

B Knight

Claimant

v

Havant and South Downs College

Respondent

Witness Statement of the Claimant

I, Betty Knight, of [REDACTED], Alton, Hampshire will say as follows:

1. I began employment at Alton College in 2013 on a variable hours' contract, working within the Foundation for Learning department. In 2014, I moved to the English department where I was timetabled to teach GCSE English.
2. I describe my race and nationality as "Black British" and my claim is based on the fact that I was visibly of a different race from my colleagues, in the English department, who were all "White British".
3. When I joined the college, I already held the following qualifications: Diploma in Secondary Education (teaching qualification), BA (hons) English, and an MA in English; **pages 458 – 461**.

4. I am a very experienced English teacher and had good appraisals.
5. I was also appointed to the prestigious Pearson Edexcel Examination Board as a GCSE English Language Examiner in May 2017 (**see pages 632 – 633, 707**). You must be very proficient and experienced to be appointed as an GCSE examiner. The role also ensured that I had the most up to date knowledge of the 9–1 GCSE specification. As an examiner, you are frequently independently tested for consistency and accuracy in your marking. I have continued to satisfy their testing regime to date. There was no other teacher in the English department who was willing and committed to fulfil the demanding examiner's role.

May 2017 - Failure to advertise two English Teacher roles and the subsequent recruitment of two white teachers.

6. In September 2017, Stephanie introduced two white teachers, [REDACTED] and [REDACTED], who I was informed had been recently appointed to teach English on permanent contracts (**see pages 171 - 177**). I was shocked and very upset, because Stephanie never mentioned there were vacancies coming up in the department. Stephanie knew at the time that I was on a variable hours' contract, and I wished to become a permanent member of staff having worked there since 2013; **pages 178, 191**. I had also expressed an interest in gaining A Level teaching experience, as I was already a proficient teacher and [REDACTED] an) examiner on the GSCE course.
7. She was fully aware of my wish to become permanent and to develop my career. In fact in my first appraisal meeting with her in 2016 (**see page 463**), we discussed my qualifications and my other skills/experiences, i.e., being a published writer.
8. These two new English posts were not advertised internally. I believe that Stephanie arranged it that way to exclude me.

9. The Respondent states that '*the claimant didn't apply for the roles or a permanent position at the time in question*'. That is entirely disingenuous because they know I was unaware of it, as it had not been internally advertised.
10. In fact, the Respondent has lied in asserting that the vacancies were advertised internally. It is for that reason it cannot produce a copy of the internal advert. The print-screen of deleted emails sent to all staff with the subject, 'Staff Current Vacancies', (**see page 484**), shows that there were no advertisements internally from 20 January 2017 to 13 December 2017.
11. It transpired from my own research that the Respondent arranged for the vacancies to only be advertised externally in the Times Educational Supplement (TES); **page 653**. All TES adverts allow you to click on a link to apply or to forward your CV to the prospective employer via the TES site.
12. When these two appointments were made, I was already an experienced teacher with the relevant subject expertise (**see pages 165 – 170, 485, 709**) and had a proven track record of GCSE student success, with some students achieving grades above expected for post 16 resits. I was then lied to by Nicola both about the skills and experience required for the roles and also about the skills and experience of the successful applicants. The full extent of that dishonest cover up, only became apparent after the Respondent's disclosure in this ET case.
13. I was deliberately overlooked for these permanent job opportunities which was to my disadvantage. I also continued to have to work on a 0.3 contract. Stephanie thereby disadvantaged me on the grounds of my race.

Comparators' Qualifications and Experience:

14. In seeking to justify the appointment the two white teachers, Nicola also lied during her interview with the grievance investigator, Suki Dhesi ("Suki"), when she claimed that '*the applicants had qualifications in linguistics*' (**page 280**). Neither [REDACTED]

[REDACTED], have a linguistics degree or any qualifications in linguistics. (See pages 305 - 313).

15. By contrast, I do hold a qualification in linguistics.
16. [REDACTED] was not even a qualified teacher at the time she was offered the role; her teaching qualification results were pending..
17. During Nicola's internal investigation interview with Suki, Nicola also dishonestly claimed that I had never expressed a preference to move off the variable contract (see page 280 paragraph 5) – this false claim is contradicted by an email I sent to her on 08.09.2017(see page 191) which shows I have 'expressed a preference to move off variable hours contract'. During this meeting, Nicola seems to imply I preferred being 'offered more hours regularly,' rather than having a permanent contract. That again is untrue and not something I have said to her. She knew I wanted the security of a permanent role, and to develop my career.
18. In trying to excuse this racism at lines 1-2 of paragraph 6 (see page 280) of her interview notes with Suki, Nicola states that "*a lot of English Language topics are linguistics based*" to wrongly suggest I would not be able to teach the subject. To that end, Nicola tried to sell the idea that my qualifications were entirely based in English Literature and not linguistics. In fact, I held linguistics qualification whereas [REDACTED] [REDACTED] (both white) did not, yet she claimed, "*the applicants had qualifications in the linguistics.*" (See page 280)
19. As part of my three-year teacher training course [REDACTED] I took English as my 'major'. The English Language course focused on the study of (English) language signs; phonology (*pronunciation*), phonetics (the study of sounds), syntax (*how words are put together into sentences*), and semantics (*what is signified/meanings*). My final year research project focused on Child Development, with specific interest in the difference between 1st and 2nd language acquisition. The only time I studied a

literature-based course, was at the University of Winchester - when I did my degree and masters courses.

