did seek actively to improve the service they provided, their efforts were at times either disregarded or adopted without adequate recognition, as exemplified by Eugenie Small's visit to Lewisham's equivalent service and by Pam Snelling's production (in her own time) of a leaflet for users of the service.
- 48 Given Mrs Snelling's habitual adherence to procedures and her general level of conscientiousness, the Panel was particularly concerned by the disciplinary charges brought against her and Mrs Audrey Stapleton through their involvement in the Mr Fagbemi case. These charges subsequently prevented Mrs Snelling from obtaining employment in the caring services.
- 49 The following of correct procedures in the recruitment of staff within the Unit was also an issue of concern to the Panel, particularly with respect to the appointment of Jackie Madden as Temporary Community Alarms Officer. Instead of filling in a standard application form, Ms Madden had submitted a CV; and there were some doubts as to whether she had actually contacted the local job centre in order even to obtain an application form, as procedures required. She was interviewed nonetheless, and was subsequently appointed to the position. The lack of adherence to procedure in this case, the lack of consistent follow-up and lack of redress are indeed bizarre.

3.2.3 FAVOURITISM

- 50 The Panel has also received conflicting information regarding the recruitment responsibilities within the Unit. Some workers alleged that those who were not directly recruited by Mrs Oyewole - such as Ashruf Cader and Audrey Stapleton - were badly treated within the Unit. When the Panel asked Ionie Shahsavari, the Head of LCAS's predecessor body, if Audrey Stapleton, for example, had been treated well, her reply was:

"I didn't really know at the beginning, to be honest[inaudible] ...Anya just made Anya started off by trying to make everything ... I don't even know how to put it. She tried to disrupt the induction programme that I had for Audrey. Normally with new staff, I would arrange an induction of approximately four

weeks and before that four weeks was up, Anya wanted Audrey to go out and then she wanted her to cover the board and we had an argument about that because I said, 'She's not, you know, suitably trained to be doing this. She doesn't know enough. She shouldn't be left on the system by herself,' and she wasn't able to actually fix the units. So there was quite an argument between Anya and myself about Audrey in the beginning. I don't know what she was trying to pull."

Ionie Shahsavari, Public Meeting, 8 April 2003, transcript p. 27

- 51 With respect to the treatment of Ashruf Cader, Pam Snelling told the Panel in no uncertain terms why she, as a white worker, had co-signed a complaint to Faith Boardman, the Chief Executive:

"Because I felt that he had been dealt with in a bad way. You don't treat people like that. He was a mature person, had years of working experience. I wouldn't like to be treated like that. I don't think anyone would, let's face it. He had been there nearly six months."

Pam Snelling, Public Meeting 25 March 2003, transcript p. 41

3.2.4 TRAINING

- 52 Although during the 1990s training became quite a fashionable part of local authority culture, both inside and outside the Council, it appears that this pro-training culture never permeated through to the LCAS offices in Acre Lane. For instance, no structural training policy or plan was drawn up during the early years of LCAS, and the training originally offered was completely inadequate, in that it did not deal with the complex issues which any response service needs to be able to address.
- 53 No satisfactory definition of what constituted an emergency was provided, nor was any consistent close tutorial or supervisory support given. The initial contents of the training curriculum did not cover important aspects to do with the psychological basis of client and customer relations, nor the many difficulties that can arise in a sheltered housing setting where sheltered housing officers are not amenable to the needs and requests of residents.

- 54 Whilst many of these issues were later addressed by the service, the Panel was not able to establish whether or not the new training manual that was given to the Panel by Dorothy Quest was actually used between 1996-2001. Several workers asserted that the dateless manual produced by Dorothy Quest at the public hearing (it should be noted that Anya Oyewole claims responsibility for the creation of this manual) either did not exist or was not used, and it seems that the many suggestions made by staff on how to improve and/or customise the training they received went unheeded. The training implications of the booklet produced by Mr Yeboah, which informed workers of procedures to follow, were disregarded, as was the booklet itself.
- 55 The Panel also found that users' complaints were not built into the training scheme as legitimate contents in themselves, and that the notion of continuous training - or in today's terminology, 'a learning organisation' - seemed to be as alien to the service as was the notion of regular monitoring and evaluation.
- 56 Even though training considerations and objectives were later built into individual appraisals, the climate prevalent at the time seems to have demonstrated a haphazard and *ad hoc* approach to training. Some evidence exists to suggest that, though workers were performing the same job, different people experienced different standards of training; and, according to evidence presented to the Panel, some staff received little training or no training at all.
- 57 The *ad hoc* nature of the training provided did not help boost staff morale or confidence, as evidenced from the following statements:

"When I came to the section I was trained with a person who had herself recently joined ERC. Managers sat down with me for five minutes two or three times but I cannot remember what they said. I was trained on the computer and on how to deal with customers. The training was confusing because everyone does their own thing."

Pam Snelling, information given to Management Investigation Panel (Report A) 2 June 1998 (Appendix 9, ref: XLV)

“There is no training pack for newcomers and no training pack for trainers to follow. If Paul [Fee] and I were training a newcomer, they would end up confused because Paul and I have different ideas about how to do the job.”

Julie Matthews, Information given to Management Investigation Panel (Report A) 3 June 1998, (Appendix 9, Ref: LIV)

- 58 However, the Panel noticed that the information provided by Julie Matthews above directly contradicts her submission to the Panel at the Public Meeting on 15 March 2003:

Q. *“Julie, training. I believe in front of you there, that is a training manual, isn't it? Have you had this and read it and studied it in the course of your training?”*

A. *“Yes.”*

Q. *“That is your training manual, and you are familiar with it?”*

A. *“This is what we would have been given on Week 1. There's all sorts of different bits and pieces there. Yes, this is what we would have been given, and a breakdown. It might have noted set titles or things that we need to follow up reading in different books.”*

Julie Matthews, Public Meeting, 15 March 2003, transcript p. 50

- 59 It should be noted that this lack of a consistent approach to training generated a culture that was characterised by uncertainty - even insecurity. For example, the Panel received varying accounts from workers (anti-management, pro-management and indifferent) as to what constituted an emergency situation within the Unit; what was the correct course of action when users repeatedly called the Unit on ‘false pretences’; how they should handle themselves when visiting a home in a notoriously violent area and their rights in such situations; and so on. It was apparent that the information they received from their managers was conflicting, and thus only aggravated their sense of insecurity.

3.2.5 MONITORING AND EVALUATION

- 60 Monitoring and evaluation were a rarity within the Unit. The main example of an evaluation of the service was that recorded in the Best Value Report of 2000, but even here there was neither substantial levels of evaluation of nor feedback from LCAS workers. Given that various concerns had been expressed by workers well before the report's publication, it is alarming that these appear to have been glossed over by management, with the result that the impression the report provided was in some respects a distorted one and that many workers – and, in the long term, many users – became increasingly disillusioned.
- 61 Just how far the disillusionment of the majority of workers extended can be found in the management representative's opening statement to the Panel, which drew upon a subsequent review of the Best Value Report:

"The Best Value Fundamental service review found that:- ...They (the staff) are dissatisfied with the lack of opportunities for individual development, regarding their role as one that deskills them and isolates them from other areas of the Council as the skills they use are very specific to the Control Centre. They are also dissatisfied with the current working arrangements for making night-time visits alone and have asked that alternative arrangements be made'."

Jonathan Flowers, opening statement at Public Meeting, 12 February 2003

- 62 Certain members of staff who were part of the anti-management group were, however, monitored on an operational level. For example, Ashruf Cader was monitored on a random basis by management within the Unit through test calls, etc. Other workers, such as Pam Snelling and Audrey Stapleton, reported that the treatment Mr Cader received as a result of this monitoring technique was very unprofessional. They indicated that such treatment was not meted out to the white staff – like Carmel Corcoran - who were known to have problems in the carrying out of their duties. Audrey Stapleton told the Panel that Ms Corcoran did not have the necessary IT and administrative skills to do her job. (She also alleged that Ms Corcoran appeared to have gained her post through her friendship with Maureen Bowman.) According to Mrs Stapleton:

"I believe that Carmel got that extensive training [needed to do her job]. Even when she was training, she still got help, but I don't think Ash got any training, he got none, he got nothing, know what I mean. I think the man had issues anyway, like most of us do have issues, do you understand, but nobody really sat down and spoke to him; they just thought, 'This man's a problem, this man's a problem, let's get rid of him; so let's make it as hard for him as possible.' That was the way I saw it. This man was the first Asian man who has been in Lambeth Community Alarms. There was no recognition given for him, never. They treated that man awful, you know what I mean. They treated that man awful."

Audrey Stapleton, Public Meeting, 16 April 2003, transcript p. 81

3.3 RACISM

3.3.1 THE COUNCIL'S POSITION

- 63 Racism at LCAS operated mainly at a subtle and covert level, saturating the work of the Unit and relations within it. It provided both a context for as well as the content of actual and perceived behaviours of LCAS staff. For racism was literally all around: in the social, emotional, attitudinal, behavioural and ideological atmosphere of the Unit.
- 64 The Panel is therefore of the view that the 'unconscious attitudes of racism' that were first confirmed in the Employment Tribunal case of Simpson vs London Borough of Lambeth (ET Case Number 2301424/01) served against the interests and the particular needs and professional development of black and minority ethnic workers within the Unit. It also, of course, served against the declared interests of LCAS and the Borough Council as a whole.
- 65 Although the Council has accepted that it is an institutionally racist organisation, it has only recently re-started the process of taking constructive action to remedy this. To quote the words of Jon Rogers, UNISON Branch Secretary, the Council's traditional response to allegations of racism has been to say *"Isn't it awful? What can we do about it?"*

- 66 Today, however, two weeks before the presentation of this report to the Council, the Panel has received a document entitled 'Equalities Update 2002/2003 – Charting Lambeth Council's Equalities Progress'. Impressively, it recounts the progress made under the headings 'A fair and just organisation', 'Diversity as an asset', 'Meeting diverse service needs' and 'Equalities into performance management'. As identified by Faith Boardman in her testimony, the document describes the setting up and work of the dedicated and funded Equalities Unit, the provision of diversity training, and the establishing of an Equalities Board of senior managers, supported by staff within the organisation.
- 67 But the question of whether there has been any effective action taken to correct, for instance, the disproportionate number of black and minority ethnic workers at lower grades within the organisation (first discovered by the Black Workers Group of UNISON and then confirmed by an Institute for Education Studies report entitled 'Devolved Management') is one that is largely left unanswered. All that is offered is:
- "Accurate data on our staff profile enables the Council to set targets for better representation of women and BME officers throughout the authority. The recruitment services and community renewal teams are planning some work on employment schemes which will help BME job seekers."* (Appendix 9, Ref: LV p. 17)
- 68 The intellectual and structural revolution that would be required to expunge 'unconscious attitudes of racism' demands action beyond diversity training, employment and promotion schemes, or even what the 'Equalities Update' terms *"the monitoring of progress on equalities ... [and the] collecting and using information to set targets and improve services"*. Although an indication of what action is required will be found in the last chapter of this report, here a further finding needs to be mentioned with respect to existence of 'unconscious attitudes of racism'.
- 69 For though it was not unexpected to find that white workers were inclined to state that the Unit operated effectively and that everyone was treated fairly, it was at first surprising to hear that some black and minority ethnic workers held the same

opinion. Whilst Julie Matthews believed that the Unit was run fairly and effectively for the benefit of all, black and minority ethnic workers such as Eugenie Small and Elaine Davies also told the Panel that they did not see - or, more precisely, did not want to see and hence admit to - the experience of racism. They later, however, changed their minds. While it may have been the case that their fear of repercussions (such as the impact on career development) may have accounted for their holding the former view, it is certainly the case that the upsurge in racial awareness and consciousness accounted for their change of mind.

