

# Non-Statutory Inquiry – RAFAT and RAF Scampton

## Final Report

### Introduction

#### Part I

#### **1. Findings Unacceptable Behaviours, Culture, Leadership**

- 1.1 Allegations of Unacceptable Behaviour
- 1.2 Harassment because of sex contrary to s.26(1) Equality Act 2010 and Sexual Harassment contrary to s.26(2) Equality Act 2010
- 1.3 Victimisation
- 1.4 Exposure of genitals
- 1.5 Predatory behaviour
- 1.6 Bullying
- 1.7 Alcohol focussed culture
- 1.8 Bystander behaviour
- 1.9 Impact of behaviours on operational effectiveness
- 1.10 Leadership at RAFAT and RAF Scampton
- 1.11 Groups most likely to experience Unacceptable Behaviours
- 1.12 Support pathways available to personnel
- 1.13 Selection process for RAFAT

#### Part II

#### **2.1 Delivery of Initial Recommendations**

Training

#### **2.2 Mediation**

#### **2.3 Lessons Identified**

Managing UB through the SD and administrative processes

Initiated by the NSI

Visibility and Efficiency

Transition from NSI to SD and administrative processes

Unacceptable Behaviours Team – People Ops / Originating Officers

Alcohol

Workplace relationships

Abuse of position / lack of agency

Impact on operational effectiveness of workplace relationships

NSI as a mechanism to address UB

Efficiency

Mission command and NSIs

## **2.4 Additional Work Undertaken by NSI Review Team**

### **Part III**

#### **RAFAT and RAF Scampton today**

##### **3.1 Culture at RAFAT and RAF Scampton**

CO RAF Scampton

OC RAFAT

RAFAT as a Sqn

'Upstairs' / 'downstairs'

SEngO and WO Eng

RAF Scampton

### **Part IV**

#### **Recommendations**

##### **4.1 Summary of recommendations from Initial NSI Report**

##### **4.2 Summary of additional recommendations**

###### **Immediate**

Referral of identified SPs for disciplinary / administrative action to the Service Police and / or relevant COs

Implementation of mandatory reporting of UB

Increase in training on UB on FCSP

Removal of interview / selection for some posts and improvement of retained selection processes

Establishing profession ambassadors for UB

Continuous training on alcohol

NSI Reports to be shared on change of command / relocation to WAD

###### **Long term**

Establish Wellbeing Co-Ordinator / Detached Welfare Team

Streamlining of SD and MAAP processes

Review policy on relationships in the workplace

##### **4.3 Enhancements to recommendations in Initial NSI Report**

Unacceptable Behaviours Team – Occupational Health / Mental Health SME

Unacceptable Behaviours Team – People Ops SMEs / Originating Officers

##### **4.4 Next steps**

## Introduction

This report is the full report of the NSI Review Team iaw with the TORs approved by COS Pers on 1 Dec 21 and coupled with her direction to stand up the NSI wef 6 Dec 21. Due to the timing of delivery the report, the NSI Review Team have been able to carry out [REDACTED]

The NSI was conducted on the basis that Service Personnel (SPs) could not be compelled to engage with the NSI if they did not wish to. Furthermore, any information provided to the NSI Review Team would not be disclosed unless the NSI Review Team were legally compelled to do so. It was also explained to all SPs that information provided to the NSI would be included in its report as appropriate but the SPs and their accounts would be anonymised.

However, all SPs were advised that if any incidents described to the NSI Review Team, at their height, met the threshold for a Service or criminal offence or breached the Service Test, the incident(s) would be referred to the relevant Commanding Officer (CO) for consideration of disciplinary and / or administrative action. It was explained that the referral would include the type of incident, the SPs involved and any who were witnesses to the incident. It would then be for the Service Police / CO to determine whether to direct an investigation and for the information to be gathered following the appropriate processes and ensuring that all SPs have the benefit of proper protections when providing evidence that may be used to hold personnel to account for their actions. SPs were advised that this may mean they are spoken to again about matters they have already disclosed to the NSI Review Team. All SPs were given the opportunity to cease the interview after this information had been provided. No SPs chose to do so.