20. After receiving that bombshell, Stephanie then said my GSCE hours were to be reduced to provide [REDACTED] with sufficient teaching hours. So, my timetable prior to September 2017 (see page 708) was significantly reduced, when Stephanie transferred several of my GCSE English classes to [REDACTED] (see page 713). My teaching commitment was therefore effectively reduced to one GCSE class (one morning a week of teaching), with the associated salary reduction.
21. I protested making the above points and emphasising that I was far more qualified and experienced than [REDACTED], and a GSCE examiner. Stephanie replied that I was variable hours contract and [REDACTED] was permanent, so [REDACTED] had to be prioritised over me and given my teaching hours. I was devastated. I would imagine Stephanie expected me to resign, having been ambushed and humiliated in that way – she even offered to give a reference if I wanted to look for work somewhere else. I had to highlight to her that being a black English teacher, it would not be easy for me to just ‘walk’ into an English teaching job in Hampshire. I also pointed out to her (Stephanie) that, even though we both hold a master’s degree qualification; I got mine just so I could a teaching job while she got hers to get promotion.
22. Seeing my distress, in early September 2017 my husband, [REDACTED], who also teaches at the school, spoke to Jon Myers, the Vice Principal [REDACTED] on my behalf and told him what was happening.

Meeting with Jon Myers

23. On 15 September 2017 Graham met with Jon Myers; page 473. A further meeting was arranged on 18 September 2017 which I also attended; page 473.
24. At the meeting I attended I explained to Jon that, as he knew, I had been working successfully for the Respondent from 2013 and had still not been offered a permanent

role, or to be given any career development. I said that while there were no such roles available, I understood the position but recently two new English teachers had been recruited, who were far less experienced than I was. [REDACTED] had only just qualified. I had a Master's degree, was a GSCE examiner, and had almost 10 years' qualified teaching experience. It made no sense. I said that in the absence of any other logical explanation I felt it was due to racial discrimination.

25. I explained that Stephanie also reduced my GSCE teaching hours to give them to [REDACTED]. Again, I said it was racial discrimination.
26. I said that Stephanie had not mentioned the new roles to me until after the two white teachers had been appointed and that they were not advertised internally.
27. Jon said that he did not keep up to speed with day-to-day HR matters. However, I assume he would have checked and realised that the recruitment was kept secret from me internally.
28. I said it was very hard for me to complain about racism. I feared being retaliated against, and that I would not be forgiven.
29. Jon seemed to understand and was sympathetic. He apologised [REDACTED] for what had happened and said because the contracts had been offered and accepted there was nothing he could do about that then. He said he wanted to make things right, but he could not now offer me a 0.5/50% (full time equivalent) role because of those appointments. He said he would speak to the Principal [REDACTED] and HR and make the situation right.
30. Jon then spoke with HR [REDACTED] and I believe, Nicola. Nicola spoke with Stephanie on 19 September 2017; **page 477**. The Respondent has not disclosed any notes of those important discussions. My complaints about racial discrimination were never

progressed as a disciplinary matter against Stephanie (or Nicola, if she authorised what happened) or as a grievance.

31. On 20 September 2017, Stephanie emailed me to offer me – a term of teaching GCSE English in E-block; and, at Jon’s request, to teach an A level prose test (“Beloved”, by Toni Morrison (black)); **page 477**.
32. Stephanie had been instructed to let me have extra GCSE classes and the career development opportunity to teach A level English for four months. Without that instruction, she would have not given me those opportunities or agreed to make me permanent. She would have continued to manage me out or leave me in a variable role to be called upon to pick up difficult tasks the white staff did not want to do or lacked the skills and experience to do.
33. Due to Jon’s instruction, I was offered and accepted a 0.3/30% (FTE) permanent contract, to which I agreed; **pages 180-190**. Stephanie’s plan to keep me variable had failed.
34. I was also invited to join the college’s E&D Committee which Jon was already a member of. Before my meeting with Jon, I wasn’t aware of its existence.
35. She was also told of my race discrimination complaint against her. Her racism against me was now exposed to Jon. She never forgave me for the racism complaint against her and never sought to discuss it with me.
36. Stephanie informed the grievance investigator Suki Dhesi (“Suki”) that I ‘made allegations before’ and that in 2017, I ‘told Jon Myers I was being discriminated against.’; **page 272**. She also said that I was given the 0.3 permanent role and A level class by Jon *because* of that race complaint, which clearly aggrieved her; **page 272**. Stephanie of course misled Suki by saying I had not applied for the two roles and Suki helped to cover up the racism by never challenging that deception; I did not apply because Stephanie deliberately hid the teaching opportunities from me.

37. Suki also tried to give Nicola/HR an out by suggesting that HR were not aware of the race complaint in 2017, but Nicola rightly replied “*that PS (HR) were aware of this*; **page 281**.