- 70 Essentially, this came about from a dialectical process and campaign of actions and support which sought to demonstrate that racism was the root cause of the disputes and problems at LCAS. This was largely orchestrated by Alex Owolade, who publicised to the outside world the problems the Unit faced. This not only helped to externalise the conflicts and gather wider support for the campaigns across the Council, but it also consciously challenged management.
- 71 The case of Michael Mendez heightened this challenge, awakened consciousness further and provided the black and minority ethnic workers with a frame of reference, whilst the cases of Eugenie Small and Elaine Davies served to provide these workers with the psychological tools, the courage and many of the arguments with which to challenge the existing management authority of LCAS.

3.3.2 ROLE OF ALEX OWOLADE

- 72 But to understand the role Alex Owolade played in the raising of awareness and consciousness, several things can and must be said.
- 73 Firstly, he helped shape an understanding of what was happening at LCAS, based on his own convictions:

“My view of the situation in Lambeth Community Alarms Service was shaped by convictions I have developed over many years as a UNISON steward, Council employee, and community and civil rights activist. What I did in the campaign in defence of the Community Alarms workers was an expression of the values and

convictions I have brought to all my union and political activity for more than twenty years.”

Alex Owolade, Public Meeting, 11 July 2003, transcript p. 9

- 74 Secondly, he organised the LCAS campaigns and struggles around the lessons he had learned growing up in London and Leicester:

“By my midteens, I had already learned to make certain generalisations from my own and my family’s experience. I had learned powerful lessons in the basic equality of all people – of women and men as well as black and white – from the relationships in my family and between my family and the society I was growing up in. I had also learned that that equality was not going to be made real in this society without a fight. I had learned that the fight for equality was both necessary and possible. And I had learned that it was necessary to view white people as individuals. Some were racists, but others, like my mother, and the white LCAS workers who sided with their black colleagues, could and should be seen as friends and allies in fighting racism.”

Alex Owolade, Public Meeting, 11 July 2003, transcript p. 9

- 75 Thirdly, he showed to workers that racism was not just an isolated practice or attitude – consciously or unconsciously exhibited – but that it was connected with and central to all the problems they faced:

“Racism was central to all aspects of the mismanagement of LCAS, as it is central to the problems of Lambeth Council management as a whole. The bad policies in LCAS were bad in large part because they had inevitably racist implications and could be carried out effectively only by a management committed to racist policies.

“The racism in LCAS, like institutional racism everywhere, is not some isolated phenomenon. In LCAS racism was connected with every serious problem and shaped every aspect of the other problems of mismanagement and wrong policies. In turn, the forms assumed by racism in LCAS were also constantly connected to and shaped by the other problems.”

Alex Owolade, Public Meeting, 11 July 2003, transcript p. 2

76 Although, in the Panel's view, the political methods employed by Alex Owolade cannot be condoned, the impact of such methods cannot be denied, particularly in terms of their effect on the new or re-ignited consciousness within LCAS. In the documents received, the complaints studied and the testimonies of managers and workers alike, the Panel found that this – together with the acknowledgement of the racism on which it was based - forms one of the main explanatory causes for what happened at LCAS. It provided the moral rationale for the struggle, as well as its chief focus.

4 UNION FINDINGS

- 1 UNISON played an important role in the issues concerning the LCAS Unit, and Union representatives were involved in several disciplinary cases against LCAS workers. However, some senior UNISON representatives also played an important role by default, in terms of their limited action against racism not only within the Unit but also within the Housing Department and Lambeth Council as a whole. Yet others crossed the boundary of normal Union activity to engage personally, politically and experientially with the problems and struggles of black and minority ethnic and white workers in LCAS. In this chapter, something of the flavour of the contradictory nature of UNION involvement and activity will be presented.

4.1 AUTHORITY

- 2 The Panel found that the main issues concerning authority and the Union were the role of the UNISON branch secretary; the relationship between UNISON and Lambeth/LCAS management; and the prevalence within the Union of oligarchy as a dominant form of governance.

4.1.1 ROLE OF BRANCH SECRETARY

- 3 The relationship between UNISON and Lambeth Council was very much influenced by the attitude of the branch secretary and by his relationships with both members and management. The UNISON branch secretary post was a full-time one. The incumbent had a deep understanding of Lambeth HR procedures, including the highly technical grievance and disciplinary procedures. He also had knowledge of the economic issues affecting the Council, the standards of professional practice, and the quality of service delivery required by the Council. This inevitably meant that his time was spread across a wide range of activities, sitting on various bodies, consulting and trying to represent the interests of all members in a way which would improve the delivery of services as far as possible.
- 4 During the LCAS period, UNISON had about 2,500 members. The branch secretary bore most of the responsibility for assisting the shop stewards with various issues within the Council, although it might have been thought that

structures of support and advice would have developed which would have allowed shop stewards to receive assistance from officers other than the branch secretary himself. In addition, Jon Rogers was responsible for “*organising meetings of the branch, representing the branch in negotiations with the employer and within the wider Union, and also some individual representation*” (Jon Rogers, Public Meeting, 4 June 2003, transcript p.10).

- 5 Because he seems in essence to have been the only full-time officer assisting shop stewards, it is likely that he did not have time to support all shop stewards to the level required and requested. If this was indeed the case – and evidence will be introduced later to suggest that it was – then almost by definition the pressure of work, and the way this work was organised, inhibited his ability to provide at all times the accuracy of information and the level of support required, especially in those areas where he himself lacked either theoretical or operational knowledge. So the central control he appeared to exert as UNISON branch secretary militated against what might be called a responsive and inclusive approach.

4.1.2 INVOLVEMENT WITHIN LCAS

- 6 Some shop stewards (for example, Alex Owolade and Paul Fee) were left in many cases to act in isolation without any real operational or, for that matter, policy support from branch officers. It is apparent from the evidence submitted that there was no regular identification by the convenor or the branch secretary of ongoing issues within either the LCAS Unit or the Housing Department. If such a practice had existed, it would have enabled an early identification of the needs for representation at the appropriate level and with the appropriate breadth.
- 7 It became clear to the Panel that Roy Beasley, the Housing Department convenor, had very little knowledge of the problems within the LCAS Unit. In practice, this meant that not only were the shop stewards left to deal with the complex issues, problems and conflicts that came to characterise the Unit, but also that they – and they alone – acted both as and in place of the Union. They, as local shop stewards, were the only Union representatives who understood the issues of racism within the LCAS Unit. In the words of Alex Owolade:

“You have someone who is professional and non-intimidated who feels the members' concerns from the heart. They feel that they are workers themselves (and hence understand racism). So there is that type of Union representative. Then you have another type of Union representative who sees that their being elected is a way of maintaining the status quo and looking for promotion, etcetera, within the system, and who actually operate on a basis from the management interest.”

Alex Owolade, Public Meeting, 11 July 2003, transcript p.77

- 8 The often disturbed relationships and the lack of cooperation between branch officers - including convenors and shop stewards - helped to erect barriers. It also created something of a vacuum, allowing the shop stewards to exert quite an amount of influence if not actual authority. What, of course, needs to be questioned here is whether or not this state of affairs was allowed to continue because the Union officials did not wish to become involved in LCAS matters or - equally possible - because the shop stewards themselves did not wish the Union officials to become involved.

- 9 It was certainly the case that the convenor, Roy Beasley, had very little involvement in the concerns of his members in LCAS. Surprisingly, he seems to have had little knowledge of the Dorothy Quest investigation into the LCAS Unit. It was equally surprising to discover that, as the then Union convenor, located in the Housing Department, he had regular contact with Patsy Aduba and Dorothy Quest, respectively the instigator and implementor of the investigation. He told the Panel:

“I used to meet Patsy. We used to have a directorate consultation forum where if we had issues in the directorate that couldn't be resolved locally, that would be taken to the consultation forum where hopefully we would get that sorted. I've had dealings periodically with Dorothy on a lot of issues relating to Special Housing Services.”

Roy Beasley, Public Meeting, 11 June 2003, transcript p. 87

- 10 The Panel identified several examples where the Housing Department convenor failed to support members or shop stewards. There was no evidence to suggest, for instance, that he had followed up on issues involving the dismissal of Elaine

Davies and Eugenie Small, though the circumstances surrounding the dismissal of these employees certainly required such a follow-up. Neither did he support local shop stewards, like Paul Fee, who were disciplined for taking time off for trade union duties, nor did he attempt to ascertain from management the precise nature of complaints and charges brought against LCAS staff.

- 11 Significantly, he did not support shop steward Alex Owolade when the latter was dismissed for trade union activities connected to the LCAS Unit. In fact, the impression was given that, if anything, the convenor deliberately distanced himself from what has now become known as the Owolade case. Again, according to Alex Owolade:

“He (the housing convenor) is a sell out. He knows it. Management rely on eople like that to maintain control.”

Alex Owolade, Public Meeting, 11 July 2003, transcript p 78

- 12 Although at the Public Meeting of 11 July 2003, UNISON’s branch secretary rejected this view and indeed verbally defended the convenor against such ‘attacks’, it needs to be stated that the roles played by black and minority ethnic people within large formal institutions can be extremely varied and complex, ranging from the classical ‘Uncle Tom’ to the more sophisticated legitimator of racism and delegitimator of anti-racist struggle.

4.1.3 RELATIONS WITH MANAGEMENT

- 13 The lack of participation in Union activity by LCAS members encouraged a situation in which some senior management officers were not and could not be held accountable. Thus the issues, problems, conflicts and accounts of injustices and inequalities experienced and raised by LCAS Union members were more often than not left unattended or ignored completely until Alex Owolade intervened. Although the lack of Union participation by LCAS members might provide part of an explanation as to why the Union branch seemed to disregard the concerns of LCAS workers, it also seems evident that, in some cases, UNISON either sided quite consciously with management or, at the very least, did not rise sufficiently to the challenge in the face of management actions.