SPs were not asked to comment on evidence already in possession of the NSI Review Team or in response to allegations made specifically about them. No warnings under Regulation 18 or similar were given as this was not a SI and the NSI Review Team have no decision-making powers nor the powers of a CO in terms of disciplinary or administrative action. SPs were advised of this and the fact findings of the NSI Review Team will relate to generic behaviours.

Where the NSI Review Team makes a general finding, this is on the balance of probabilities ie that it is more likely than not. The examples included in this report are not exhaustive of all the incidences of UB reported to the NSI Review Team. Examples have been chosen that support the conclusions of the NSI Review Team and to show the breadth of behaviours.

The NSI Review Team members had an equal say in determining the findings in this report and represent the agreed position of the team.

The report is broken down in the following way:

- Part I** The findings of the NSI irt Unacceptable Behaviours (UB), culture and leadership.
- Part II** Delivery of the immediate recommendations and Lesson Identified (LIs).
- Part III** Assessment of where the RAFAT and RAF Scampton are now.
- Part IV** Recommendations of the NSI Review Team.

## Part I

### 1. Allegations of Unacceptable Behaviour

1.1.1 The NSI was directed following engagement with CAS by ██████████ ██████ of the SPs had not made formal complaints through either Service Discipline (SD), Administrative or Service Complaints (SC) processes. ██████████ SP had made a complaint to the Service Police of sexual assault. This complaint proceeded to Court Martial and the perpetrator was convicted of battery as opposed to sexual assault.

1.1.2 The NSI spoke with ██████████ who had not made formal complaints. It did not speak with the ██████ SP who had formally pursued ██████ complaint through the Service Police as the outcome of that complaint has been determined through the Service Justice System and the facts were established.

1.1.3 During the course of the NSI, the Review Team also heard accounts of Unacceptable Behaviours (UB) from personnel who had not made formal complaints and had not engaged with CAS about their experiences.

1.1.4 The NSI Review Team adopted the definition of UB as *'any conduct that is unlawful or that is inconsistent with core behaviours. It includes all criminal and disciplinary behaviour, for example sexual and violent offences, as well as bullying, harassment, discrimination, victimisation and the other types of conduct mentioned [in Ch 2 of JSP 763 Pt 1 v.1.0 Jun 21]'*.

1.1.5 The NSI Review Team is not able to report on specific allegations against specific personnel due to the remit of the NSI as well as ongoing major administrative action. Therefore, the NSI Review Team will report generally by type of UB.

**1.2 Harassment because of sex contrary to s.26(1) Equality Act 2010 and Sexual Harassment contrary to s.26(2) Equality Act 2010**

1.2.1 The NSI Review Team found that the accounts of female SPs describing unwanted conduct (verbal or written) were credible. The nature of the harassment had common factors in terms of the method and content of the conduct. Incidents that occurred in a public setting, or where personnel were together in a group, were corroborated by witnesses of all genders. The NSI Review Team found that when harassing behaviour was described it was directed predominantly towards females and this type of conduct would have the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment.

1.2.2 The NSI Review Team were also told of unwanted conduct towards ██████ on the Sqn both by ██████ and members of the public due to the requirement for the Display Pilots to have publicly facing profiles.

**Example 1**

██  
██  
██  
██  
██

**Example 2**

██  
██  
██  
██  
██  
██  
██  
██  
██

1.2.3 The NSI Review Team were concerned that the Sqn was not a safe environment for females and that it was highly likely that females would be subject to unlawful harassment because of their sex. The types of behaviours described were as follows:

- unwanted physical contact;
- unwanted text messages from male colleagues outside of work messaging groups and outside of working hours;
- unwanted text messages that were perceived to be of a sexual nature or considered to be exploring the possibility of initiating a sexual encounter;
- pressure to respond to those messages and 'manage' the situation rather than raising a formal complaint so as not to be seen as being 'over sensitive' or 'a typical woman';
- unwanted verbal comments about their appearance whether positive or negative;
- unwanted invitations to engage in sexual activity;
- awareness of text messages within the male cohort making reference to their physical appearance or comments of a sexual nature;
- male sexual entitlement towards the females; being viewed as 'property' of either individuals or the Sqn; and

- fear of detrimental treatment if they rejected any advances (victimisation).