Requests to Teach GCSE English Language Classes

38. [REDACTED] was a very inexperienced teacher and struggled in her new role even at GSCE level. Hence, on 6 December 2017, I received an email from Nicola requesting that I take over one of [REDACTED] GCSE English Language classes (**page 482**). A second request, to take over another one of [REDACTED] classes was made in May 2018; **page 551**.

39. It is only after sending complaint emails, that a temporary increase from my 0.3 contract to a 0.4 was made (**see page 499 - 500**).

2017/18 Academic Year: Teaching A level English Lit (prose module)

40. Between 27th November 2017 to the end of March 2018, following my complaint to Jon Myers, I was timetabled to take over [REDACTED] class in order to gain A-Level teaching experience for half a term. .

February 2018: A Level lesson observation

41. Stephanie sent me an email (February 9th, 2018) arranging an informal observation to occur on 21 February 2018 (**see pages 498 – also see pages 501- 522**)

42. After the observation, I received another email from Stephanie arranging the observation feedback meeting on 26 February 2018, and during this meeting

Stephanie never highlighted any concerns with my teaching or any parental/students concerns.

43. In June 2018 I had a 1:1 meeting with Stephanie to discuss timetabling for the following academic year. I requested to have A Level English literature added to my timetable. Instead of responding to my request, Stephanie paused and then said, 'well about that...there has been some parental/students complaints about your teaching.' She put down a torn off piece of paper with three bullet points (which had been handwritten by her) and then hastily left the room.
44. Following this meeting I sent her an email (**pages 195 - 196**) which highlighted my frustration and disappointment..
45. It was a difficult working environment for me and the email of 20 June 2018 highlights my frustration; **page 197**.
46. The complaints against me by students/parents were objectively groundless, and untenable. Due to her bias against me, Stephanie wanted the accusations to stick so subjected me to that process.
47. If she had not been biased against me, even assuming the complaints had any real arguable basis, a sit down with the parents/students would have been arranged and the matter would have been resolved informally.
48. Instead, even during the internal investigation, the Respondent failed to disclose the alleged complainants/complaints, which elongated the process and made it impossible for me to fully answer the complaints.
49. Even the outcome letter was very vague about the source of these complaints (**see page 398 - 399**).

50. In fact, it transpired that there was only one complaint and that had been received by [REDACTED]. Stephanie and Nicola simply fabricated matters by alleging that there were several complaints.

51. Instead, the Respondent failed to interview Libby and concealed this evidence. The Respondent also failed to produce evidence of other alleged parental/students' complaints.

52. Indeed, it was only after the Tribunal's disclosure order that the Respondent eventually disclosed the sole emailed complaint, which it transpired had been 'requested' from a parent during parents' evening to incriminate me. It was a set up. Stephanie was looking to embellish parental comment to discipline me.

53. The respondent's failure to disclose further alleged parental or students' complaints despite being ordered to do so by Judge J Bax on 22.09.21 (**see page 142**), contradicts both Stephanie and Nicola's claims that '*there were several complaints from both students and parents*' (**see page 280**).

54. In the Grievance Outcome letter, Richard Barlow mentions being shown only one complaint (**see page 333 – 335**). He chose to characterise the sole complaint as evidence of 'parental and students complaints'.

55. The disclosure chain of email correspondence between [REDACTED] [REDACTED] and Stephanie Richardson (**see pages 192 – 194**) highlighted that [REDACTED] [REDACTED] was requested to email complaints 'only about the teaching of Beloved', despite the fact that she also raised concerns about her daughter's essay writing and poetry result, which were [REDACTED] not by me.

56. The requested complaint, is contradicted however by [REDACTED] (student) own 'Insight Student Reflection' (**see page 544**) that she was struggling to make '*more contextualised references to further her analysis – particularly with (The Picture of*

Dorian Gray.’ To make it clear I did not deliver this text; when this class came to me in November, they were meant to have studied Dorian Gray with [REDACTED], who was their main English Teacher. [REDACTED] herself mentions this in an email sent (see page 480 – middle paragraph).

57. [REDACTED] concerns regarding essay writing and her limited knowledge of Victorian historical contextual links to Wilder’s works, was also echoed by another student’s concerns in that same class (see page 550).
58. Instead of ‘requesting’ students to put their concerns in writing, I did what any good teacher would have done. I produced an easy-to-follow guide on how to write an A Level essay (see pages 675 – 676) and I also delivered an additional revision session on ‘The Picture of Dorian Gray’ to specifically highlight Victorian contextual links in regard to Oscar Wilde’s life and his novel (see page 546). Weekly Beloved session PowerPoints sent to students, clearly highlighted how to tackle textual analysis (see pages 523 – 536, 538 – 543, 546 – 548, 671 – 676, 689 – 691, 698 – 706). Julia Angeles’ name appears first on each email sent to all students – the email sent on 1 March 2018 clearly highlights that help was given to students in regard to essay writing.
59. Stephanie’s email response to [REDACTED], promises the parent that she will speak to me regarding Julia’s concerns (see page 194). Yet, instead of highlighting these concerns, Stephanie chose to conceal the email and to exaggerate one complaint into ‘parental complaints’.
60. [REDACTED] email also contradicts Stephanie’s version of events, in which she claims she observed my A Level teaching on the back of parental complaints (see page 272). Stephanie observed my lesson on 21 February 2018, which was a month before the ‘requested’ complaints email dated 16 March 2018 from Ms [REDACTED].
61. Despite the alleged complaints, [REDACTED] did not suffer a detriment because of my teaching – she achieved an A* for English Literature and the only module she didn’t do so well in, [REDACTED]. Analysis of the A Level English Literature

results, for this particular class, show that the class performed better in my module, ‘**Paper 2 Prose**’ than they did in Paper 1 [REDACTED] (see page 693). Objectively, I delivered the better A level results and also supported students [REDACTED] [REDACTED].

