

Draft Minutes - ExCom Meeting

Wednesday 15th April at 14:00 hrs GMT (15:00 hrs CET) via VC

Continued on Tuesday 21st April at 14:00 hrs GMT (15:00 hrs CET) via VC

Attendance

Angels Bosch

Calum Steele

Roger Mercatoris – Resigned

Georgios Stamatakis

Unn Alma Skatvold

Peter Smets – Resigned

Nigel Dennis

Mark Marshallsay

Kirsteen Brown – Minute Taker

1 Apologies for Absence

Apologies received on second day from Roger Mercatoris & Peter Smets

Roger Mercatoris and Peter Smets had in advance of the resumed Excom meeting held on the 21st April 2020 had informed Member Organisations they had resigned. A correspondence had also been received from VSOA POLITE that they will be withdrawing their membership of EuroCOP.

2 Draft Minutes of Excom Meeting 10/3/2020 & Committee Meeting 11/12/03/2020.

2A The Excom minutes of 10th March 2020 were approved with no discussion taking place.

2B The minutes of the committee meeting held in Porto were discussed Peter stated that the 1st vice-president added an agenda point in the beginning of the committee - The situation in the Excom and there's nothing about this discussion in the minutes.

It was advised by both Angels and Calum that as there wasn't a formal request to have an additional agenda item included, which would have resulted in a point of order for the members to approve, that the president had closed the meeting prior to the discussions taking place therefore that the minutes were correct as they stood. The ExCom weren't in a position to approve the minute of the Porto Meeting but simply discuss the content, the decision was that of the full committee.

ACTION

Excom approved minutes of the Excom meeting 10 March 2020 and the Draft Committee Meeting Minutes will be taken to the next meeting for approval.



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3 Business Continuity (Financial arrangements) Confirmation of short term arrangements - Treasurer

Mark Marshallsay informed the ExCom of the current issues he is facing in terms of the finances and the bank accounts. Although he was advised that once the software was downloaded onto his PC he would have full access, this in reality hasn't been the case. He stated that he and Nigel Dennis shall return to Luxembourg at the earliest and safest opportunity to speak with the bank & IT face to face once the Covid-19 situation allows this to happen.

Meantime he advised that the BTP Federation have accommodated the issues by allowing EuroCOP to use their bank in the short term. Every month 2000 Euro is transferred into their bank and Mark pays any expenses for EuroCOP thereafter. Nigel Dennis stated that he had written to the Excom and the internal auditor and presented to them not only the challenges but also a potential solution

ACTION

Unanimously approved by those present as a short term solution for business continuity. and Angels Bosch thanked the BTP Federation for facilitating this.

Proposal carried and adopted.

4 ETUC - EuroCOP indication of its voting intention.

Angels Bosch gave an update on voting in respect of a recent ETUC meeting. She informed the ExCom that at a previous meeting a vote on minimum wages EuroCOP went on record that they would be in favour of the resolution when the Nordic Countries within the ETUC had voted against it and provided the rationale for their decision. As EuroCOP represent all member organisations in this instance there was a conflict of interest. If the vote is not unanimous for all members of EuroCOP then an abstention of vote should be taken. Angels Bosch has asked the Excom to note that any vote being requested on a substantive matter (ie those that could have a direct impact on M.O) shall adhere to the following direction;

No Excom Member representing EuroCOP at any external body in which EuroCOP have participatory rights and voting rights shall provide a vote without referring back to the full Excom, to seek their approval on how EuroCOP shall cast their vote, except for matters of an internal administration/management.

ACTION Proposal carried and adopted.

Due to the Covid-19 situation Angels Bosch asked the ExCom to decide what should be done in relation to the holding of the Summer Committee due to take place in Gibraltar on 26 August. She gave the following as Possible Options:

- Keep booking with Hotel, but move date for the Spring 2021 meeting
- Cancel Hotel booking and Summer Meeting (Which will include financial penalty)
- Move meeting back to the end of September, Move to different location.
- Move to another date prior to Congress in November

ACTION

Unanimously agreed to Keep booking with Hotel, but move date for the Spring 2021 Meeting Nigel Dennis to address and inform M.O

If a meeting can be accommodated prior to the Congress in November (possibly September /Beginning of Oct) this would be welcomed.

Nigel Dennis to look into potential venues and dates for meeting prior to congress, but mindful of the challenges this may bring in regard to achieving this given the Global pandemic all of us are currently enduring.

Note – Mark Marshallsay; left meeting at this point with his apologies to attend to his Police Federation responsibilities

Action Proposal carried and adopted.

6 Development of new web site.

Nigel Dennis gave an update on the Website situation. He informed the ExCom that Aldrich (web designers) are currently developing the web site working in collaboration with ourselves to ensure the platform is clean and easy to navigate. The Editorial content will be managed through Martis Media has been taken from the existing Eurocop site, and this will be updated with current publications and documentation etc.