1.2.4 The NSI Review Team found that females had normalised the behaviour and many said they had 'got used to it'. Female SP naturally supported each other and reported modifying their behaviours to reduce the risk of being subject of UB or ensuring that they would be believed if they needed to report an incident. The modification of their behaviour included:

- going to social situations as a group with 'shark watch' in operation within their cohort;
- limiting the amount of alcohol consumed in order to be able to respond effectively if they were subject to UB and to ensure their account would be believed and not dismissed due to consumption of alcohol; and
- modifying what they wear.

1.2.5 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Victimisation will  
be dealt with as a separate heading of UB under Part 1.

**Example 3**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Example 4**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Example 5**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Example 6

[REDACTED]

Example 7

[REDACTED]

Example 8

[REDACTED]

Example 9

[REDACTED]

Example 10

[REDACTED]

Example 11

[REDACTED]

**Example 12**

[REDACTED]

1.2.6 The NSI Review Team were aware of the fact some females engaged in sexual activity with fellow members of the Sqn consensually. The NSI Review Team were struck by the fact the relationships invariably involved a considerable rank differential and, in most of those relationships, at least one party was engaging in an extra-marital relationship. The relationships were also visible to the Sqn at all levels. The issue of relationships in the workplace will be addressed in Part IV – Further Recommendations.

1.2.7 The NSI Review Team found that the behaviours described to it would fall within the definition of harassment because of sex and sexual harassment as per the relevant definitions in the Equality Act 2010 and this applied to both historic and current examples given by the SPs who engaged with the NSI.



1.3 Victimization

1.3.1 It was notable to the NSI Review Team that all the [REDACTED] spoken to acknowledged that the behaviour they were subjected to was normalised either from their previous experiences or during their time at RAFAT. [REDACTED] shared previous experiences of harassment / sexual harassment either in the RAF or in previous careers. The robustness of the females was no surprise to the NSI Review Team neither was the fact the females were aware of the fact by not formally challenging the behaviours they were not enabling the Service to address the issue. This responsibility weighed on the female SPs despite the fact they had not invited the behaviour they were subject to.

1.3.2 There was a sense of loyalty both to individuals and the Service eg incidents were dismissed because they did not want to ‘ruin someone’s career’ over a behaviour that they had become used to managing or they did not want to disrupt the operational output of the Sqn. Narrative that UB happens across the RAF and ‘if you were to report person X, it would also be necessary to report person Y, Z, A, B and so on’ was common. All female SPs expressed significant loyalty to RAFAT and [REDACTED] and did not want to disrupt operational output or cause more work for [REDACTED]. This is a prime example of ‘individuals being subordinate to the team’, a phrase recently used by ACOS Pers Pol in the ‘People Agenda’ brief to COs and Stn Cdrs as an underlying factor in enabling UB in the Service environment. It appeared to the NSI Review Team that being subordinate to the team enabled the female SPs to validate their decision not to formally challenge the behaviour and this, ultimately, impacts the ability of the organisation to enable cultural change.

1.3.3 All of the females expressed their concern, without solicitation, that they were not showing moral courage by not speaking out and they could be enabling the situation to happen to other women, but they had to balance this against the reality that they felt likely to suffer a detriment on a day to day basis and they had worked hard to get where they were and they did not want to sacrifice their position.

1.3.4 The NSI Review Team finds that, the concerns regarding the risk of victimisation are made out. During the time the NSI Review Team have spent with RAFAT, it has had three acts of victimisation reported to it, that were attributable to involvement in the NSI alone (Examples 4, 5 and 6).