62. Finally, although the respondent knew that [REDACTED] [REDACTED] regarding the alleged ‘parental/students’ complaint, she was never interviewed, never disciplined and the respondent never explained why she had been excluded from the internal investigation.

October 2018 appraisal

63. I had an appraisal with Stephanie on 17 October 2018; (pages 567 – 578). I asked for the appraisal comments. Stephanie wrongly withheld them. In fact, I only received them over two years later on 1 December 2020, after requesting the same from [REDACTED] [REDACTED] (See page 642). They were withheld by her because the good performance recorded by her in those comments would have made it far harder to carry out a joint lesson observation and to falsify matters to claim my performance warranted an IIP.

Functional Skills (FS English): Level 1 lessons

64. In September 2019 I was wrongly taken off the teaching of the Functional Skills (English) course without any consultation or explanation at the start of this academic year. Contrary to the respondent’s response and denial in paragraph 2.3.5 of their grounds of resistance, emailed correspondence regarding timetabling sent by Nicola and Stephanie (see pages 198 and 472) clearly show that staff do get consulted about their timetables.
65. During an investigation interview with Suki, when Nicola was asked about the removal of the Functional Skills lesson from my timetable without consultation, she gave evasive and irrelevant answers about [REDACTED] *wanting a class and having a degree in English and* [REDACTED] *needing a class* (see page 280).
66. [REDACTED] was a member of staff from another department who should not have been timetabled to teach in the English department as she wasn’t ‘under hours’. In an email response (see pages 207 – 208,) to Stephanie, regarding teaching on this course,

██████████ clearly indicates that she didn't know what her '*timetable would look like*', at the time of the request. The reason given by Nicola, for timetabling █████ to teach a lesson that had been removed from my timetable, was just a blatant lie, and again goes to her credibility.

67. It was also surprising that it was my lesson that was given to █████, when Stephanie could have taken a FS lesson from █████'s timetables - to make sure everyone was treated fairly. Both these teachers (white English) were also teaching on other courses while I was the only one in the department without a varied teaching timetable. █████ also makes it very clear in her response to Stephanie that she didn't have experience in teaching this course (see **pages 402 – 403**) and yet the lesson was taken from an experienced teacher on this course and given to a white teacher completely new to it.
68. I believe that at the time Stephanie emailed █████ to offer teaching in the English department, Stephanie was already planning to put me on a Performance Review (IIP), in retaliation for my race complaint against her. I believe she wanted to make sure that I was only teaching GCSE English when the next round of observations started in that academic year. She knew that she had no basis to put me on a Performance Review for FS English because I was the only member of staff on the FS team to ever achieve a 100 % pass rate, and that, two years in a row; (**See page 557 and page 567**).
69. After the FS lesson was taken off my timetable, I was free on Tuesday mornings until I received an email from Stephanie asking me to take on another GCSE English class (**See page 586**), which I agreed to do. These students came from █████'s Tuesday morning GCSE class which was too big for her to manage. Ironically, this is the group I was later observed teaching in December.

Ignoring examiner award

70. In November 2019 I sent emails to HR, Stephanie, and █████ regarding an examiner award (see **page 602**) I had received from the Joint Council for Qualifications (JCQ) (see **page 582**). My emails were not acknowledged. I was

ignored, which was hurtful and upsetting. A white teacher with similar examining experience and particularly with an examiner award, would be looking at becoming a head of a department - if they weren't already.

71. Contrary to the Respondents claims in paragraph 2.3.6 of the Grounds of Resistance, marking exams is the best professional development a teacher can get. Being an examiner leads to a better understanding of the subject specification and it is also crucial to enhancing personal and professional career progress.

Informal drop-in lesson observation

72. On 3 December 2019 I was subject to a Joint observation by Claire Scott and Stephanie Richardson. These two managers arrived, roughly thirty minutes into a two-and-a-half-hour lesson. The lesson PowerPoint on **pages 603 – 611**, clearly outlines what students were expected to do in this lesson and achieve at the end of the lesson.
73. As any experienced teacher would do, I had started the lesson by verbally informing the students what they needed to achieve by the end of the lesson and how I will guide them to achieve their individual targets – and ultimately, how the session will prepare them for their GCSE resit paper 1 (fiction).
74. Each learner had an annotated copy of the mark scheme (the same one as used by examiners – **(see page 710)**, which I had used to give individualised feedback to highlight what level each individual student was working at, and which aspects of their writing needed improvement in order for them to move up to the next level (**see pages 408 – 424, 612 for 03.12.19 students' assessment scripts**). The individualised annotated mark scheme made it clear to the student what they should be able to do at the end of the course that they couldn't do before – i.e., pass their GCSE English re-take exam as they had previously failed this course.
75. The two members of staff stayed for no more than 25 minutes (left at 10:55). I was the only black English teacher and the only English teacher to be subjected to a joint an informal observation in the English department.

