

IN THE BRISTOL EMPLOYMENT TRIBUNAL

CASE NUMBER: 1400727/2020

B E T W E E N:

Betty Knight

Claimant

v

Havant & South Downs College

Respondent

WITNESS STATEMENT OF CLAIRE SCOTT

I, Claire Scott, of Havant & South Downs College, College Road, Purbrook, Waterlooville, PO7 8AA will say as follows:

1. I make this statement for the purposes of giving evidence at the Southampton Employment Tribunal on 22nd November – 02nd December 2021 in relation to the claims that Betty Knight is pursuing against Havant & South Downs College.
2. I was the Learning Manager for Teaching, Learning and Quality. I worked for Havant and South Downs College for 24 years.
3. I had worked in management for 7 years prior to this event conducting observations of both a formal and informal manner. I managed and would teach on teaching training programmes having to observe new teachers in their place of work and giving feedback to them enabling them to pass the appropriate units. I had been the Learning Manager for Skills for Life for 3 years prior to this event and was the Cross-College Manager for English and Maths, using this to performance manage staff and to celebrate their skills and ability within the classroom. I managed a team of teaching and learning coaches with whom I directed to give support to staff who needed it as a result of lesson observations to help them progress skills within the classroom.

4. We had recently merged with Alton College and I needed to conduct observations within my role. I was present at Alton College one day a week and picked staff to observe. I had never met Betty before and this was the first time I had met her.
5. From my knowledge and recollection as I left Havant and South Downs College 14 months ago now, there was nothing unusual, we followed the process exactly as I had with others. I had observed other teaching staff at Alton but cannot recollect their names now but the college will have a record of these. We always conducted unannounced observations and none of them were graded. They were supposed to be for 20-30 minutes as a snapshot of what was happening in the class and was based on what was seen at that time.
6. The following were the findings of the observation conducted with Betty on 3rd December (pages 233-234):
 - a. Feedback given to students on previous work to help build targets for future tasks.
 - b. Metaphors and similes discussed.
 - c. Some learners were using laptops
 - d. Phone use was challenged.
 - e. Aims and objectives needed to be given at the start of the session and consideration given to them being visual throughout the lesson to show structure and sequencing. (This guides learners and shows them what is required, setting high expectations and links it back to how they can achieve their grade 4.)
 - f. The classroom environment and layout was not motivational and did not support the learners to have a good experience. (BK suggested working with the person sat next to them, in pairs but only one couple were sat together, everyone else was sat independently. Bring learners together as a group. BK said she had tried this previously)
 - g. Pace was too slow, students were confused as to what they were doing – some students had to ask for the next task as only half of the group received the follow-on handout.
 - h. Learners were disengaged, even though a few were engaged with the lesson.
 - i. More directed questioning required to check assessment of learning.

- j. Wasted opportunity to stretch and challenge. Be creative with resources, discuss genres to include metaphors and similes.
- k. Wasted opportunity to discuss the language used in employment, advertising, marketing etc
- l. No Embedding of maths skills.
- m. I suggested: using online resources to spice up the lesson – use a variety of methods to look at language. Open up eBooks from the LRC to show language use and discuss
- n. Half of the learners wearing lanyards.
- o. Promotion of equality and diversity not seen

7. As developmental actions I stated: A tight structure needs to be evident with high expectations understood by all. A variety of teaching techniques, assessment methods to stretch and challenge and creative teaching resources needed to bring passion back to this lesson and engage learners so they feel they can achieve their grade 4. A development pathway was decided upon where I would allocate a teaching and learning coach to come alongside Betty and support her with some ideas and discuss strategy to improve the sessions.

8. I recorded the drop in on the usual form (pages 233-234) and prepared an individual improvement plan (pages 235-236). After typing up my notes, I sent them to Stephanie as her direct line manager to check that what I had written was indeed what we had both seen and that I was being fair. Stephanie R read through this feedback and agreed with my content. We then agreed that I would deliver the feedback to Betty as Stephanie was concerned that Betty would not take this feedback in an appropriate manner from Stephanie. Betty was invited to a feedback session at the end of this day on 3rd December.

9. Before I went into the feedback meeting I spoke with Nicola Kingsley about how best to approach the feedback with Betty. Nicola had explained that Betty had often found supportive feedback to be quite negative and that I needed to be aware of this so that I could approach the feedback with a positive approach to achieve the best outcome.

7. All had wanted was for Betty to work with a teaching and learning coach to help her develop the points I had mentioned previously. There was no need for a formal performance management approach. The claimant's race did not have any part in

this decision. I had never met Betty before and the observation was concluded based on the snapshot in the classroom at the time.