Example 1

[REDACTED]

[REDACTED]

Example 2

[REDACTED]

Example 3

[REDACTED]

Example 4

[REDACTED]

[REDACTED]

Example 5

[Redacted text block]

Example 6

[Redacted text block]

1.3.5 Whilst Example 4 demonstrates an optimal response by [Redacted] to an act of victimisation, the occurrence of three acts, even following a NSI being stood up in response to complaints of UB, justify the concerns of SPs about formally challenging UB and the risk of victimisation.

**1.4 Exposure of genitals**

1.4.1 Two incidents of exposure of genitals [REDACTED] were reported to the NSI Review Team. [REDACTED]

1.4.2 [REDACTED]

1.4.3 [REDACTED]

1.4.4 No personnel expressed their offence at the incident and comments were mostly confined to the incident [REDACTED] and it [REDACTED]. This incident was also attributed to [REDACTED]. The NSI Review Team noted the lack of offence at both incidents which suggests exposure of genitals and nakedness is normalised in a military environment.

1.4.5 It was also of note to the NSI Review Team that these incidents [REDACTED]

**1.5 Predatory behaviour**

1.5.1 The NSI Review Team was particularly concerned about the predatory behaviour by male SPs towards female SPs and the use of alcohol in facilitating this behaviour. The NSI Review Team considers predatory behaviour to be as per the normal definition - 'preying on others' or 'seeking to exploit others'. Taking account of this definition of 'predatory', the NSI Review Team considers predatory behaviour in the context of UB as conduct that is perceived to coerce an individual into engaging in sexual activity or to exploit vulnerabilities to engage in sexual behaviour. Predatory behaviour can include opportunistic behaviour.

**Example 1**

[Redacted text block]

**Example 2**

[Redacted text block]

**Example 3**

[Redacted text block]

[REDACTED]

**Example 4**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Example 5**

The NSI Review Team heard from [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

**Example 6**

The NSI Review Team asked [REDACTED]  
[REDACTED]  
[REDACTED]

1.5.2 The NSI Review Team were particularly concerned about the visibility of the individual incidences of predatory behaviour across the Sqn but the apparent lack of visibility by [REDACTED]. In addition, some of the behaviours of male personnel were attributed to infatuation and openly joked about and not treated with any seriousness.

1.5.3 In particular, comment regarding male personnel behaviour towards females was dismissed in the following ways:

‘whenever anyone asked where he was, we joked that he would be lurking in the corridor outside her room’

‘he was totally infatuated with her’

‘he followed her around like a lovesick puppy’

‘no one took it seriously – look at him!’

‘they were consenting adults; it wasn’t for anyone to interfere’

‘I thought they were in a relationship’

‘they were friends weren’t they?’

‘he is a single guy’

1.5.4 The NSI Review Team finds that it is more likely than not that female SPs have been, subject to predatory behaviour at RAFAT.

**1.6 Bullying**

1.6.1 The NSI Review Team heard from a number of personnel who described experiences that, fall within the definition of bullying as per JSP 763 Vol 1, Ch 2 [V1.0 dated Jun 21]

1.6.2 [REDACTED]

1.6.3 [REDACTED]

**Example 1**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

**Example 2**

[REDACTED]

**Example 3**

[REDACTED]

**Example 4**

[REDACTED]

**Example 5**

[REDACTED]

1.6.4 The NSI Review Team finds that the behaviours described in the examples were not challenged by [REDACTED] even where [REDACTED] admitted to having an awareness of situations or the NSI Review Team were satisfied that the incidents were so commonly

known that it would have been highly unlikely a member of [REDACTED] would not have been aware.