- 14 An example of this is UNISON's passivity following a meeting called with John Broomfield (Director of Housing) to discuss the letter of complaint signed by LCAS Union members. John Broomfield's initial proposal was to involve an external facilitator in the solving of the issues perceived to exist within the LCAS Unit. UNISON not only supported this initiative but recommended that it go forward as the official management/Union proposal. The members rejected this recommendation outright, as they felt they could not trust the senior management of Lambeth Council. Despite members' requests, UNISON did not come up with an alternative proposal. Their inaction convinced some LCAS members that on this issue UNISON was in fact siding with management.
- 15 Another example where UNISON seemed passively to accept the Council's actions concerned the whole problematic question of redundancies within the Housing Department and LCAS. The Union seems not to have resisted these redundancies - rather, it appears as if for some workers a settlement was reached with management according to which those who had officially been made redundant (and hence had received attractive severance packages) were subsequently allowed to return to full-time employment in similar jobs.
- 16 A third example of UNISON's apparently passive acceptance of the management approach was the whole issue of the presence and practice of institutional racism within the Housing Division. Although Lambeth Council admitted that the Council was indeed institutionally racist⁷, and although many UNISON members had complained of racism, nothing appears to have been done about it. According to many workers, UNISON failed to exert sufficient pressure on the Chief Executive and the Council as a whole to change the situation, and did nothing to encourage the taking of immediate and effective steps to eradicate all manifestations of institutional and institutionalised racism.
- 17 Just why UNISON was generally inactive and took no leadership role in addressing the problem – especially given its official stance on racism - is not entirely clear to

⁷ In the words of Chief Executive Faith Boardman: "... institutional racism, and I mean that within the terms of the Macpherson Report, does apply within the Council, in common with many public organizations." (Public meeting, 2 April 2003, transcript p.19)

the Panel. But what is clear is that these three examples (together with others documented in Appendix 2 and 3) provide enough interpretive evidence to lead to the conclusion that a degree of collusion existed which severely undermined the ability of LCAS workers to seek any form of redress or resolution for their problems or complaints.

18 As explained in the chapter on management findings, there were several instances where procedures were misused within the LCAS Unit, including differences in the application of disciplinary procedures; the non-challenging of time delays in management's response to grievances and complaints; and unclear application of trade union procedures. Although UNISON did in some cases challenge the misuse of procedures - particularly in the case of Eugenie Small and Elaine Davies - and although its public stance was one which suggested involvement and a guarded solidarity with workers in general, the Panel has found very little evidence to establish that the Union tried at all times to represent the interests of the workers.

19 To the contrary, it has plenty of evidence to corroborate Alex Owolade's view that:

"They (UNISON) have a lot to answer for ... UNISON and the leadership of UNISON has been responsible for not fighting it and allow it to continue in that way. I do not see union and management on the same path, but some really serious lessons have to be learned ... You guys (UNISON) have to decide which side you are on. You have to decide that ... We used to have national conferences and wonderful policies ... but they are limited to how they are acted upon on the ground."

Alex Owolade, Public Meeting, 11 July 2003, transcript p77-78

4.2 CULTURE

20 The whole issue of culture and the more specific forms and behavioural manifestations of subcultures has permeated this report. In the case of the Union, two inter-related though different cultural ethos and practices appear to have co-existed. The first related to the culture within the Union, its contact with the shop stewards, and its general and specific relations with LCAS workers. The

second, and by far the more complex, concerned how LCAS cultures (as described in the previous two chapters) impacted upon Union representatives and how they reacted to them.

4.2.1 THE UNISON CULTURE

- 21 After listening to hours of evidence from extremely troubled past and present workers, the Panel soon formed the impression that a certain ‘UNISON-culture’ was (and, no doubt, still is) an integral aspect of the Union. This culture included a set of institutional practices on how to deal (or not deal) with issues within the LCAS Unit; an attitude, as demonstrated above, of qualified disinterest in what was going on in LCAS if it conflicted with what sometimes appeared to be fairly ‘cosy’ relationships with senior management; an over-reliance on procedural process as opposed to actual problem-solving; and a style of working that was essentially reactive rather than proactive.
- 22 The fact that nothing was done in the Mr Fagbemi and Mrs Maher cases until shop steward Alex Owolade intervened is an instance of the Union’s reactive style. Here was a clear example of workers in the same Unit who were treated differently in terms of disciplinary hearings. The branch secretary could have highlighted this differential treatment - he decided not to do so.
- 23 It is then perhaps hardly surprising that some members expressed dissatisfaction with UNISON’s general backing or support of individual members in LCAS. The Panel noted that, when workers provided information against UNISON at the public meetings, a large section of the audience cheered. While the import of such a gesture is by no means conclusive, it is certainly suggestive of the workers’ general antipathy towards the Union.
- 24 **Selective disinterest:** A significant number of workers went on to confirm a point made earlier – namely, that the disinterest evidenced in their lack of support for members arose out of the Union’s wish to maintain a relatively good relationship with senior management. These same workers also felt that, because of its desire to protect its open-door relationship with senior management, the Union only

participated to a limited extent in individual cases, and hence exhibited a high degree of what might be called 'selective disinterest'. Or in Eugenie Small's words:

"...there was not a great deal of support anyway from the unions and I said that Paul Fee had kept going to the unions and Paul Fee himself came in for a lot of unfair treatment in LCAS. He kept going to them, so they were well aware that there was a history there. I know that at the time of the investigation, when Dorothy took so long to actually divulge this report, that again he had gone to the unions and said, 'Well, where is it? Can you kind of ask them about this?' During this, the fact that we made the complaints and the union tried to get us to back down and wanted us not to put them back in again or to redefine it in some way, the fact that they paid out Anya and then they sent her an apology letter categorically stating that she was not a racist when they did not investigate those claims.

"So there was lots of things that was being said then, I felt very threatened, in some way, by the union. Things like Paul could no longer be our shop steward if we still submitted the complaint; they weren't willing to support us if those complaints went in. There was just a whole catalogue of things that were happening to us through that process."

Eugenie Small, Public Meeting, 15 March 2003, transcript p. 33

- 25 **Inconsistencies within the Union:** The lack of adequate communication between the UNISON national and regional offices and the Lambeth branch office remained a problem during the lifeterm of LCAS. One result of this was that members received conflicting advice as to what assistance the Union could provide. In the case of Ionie Shahsavari, for example, the local office advised her to go on with her Employment Tribunal case, whilst the national office advised her she would not have a chance of success and hence should drop it (Public Meeting 4 June 2003, transcript p. 27). Similarly, Michael Mendez was advised by his shop steward to continue with his case, although the national office felt, again, that he had no chance of winning. This lack of coordination and communication between the different levels of UNISON provided opportunities and spaces for all sorts of advices and behaviours to manifest.

- 26 There was also some confusion about which actions the branch office accepted as legitimate and therefore supported, and which it did not. In connection with the distribution of the leaflets in the Eugenie Small and Elaine Davies case, the branch secretary claimed that he had agreed to a campaigning approach, although with hindsight he felt that the wording of the leaflets was too strong (Public Meeting, 4 June 2003, transcript p. 40). The point that needs to be made is that the branch secretary did not take action following the complaint from Patsy Aduba: *"Since these letters were not followed up by telephone calls from either the Assistant Director or the Head of Human Resources, I did not treat them as a priority."* (Public Meeting, 4 June 2003, transcript p. 41). In the Panel's opinion, the fact that the branch secretary did nothing to stop his shop steward from distributing the leaflets meant that he implicitly accepted their wording.

4.2.2 UNISON AND THE LCAS CULTURE

- 27 **Lack of proper representation:** Further, the Panel found evidence to suggest that the quality of the representation the UNISON members within the LCAS Unit received was not always as good as it could have been. Partly due to reasons within the Unit itself and partly due to reasons within the Housing Department, the LCAS culture(s) must have had an impact on the quality of Union assistance.
- 28 Paul Fee, who was the shop steward for UNISON within LCAS, was not able to establish a continuous constructive dialogue with the Business Unit Manager, Anya Oyewole. In fact, their relationship was actually characterised by hostility, open arguments which led to the disruption of meetings (for example, the UNISON meetings on 10 and 11 November 1997), and refusals to cooperate (for example, the dispute between Paul Fee and Anya Oyewole in July 1998 regarding some work that Mrs Oyewole had asked Mr Fee to carry out). As the contact Paul Fee had with Janet Edwards and Maureen Bowman was limited, it was inevitable that the problematic relationship between the shop steward and the LCAS management should have a negative impact on the quality of representation LCAS workers received from the Union.
- 29 Although some caution must be exercised with respect to this last finding, the next is undoubtedly clear – namely, that the UNISON convenor for the Housing Department simply failed to represent or support the UNISON members within the

LCAS Unit in a proper way. As already mentioned, the convenor was not involved in representing the LCAS members in their allegations of racism within LCAS, and there seems to have been little or no coordination between the shop stewards involved with the various issues within the LCAS Unit and the Housing Department convenor. This is particularly surprising given that the latter was the only black convenor within Lambeth Council.

- 30 **Lack of communication regarding the problems within the LCAS Unit:** It has already been shown that some of the major problems in LCAS concerned the rota system and issues of racism. Although the branch secretary possessed a theoretical as well as a practical knowledge of racism, neither he nor the Union as a whole possessed a thorough understanding of these problems on a day-to-day level.
- 31 But UNISON cannot be entirely blamed for this. For according to the branch secretary's statement (Public Meeting, 4 June 2003, transcript p.25), some workers only joined UNISON during the inquiry period, as more conflicts arose in LCAS. This indicates that such workers had a reactive approach to the issues in the Unit and only became involved with the Union in connection with disputes and conflicts. That there was no regular contact between the UNISON office and the Unit meant that the lines of communication were at all times compromised.
- 32 This finding gains further weight from the branch secretary's own admission that he tended not to hear of incidents until months after they had occurred. The Panel hesitates again, however, to place the full blame for poor communications on the Union, as some evidence exists to suggest the opposite - or that the LCAS workers were, at the very least, equally remiss.
- 33 For instance, when Jon Rogers met with LCAS UNISON members in connection with the complaint by several workers to John Broomfield, he asked the members to write a list of incidents that he could use for a series of formal complaints. He received no feedback whatsoever (Public Meeting, 4 June 2003, transcript p. 35).
- 34 Although a distrust of the Union might have explained the workers' decision not to cooperate, an equally plausible explanation can be found in the fact that LCAS

members were too engrossed with internal matters and with the politics of LCAS itself. This – along with some distrust of the Union - could also account for why, when Jon Rogers met up with a group of LCAS staff members in March 2001 to discuss a draft complaint he had developed, he detected initially some apprehension and, ultimately, non-cooperation. The workers decided to proceed with the complaint without UNISON, and to forward it directly to the Chief Executive themselves (Public Meeting 4 June 2003, transcript p. 48)⁸.