8. I had not been part of the observation of Betty's husband so I am unable to comment. As per the observation feedback sheet, I stated that I had not seen the promotion of equality and diversity so was unable to give a high score on the rating.
9. I did not know Betty in 2017, we had nothing to do with Alton College at this time and had no prior knowledge of emails between Betty and other staff members about contracts.
10. I emailed Betty once I had completed the form to ask to meet with her to provide my feedback (page 237). When I met with Betty I explained how support was given to teaching staff and that this was a positive pathway with good outcomes for both staff and students alike. I explained my background and that I had taught GCSE English and Functional Skills previously so was aware of content of the lessons.
11. Betty kept explaining that it was difficult with 'those' kind of learners and made reference to the fact that they were GCSE retake students. I explained to Betty that the support being offered was only based upon what I had seen in the class when I observed her, it was nothing to do with outcomes or work that had been generated outside of that lesson. I talked about the need for objectives to be set clearly for students so that they understood the sequence of the lesson and this would in-turn set high expectations.
12. I had explained that the layout of the room helped to create a safe and comfortable learning environment and that by changing this to suit her lesson needs would benefit the lesson and learning that needed to take place. I asked Betty to verbally explain the objectives of the lesson to me, but she was unable to do this, and stated it was a feedback session. I explained that it would still require some objectives as I wanted to know what the students had done when they first entered and then what this particular feedback time would take them on to. This would show planning of the session and impact of the activity I saw, Betty could not answer this.
13. I then explained the plan I had put together for her to work with a coach on to improve her in-class delivery. The content of which is at pages 235-236 of the bundle.
14. Betty was not in agreement with the feedback and did not feel it appropriate to engage with the TLC so I told Betty that I would email her a copy of the document

and asked her to reflect upon what we had discussed and let me know if she wished to engage with the process. Betty left the room, we were on good terms, I shook her hand and thanked her for attending her feedback with me and stated that it was lovely to meet with her.

15. Betty then emailed me to say that she did not wish to engage and so I referred this back to Stephanie as her line manager.
16. During December a number of emails were sent to me and I was copied into several but was advised to not respond as it was now being dealt with via People Services.
17. Betty challenged the feedback that we had given her via email on 3rd December 2019. I explained to her that there were no aims or objectives on the PowerPoint that she had provided, and asked that she confirm if she was happy for me to allocate some support for her (page 239).
18. In an email to Stephanie I noted that Betty was 'also throwing the E&D Black comment at me too' (page 242). Betty had not only picked up on the fact that she was a very skilled individual and did not feel it necessary to have support. For equality and diversity, she had made a point of mentioning this – I had said that I had not seen the promotion of equality and diversity – Betty's feedback was the following:

'As regards Equality and Diversity, I am a Black teacher who is teaching English to a majority of White students. Is that not a challenge to the racial stereotype and a positive role model to the one Black student in the class? Yet, it appears my presence and efforts (it's exhausting to have to keep fighting for equality!) are being seen by you as making a completely 'insufficient impact on learning'!! An area for development?'
19. My email was referring to this as she mentioned her being a black teacher, this was not from me.
20. In an email to Nicola and Nathan on 17 December 2019 I confirmed that if Betty did not agree to partake in the informal capability support process, then we would proceed to the formal process (page 244). From what I recall the reason for this was that it was policy but I am unable to explain fully as I am no longer with the college.
21. An email was sent to Betty on my behalf on 9th January 2020 about good or outstanding practice, however the email was for her husband – please see the details below from Nerine Glancy, TLQ Officer.

- *On 17 December I invited 33 staff from the Alton campus to an Exceptional Practice Celebration. One of the staff members was Graham Knight.*
- *On 17 December I received an automated email to say that Graham Knight had forwarded my meeting request to additional recipients. The additional recipient was Betty Knight and he used her personal email address. I did not take any action.*
- *On 8th January, I realised that I needed to update my invitation to give the location of the event. I did not realise when I sent the update that this would automatically go to Betty Knight as the original meeting had been forwarded to her previously.*
- *This prompted Betty Knight to email me to ask why. I replied to explain what had happened and apologise.*

22. I attended a grievance investigation meeting with Suki Dhesi on 13th February 2020 during which I explained what had happened, as per the notes of this meeting (pages 391-393).

STATEMENT OF TRUTH

This statement is true to the best of my knowledge and belief

Signed:		Dated:	3 rd November 2021
Claire Scott			