It will have an archive section, for historical reference. An analytical function, along with a voting facility within the control of the Excom. The pages will be fully responsive and as such be optimised to work on Desktop, Tablet and Mobile.

Martis Media will undertake 10 hours per month on the web site in accordance with what is described within their agreement with EuroCOP.

A full discussion around costs for building the website; has to be properly constructed, primary source of reference, the ability to send automatic mail shots, the monthly maintenance fee.

Nigel Dennis confirmed (based on his understanding from the Finance Manager) that will be sufficient finance after all payments have been paid to the outgoing staff to fund this project.



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ACTION – Ongoing

Nigel Dennis to make contact with Aldrich to compile a presentation showing a mock-up of the website to allow the ExCom to see what it would look like; ask them to explain the functionality, hosting costs and the maintenance contract.

7 Strategic Advisors - Presentation by Cicero/AMO

Angels Bosch explained that the then secretariat didn't maintain the contacts that EuroCOP previously had. They weren't proactive in updating contacts with European Institutions, Stakeholders and Policy Makers, the following up of any engagement was non-existent, due to changes in the parliament members she felt the time was right to build those relationships and this is why looking into the use of a Lobbying company would be appropriate and beneficial to EuroCOP.

Calum Steele stated that the options available at this time was to wait and hope that some members of these institutes remember EuroCOP and the work that they do or Engage now and start to build these relationships as there are current common interests PPE, Covid-19, migrants to name a few.

Unn Alma Sta sought clarification on the timescale of the contract that was suggested, Nigel confirmed that it could be for 3 months, 6 months or longer but his recommendation would be 6 months or until the new ExCom is in place at the November congress.

Tom Wilkins & Kate Foster joined the meeting to go through the presentation they previously submitted to the ExCom.

Peter highlighted a potential issue with European Law in terms of tender process of contracts over £30K. Nigel Dennis stated that he was not legally qualified to opine on what Peter Smets has asserted, however he believed he would be able to negotiate a fee that met the clear requirements of the Excom and the financial parameters that the Excom are able agree upon.

Each member gave their views for and against the proposal

Peter Smets to seek confirmation of the legal reference in respect of the contracts

Vote took place - 4 members were for the proposal and 2 members were against.

ACTION

Following the qualified majority of the Excom in favour of entering into an agreement with Cicero/AMO as Strategic Advisors to EuroCOP for a period between the 1st June and 30th November, and then being able meet the requirements of the specification and financial parameters set by EuroCOP, Nigel Dennis was authorised by the Excom to enter into



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contractual discussions with Cicero/AMO, with the purpose of achieving an agreement in which the Excom and Cicero/AMO can sign off on.

At this point Peter Smets left the meeting.

8 Matters raised by R Mercatoris in Porto and in his e mail dated 10/4/2020

“Ms president,
Colleagues,

I hope you are well !

During the Spring Committee Meeting in Porto, the Committee notably asked the Ex Com to :

Send copies of the Ex Com and the Committee meeting minutes since July 2019.

Regularise and communicate before acceptance the contract with Marti's Media.
I must note that a payment of 2.108 € (in accordance with the new contract illegally signed by Nigel) was made on 30/03/2020, while we still don't have a legal contract to this day with this compagnie.

Write and communicate before acceptance a legal contract with Nigel Denis as Head of Office.

Indeed, according to what the president explained to us during the Spring Committee Meeting in Porto, Nigel is not an employee of EuroCop; but an external consultant !
It therefore imperative that a correct contract, in accordance with what was presented at the Autumn Committee Meeting in Athens, but also with the Luxembourg legislation in force, be signed by the president of EuroCop and Nigel Dennis to determine his function, his role, his skills, his salary, his obligations, his rights, his conditions of employment, etc ...

The fiscal aspect should not be neglected so that we are in order with the laws in force in Luxembourg, but also perhaps in the United Kingdom, in order to avoid possible legal proceedings because of errors of management. Currently, and it is not a simple email acting as a pseudo contract which will prove the contrary, Nigel Dennis works for EuroCop without any legitimacy. We have an obligation to protect our Organization from future harm, but also Nigel Dennis in his office work.

Indeed, it should not be forgotten that Nigel has full access to the finances of EuroCop and to the entirety of his data (No one else has this "power"). A legitimacy of its functions is therefore imperative.



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I must also note that a payment of 3.300 € was made to Nigel without any legal contract and without any rational explanation concerning the hourly difference of 6,75 € between July 2019 and February 2020 in favour of Nigel !

It seems to me very important to clarify these situations as quickly as possible.

Additional, for your information and following my email of 25/03/20 suggesting a proposed memorandum between EuroCop and EPSU, I was led to put the procedure with EPSU on hold due to the lack of a minimum of responses from the Ex Com members, except that of Peter !