35 Procedural rigidity: It is certainly true to say that some of the distrust and disillusionment of LCAS workers with the Union - and their consequent non-cooperation - stemmed from the fact that the UNISON head office focused on following procedures even where these procedures worked against members' interests. When Ashruf Cader, for example, was sent on 'garden leave' by the Council, there were misunderstandings about his status within UNISON (Public Meeting, 4 June 2003, transcript p. 37). As he had effectively left the Union at the commencement of his garden leave, he did not pay his subscriptions at that time. However rule C7.2.1 of UNISON's rulebook states that a person is still technically a member until three months after he/she ceases to pay subscriptions. Mr Cader was subsequently led to believe by the Lambeth branch secretary that, if he resumed payments, he would still be a member of UNISON. However, the national office did not accept this, and Mr Cader was left to represent himself at his Employment Tribunal case. Jon Rogers did, however, provide *ad hoc* assistance to Ashruf Cader, as he felt that he should have access to the rights of UNISON members.

36 **Shop stewards' influence on the 'LCAS culture':** The UNISON shop stewards had a clear impact on the discourse with respect to the issues within the LCAS Unit. They were opinion-setters, and they influenced the way the problems in LCAS were interpreted by the people involved.

37 The shop stewards, and especially Alex Owolade, played a crucial role in identifying racism as a major issue within the Unit. Many witnesses told the Panel that racism was not perceived by LCAS staff to be a major problem during the first

⁸ Although UNISON could not support this complaint, Jon Rogers informed workers that he would still help them with complaints if they followed UNISON procedures.

couple of years of the Unit's existence⁹, and its importance within the Unit only came to be accepted in connection with the dismissal of Michael Mendez, Eugenie Small and Elaine Davies. The shop stewards' focus on this issue raised the workers' awareness of the mechanisms and impact of racism on their working conditions to a critical point, where consciousness - combined with a legitimate set of grievances - vented itself in a political campaign of resistance.

- 38 The shop stewards' and workers' campaign against racism was extremely effective. This was largely due to the way in which the campaign was able not only to encapsulate the issues, conflicts, inequalities, conditions and injustices which were claimed to prevail in LCAS and the Council but also to provide an ideologically-driven analysis for their existence. It was also due to the shop stewards' distribution of leaflets and to continuous demonstrations outside Hambrook House, and, just possibly, to the 'selective disinterest' of UNISON, which left the shop stewards and workers to their own devices, thus providing the social and political space needed for resistive struggle.
- 39 The Panel concluded that, whilst the rights of all people to distribute leaflets and demonstrate must be recognised, the language used by the shop steward in the leaflets was hyperbolic and largely unacceptable. The attacks were very personal, and the leaflets sought to make a scapegoat of the Business Unit Manager, making it appear that she alone was responsible for the problems within the Unit.
- 40 Thus the shop steward had failed to communicate to the people involved that the racism in LCAS needed to be seen and understood as a particular facet of a problem that pervaded the Housing Department, Lambeth Council and society at large. His failure to convey this understanding was quite irresponsible, even machiavellian, as both UNISON and the shop steward himself were fully aware of the presence of institutional racism in Lambeth and had a full understanding of its nature. For these reasons, their campaign against the Business Unit Manager cannot be excused. Whether or not UNISON should have defended itself against the defamation charge brought by Anya Oyewole – and hence not paid her and her

⁹ These include Anya Oyewole and Wilf Sullivan.

lawyers a substantial out-of-court settlement – is quite a different matter and beyond the remit of this Inquiry.

4.3 RACISM AND UNISON

- 41 UNISON has addressed the problem of racism in Lambeth Council since the beginning of the '90s (Public Meeting, 4 June 2003, transcript p.15-16), and there are several examples of the branch office taking active steps to combat it. In the late '90s, UNISON complained to the Commission for Racial Equality about the development of new Corporate Personnel Standards in which it had been given no involvement whatsoever (Public Meeting, 4 June 2003, transcript p. 21). The anti-racist campaigns the Union branch engaged in during this period included an anti-deportation campaign - which became a national trade union campaign - and demonstrations against the widely reported and abhorred racist nail bomb attack in Brixton.
- 42 But the Panel found little evidence to suggest that the approach UNISON took to racism within Lambeth Council as a whole was coherent and consistent. In spite of the Union claim that it took up cases of racism 'on a routine basis' and that it was aware of the differential treatment and institutional racism from which its 2,500 members within Lambeth suffered, the Housing Department convenor informed the Panel that over a period of twelve years he had never pursued a complaint of racism, and therefore *"...had very little involvement in the issues which are of concern to the Inquiry."* (Public Meeting, 4 June 2003, transcript p.76)
- 43 The Panel would furthermore like to query the disappearance of the Black Workers Group within this UNISON branch. The decision by Council management no longer to recognise the Group does not adequately explain why the branch did not continue to operate it under the independent union banner. This is particularly puzzling given the high percentage – estimated at over 50% - of black and minority ethnic worker membership in the branch (although the branch officers were predominantly white male), as well as the acceptance by the branch secretary of endemic racial discrimination within local authorities. Essentially,

there was – and possibly still is - a dichotomy between UNISON policy and practice which, in the Panel's view, needs to be seriously addressed.

5 USERS FINDINGS

- 1 All the problems, issues and conflicts identified and described in the previous chapters have had a deleterious impact on the quality of the service delivery for users. The Panel has to endorse cautiously the conclusion that:

“The climate in LCAS, the bullying, the racism and the harassment is degrading that service. The energies of those workers were concerned with survival rather than trying to deal with the service. It had a dramatic impact on the services. I am sure we are only hearing a small portion of all the problems that have happened. People have died and suffered. The Community Alarms Service is a service which should have been expanded. It was a wonderful service and it could be a wonderful service if done with the right motivation.”

Alex Owolade, Public Meeting, 11 July 2003, transcript p 92-93

- 2 During visits to sheltered housing schemes, for example, the Panel was informed in confidence that many users were afraid of giving evidence to the Inquiry. This reluctance to testify was also apparent in the statements given to the Panel, which differed markedly dependent on whether carers/sheltered housing officers were present or not. Some users expressed a fear that the service would be withdrawn from them if they testified; others feared intimidation and bullying from people employed to provide services, and in some cases claimed to have had actual experience of such treatment. The Panel viewed this situation as, of course, completely unacceptable, and has since taken steps to highlight the issue as one requiring immediate attention from the Council.¹⁰

5.1.1 THE USER GROUP AND THEIR NEEDS

- 3 Self-evident as it might seem, it must be emphasised that LCAS was established to serve the needs of the users, who were in many respects a diverse group. They had different ethnic origins; they lived in different types of accommodation; many of them suffered from illnesses or were mentally, emotionally or physically

¹⁰ On 11 July 2003, a Panel meeting was held with the Council's management representative at which a list of complaints were presented. An undertaking was received that not only would they be looked into as a matter of urgency, but that appropriate action would be taken.

disabled in some degree; most were elderly. However, the common factor was that, in one way or another, all were vulnerable.

- 4 Although the diverse composition of the user group meant that the users had various needs in connection with the service provided by LCAS, one overriding need was common to all: they needed to feel secure in their own homes. This requirement could not be fulfilled by applying the same approach in terms of service delivery to all users.
- 5 Some users, for instance, required a very detailed explanation of how to use the alarm pendant, while others just needed a short introduction. Some had speech and hearing impairment problems and therefore needed time to explain why they had called; others were not comfortable with or fluent in English as a first language and therefore wanted to talk to someone who spoke their native tongue. Yet others were somewhat cantankerous – in many cases because they suffered from chronic pain - and hence needed to be treated with particular sensitivity. All in all, these various and differing needs called for carers who possessed high degrees of sensitivity and a professionalism that was anchored in respect.

5.1.2 LACK OF INFORMATION

- 6 One of the dominant themes which arose during visits made to the sheltered housing schemes, during interviews and during the public hearings was the appalling lack of information provided to users by LCAS. This problem was often evident in the early stages of a user's contact with the Unit and was repeated in various ways throughout the course of the user/LCAS relationship.
- 7 The lack of coherent information about initial referral to the Unit, for example, left many would-be users and their relatives in a state of confusion. Information on the connections between the different services provided; explanations as to which service providers were responsible for which services; details on how the different services interacted; and easy-to-follow guidelines on the technological side of the service provided were either non-existent or extremely patchy. Many users expressed a wish for a brochure or leaflet that would clearly explain these and other issues. They stated that many of the inconveniences they experienced would

not have arisen at all if written material had been made available, or if LCAS staff had spent more time explaining exactly what the service could provide.

- 8 For example, many users saw LCAS as the first port of call for any type of emergency. This meant that they would contact Central Control, when in fact what they actually needed was the police or social services. As a result, they would make several phone calls in order to get urgent assistance, thereby losing precious minutes before the appropriate contact was successfully made. This, in turn, impacted upon the performance of the LCAS Community Alarms Officers, who were forced to spend time on phone calls that they should not have received in the first place, reducing the amount of time available for 'genuine' LCAS calls. This confusion also, of course, had a negative impact on the users themselves – both for those who contacted LCAS when there was in fact no need to have done so, and for those with whose queries the Community Alarms Officers had in consequence less time to deal. Apart from the obvious waste of time all round, this state of affairs produced frustration on all sides, which was sometimes expressed in angry exchanges.
- 9 The confusion as to which was the appropriate source of service provision (i.e. social services, Team Lambeth, contracted care services, LCAS, etc) also led to a general dissatisfaction among many users. The Panel noted that, when users complained about services that LCAS was not actually designed to deliver, although this was not necessarily 'fair' to the Unit, it had a detrimental effect on the perception of LCAS within the users group as a whole.
- 10 Similarly, the Panel found evidence to indicate that some users (or their relatives) were not sure to whom they should address complaints (including complaints to LCAS managers about services that the Unit did not provide). Because of this uncertainty about who to contact and just how to go about doing so, the issues they wanted to raise were either not adequately dealt with – and therefore not resolved – or, according to a number of users, ignored altogether.
- 11 Another recurring problem involved the instructions on how to use the alarm pendant, which were – quite simply – neither clear enough nor thorough enough. Some users were of the opinion that the Community Alarms Officer who gave

them the instructions did not take sufficient time to ensure that they knew how to use the pendants. Neither was the users' ability to use the pendants correctly adequately monitored, which naturally resulted in a number of cases of misuse.

- 12 This lack of clear, relevant information (whether actual or perceived) stemmed in part from LCAS' lack of understanding of the real needs of the users. Even though it was part of LCAS' remit to ensure that the users had a basic understanding of the service - how and when to use it, and how (where necessary) to complain about it - it seems that LCAS was unable to effect this. Despite the fact that there had been some initiatives to inform users about the services - the publishing of leaflets, officer/manager statements, etc - it was still the case that some users and their relatives were unsure about certain aspects of the service.
- 13 This was not, of course, an acceptable situation. It was crucial that all close relatives and/or friends acting as carers should have known what LCAS offered and, equally important, that all users should have been able to use the service in the way they needed, without any fear of retribution or discomfort arising because they lacked the necessary knowledge or understanding.