## 1.7 Alcohol Focussed Culture

### Unacceptable Behaviours

1.7.1 The NSI Review Team noted the number of times UB were connected with the consumption of alcohol. Almost all of the UB of a sexualised nature occurred either during an event where alcohol was consumed or following such an event. The NSI Review Team were also aware that the consumption of alcohol was seen as a mitigating factor by both those who had been the recipients of UB as well as t [REDACTED] who were responsible for holding personnel to account. The NSI Review Team heard frequently:

‘[REDACTED] is only like this when [REDACTED] is drunk – otherwise [REDACTED] is a really [REDACTED]’

‘I just put it down to alcohol’

‘they apologised the next day’

‘I can’t remember what happened – I was really drunk’

‘I didn’t want to ruin someone’s career over that’

‘they were fine after that’

‘maybe it was my fault – I was drunk too’

‘we called [REDACTED] – because [REDACTED] was always roaming around drunk looking like a [REDACTED]’

‘you would just avoid them when they were drunk’

1.7.2 The dismissal or justification of behaviour is contrary to Service policy and Service law. Consumption of alcohol is an aggravating factor when it comes to UB not a mitigating one and should not be treated as such by victims or those who are responsible to holding SPs to account for their behaviours.

1.7.3 It was also evident that there is a focus on events involving alcohol included on the Sqn calendar both professional and social. The NSI Review Team noted that the ‘unique’ nature of the operational output of the Sqn involves events where they are subject to considerable hospitality as well as environments and opportunities, while away from home, to capitalise on enjoying social events with their colleagues at different locations.

1.7.4 [REDACTED] alone has several events built into the calendar that are based around alcohol: [REDACTED]  
[REDACTED] notwithstanding personnel making their own arrangements at weekends and when off duty. The same is true of other events such as the [REDACTED]  
[REDACTED] It was also notable that ‘fines’ at formal events would be focussed on alcohol. Many of the examples already cited in this report include reference to alcohol.

#### Example 1

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Example 2**

[REDACTED]

**Example 3**

[REDACTED]

1.7.5 The Sqn CoC recognised on [REDACTED] that emphasis needed to move away from events simply focussed on alcohol. This was mainly due to the fact the CoC were cognisant of the fact the Sqn were deployed during lockdown and that there was a degree of 'cabin fever' that could result in 'down-time' being focussed on drinking alcohol. Events were organised such as a volleyball tournament or visits to local sights so SPs were not just spending the day drinking in the hotel bar. Despite this, there were still numerous incidents of UB during [REDACTED]

**Flight Safety**

1.7.6 [REDACTED] raised concerns regarding flight safety and alcohol.

**Example 1**

[REDACTED]

**Example 2**

[REDACTED]

[REDACTED]

**Example 3**

[REDACTED]

1.7.6 The NSI Review Team noted that cohort reported to engage in such behaviour was a small cohort; with [REDACTED] featuring in each reported occurrence from [REDACTED]. However, if SPs are undertaking safety critical duties, the size of the cohort taking such a risk is irrelevant due to the gravity of the consequences. [REDACTED]

[REDACTED]

1.7.7 However, most [REDACTED] who engaged with the NSI acknowledged [REDACTED]

1.7.8 The NSI Review Team finds that alcohol is a significant contributing factor to the occurrence of UB and, historically, has been a flight safety concern. However, it also recognised that there has been a continued effort by the Sqn to move away from an alcohol focussed culture and this was evident during the NSI Review Team's visit to [REDACTED] which will be covered in more detail in Part III.

**1.8 Bystander behaviour**

1.8.1 The NSI Review Team finds that there was a bystander culture at RAFAT. The NSI Review Team has seen a tangible change in behaviours during the NSI, which will be covered in Part III of the report.

1.8.2 Particularly during [REDACTED] the NSI Review Team concluded that there was a bystander culture that allowed UB to go unchecked. This bystander culture was apparent at all levels within the Sqn.

**Example 1**

[REDACTED]

**Example 2**

[REDACTED]

**1.9 Impact of personal life on operational effectiveness**

1.9.1 The NSI Review Team were clear with all personnel who engaged in the NSI that it was not stood up to judge morality of personnel or to interfere in their private lives. However, it did explain to all personnel who engaged when personal life can interfere with operational effectiveness and therefore when the Service would be entitled to take action where appropriate.