76. At 10.57am, and immediately after both staff had left the room, I was sent an email by Claire inviting me to a feedback session that very afternoon at 4.15pm. This did not give me ‘sufficient time to reflect’ because I was also teaching that afternoon; **page 483**.

77. During this feedback meeting, I was berated, humiliated, and racially stereotyped. Claire successfully reminded me that I was a black woman in the wrong space – she made it clear that my previous good performance, and my qualifications and experience, in the very subject I was being accused of lacking knowledge in, counted for nothing in her eyes.

78. Their premeditated aim was to place me on an Individual Improvement Plan (“IIP”), not because my teaching work required that, but to humiliate me, put me in my inferior place and to stop me from being, what used to be described as, “uppity”. It was harassment and pure victimisation. There were no objective grounds to place me on an IIP. An informal IIP conducted in breach of due process was not a basis for an IIP. An IIP would be justified if there was a sustained period of sub-standard teaching. I had years of appraised teaching at a very good standard both within the Respondent and as a GSCE examiner.

79. The intention to humiliate through the ‘staged’ joint lesson observation didn’t go unnoticed by the students that morning; as soon as the two observers had left the room, one student, [REDACTED] (white), exclaimed, *‘Betty I’m sorry for what I am about to say; but what the fuck was that about?’*. This only added to the sense of humiliation.

Failure to Follow Respondent’s own Teaching and Learning Policy.

80. HSDC’s Teaching and Learning Policy states, under subheading, ‘Students’ views’ (**see page 488**), that “Considering the views of learners as part of an observation can be valuable in supporting accurate judgements of teaching and learning.” The failure therefore to interview students, prevented the truth about what ‘happened’ during the lesson observation, coming out. This failure meant it became my word against the word of a victimising manager, backed by her accomplice, Claire, a senior manager

brought in as reinforcement, after being given “a background of what had happened before” (see page 276).

81. The Respondent’s own Teaching and learning Policy (page 487) was not followed by the observers; under Further Guidance it states clearly that lessons observed for less than 45 minutes should be *ungraded*. My lesson was observed for no more than 25 minutes – yet it was ‘graded’ and graded so badly it was said to warrant an immediate IIP further to years of successful teaching. Their intention was to frame me, not to follow due process.
82. During Stephanie’s interview with Suki, when asked to explain “what her rationale was for doing” the joint observation (Page 271). Stephanie’s response was “BK had made allegations before and she goes on to explain that I had told Jon Myers I “was being discriminated against”, (Page 272) thus making a clear causative link between the joint observation and my 2017 discrimination complaint to Jon.
83. No white English teacher was subjected to a surprise 25-minute joint observation. I was singled out, targeted, and framed.

Contesting The Lesson Observation and Failure to Deal Promptly with Complaint

84. On 4 December 2019, I went to see [REDACTED], union rep. I was feeling very low at this point and was crying as I recapped the events to him. [REDACTED] was very surprised by the decision made by both Stephanie and Claire to put me on an IIP.
85. That day, I sent a letter to Claire (copied to Stephanie) to protest at the unjustified IIP and hostile feedback session; **pages 238 and 401**. My complaints were ignored by Claire and Stephanie, and later by the grievance panel during the internal hearing.
86. One retaliatory and mirrored attack on me by Claire and Stephanie was their notion that I had failed on E&D. I did not fail on E&D, they did.

87. They also ignored the obvious E&D fact that a Black female teacher who was teaching English to a class of predominantly white students was of itself a E&D achievement. My actual presence in that space was a challenge to the racial stereotype that only white British teachers can teach English. To the one black student in that class, I was a positive role model.

88. I engaged the students on the taught subject and their very good results in January 2020 demonstrated that.

89. In response to my complaints, Claire accused me of ‘throwing the E&D Black comment’ at her too (**pages 242**). The throwing ‘*at me too*’ comment was a reference to my protected act against Stephanie in 2017. The reference to the ‘*background of what had happened before*’ (**see page 276**) also showed that Stephanie had shared her anger at me for my protected act with Claire. Claire was bonding further with Stephanie, by their dislike of me and their (false and self-serving) implication that I was playing the race card.

90. They also wrongly delayed the investigation into the legitimacy of the IIP and pushed on with it. The failure to deal with my complaint promptly was to my detriment. In fact, Suki was only appointed as the internal grievance investigator in February 2020, following a letter from my then solicitor, and a second formal grievance letter addressed to [REDACTED] (**see pages 268 - 269**). It left me subject to the ongoing retaliatory IIP regime.

91. The hostile intent and end were clear. Claire’s email of 5 December 2019 to Stephanie stated, ‘*I have spoken to People Services, and they have advised that you take this up with them. There are issues here with capability and compliance*’. She followed that with “*If she then refuses again, we will proceed to formal (capability/disciplinary process)*” (**pages 242, 244**).