5.1.3 USER DEPENDENCY

- 14 The vulnerability of many users made them dependent on the LCAS service. This gave LCAS a certain power over their lives and the quality of their existence, not only in terms of emergencies, but also in terms of the kind of experience to which a user might be subject in his or her contact with Central Control.
- 15 Much of the evidence given to the Panel indicates that many of the Community Alarms Officers did their job well and treated users with respect. Some evidence, however, points to the existence of a patronising attitude amongst some officers, especially in their explanations of how to use the pendant/alarm service and in users' contact with Central Control. In some cases there seems to have been a view – strange though it might seem - that LCAS actually existed for the officers and managers and not for the users at all.
- 16 Given that LCAS was a key-holding service whose primary responsibility was to ensure access to emergency services, it was also disturbing to hear of incidents

where LCAS officers were ignorant of the location of the keys which would enable and facilitate emergency access. Users described to the Panel incidents where the Community Alarms Officer either did not have the keys to gates, or had brought the wrong keys, thereby delaying access to emergency services and arousing in the process much consternation, not to speak of frustration and anger.

5.1.4 COMPLAINTS

- 17 Although this was one of many complaints made, it should be stated that, according to the LCAS Best Value Report of January 2000 and Lambeth Council, the number of complaints received by LCAS with regards to its service delivery was relatively small. However, the official list of complaints conveyed to the Panel did not include information on ‘high profile’ complaints, such as those from Mr Fagbemi or Mrs Maher. And whilst a lack of coordination and of systematic archiving of complaints was indeed detectable, it should also be noted that, in the case of elderly and vulnerable people, there does not necessarily exist a direct correlation between the quantity of complaints and the quality of a service. Evidence given to the Panel indicates that this could have been true in the case of LCAS, and the reasons for this should be mentioned briefly.
- 18 As reported at the beginning of this chapter, many users were afraid to complain about the LCAS service. Nearly all the users consulted told the Panel that they were aware of incidents where users had complained or expressed concerns about the service, and thereafter had suffered from bullying or victimisation at the hands of LCAS officers. Thus, if they feared that complaints would elicit sanctions of some kind, they would quite clearly be less likely to repeat complaints or indeed to complain at all. The Panel is convinced that this had the overall effect not only of reducing the number of official or recorded complaints but also of ensuring that service delivery problems could not be broached, discussed in confidence, nor adequately dealt with.
- 19 Moreover, many users hesitated to complain because, firstly, they did not know that they had the right to complain; secondly, they did not know about the complaints procedure (Best Value Report); and, thirdly, they felt that some issues were just not worth complaining about (Mrs Maher). Furthermore, some users were too weak to complain on their own account and hence depended on

relatives or stakeholders to act on their behalf. Whether such instances were recorded as official complaints or not – given that they were not directly made by the users themselves – is a matter of conjecture.

- 20 Apart from the Best Value Report, where a user survey was carried out, ‘complaining’ seemed to have been the only way users were able to comment on the service provided by LCAS. A knowledge of the complaints procedure was thus essential if there was to be any recourse to feedback and consequent improvements to the service. That this knowledge was not generally possessed not only resulted directly in the relatively small number of complaints recorded, but also, indirectly, gave the impression that LCAS provided a good service where this was not necessarily the case.
- 21 As the complaints procedure was the only mechanism that enabled real comment on LCAS service delivery, it was important that – when it was used - it should function effectively. Unfortunately, it seems that this was not always the case (see Appendix 3).
- 22 The corporate procedure provided by Lambeth Council simply did not include the mechanisms to ensure that specific complaints dealing with similar issues were addressed not only individually but also in an overall way. For users, this meant that they could be complaining about the same type of problem over a long period of time, without any action being taken to address the overall issue. The evidence provided to the Panel suggested that in most cases only local action was taken (against specific officers). Further, there appear to have been no mechanisms in place for monitoring, evaluating or analysing the complaints received. And, lastly, the Panel found no evidence to suggest that the complaints procedure was kept under continual review, or that users’ complaints – recorded or not – were discussed in detail at LCAS meetings and/or acted upon in a way which would have met directly the needs or concerns of the complainants.
- 23 The Panel carried out an analysis of the main areas of complaint, based on the complaints submitted to LCAS and evidence given to Panel members during the Public Inquiry. In summary, they were:

- Use of the pendant: Some users were not sure when and how to use the pendant;
- Response from Central Control: There were a number of serious incidents where the officers in Central Control gave either the wrong type of help or no help at all;
- Rudeness of officers: Some users complained of the rudeness of Community Alarms Officers, which was said to have included patronising remarks, a lack of patience when dealing with users with speech impediments or poor English, aggressive or strident tones, and generally derogatory language;
- No contact over weekends: A number of users complained that they had not received their check-up calls at weekends; and
- Lack of understanding of the payment system: Some users indicated that they had problems understanding the payment system, and that they often feared large bills or debt problems.

24 It would have been relatively easy for LCAS to have addressed most of these problems, as well as those listed as a concluding note to this chapter. The Panel found little evidence of a structured or comprehensive approach to the issues.

25 **Problems arising from misuse of service:** To offset some of the overt and implicit criticism of the preceding paragraphs, it must be stated that some of the users probably abused the LCAS service by calling too often about issues that had nothing to do with the service itself. Unfortunately, such abuse inevitably affected the delivery of service to the rest of the users.

26 However, evidence suggests that some Community Alarms Officers wrongly labelled some users as abusers of the system, and thereby failed to provide them with the service to which they were entitled. This mislabelling probably derived from ignorance, laziness or the sheer inability of some officers to understand and empathise with the needs of vulnerable older users. A lack of adequate training, supervision and the critical review of complaints could have contributed to this kind of insensitivity. An example of this is the case of Mrs Maher, whom one

officer had described as ‘*a pain in the arse*’¹¹ – which comment is certainly like to have influenced the negligence of the officers involved in the incident.

- 27 The placement of younger individuals with social, personal and psychological problems alongside older people within the sheltered accommodation facilities could also have led to an inappropriate use of the LCAS service. Some users who felt insecure, troubled, depressed, lonely or even paranoid called Central Control simply to be reassured, comforted, or made to feel that they still belonged in a world which was making increasingly less sense to them.

5.1.5 SERVICE-RELATED PROBLEMS

- 28 Whilst not all users were troubled in this way, many told the Panel that, on occasions when they had expected a check-up phone call from LCAS but did not receive one, they would often feel desperate and isolated. This sense of isolation was intensified when it came to visits, if Community Alarm Officers did not turn up when expected, for example, and the user was unable to contact the officer by phone; or when officers just did not have time to listen to the stories, histories or day-to-day problems of the users.
- 29 As the quality and quantity of the support afforded to users depended in many cases on the individual Community Alarms Officers concerned, users could never be quite sure of the quality of service they would receive. This itself would inevitably trigger feelings of insecurity and isolation, or aggravate existing ones.
- 30 On the other hand, some Community Alarm Officers did not themselves feel safe on occasions when they were required to go out and assist users during the night. Given that the majority of officers were female, this sense of insecurity was based on a very real possibility of danger, and so was not to be taken lightly. But inevitably it had a serious impact on service delivery, inasmuch as Community Alarm Officers were less inclined to assist users during the night (especially given that some requests for assistance turned out to be false alarms) and tended to shorten the visits that they did make.

¹¹ Private meeting with Paul Fee, 28 May 2003.

31 As explained above, the LCAS users, though united in their vulnerability as elderly people, were a very diverse group and had diverse needs in connection with the LCAS service delivery. Evidence suggests that the LCAS Unit did not always allow for this diversity of service. Whether this was because the Community Alarm Officers and the managers did not understand the users' need - or because of the bizarre perception among some staff members that the LCAS Unit existed for the staff rather than for the users - it was undeniably the case that the LCAS managers and workers alike were so preoccupied with their own internal disputes and struggles that they had little time or, perhaps, inclination to understand just what diversity entailed in the context of the service.

5.1.6 A CONCLUDING NOTE

32 By way of a concluding note to this chapter, and in a sense to the previous three chapters, it is both disturbing and salutary to read the notes taken by two of the Panel members who visited sheltered housing accommodation in the Borough and attended all the meetings arranged for users. They state:

- LCAS staff took a long time to answer when the alarm was sounded and were not always willing to call either the police or an ambulance when this was necessary.
- One client was so disillusioned with the service received from LCAS that they preferred to call the emergency services themselves. Another tenant, when mugged in his room, called LCAS and received no response - he ended up dialling 999 himself. A neighbour sounded the alarm on behalf of another very sick tenant; after an hour LCAS had still not responded, so that the neighbour had to call the ambulance themselves. On two occasions another tenant sounded the alarm but received no response; in the end she had to call upon her cousin to come and assist her.
- One tenant who was bleeding called LCAS, only to be asked, "*What do you want me to do about it?*" and to be told to call the ambulance himself. Another tenant who could not move his legs got no help when he phoned LCAS.

- Staff responding to emergency calls frequently brought the wrong keys with them and had to return to the control centre to rectify their mistake, therefore causing not only unnecessary delay but also increased distress for the users. One tenant was on his stumps for two hours in a great deal of pain and anxiety because LCAS had brought the wrong keys.
- Security was a major problem for tenants, especially after 2am when the lights in the garden went out. There were frequent instances of people trying to break into the premises.
- One tenant who heard a man trying to break into their flat called LCAS. LCAS did call the police but gave them the wrong number.
- On one occasion when neighbours were concerned because a user had not been seen, tenants called LCAS but received no response. Eventually the warden found the user in question had been dead for 36 hours over the weekend.
- While the purpose of the alarm system was to create a sense of security, instead it often aggravated the users' sense of insecurity because of the rudeness and unhelpfulness of some staff members. Given that users' levels of confusion were likely to rise in a crisis, there was a particular need for patience and tolerance on the part of the operators.
- One common complaint was that staff never identified themselves when answering the telephone and got angry and rude when asked their name.
- Throughout the period covered by the Inquiry, it seems to have been the case that new tenants were not adequately instructed in the correct use of the equipment. Clients' requests that LCAS staff visit to improve their understanding were sometimes refused.
- Tenants sometimes had a great fear of complaining because of victimisation, despite the fact that their physical disability (eg – arthritis, stroke) meant that

their need of a properly delivered service was considerable. (One client who complained reported that she subsequently 'lost' her social worker for two years; she felt that institutional racism affected both carers and clients, and that LCAS staff were not adequately trained to deal with very vulnerable people.)

- The quality of the service was poor owing to a lack of communication between social services, housing and the private agency that provided carers. There were also problems in relation to discharged hospital patients.
- Concern was expressed by vulnerable pensioners about the number of tenants with special psychological needs who were temporarily housed in facilities designed for the aged.
- One tenant called LCAS in regard to an incident where some kids had tampered with the electricity, which could have caused a fire. When the tenant requested that an electrician be sent over, the phone was put down.
- Another tenant reported the loss of a pendant – as of 21 May 2003, three months after the report, the pendant has still not been replaced.
- No action was taken in the case of a very vulnerable tenant who had no money and was left without food for three days.
- A wheelchair-bound tenant was located on the second floor despite the fact that a ground-floor location was essential for their mobility.
- Many vulnerable tenants who should have had calls twice a day did not in fact receive them, and generally no contact was made between Friday evening and Monday morning. Of a list of 20 vulnerable tenants, only eight received calls after 5pm and during weekends. One tenant lay dead for 12 hours over a weekend before being discovered.