1.9.2 The NSI Review Team were advised of several extra marital relationships. Invariably, the married SP would be more senior, with greater service experience as well as a rank differential. This raised concerns for the NSI Review Team as to whether both parties in the relationship are equal or whether one party has greater agency than another.

1.9.3 The NSI Review Team finds that there were relationships that directly impacted:

- operational effectiveness
- safety
- effective C2

**Example 1**

[REDACTED]

**Example 2**

[REDACTED]

**Example 3**

[REDACTED]

**Example 4**

[REDACTED]

**Example 5**

[REDACTED]

**Example 6**

[REDACTED]

1.9.4 Extra-marital relationships were visible across the Sqn. The NSI Review Team finds that the visibility of these relationships has undermined the rank structure on the Sqn due to the poor view of behaviours of the [REDACTED]. The high propensity of extra-marital relationships between SPs serving on the Sqn may also contribute to a low opinion of female SPs generally. RAFAT is representative of the overall gender composition of the RAF therefore female SPs are a minority. If one or two females engage in relationships with other members of the Sqn this is perceived as ‘the majority of females’ on the Sqn engaging in such behaviour. There were assumptions drawn about females who volunteer to join RAFAT and their motivations. These perceptions have the potential to undermine female SPs generally as females are likely to attract more negative comments than their male counterparts engaging in comparable behaviour. Visibility of extra-marital relationships have the potential to undermine the ability of SPs to discharge their command and leadership responsibilities where it may be necessary to intervene in a personal relationship because of an impact of operational effectiveness or where there is a concern that one party in the relationship lacks agency or the relationship has become coercive.

1.9.5 The NSI Review Team found that there was a considerable reluctance to discuss relationships in the workplace because of a perception that this would amount to interfering with a SP’s right to a private life. The NSI Review Team understands the basis for this reluctance, namely risk adverse / erroneous advice being received from SMEs that the only time personal relationships can impact operational effectiveness is where the parties are in the same reporting chain. The NSI review Team heard this understanding repeated several times. This is not the case as per extant policy and it is entirely reasonable for any employer to consider whether a relationship in the workplace, whether between two single individuals or extra-marital, is impacting the working environment. This issue is addressed further in Part IV of the report.



**1.10 Leadership culture and environment**

1.10.1 It is appropriate to consider the culture and environment under two distinct periods of time:

- under the former [REDACTED]; and
- under the current [REDACTED]

**Under [REDACTED]**

1.10.2 The NSI Review Team had the opportunity to speak with [REDACTED], [REDACTED] and [REDACTED]. At the time of [REDACTED], [REDACTED] was the [REDACTED] with responsibility for RAFAT.

1.10.2 The time period the NSI Review Team focussed on when speaking with the named SPs was [REDACTED] and the period following the team's return namely [REDACTED]

1.10.3 It should be noted that [REDACTED] was not present during [REDACTED] Both [REDACTED] and [REDACTED] were deployed on [REDACTED]

1.10.4 At the time the NSI Review Team spoke with the named SPs, it had heard from a larger number of SPs and had received detailed accounts of behaviours on [REDACTED] [REDACTED] The NSI Review Team were keen to establish the visibility of these behaviours and the responses of the SPs to the information they had.

1.10.5 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Visibility of behaviours on [REDACTED]**

1.10.6 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.10.6 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

1.10.7 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] The NSI Review Team were advised that no audit trail of this issue exists on the Sqn.

1.10.8 [REDACTED]  
[REDACTED]  
[REDACTED]

1.10.9 [REDACTED] role meant [REDACTED] was the [REDACTED] for RAFAT. [REDACTED] had a broad role as [REDACTED], which meant that [REDACTED] responsibilities were not limited to RAFAT but extended across the flying training system.

1.10.10 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.10.11 [REDACTED]  
[REDACTED]  
[REDACTED]

1.10.12 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

- Teamwork
- Respect
- Enjoyment
- Safety

1.10.13 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.10.14 The NSI Review Team noted that there was an expectation by [REDACTED] and [REDACTED] that all SPs under their command would appropriately raise matters with them. The NSI Review Team concluded that this expectation was heavily relied on.