92. This premediated hostility can also be seen in the 13 December 2019 invitation to me to attend a meeting designed to intimidate me into accepting the IIP and planning to

discipline me if I refused: **page 251 - 252**. The victimisation and harassment, was unrelenting.

93. The email correspondence exchanged behind the scenes between 05.12.2019 and 18.01.2020 (**see pages 244 – 245, 254**) also demonstrates their hostile intent. These emails also contradict the respondent's assertion in paragraph 2.2.12 that the invitation to a meeting in January, '*was not to bully her*'. Claire's emails to Stephanie and Nicola made the hostile intention very clear.
94. During Claire's investigation meeting, Suki informed her that my complaint, regarding the grading of my lesson and the recommended development pathway, made me feel like I was being put on capability. Claire explained that '*the conversation had with SR (Stephanie Richardson) was that if BK refused to engage in support on two occasions, then they would manage this down informal capability*' (**see page 277 – last paragraph**).
95. The performance review targets, set by Claire and Stephanie, were not objective. They could not set objective targets because their own ability to teach the subject was very limited; hence, Stephanie's students' poor A Level exam results.
96. The January 2020 resit results were clear evidence I have been using, “up-to-date materials that had meaning to the learners and have helped them to grasp the English language use to help them achieve their grade 4 (and above)”; **pages 597 – 599**.
97. In fact, I was the only teacher within the GCSE English team with examining experience, and had been creating and using the most up to date 9-1 specification GCSE English resources.
98. If the respondent had interviewed my colleagues, they would have realised that for the past couple of years, including up to the day of the 'staged' joint observation, I have shared these resources with my colleagues (**see pages 537, 584, 677 – 683, 687 – 688**) and that I have been providing GCSE English Language standardisation training for

the department for free, and in my own time (**see pages 537, 579 – 580, 684 – 686**). Most colleges would have had to pay someone with my expertise to come in to do this kind of training.

99. I should add that the training I delivered to the GCSE English team on 6 December 2018 (**see page 685**) was on Section B (Imaginative Writing), an aspect of the GCSE English Specification in which I was falsely told I lacked up-to-date knowledge.

Overlooking January results

100. The IIP had no legitimate basis. I was performing well and better than most of the teachers in my department. Its imposition contradicted the Respondent's own capability policy which stated it should be implemented only when a manager 'believes significant areas for development have emerged and the learners may have suffered a detriment to their learning as a result.'; **page 489**. There was no evidence of that in my case or in the results my students achieved. The work produced by students in the observed lesson and my excellent January 2020 results, demonstrated that the students I was teaching on 3 December 2019 definitely did not 'suffer a detriment to their learning as a result.'

101. Further the IIP was imposed without genuine consultation because they deemed (in breach of due process) that my input or agreement was not deemed necessary, because it was a punishment. It was not being used as a process to support me to improve my teaching, so my input was irrelevant.

102. Due to her bias against me Claire Scott's summary under 'Developmental Actions' and the IIP (**pages 234 – 236**) made improvement recommendations that went well beyond what could possibly could have been observed in twenty-five minutes. For an observer to make such a recommendation, it requires watching a teacher's lessons every week for an extended period and an analysis of the teacher's end of year results. I was just condemned, without due process.

103. The respondent has no evidence to demonstrate that the lesson observed, by Stephanie and Claire, highlighted significant areas for development which, as a result, were detrimental to my students' learning. Indeed, in paragraph 2.3.17, of the Grounds of Resistance, it seems that the evidence of students' work from the observed lesson 'was not relevant to issues at hand'. In short, the students were doing well, so the basis of the IIP was a sham. To hide that, they just ignored the students' success.

104. Indeed, my students achieved excellent GCSE exam results in January 2020, and these results were not valued but overlooked, both to avoid the IIP being exposed to be a fraud and to deny me the benefit of that achievement. They said that I could not be said to be performing well as I was on an IIP. Objectively however I was performing well, and the IIP was pure victimisation and racial harassment.

105. No white teacher would have been placed on a IIP having been ambushed in a 25-minute joint observation despite years of competent teaching and excellent results. It was not missing the wood for the trees; they chopped down the tree to create the problem in an otherwise successful wood.

106. During Stephanie's interview with Suki, when asked, 'if there was therefore any indication that there was to be an assessment in the lesson...Stephanie stated that '*there was not*' (**page 273**). By contrast, Stephanie knew that there was a scheduled end of year assessment taking place after break. [REDACTED] sent GCSE English team emails on 28.11.19 to myself, [REDACTED] and Stephanie, and my response to [REDACTED]'s email on 30.11.19 (**page 600 – 601**), makes it very clear that for all my classes in the week beginning Monday 2 December 2019, I had planned to complete the second end of year Section B (writing) assessments - as per [REDACTED]'s instructions (she was the course coordinator and not Stephanie Richardson).

107. Stephanie was copied into this email and therefore at the time of their observation, she was fully aware that I was doing exactly what [REDACTED] had planned for the last weeks of term; **page 601**. Stephanie knew that I was doing exactly what [REDACTED] and [REDACTED] (GCSE English teaching team) were doing that week. Yet they were not subject to an IIP.