- No arrangements were made for tenants who were discharged from hospital after 5pm on Mondays to Fridays or at weekends.
- Complaints about the lack of security that existed when sheltered housing officers (SHOs) had to leave the premises for one reason or another during the course of the day or night.
- Many tenants complained that staff were not properly trained, and most tenants requested the return of the resident sheltered housing officer system.
- Tenants felt that the service provided fell desperately short of national care standards.

6 THE CYCLONIC ORGANISATION:

FROM EXPLANATION TO IMPLEMENTATION

- 1 One of the chief objectives of the Inquiry was to “examine the facts relating to the Unit and identify, where possible, causes of problems in order to make recommendations for the future provision of high quality Council services”. Although such an objective calls for a number of causal explanations – as no mono-causal explanation can account for the events and complexities described and evidenced in the previous chapters – these cannot really be offered outside of an account of the findings exposed during the course of the investigation. And these in turn cannot be provided until a number of concluding points, as requested by the Council’s brief, are made about the:

*“(a) service delivery to the Unit;
(b) management of staff within the Unit; and
(c) response to allegations of racism and racial discrimination within the Unit with a view to identifying the causes of any failure or poor performance and establishing the extent to which race was a factor.”*

- 2 But before these specific points are addressed, it should be understood that the metaphor of a cyclone used in the title of this chapter and the report as a whole is intended to indicate the way pressures, forces, issues, conflicts and, indeed, emotions can intermix within multicultural organisations, agencies or units, producing highly destructive energies which can lead to their cultural malfunctioning if not their total collapse.

6.1 SERVICE DELIVERY BY THE UNIT

- 3 The Panel is of the firm view that service delivery was adversely affected by these cyclonic pressures, forces, issues, conflicts and emotions within LCAS. Despite evidence to the contrary (as illustrated in management submissions and testimonies, and the relatively low number of complaints from users), it was as

clear at the outset as it was at the end of the Inquiry that the vast majority of users and user-groups contacted perceived or actually experienced problems with the quality of the service provided. From the material presented in the last chapter particularly, it can be concluded that not only were their perceptions grounded in reality but also - as stated in the opening chapter of this report - that:

“... users were at the receiving end of all that was going on or, as often was the case, not going on for them within LCAS ... the internal issues – and particularly the time taken up with avoiding or dealing with them – took time and energy away from service delivery and customer care.” (Paragraph 61)

- 4 The Inquiry confirmed the validity of users’ complaints of rude behaviour from some LCAS staff, as well as the charge that insufficient time had been spent on introducing the service generally and on clarifying the responsibilities of LCAS, social services and other agencies for the provision of care. Moreover, evidence was presented which upheld their view that *“some LCAS officers showed little patience and understanding of their problems, needs and concerns, and that when they did complain, their complaints were not dealt with properly”*.

- 5 Similarly, the Panel agreed with the viewpoint that:

“the users of African, Afro-Caribbean and Asian origin often experienced discrimination and that racism within LCAS impacted noticeably on the quality of the service they received.”

- 6 Finally, there can be little doubt that users – as the recipients of a service designed specifically to meet their needs - had ample reason to view the rows they heard, the conflicts they witnessed and, in some cases, the racism they experienced as part and parcel of a huge, insensitive, bureaucratic system which was concerned more with its own internal issues than with the delivery of high-quality service.

6.2 MANAGEMENT OF LCAS STAFF

- 7 The abysmal management of staff within the Unit is one of the main concluding themes of the Inquiry. A considerable amount of incontrovertible evidence supports the viewpoint expressed in the introductory chapter – namely, that:

“The majority of black workers believed they were treated less favourably than other members of staff. They alleged that there was a distinct lack of consultation over key issues, such as the development and implementation of the Unit’s rota system and the improving of security for workers on night visits. They felt unsupported, at times harassed and intimidated, and yet at other times marginalised and alienated.” (Paragraph 57)

- 8 The management style of the Business Unit Manager was often abrasive to the point of being authoritarian, exhibiting a high degree of ‘racial favouritism’ and a propensity towards the employment of a ‘divide-and-rule’ tactic amongst the staff. Communication was seen as a mechanistic rather than a consultative, inclusive process; or alternatively as a non-listening, disregarding exercise which had the effect of further alienating and marginalizing many staff. The lack of support she showed to some staff – mainly black and minority ethnic, or those whites who sympathised with the complaints of black and minority ethnic people – was patently obvious.
- 9 Whilst some evidence exists to support the management’s claims that many of their staff were inefficient, uncooperative or ‘difficult to manage’, rude, lazy and erratic time-keepers, the Panel is nevertheless of the view that, in broad terms, the management of staff was insensitive. It was largely informed by a set of racial stereotypes which were both embedded in and reflected, firstly, the colour-defined racial hierarchy described by some staff members and, secondly, the cyclonic nature of the organisation.
- 10 A further aspect of the management of LCAS staff that has to be considered was the fact that the managers of LCAS themselves – as staff – were supposed to be

managed. As stated in the section of this report on management findings (2.11, paras 10 and 11):

appears to have characterised On a general level, the Panel found that [the style of leadership which inclined towards ‘buck-passing’ and non-involvement] (or, to put it more accurately, non-leadership) the whole management structure, replicated from Chief Executive level downwards, with managers at every stage neglecting to ensure that matters had been actioned satisfactorily. An overall air of superficiality permeated the management style, with managers seeming to deal purely with specific complaints and neglecting to ensure either the involvement of those likely to be affected by actions or, more importantly still, that the matter in question would not recur.

Inapproachability of management: This style of leadership was particularly apparent in the LCAS Unit, where the Panel received allegation after allegation from black workers of an unapproachable and distant leadership. This manifested particularly in what was perceived to be the ‘closed-door’ mentality of the Business Unit Manager and Team Leaders, where managers were alleged to be in meetings during most of the working day, or to congregate at local cafes for long discussions.

- 11 In short, the lack of support from senior management as a whole exacerbated a situation in which there already existed little if any leadership, inconsistent direction and supervision, and a state of affairs which seemed to oscillate between ‘buck-passing’, ‘the delegation of the delegated’ and inertia.

6.3 RESPONSES TO ALLEGATIONS OF RACISM & RACIAL DISCRIMINATION AND THEIR SIGNIFICANCE

- 12 Complaints of racism tended to be listened to and then promptly ignored, or redefined as some other kind of complaint altogether. When they were investigated internally, nearly all the evidence pointed to the finding that the investigations themselves were partial, procedurally flawed, or undertaken to

achieve purposes that appeared to lead ultimately to disciplinary action against several complainants.

- 13 Race, racial discrimination and particularly racism in its institutional, overt, covert and institutionalised forms were crucial factors not only in the understanding of what went on behaviourally in the Unit, but also in the explaining of one of the cyclonic swirls or causal roots that helped bring about the operational collapse of the Unit in 2001.
- 14 The whole topic formed both a political backcloth as well as a context within which conflicts, disputes and actions occurred. It not only helped to shape but also formed the substance of some individual behaviours. Because of several factors, all managers and staff – black, minority ethnic and white (including those who denied its presence) - became increasingly conscious of its role as an institutional and institutionalised phenomenon and practice within the Unit in particular and within Lambeth Council in general.
- 15 Firstly, during the lifetime of LCAS, the Macpherson Report into the murder of Stephen Lawrence helped to stimulate thinking and influence individual as well as institutional behaviours.
- 16 Secondly, even earlier than this Report (which appeared as LCAS reached its own apotheosis as a socially dysfunctional, racially divided Unit), the aftermath of the Brixton riots and the Scarman Report in the early 1980s produced a lingering sense of institutional guilt, together with a number of efforts to improve race and ethnic relations within the Borough.
- 17 Thirdly, the national and ideological political climate after 1997, with the election of the Labour Government, changed dramatically from one where social ambiguity towards black and other minority ethnic groups was replaced by social inclusivity, thus providing a new kind of publicly stated legitimacy for critiques and actions against racism.
- 18 Fourthly, the Race Relations (Amendment) Act 2000 campaign of the Commission for Racial Equality (which was aimed at strengthening race relations legislation

and placing the duty of its promotion on public bodies) - coupled with Borough internal demands for just treatment and equal employment and promotion opportunities - enhanced an awareness of the problem and, indeed, the existence of racism, such that even 'the indifferent' could not fail to notice it.

- 19 But lastly, for the purposes of this report, the critical role, political insight and effective contribution of Alex Owolade has to be seen as being indispensable to raising awareness of racism as an institutional and institutionalised phenomenon and practice. For Alex Owolade, as a shop steward, not only gave practical, emotional and other kinds of support to those LCAS workers who sought assistance but – just as crucially – he provided an ideological framework, based upon actual and 'lived experience', within which workers could understand the relevance and significance of racism in their own experience.

6.4 EXPLAINING WHAT HAPPENED

- 20 If, however, the existence and various manifestations of racism, as described in this report, were offered as the sole explanatory cause for what transpired in LCAS, then the Panel would have failed miserably in its task *"to identify where possible the causes of problems in order to make recommendations for the future provision of high quality Council services."*
- 21 What the Panel found was that, whilst race and racism provided the context for most and the subject of many complaints and conflicts, there were other little-expressed though, in many ways, more fundamental sets of reasons for the state of affairs which existed within LCAS.

6.4.1 AUTHORITY

- 22 Right from the outset - and well before the involvement of Alex Owolade and hence the viewing of nearly all problems as examples of racism - there existed within LCAS implicit and sometimes angrily articulated conflict around the legitimacy of managerial authority – who should lead and control the Unit?; who should not?; who should command the respect of the staff?; should this have been Ionie Shahsavari, a black woman, who had managed the earlier body?; or should it have been Anya Oyewole, her European white successor, who brought with her quite a

different approach to the job? The staff were divided around these questions, with mainly the black and minority ethnic 'old' staff supporting one side (lonie Shahsavari) and most of the white 'new' staff supporting the other (Anya Oyewole).

- 23 Although later viewed as racial, this questioning of authority and the allegiances which were organised around and gave rise to it were anchored into many different and competing features, if not imperatives, other than that of racial identification and bonding.
- 24 As shown in chapters 2 and 3 particularly, they included differences in style, approach, leniency or toleration, organisation, and specific views on what targets should be set and how they should be achieved. The 'replaced' manager represented by and large one managerial tradition, which turned a blind eye towards and condoned unpunctuality, shopping trips during work times, failure to meet targets and laziness, provided that 'the job was done'. Whereas the new manager arrived at LCAS with the broom of a new managerial approach which stood for sound administration, target-setting, staff discipline, customer satisfaction and a professional work ethic which emphasised work and a respect for authority.
- 25 Although the difference and conflict between the two approaches, the two individuals, and the staff groupings that were forming were stark, their effect on the operations of the Unit was not immediate. For the newly appointed person was the manager, and her predecessor (who had failed to retain her job in an open interview process) was the deputy manager, despite the fact that she herself and some staff resented it and had complained that the interview process had been unfair and discriminatory.
- 26 Furthermore, the Business Unit Manager had the backing of and derived her authority from senior line managers located in Housing Services, and through them, from the Council as a whole. Thus she - and not the deputy manager - was able to assert her authority and insist – harshly, if necessary – that her approach should be followed. When her deputy manager aggressively refused to do so, Anya Oyewole suspended her on the grounds that clients had been put at risk. And this,

in turn, evoked from Ionie Shabsavari a formal complaint of racial discrimination, victimisation and intimidation. It also had the effect of confirming to all that the manager was in charge, that her authority was legitimate and, moreover, that her approach and management style was – after the suspension of her deputy – the only one that counted.

