



Concerns regarding a Finance Director

Situation

Following serious conduct allegations against a Housing Association's Finance Director (FD), the client needed guidance regarding the management of the FD and how to minimise its risk during a disciplinary investigation process. We assisted from the outset by drafting the terms of reference and key letters. We were also able to provide external HR support given this was a small organisation without an HR function. We also advised on any necessary regulatory reporting requirements. We also began settlement discussions and the matter was resolved in advance of the disciplinary hearing.

Challenge

This is a small organisation where serious concerns had been raised about the poor conduct by the FD. We needed to act quickly to limit the organisation's risk and regulatory requirements. The organisation did not have HR support which made a complex investigation and management of the FD challenging for the organisation.

Solution

We worked with the organisation to identify the legal risk and to minimise this by preparing the terms of reference and key documentation. This allowed the organisation to prepare a strong conduct investigation and suspend the FD. We also provided HR support via our HRA services. Following the firm management of the FD, we also advised the client on appropriate settlement options. We were able to agree terms of settlement at an appropriate level which also ensured the organisation's security by ensuring sensitive data was returned and non-derogatory/confidentiality clauses.

Outcome

The successful removal of the FD by way of settlement agreement minimising the organisation's legal risk, time and costs.