Out of respect and politeness, I will inform the EPSU president of the blockage that currently exists by EuroCop regarding the publication of the memorandum. I come to the conclusion that there is a lack of interest on the part of the Ex Com in a working cooperation between EuroCop and EPSU, contrary to the directives given by the EuroCop Committee.

In Porto, I was accused of acting behind the back of the Ex Com !!! The absence of reactions and responses from the members of the Ex Com confirms, if it were still necessary, in the merits of my approach to denounce the problematic management of our Organization to the EuroCop Committee.

In addition, following my intervention in Porto, I was the victim of lamentable insulting and defamatory remarks by a very large minority of people knowingly ignoring to see the reality of the situation. I would like to point out to these people that their comments are totally inappropriate and disrespectful, but that they are also complicit in the irregularities committed. Apparently, these people do not seem to understand that within EuroCop, it is necessary to comply with the Laws and Regulations in force.

I would like to add that there has been no intention on my part to carry out personal attacks on any other person. If you paid a minimum of attention to my remarks, you will have noticed that I simply denounced serious irregularities committed and a problematic management of the Ex Com.

If you use rational reasoning, you will have noticed that my intervention was of a nature to avoid the Ex Com from continuing in this direction which could seriously be detrimental to our organization ; but also to protect those EuroCop responsible, such as the external consultant / office manager, from any legal problems. All the many people who contacted me understood this !

Finally, I would like to point out that I had communicated my intervention when the agenda of the Spring Committee Meeting was approved. As I had pointed out, since my confidence in Ex Com had become critical, I only had to denounce the irregularities to the Committee so that this problematic management of our organization could be brought to an end.



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Apart from the excellent work produced by certain managers of our organization, there are however rules which must also be observed in EuroCop !

In conclusion, some of you will still continue to fantasize about my intervention ; free to you. Personally, I acted only for the good and in the interest of EuroCop ; but also, for the people managing our organization, whatever they want to say”

Due to technical issues with Roger Mercatoris with link and with Peter Smets having left the meeting ***the meeting was closed and reconvened on Tuesday 21 April @ 15:00 CETs***

Tuesday 21st April 2021

It was noted that both Roger Mercatoris & Peter Smets had since resigned from their positions on the ExCom prior to the points raised in Rogers correspondence.

Angels Bosch did however go through each point in turn.

Due to the issues with the secretariat there were no minutes of meetings, and that all minutes that are available will be emailed to member organisations.

Angel Bosch highlighted that the Martis Media contract had expired in June 2019 and it was discussed at the ExCom meeting in July 2019 whether to extend the contract for 1 or 2 years and it was agreed to extend the current contract for 2 years.

Calum Steele informed the ExCom of the timeline on events leading up to where we are just now. He stated that the then Treasurer Mark Nelson highlighted the issues of the secretariat to the Excom in January/February 2019, that they wished to leave EuroCOP so they started to look at options available to them for the office to be more functional. There were financial challenges that both Mark Nelson & The Auditor Henry Ba were aware of going back a number of years, and at that time the staff went off sick and there was no administrative support from the office for extended periods of time. Various options were considered and Mark Nelson suggested speaking to the staff to see how things progressed. Nigel Dennis was approached to take on this task on the Excom’s behalf and he quickly realised that the staff relations with their employers were at an all time low. Nigel Dennis, didn’t want to be there and the secretariat thought that EuroCOP would cease to be in existence and they would receive the money that was in the social fund.

At the first meeting of the ExCom (January 2020) when Mark Marshallsay took position of treasurer reference was made to the contract and a further discussion took place on the subject.

It was highlighted to everyone at the meeting that Martis Media provided a service during these months, but in fact they had not been paid for the work as no contract had been



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signed. Martis Media were content to keep working in the proviso that they receive the money due to them when the issue in the office had resumed.

During Nigel's time as the Transition Manager he was there to support and take instructions from the Excom - to keep business continuity during the difficult time. This is when Nigel signed the renewal contract – which has now subsequently been withdrawn with a new one drawn up and signed by the president.

Calum Steele has requested that he write to Mark Nelson to ask for him to issue a statement regarding the issues during his time in office that will confirm his position during the difficult time with the secretariat and he will disseminate thereafter.

Nigel Dennis stated that he acted purely for business continuity purposes and the referral of Roger Mercatoris as his actions to be "illegal" was a poor attempt at adult bullying and there no point of legal reference was provided by Roger Mercatoris in his email to the Excom, that supported his assertion. Nigel Dennis also went on to reminded the Excom that it is not described in the current Statues and Standing Orders that they governed by legislation of any country.

In respect of Nigel Dennis contract - ExCom meeting on 7 January 2020, this item was discussed where the new terms were read out due to the change in role and were accepted by everyone at the meeting.