6.4.2 CULTURE

- 27 What altered the fragile balance that existed between the ‘old’ and ‘new’ staff styles, practices and values were several inter-related developments, derived from and driven by cultural rather than organisational or administrative considerations. As points which contribute towards a rounder and, the Panel would argue, more accurate explanation of what happened, they included, firstly, developments that emanated from the managers’ objective of establishing a more professional work ethos and instilling in all workers the overriding importance she herself attached to the reaching of targets. Although how she did this has been described in Chapters 2 and 3, it is relevant here to restate that she attempted to replace the largely non-professional *laissez-faire* culture, office practices and work ethics with ones that focused on the importance of administrative efficiency, operational targets and clearly delineated roles and responsibilities.
- 28 In many ways, a second set of developments comprised the reactions of workers, white, black and minority ethnic, to this attempted shift, together with the ways in which they started initially to tentatively undermine and ultimately to challenge the Business Unit Manager’s authority. As shown again in mainly chapters 2 and 3, in their eyes this was an authority which exposed and critically confronted their old habits, incompetence, ineffective and sometimes irresponsible practices and (as was clearly the case in several instances) sheer negligence. Their reaction took the form of disrespect, non-cooperation, walkouts from meetings, absenteeism, disputes around specific issues, complaints, and rumours, murmurings and whisperings. Whilst not organised, all these protests - which were as symbolic of deeper discontents as they were a reflection of actual conditions and perceptions - fructified into the real beginnings of both a (sub-)culture of rebellion and the social cyclone that eventually engulfed LCAS.

- 29 Why it did not extend or build up further at this stage into a fully blown challenge to the authority of the LCAS manager or an actual culture of organised resistance was, in the Panel's view, due to yet another set of developments.
- 30 They included the fact that Lambeth senior managers external to LCAS wanted to shake up the Unit and thus, even in the face of complaints, continued to support - albeit ambivalently - the LCAS manager's endeavours to professionalise it as a target-orientated body. Part of their ambivalence stemmed from the fact that, whilst complaints received had not been upheld, a number of senior black and minority ethnic line managers had started quietly to sympathise with several of the complainants - to a point where, for instance, Ionie Shahsavari was allowed to return to work.
- 31 UNISON, on the other hand, kept its distance, either by refusing to acknowledge that real concerns existed within LCAS or by withholding the kind of support that was requested by LCAS Union members. As its convenor did not want to become involved at all, preferring to side with Council senior management in a way which helped to bolster the authority of the LCAS manager even further, it was left to the white LCAS shop steward to represent workers within LCAS and to confront what was now seen as an abrasive, even authoritarian management style.
- 32 These and other developments mentioned in the body of the report all helped (directly or indirectly), firstly, to maintain and legitimise the authority and power of the LCAS manager; and, secondly, to prevent the (sub-)culture and social cyclone of rebellion from becoming one of organised resistance.

6.4.3 RACISM

- 33 Resistance only developed as a politically conscious and organised campaign when shop steward Alex Owolade became involved. Racism, awareness and (almost in a 1960s sense) 'black consciousness' became for many increasingly part of both a reason for and an explanation of what transpired within LCAS. What it did, then, was to place everything within a racial perspective, allowing for the definition of nearly all disputes, complaints, issues and (white) management behaviours as either racist *per se* or intricately related to racism.

- 34 Furthermore, through the clever manipulation of events, the distorted presentation of facts and the launching of accusation after accusation of institutional, managerial and individual racism, a politics was created which started systematically to challenge the authority of the LCAS manager and the legitimations on which it was based. That the manager's abrasive management style (including the racial favouritism and remarks she expressed) gave the challengers some credibility; and that the ambivalence of some (black and minority ethnic) managers towards her, coupled with the feelings of 'guilt' of other (white) managers, all culminated in demands for an internal investigation (the Dorothy Quest Report) was not at all surprising in the circumstances.
- 35 In a rather paradoxical way, the charges and accusations of racism served the purposes of all other than the LCAS manager herself. They provided the rationale for the organisation of internal resistance against managerial authority (black, minority ethnic and white). They provided an effective cover for the concealment of worker inefficiency and incompetences. They provided a way for senior management to salve their conscience and assuage their guilt by appearing to do something about it, including the commissioning of this Inquiry. They helped to redirect attention away from Borough managerial failure by concentrating on the failures of LCAS. They provided the social cyclone with its ideological and experiential energy. And, lastly, for the purposes of this report, they most certainly helped black and minority ethnic (and sympathetic white) workers within the Borough to extend their interests and focus attention beyond LCAS to embrace the Borough as a whole and the quality of the services it provided to its multicultural population.
- 36 But what they did not and could not do alone is to explain what happened at LCAS. For what happened had as much to do with the nature and responsibilities of management as it did with racism. It had as much to do with the withdrawal of the LCAS manager's authority and legitimacy by Borough senior managers as it did with the challenges and resistances of workers; and as much to do with the LCAS manager's reactions towards incompetence and inefficiency as it did with complaints about her attitudes and style. These factors alone are certainly sufficient to establish that there exists no mono-causal explanation for the cyclonic climate that was LCAS. This Inquiry has revealed that, apart from

institutional racism and the struggles against it, what led to the operational and organisational collapse of the Unit was a total lack of leadership on the part of management (exacerbated by the conflict of cultures), which itself served to disempower the authority of management in the eyes of their staff.

7 IMPLEMENTING CHANGE:

PREREQUISITES & RECOMMENDATIONS

- 1 Before the recommendations that arise out of the Inquiry are set forth, the Panel wishes to bring to the attention of the Council several critical points. All of them need not only to be heeded but – as points which will essentially link the process of making recommendations to the practice of implementing change - they all need to be internalised as the prerequisites for the bringing about of effective change.

7.1 THE PREREQUISITES

- 2 These are 4 in number, namely:-
 - a. That the local authority as a whole body consisting of politicians, management and staff publicly pledge that it will implement the changes, through the provision of a specific action plan containing measurable targets and objectives aimed at improving its own effectiveness and, through so doing, providing high-quality service to Lambeth's multicultural community.
 - b. That the local authority deconstruct itself as one that seeks to build and protect its power, sovereignty and status at the expense of its users, clients and the public at large; and reconstruct itself, firstly, as one totally dedicated to serving and the provision of high quality services, and, secondly, as one in which power and authority are shared with rather than appropriated from the constituencies it services.
 - c. That the local authority begin the process and practice of de-institutionalising forms of inequality and their manifestations (with particular reference to racism) through the establishment of an external implementation body charged with the task and responsibility of

deinstitutionalising inequality throughout the local authority and given the necessary resources and power to effect this.

d. That, lastly, the local authority be prepared to take whatever (uncomfortable) action is required – including closing down ineffective departments, or outsourcing their management and dismissing staff – in order to guarantee that the desired changes can be implemented within a publicly announced and specific timetable.

- 3 Although several more prerequisites could be listed, these four are absolutely essential if the recommendations which follow are to have any chance of achieving their desired effect.

7.2 THE RECOMMENDATIONS

7.2.1 RACISM

Given that racism has featured prominently in this Inquiry and that it constitutes in its institutional, institutionalised and individual forms one of the main problems that faces the local authority today, as it did during LCAS's lifetime, the Panel makes the following recommendations:-

- 1 That the Commission for Racial Equality's Standard levels 3 and 4 objectives, together with the steps the local authority is required to take under the Race Relations Amendment Act and their own race equality scheme, should be explained to all managers; and, if necessary, adjustments to their annual work programmes should be made for the purposes of their annual appraisal.*
- 2 That the tasks of tackling racism and promoting positively good race, ethnic and community relations should be built into the job descriptions of*

every manager.¹²

- 3 *That an appraisal of the objectives and targets achieved with respect to recommendation (2) should form an integral part of all annual appraisals and should be communicated to all members of the workforce.*
- 4 *That the Chief Executive Officer of the local authority should hold quarterly meetings particularly with cross-directorate managers in different grades and on different levels, so that the implementation of the race equality scheme can be regularly appraised and evaluated.*
- 5 *That the Black Workers Forum should be re-established and resourced, to act as an advisory group to the local authority management as well as to the Unions. In order to ensure its continual effectiveness, the Forum should be subject to regular and thorough checking mechanisms that are communicated to Union members, thereby making it directly accountable and transparent.*
- 6 *That a new, relevant and organically designed racism awareness and anti-racism practice training programme - located in a context of managing change and diversity in line with best advanced management practices - be developed immediately so that it can be made available to all managers and staff.*

¹² In any event the Race Relations (Amendment) Act 2000 and the public duty placed on local authorities make this a specific requirement. The duty is to be discharged *effectively*.

7.2.2 MANAGERS AND WORKERS

The lack of effective management at all levels permeated the Unit to such an extent that its eventual decline was perhaps inevitable. Thus the Panel makes the following recommendations:

- 7 As the Panel was deeply troubled by the lack of quality control and the non-delivery of professional and effective services, particularly by senior managers, it recommends:

That an independent review of management practice and quality assurance – to a standard which is at least in line with the Audit Commission's requirements - should be undertaken immediately and thereafter on an annual basis, and that the recommendations arising from the review should always be acted upon within three months of its completion.

- 8 In particular, the Panel found that many staff did not understand either the internal or the external complaints procedures, and in fact felt threatened if they made a complaint. As the Panel during the Inquiry had no sense that procedures were fully worked out or consistently applied, it also recommends:

That a thorough overhaul of all procedures and protocols relating to both internal and external complaints should be implemented at once.

- 9 In nearly all respects the Panel found not only that grievance and disciplinary procedures and processes in general were ineffective but also that many managers and staff possessed very limited if any knowledge

and understanding of the systems and procedures regulating professional local authority practice. It therefore recommends:

That all grievance and disciplinary codes and procedures, including codes of conduct, be made readily available to all staff on a regular basis in a clear and concise manner, and that they be scrutinised by the Council's Equalities Board.

- 10 What was of most concern to the Panel was the fact that nearly all forms of training that the Panel examined were inadequate and inconsistent at every possible level. Some staff received little or no training; others received individual and highly idiosyncratic forms of training; and yet others were blatantly denied the opportunity of receiving relevant training, despite frequent requests. Whilst a process needs to be put into place which will enable all staff to understand the workings of the service and to acquire a professional approach and awareness of their obligations, and as training needs and educational requirements need to be clearly identified, the Panel strongly recommends:

That the authority as a matter of urgency provide a specifically designed package of training and re-training for managers, supervisors and staff, so that they are able to work effectively to ensure not only that the Council delivers appropriate and high-quality service but also that staff are equipped with the competencies essential to an effective and cost-efficient undertaking of their tasks and discharge of their obligations.