[REDACTED]

1.10.15 The net result is that during [REDACTED] Mission Command was failing and there was not an effective flow of information to enable appropriate actions to be taken in response to UB. The team was disjointed and operating in distinct 'cells' or 'groups' and there was a lack of cohesion and assurance that is the foundation of effective Mission Command.

**At Unit Level**

1.10.16 The flow of information also caused frustration at Unit level. [REDACTED]

1.10.17 [REDACTED]

1.10.18 [REDACTED]

1.10.19 [REDACTED]

1.10.20 [REDACTED]

1.10.21 [REDACTED]

[REDACTED]  
[REDACTED]  
1.10.21 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.10.22 The NSI Review Team noted the inconsistent and differing accounts surrounding [REDACTED]

[REDACTED] There is no common understanding, which indicates that not all stakeholders had all of the information. It is concerning to the NSI that the failure in information flow identified at RAFAT are also apparent at Unit level at that time. Of note is the fact [REDACTED] concerns about culture and behaviours at RAFAT were not, according to [REDACTED] shared during [REDACTED] as was also the case on [REDACTED]  
[REDACTED]

1.10.23 As [REDACTED] had conducted a [REDACTED] in [REDACTED], current [REDACTED] could not start [REDACTED] post-appointment [REDACTED] immediately, as it would have involved SPs being drawn into more focus groups, and it was felt they would not actively engage. [REDACTED] direction was to start as soon as practicable, as soon as [REDACTED] could build constructive, engaged focus groups, and to focus on UB. The focus was initially because of the Report on Inappropriate Behaviours, the high number of SIB cases [REDACTED] took over and reinforced by the behaviours at 15 (RAF Regt) Sqn being revealed. Therefore, the [REDACTED] was undertaken as soon as practicable after [REDACTED] assumed command.

1.10.24 The [REDACTED] conducted in Autumn [REDACTED] (report dated [REDACTED]) revealed that there were significant issues with UB, particularly sexualised behaviour towards females. This [REDACTED] was closely followed by the NSI being stood up.

## Findings

1.10.25 The NSI Review Team find that there were significant failings in the flow of information regarding behaviours, and potential flight safety issues, within RAFAT, within RAF Scampton, between RAFAT and RAF Scampton and to successors. Whilst Mission Command is an effective tool in delivering operational management it requires assurance. The NSI Review Team noted the lack of inquiry into situations that were visible to [REDACTED]  
[REDACTED] Superficial inquiries were made and there were clearly concerns but no reasonable attempt appears to have been made to properly establish the fact that would have revealed the cultural and behavioural issues at RAFAT sooner. This was capable of being achieved as demonstrated by the [REDACTED] in Nov [REDACTED] and the NSI. Whilst the success of the latter may be attributed to a change in personalities in command, had [REDACTED], at the least been made aware of [REDACTED] concerns, he could have continued to pursue the establishing facts and the matters visible to the NSI may have come to light sooner. The NSI Review Team note that further [REDACTED]  
[REDACTED] were subject of UB / sexualised UB during the period Oct 19 to Dec 21 that have not been actioned until now.

1.10.26 The NSI Review Team has considerable information regarding the visibility of incidents. It is evident that there was a sub-optimal flow of information up and down the [REDACTED]. The NSI Review Team conclude that the point of failure is at the [REDACTED] level but who within the [REDACTED] will need to be considered further through the appropriate processes.

1.10.27 The NSI Review Team did not speak to [REDACTED] during this period, [REDACTED] [REDACTED] At the point the SP [REDACTED] [REDACTED] the NSI Review Team had received a considerable amount of information that lent to reserving engagement [REDACTED] that may arise from this report.