108. During the meeting with Suki, Stephanie also told her that ‘*BK doesn’t stick to lesson planning and will quite often send students to the computer room for research*’ (**page 272**); this was another blatant lie that is contradicted by emails between [REDACTED] and myself, showing that I was following a shared GCSE English scheme of work. The lie was sustained by the respondent deliberately failing to interview [REDACTED].

109. The work completed by the students in the observed lesson, is highly relevant as it shows that the learning was differentiated, as evidenced by the varied student assessment scripts. These scripts also include a typed script by a student with significant learning needs, JH (**pages 414 and 612**) who Stephanie had claimed wasn’t being challenged during the lesson. This particular student was obsessed with the Victorian era – and the work he produced for this session, which was part of his end of term assessment, shows he didn’t suffer a detriment, as Stephanie claims.

110. Contrary to the claim by both Claire and Stephanie, that the ‘students were treated the same’, [REDACTED]’s script and indeed all the other scripts from this group show that everyone was encouraged to use personal interests as the inspiration for their individual pieces of writing.

111. Despite having only taught this class since September, all the students who had opted to take the November resit exam series, achieved their grade 4/C (one student achieved a grade 5/B). The pass rate, for the retake students within the observed class, was therefore 100%. See results on **pages 597 – 599**; My students’ names have been highlighted in yellow with grades in red (failed to achieve) and green (achieved).

112. These results clearly show that I am quite capable of stretching and challenging my students, despite being accused of not using “*up-to-date material that has meaning to the learners and helps them to grasp the English language used to help them achieve their grade 4*. And that my students don’t ‘*understand what they need to achieve, by when and how it will have an impact on their achievement.*’” (**pages 233 - 234**)

113.These results are yet further proof that the respondent had no legitimate grounds for attempting to put me on capability. The outcome of an internal grievance failed to clarify exactly what ‘improvement’ the respondent was hoping to achieve, by putting me on a performance review.

Stephanie Richardson’s lies

114.During her interview with Suki Dhesi on 10 February 2020, Stephanie victimised me further by defaming me and blatantly lied about my performance history. For example, she said ‘*BK has had quite a few observations where teaching hasn’t been very good*’ (**see page 271 - 4th paragraph**). That is simply not true. A quick check of my annual appraisals or asking her to produce documentary evidence to back up her assertion would have exposed her lies. However, Suki’s role was to cover everything up.

115.During this meeting, Stephanie described me as a teacher who is ‘defensive, irrational, and prone to emotional flare ups’. I believe that to be a racial stereotype in that no white teacher would be described thus. I also regard these comments as a further swipe at me for complaining about her racism towards me in 2017, conduct she (like all accused racists) defensively felt to be irrational and unwarranted; **page 692**.

116.Neither Suki, nor the grievance panel, spoke to my colleagues in the English department - to see if any of them had ever witnessed the alleged behaviour.

117.Stephanie also told Suki that Betty ‘*has a habit of posting stuff on social media about how she’s in a dark place*’. This is yet another malicious lie that was left to go unchallenged and Stephanie was never asked to provide evidence for this. I have never been friends with Stephanie on any social media platform and I have never put a post on social media about being ‘in a dark place’. In fact, before 3rd December 2019, I shared a lot of posts from ‘Mind’ to promote mental health awareness, and this was because a friend’s son took his own life.

118. In her interview with Suki, Stephanie claims that I had previously refused to engage with a performance review as recommended by [REDACTED] (the previous Teaching and Learning Quality Manager). This too was demonstrably untrue.

119. Additionally, Stephanie made the following unfounded allegations during her meeting with Suki and Stephanie but was not expected to produce any evidence to support them.

- (1) *BK has had quite a few observations where teaching hasn't been very good.*
- (2) *When feedback is given to BK she flares up and feels criticised.*
- (3) *Any offer for support from observations has been taken personally.*
- (4) *BK doesn't stick to lesson planning and will quite often send students to the computer room for research (see pages 271 – 273).*

Failure to Provide Appraiser Comments

120. It was ironic that Stephanie could defame me given that up until then she had failed to provide appraiser comments at my last appraisal. The comments were unreasonably delayed. I had to email [REDACTED] to ask Stephanie to provide me with her appraiser comments (see page 342).

121. When the appraisal comments dated 17 October 2018 were finally disclosed to me on 1 December 2020 it stated that my performance was good. There had therefore been no basis (as she knew) to hold a joint observation or to put me on an IIP. That was precisely why she delayed giving me that feedback. It was not a 'genuine error' as the respondent claims.

Sick Leave

122. I continued going to work after the observation feedback until 16 December 2019, but I was anxious, depressed and struggling to get my head round what was happening. I tried to put on a brave face and hoped that Stephanie would explain to me what was going on, but she seemed very shifty, evasive, and avoided me.

123.I had a complete breakdown triggered by Stephanie's email sent on 13 December 2019 inviting me to a meeting in January with herself and Claire. The email from Stephanie completely disregarded the fact that I was contesting the grading of my lesson and the decision to put me on capability. I felt completely helpless that, despite complaining about the harassment, I was being invited to a meeting where I would be alone with the 'two bullies'.

124.That night as I attempted to respond to her email, something just snapped inside of me, I screamed (or so my husband and daughter both allege) and was struggling to breathe. This was the second time, after the observation, that I felt so helpless that I wanted to end my life there and then.