Calum Steele explained the Extra Payment that Nigel Dennis received, that this was his proposal (in the absence of Nigel Dennis) to pay him the equivalent of 3 month's wages for the work he had carried out prior to taking post in March - the ExCom unanimously agreed at this meeting and was recorded in the minute therein.

The original letter of agreement of July 2019 stated that Nigel would commence in March 2020 but the reality was he had already commenced activity for EuroCOP. The exit of the staff was undertaken in dignified manner that Nigel looked at the office function (access to bank accounts, the server issues etc) the challenges that were faced as a consequence of the staff leaving that the Role of the Transition Manager was more of an Office Managers remit. At the invitation of the ExCom Nigel Dennis submitted his terms and conditions on a consultancy basis to Angels offering his services which reflected the needs of the organisation.

The ExCom were in receipt of the formal letter from Nigel with his terms and conditions – no objections were received.

Angel again asked those present to look over Nigel's terms of agreement again and everyone confirmed they were content with them.

Due to the staffing issues previously identified and discussed, it was in the interest of both EuroCOP & Nigel Dennis that his position was not one as an employee but one of external



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services. Calum Steele explained that Nigel Dennis gets paid 3,300 Euro per month when the two members of staff got paid in excess of 10,000 Euros collectively. EuroCOP are in a better financial position now in comparison to 12 months ago and he assured everyone that the Auditor would share similar observations.

Angels stated that in her view that a formal contract was not needed that the email exchanges and the formal letters constituted a verbal agreement and in Spain this was considered a contract.

Calum Steele requested that a Luxembourg lawyer be contacted for some advice on the engagement of Nigel Dennis's services.

Calum Steele will construct a timeline of events from January 2019 to April 2020. The contracts, the minutes, the timeline and all the formal correspondence in respect of Nigel Dennis engagement on a consultancy basis.

will be sent to all members.

Nigel Dennis confirmed that he doesn't have full access to EuroCOP's data including the accounts/finances. Mark Marshall says has full control of the finances, the banking is secure, the issues lie with the IT systems which they are trying to rectify.

Angel Bosch informed the ExCom that both Roger Mercatoris & Peter Smets had resigned from their positions on the Excom.

Some of the EuroCOP Member Organisations have received an e mail from Peter Smets dated the 16th April which included an attachment with a copy of a letter from the Belgium Police Union VSOA – SLFP that their organisation was terminating their membership with EuroCOP.

Within the resignation letters there was a request to remove the contact number and address of the office in Brussels.

Angels Bosch was concerned that data protection could be an issue if the Roger Mercatoris and Peter Smets still had access to Eurocop data; statutes, standing orders, and asked Nigel Dennis to confirm that they don't.

ACTION

Nigel Dennis to contact lawyer regarding EuroCOP engaging with Head of Office

Nigel Dennis to arrange for the contact details for the Brussels Office to be removed.

Nigel Dennis to ensure that Roger Mercatoris and Peter Smets access to EuroCOPs email system and server is removed.

Calum Steele will draft an open letter to member organisations, highlighting the timeline of events; a redacted version of the Martis Media Contract with an explanation of the redactions, the Minutes from ExCom & Committee Meetings in Athens; Minutes of ExCom & Committee Meetings in Porto and a copy of the Head of Office terms & conditions.

Angels Bosch to write to the Belgium Police Union

It was further agreed that at the first opportunity a folder with all contracts will be made available for anyone wishing to look over them shall have the opportunity.

9 AOB

As requested by the ExCom Surf Chowdhury IT Consultant would join the VC, to go over the questions raised in respect of the new website. A document was shared amongst the ExCom prior to this meeting to look over.

It was confirmed that the cost to construct the new website was circa £7k, the maintenance would cost £100 per month and the editorial section has been included in Martis Medias contract that would feed into the facebook/twitter accounts.

Surf joined the VC and explained the remit that he has been given:

reskin/clean/freshen the current website
more user friendly/current and more responsive
available on mobile phone/tablet/desktop
voting system
newsletter function – will liaise with Martis Media

If approval was given he could have it ready by the end of the month before a final sign off by the ExCom before going live.

ACTION

ExCom Voted and all were in favour to continue to the next stage.

Proposal carried and adopted.

ETUC/IPSU

Due to the resignation of the 1st Vice President a replacement was sought from now until the congress in November for representation on the ETUC –Unn Alma Skatvold Alam volunteered to take this on.



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Angels will email requests to Nigel re the IPSU

Nigel also highlighted that as 2 members of the ExCom had resigned it left a vacancy for a Vice President who will be one of principle officers on the ExCom.

Unn Alma Skatvold accepted the nomination of by others on the Excom she will become the 2nd Vice President with Calum Steele being appointed by the President Angels Bosch as the 1st Vice President.

The President Angel Bosch closed the meeting and thanked everyone for attending.