

Sir Normington and Ms V. Cooke
Chair and Deputy Chair
Council of the University of Warwick
University House
Coventry

January 17, 2020

Dear Sir Normington and Ms Cooke,

Knowing that a formal grievance was submitted on Monday 6 January 2020 for malice, bullying and victimisation and for breaches of the law and the University's policies;

Failing to abide by the natural justice requirements, which form part of our contractual obligations, and the procedural fairness requirements mandated by the impartiality provisions of the Disciplinary Policy of the University (-managers should have no prior involvement) and due process;

Disregarding the common law principle of legality (the Simms principle) which requires that individuals have a right to know a decision and to be heard before their rights can be affected;

Failing to respect the fundamental rights of human dignity and the personality rights stemming from Article 8 ECHR and Article 7 EUCFR and the Human Rights Act;

Disregarding the duty of care which all members of the executive team have and health and safety regulations;

Disrespecting the Dignity at Warwick Policy which prohibits victimisation and bullying and vexatious allegations made in bad faith;

Disregarding the requirements of proportionality and reasonableness;

And failing to abide by the ACAS requirements about workplace suspensions and the case law of this country,

Professor Ennew, Provost of the University of Warwick, proceeded to suspend me yesterday as a reprisal and with the intention of inflicting significant injury to me.

More specifically, at 1.10 pm, Professor Nudds and an HR adviser knocked on my office door, interrupted a meeting I had with one of my supervisees, asked the supervisee to step outside my office and they then delivered by hand Professor Ennew's letter of suspension (Enclosure 1).

I was then ordered to collect my things and to leave the office immediately. I had arranged a number of meetings with tutees, supervisees and PhD students, who, I assume, came to my office and left disappointed. No concern for my students was displayed by the University.

Once again, Professor Ennew's suspension letter was not accompanied by any written complaint. No supporting evidence and no sufficient information was included. No prior investigation had been conducted to ensure that there was a prima facie case and that any (malicious) allegation was true and accurate. Finally, no reasons for the suspension were provided and there was no indication about its length.

I believe Professor Ennew's action was motivated by malice, an intention to injure and to victimise me for both my grievance of 6 January 2020 and the legal action before the courts.

I am confident you know that a false and malicious allegation is a form of abuse and breaches the obligation of the employer to ensure the health and safety of its employees and to respect their human dignity and personality rights.

The employer also owes a duty to subject any allegation to adequate scrutiny and investigation (- and to dismiss fabricated allegations) before proceeding to ordering the suspension of the employee and must take reasonable care in drawing up his/her letter and ordering a suspension with a view to averting irreparable damage to an individual.

Please see my email communication to Professor Ennew as soon as I returned home (Enclosure 2) requesting the sine qua non information and evidence of reasonableness, truthfulness and objectively legitimate basis for the suspension.

Accordingly, I have no other option than to submit to the Council of the University a second grievance for abuse of power, unlawful and wrongful suspension, re-victimisation, a persistent

pattern of false and malicious allegations intended to cause harm and injury which now forms a continuing act constituting harassment under the 1997 Harassment Act (November 2019 -), breach of the duty of care and health and safety, libel and character assassination, and knowingly failing to follow the policies of the University and the law.

The University 'has a responsibility to manage itself legally, efficiently and fairly in the wider public interest for the benefit of its staff, students, customers and collaborators', and a duty to eliminate recurrent reprehensible or distinctly negative actions directed against one of its employees who is doing her job in an offensive manner and through abusive power (public sector equality duty).

I hereby would also like to request the Council to review and to lift my unlawful suspension without any delay and to permit me to address the Members of the Council. I would also like to be able to contact my students because the suspension interferes with my ability to answer Professor Sanders's and Professor Ennew's false allegations.

I look forward to hearing from you concerning the grievance arrangements.

Yours sincerely,

Professor Dora Kostakopoulou

PS: Professor Ennew misleadingly refers to 'student complaints'. We have not had any formal or informal complaint and the students were seen by me last term. Emails 1 and 2 (Enclosure 3) can hardly amount to complaints – these two (2) were submitted by Professor Sanders [I was seeing more than 30 students in Term 1] and have not even been verified that they are true and accurate (- please see evidence [Enclosure 4] showing it was untruthful; when it was written I was seeing students during extended office hours on 31 October 2019 which Ms Andrea Humber knew quite well).