- 11 One of the repeated findings of the Panel concerned the absence of any checking, following up or evaluation of practices, outcomes, work styles

and behaviours. As the tenor of much of the conclusive force of this report involves an appreciation that little, if any, professional supervision existed within the Unit itself or in relation to other departments within the Council (particularly the Housing and Social Service Departments), the Panel recommends:

That a monitoring and good practice unit, in line with the Investors in People programme, should be set up to review the above and ensure that practices, outcomes, work styles and behaviours of all kinds are appropriately managed.

The Panel is further of the view that equivalent services (as previously delivered by the LCAS Unit) should have suitably qualified and trained personnel who should ensure that grievance and disciplinary procedures are consistently followed at every stage and on all levels. It should be made clear to all personnel at the time of hiring for what purpose they have been hired, to whom they are accountable, and where both the level and line of authority resides.

12 As both the quality and extent of support offered particularly to middle managers and supervisors lacked any firm anchorage in terms of what was actually necessary for their effective performance, it is further recommended:

That an independent temporary advisory facility be developed within the Chief Executive's Office to assist, advise, provide specific support to and coach managers, with a view to enabling them to increase their capability and competencies and to resolve all personnel issues, conflicts, people-

management deficiencies and other managerial problems that arise in failing and under-performing operational sections of the organisation.

13 That clear and concise job descriptions for managers and staff be produced, specifying the areas of their responsibility, accountability, authority and line management, with particular respect to grievance and disciplinary issues. If necessary, these should be updated and agreed annually at the time of appraisals.

14 That annual appraisals with line managers should be signed by both parties, with an opportunity for comments from both sides and with clearly inbuilt development programmes, incorporating training, learning and working provisions in line with identified needs.

15 That steps taken to resolve grievances (both formal and informal) together with the relevant timescales should be communicated to complainants via their line management.

Each of the recommendations so far listed is based upon a fundamental premise which now needs to be exposed and reformulated as one of the Panel's main concluding recommendations. The premise addresses the fact – as indeed does this whole report – that the nature, composition and dynamics of local authorities and the constituencies they serve have changed. Over the last decade, Lambeth, like many other local authorities in and outside of London, has become a 'multicultural organisation'. And its managers need to know how to manage such an organisation, in which different values, beliefs and expectations are shaping and reshaping organisational, operational and delivery realities.

Thus the Panel recommends:

16 That, as a matter of urgency, all managers are provided with a set of appropriate managerial tools for responding both to the internal nature and demands of a 'multicultural organisation' and to the external realities of the provision of services to a culturally diverse group of users; and trained in the use of such tools.

7.2.3 UNISON

In view of the nature of UNISON's involvement throughout the existence of LCAS, the Panel makes the following specific recommendations:

17 That the procedures governing the involvement of the trade unions in their representational role and capacity need to be made clear to all managers and communicated to all staff.

18 That trade unions should examine their policies and structures for the handling of race issues, as well as the roles of shop stewards, convenors and the branch secretary in the supporting and following through of issues and complaints.

19 That the role of the full-time Union official handling the issue or grievance (particularly on race equality matters) - especially when members have not received satisfaction at branch level - should be made clearly known to members. Furthermore, where there is disagreement between the national and local levels, the Union should consider a relevant appeal system.

20 That UNISON give serious consideration to the formation and structural support of groups representing the specific interests of members, both at the national and local levels.

7.2.4 USERS

Whilst the above recommendations can be seen as relating directly to the way in which the local authority, managers, staff and unions should change their attitudes, practices, procedures and structures, the Panel's last set of recommendations addresses issues raised by what has been the most important party in this Inquiry – the users:-

21 That the Community Alarms scheme which has now replaced LCAS should be recognised as part of an integrated support and care service for older and vulnerable (including disabled) people which is designed to provide a culturally sensitive and effective client-orientated set of 'joined-up' caring services.

22 We would strongly advise the Council to consider the value of introducing a consultative forum, including each separate sheltered housing unit. Particular emphasis should be given to the partnership model, and should include voluntary and community organisations.

23 That all Community Alarm Officers should be given, as part of their induction, a training course in telephone techniques and effective customer service, particularly aimed towards communicating with culturally diverse clients whose first language is not English. This should be effected as a matter of urgency.

24 That the charging, invoicing or collection of monies from users should be urgently reviewed and steps taken to introduce regular payment systems.

25 That at least three visits should be made to users to ascertain the specific issues relevant to that user before withdrawal of the pendant.

26 That all calls for assistance should be recorded and that the action taken should be monitored on a regular and systematic basis. This provision should be enshrined in a protocol for use by management and workers, and for users' reference.

27 That the Council's complaints procedure should be clearly defined and made available to all users, together with guidelines on how voluntary and other organisations can assist with complaints.

7.2.5 CONCLUDING STATEMENT

When all is said and done, the crucial aspect of this Inquiry has been the standard of service delivery of a vital facility for vulnerable and older people in the community. All the actors in the drama described in this report share responsibility for ensuring that the pervasive failures which constituted the tragedy do not happen again.

At the Public Meeting on 23 July 2003, the Panel heard statements of good intentions from the four parties involved in this Inquiry - namely the workers, management, UNISON and, of course, the users-. In order that these intentions are actualised, it is clear that all parties must play a key and committed role in the implementation of this report's recommendations. For not only will failure to do so lead to the development of further and even more destructive cyclones but - more

crucially - it will inevitably lead to the failure of Lambeth Council to provide and deliver high-quality services to its culturally diverse customers.

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- II. LCAS Best Value Fundamental Service Report 2000
- III. Outcome of Ionie Shahsavari's Disciplinary Hearing December 1995 & January 1996
- IV. Ionie Shahsavari's Application To The Employment Tribunal
- V. Outcome Of Ionie Shahsavari's Sickness Panel December 1996
- VI. Letter From Patsy Aduba To Anya Oyewole Re: Ionie Shahsavari's Return to Work
- VII. Paul Fee's Grievance Against Janet Edwards Re: Falsification Of Council Document
- VIII. Letter From Anya Oyewole To Paul Fee Re: Allegations Of Falsification Of Council Document
- IX. Memo From Philip Long To Janet Edwards Re: Sexual Harassment Of Patsy Laidley
- X. Letter From Jon Rogers To Patsy Aduba Re: Disruption Of UNISON Meeting
- XI. Memo From Dorothy Quest To Paul Fee Re: Disruption Of UNISON Meeting
- XII. Memos From Anya Oyewole And Sue Davies To Patsy Aduba Re: Demonstrations In Favour of Michael Mendez
- XIII. Memo From Patsy Aduba To Anya Oyewole Re: Demonstrations In Favour Of Michael Mendez
- XIV. Michael Mendez's Application To The Employment Tribunal
- XV. Memos Re: 'Incident Between Anya Oyewole And Paul Fee'
- XVI. First Draft Of Dorothy Quest's Management Investigation Into LCAS
- XVII. Anya Oyewole, Janet Edwards And Maureen Bowman's Comments To The First Draft Of The Management Investigation Report
- XVIII. Second Draft Of Dorothy Quest's Management Investigation Report
- XIX. Anya Oyewole, Maureen Bowman And Janet Edward's Grievance To John Broomfield Regarding Dorothy Quest's Report
- XX. LCAS Business Plan 2000/01 To 2002/03
- XXI. Mrs Maher's Complaint To LCAS
- XXII. Anya Oyewole's Investigation Into Mrs. Maher's Complaint

- XXIII. Letter From Dorothy Quest To Ashruf Cader Re: Termination Of Temporary Contract
- XXIV. Memo From Eugenie Small To Janet Edwards Re: Annual Leave
- XXV. Letter From Dorothy Quest to Eugenie Small Re: Annual Leave
- XXVI. Paul Fee's Application To The Employment Tribunal
- XXVII. Disciplinary Hearing Eugenie Small And Elaine Davies: Management's Summary And Letters to Eugenie Small And Elaine Davies From Mo Reeve Re: Outcome Of Hearing
- XXVIII. UNISON Leaflets In Favour Of Eugenie Small And Elaine Davies
- XXIX. Memo From Anya Oyewole To Patsy Aduba Re: Formal Complaint Against Alex Owolade Of Harassment, Intimidation And Slander
- XXX. Letters To Elaine Davies And Eugenie Small Re: Outcome Of New Disciplinary Hearings
- XXXI. Anya Oyewole's Investigation Into the Mr. Fagbemi Incident
- XXXII. Formal Complaint To Faith Boardman From Paul Fee, Elaine Davies, Eugenie Small, Patsy Laidley, Audrey Stapleton, Pam Snelling And Sarah Moses Re: John Broomfield, Patsy Aduba, Dorothy Quest And Anya Oyewole
- XXXIII. Letters To Eugenie Small And Elaine Davies Re: Outcome Of Disciplinary Panel
- XXXIV. Eugenie Small And Elaine Davies' Application To The Employment Tribunal
- XXXV. Anya Oyewole's Complaint Against Alex Owolade And The Final Management Investigation Report On The Complaint
- XXXVI. Extract From UNISON's Annual Report 2001
- XXXVII. Ashruf Cader's Application To The Employment Tribunal
- XXXVIII. E-mail From Anya Oyewole To Patsy Aduba Re: The Deployment Of Elaine Davies
- XXXIX. Letter From Keith Sonnet To Anya Oyewole Re: Apology
- XL. Anya Oyewole's Complaint To The Employment Tribunal
- XLI. Alex Owolade's Complaint To The Employment Tribunal
- XLII. Letter From Dorothy Quest To Philip Long Re: Allegation Of Sexual Harassment Of Patsy Laidley
- XLIII. Correspondence And Notes Re: Allegation Of Harassment Of Amanda Steele
- XLIV. Complaint Of Harassment By Patsy Laidley 24/3-1998
- XLV. Notes From Interview With Pam Snelling 2nd June 1998
- XLVI. Notes From Interview With Elaine Davies 12th May 1998
- XLVII. Notes From Interview With Maureen Bowman 27th May 1998

- XLVIII. Letter From Patsy Aduba To Jon Rogers Re: UNISON Leaflets – Eugenie Small And Elaine Davies
- XLIX. Memo From Anya Oyewole To Elaine Davies And Eugenie Small Re: Investigation – Ms. Carmel Maher
- L. Statement By Philip Long To The LCAS Public Inquiry
- LI. Notes From Interview With Janet Edwards 29th May 1998
- LII. Notes From Interview With Paul Fee 8th June 1998
- LIII. Notes From Interview With Joseph Yeboah 19th May 1998
- LIV. Notes From Interview With Julie Matthews 3rd June 1998
- LV. ‘Devolved Management Report’