125.My husband and daughter, who were both upstairs at this point, came running downstairs – I was very distressed and hurried down the road in my socks. My husband came after me, calmed me down and eventually we returned to the house. Graham then completed my email response (I was beside him as he typed) and he checked with me before sending the email.

126.My first absence was from 17th December 2019, when I emailed [REDACTED], the GCSE course coordinator, with some teaching resources (**see pages 620 – 622**) and my husband emailed HR to notify them of my first absence. (**See page 614**)

127. I had an emergency doctor's appointment on 24 December 2019 (**See page 666**).

128.While on sick leave, I was sent an email on 20 January 2020 in which I was told off for contacting students and staff while on sick leave. They said that they acted as they had a duty of care towards me. They did not care about me.

129.In fact, they were seeking to ostracise me from the college and my students.

130.This can be seen in their own desire not to have any contact with me. Nicola wished to avoid '*emotional blackmail on Friday nights.*' (**See page 244**). Stephanie stated as '*of tomorrow, I will switch my email onto auto reply so I won't receive any emails should Betty send them.*' (**page 254**). Stephanie was regrettably still my manager, and

therefore responsible for my welfare. However, she even went as far as telling colleagues not to respond to my emails (see page 262). [REDACTED] was instructed to tell me that any correspondence from me to the college, has to go through him (pages 264 - 265).

131.I remained on sick leave, until I resigned on 2 February 2021_(pages 425 – 437, 631).

132.I was also informed by HR of the changes to my pay. In my letter of resignation (page 351 -352) I also challenged the decision of 12 December 2020 to put me on nil pay after a year of being on sick leave as the decision was in significant breach of the respondent's Managing Sickness Absence Policy (page 230); see sections 1.2, 1.9 and 18 of the policy (pages 230).

133.Before the victimisation campaign, I had good mental health; I was a perfectly normal person with no history of mental health problems (page 438).

134.During my sick leave, I was not supported. My manager did not want anything to do with me and simply spent her time telling Suki how horrible I was. Stephanie did nothing at all to facilitate my return to work. I was not offered any Occupational Health based therapy. I was not offered an alternative role outside of Stephanie's hostile oversight.

135.I had no contact with my manager, and I was only allowed to communicate with the college via [REDACTED]. The majority of our correspondence was in regard to sick notes (pages 371 – 372).

136.In my view once I raised complaints against her she should not have been permitted to continue to line-manage me. It was wrong to leave me exposed to her managerial hostility from 4 December 2019 to 2 February 2021.

137.Further given that Stephanie clearly had no interest in my welfare, or return to work, and would not and did not contact me, it was clear that to be supported I needed a manager wishing to manage me and provide that support. Any which way, I should

have been given a new manager and the thought of returning to work under her victimising management filled me with dread.

Grievance outcomes

138.The grievance was not properly investigated by Suki. She failed to interview [REDACTED] [REDACTED], Jon Myers, colleagues in the English department and relevant students. She failed to check my appraisals, the work of the students from the lesson observation, the students' grades in January 2020, and failed to investigate any or Stephanie's demonstrably false allegations against me.

139.Suki knew that a high performing teacher cannot be placed on an IIP on the basis of one 25-minute informal lesson observation. It is obviously wrong to assert my performance was so poor that day I had to be immediately placed on an IIP. I accept that if the lesson was truly "terrible" (which Claire denied that it was) it may be possible, but then I could not have taught and examined successfully for years if I was that bad.

140.Suki and Richard Barlow (chair of grievance hearing) however had no interest in finding the truth and just sought to victimise me further by not upholding my complaints on 9 March 2020; (**pages 333 – 335**).

141.Both internal grievance processes (**pages 333-335, and 398-400**) failed to follow the ACAS code of Practice on Disciplinary and Grievance Procedures. There was no fairness or transparency; the respondent failed to detail the nature of the evidence used to support the decision not to uphold any of my grievances. I wrote two letters, including my resignation letter (**pages 695 – 697, 400**) to the respondent challenging the internal grievance process but to no avail.

The Last Straw

142. HSDC distributed an email on Race equality on 1 February 2021 claiming that: *'As an education provider, we play an integral role in challenging stereotypes and fighting against any form of racism or discrimination (see page 346)*. It was simply untrue, in my case. This email, compounded by the Respondent's continued failure to act against Stephanie and allowing her to stay on as my manager was more than I could take. It was clear that the race equality week was merely ticking a box without any real desire, by the respondent, to challenge any racist stereotyping or fight discrimination. It was the last straw.

143. The respondent had continued to refuse to investigate and act against alleged discriminators but chose instead to punish me for standing up against inequality and injustice. This is an organisation whose claims for supporting race equality are completely out of sync with its actions.

144. An organisation that protects alleged discriminators and punishes those who refuse to remain silent but claims to be '*fighting against any form of racism or discrimination*', is a hypocritical organisation. As a black teacher who has been subjected to the very actions that HSDC claims to be fighting against, the contents of the race equality week email and newsletter (**see pages 347 – 350**), were a slap in the face.

I confirm that the contents of my statement are true.

Signed: *B. Knight*

Dated: 09.11.2021