**Under current [REDACTED] and [REDACTED]**

1.10.28 The NSI spoke to the current incumbents in the posts of [REDACTED] and [REDACTED] frequently during the NSI.

1.10.29 The NSI Review Team have [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.10.30 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.10.31 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.10.32 However, at the beginning of the NSI, the Review Team identified that the information flow from the RAFAT to [REDACTED] regarding incidents of UB was poor, even when these were visible to [REDACTED] did not have visibility of a number of live situations that the NSI Review Team would have expected [REDACTED] to have made the [REDACTED] aware of. [REDACTED] was correctly concerned about this lack of visibility and engagement and sought to address the frustration of the Sqn deviating from policy and process irt UB through enhanced engagement during the NSI. This highlights that a cohesive relationship is directly related to flow of information between the two incumbents.

1.10.33 The NSI Review Team also had the opportunity to speak with [REDACTED] who had [REDACTED] over RAFAT and [REDACTED] for the majority of the duration of the NSI. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

██████████ This supports the view of the NSI Review Team that the understanding on the Sqn of the appropriate threshold for promulgating awareness of UB was too low that time.

1.10.34 ██████████ assumed ██████████ over RAFAT, and ██████████ ██████████ Contact with him has been through Lead NSI Review Team to brief him on the NSI Initial Report and with a NSI Review Team member during ██████████ ██████████ It must be noted that ██████████ has assumed ██████████ over RAFAT towards the end of the NSI, where responses to UB are on a positive trajectory. It is important that ██████████ has visibility of the content of this report to recognise the type, frequency and severity of UB that has occurred, until recently, as well as the culture that enabled the UB. This understanding will enable him to support RAFAT on its current journey of cultural change to meet the expectations of the Service and Defence in UB.

1.10.35 Having worked well with ██████████ where there had been open and constructive discussion, ██████████ attributes the lack of visibility to the threshold of what should be discussed with ██████████ being set high in Service Police investigations whereas the threshold needed to be recognised as being much lower so as to include all UB in the incidents that were visible to ██████████. Therefore, ██████████ does not attribute the lack of information flow to an intent by ██████████ to obfuscate the incidents, rather a lack of understanding of the correct threshold for matters to be raised with ██████████ Historically, the NSI Review Team finds that matters were exclusively dealt with 'in house' at RAFAT with matters only being visible outside the Sqn when SPs raised matters outwith of the Sqn and therefore this would have been the 'norm' understood by ██████████.

## Findings

1.10.36 The NSI Review Team has seen a more cohesive relationship formed between ██████████ ██████████ throughout the duration of the NSI. Furthermore, the NSI Review Team has seen a greater recognition of the role of ██████████ in disciplinary and administrative processes by the Sqn and an understanding that the threshold for matters being discussed with ██████████ is much lower than previously understood, which not only fosters a transparent environment and optimises responses to UB but also provides ██████████ with well needed support on SD & PS issues.

1.10.37 The NSI Review Team also finds that the focus of the Sqn has tangibly moved away from people issues and UB being secondary to delivery of output. This has not been an easy road but the fact that the Sqn will display this year with a reduced number of aircraft challenges the perception that the delivery of 9 ac is the utmost priority and that certain cadres of personnel are 'untouchable'. The NSI Review Team is confident that ██████████ will continue to hold RAFAT to account by being an appropriately critical friend to the Sqn and will assure adherence to the proper disposal of matters to ensure fairness and equity for all SPs. The NSI Review Team also notes the trust that exists between ██████████ ██████████ that has enabled more ad hoc discussions about people and personnel issues.

1.10.38 The current standard of communication and co-operation between ██████████ ██████████ needs to continue beyond the tenure of the current incumbents. This can be achieved through the current practices being adopted as the norm with deviation being an exception. Recommendations as to how this can be achieved will be visited in Part IV of this report.

**1.11 Groups more likely to experience UB**

**Females**

1.11.1 The NSI finds that, on the balance of probabilities, females are more likely to experience UB at RAFAT and that this will be UB that is sexualised in nature.

1.11.2 During the interview stage of the NSI, the Review Team continually reviewed whether RAFAT presented an unsafe working environment for females. [REDACTED] with the NSI [REDACTED] an environment of male sexual entitlement, harassment and less favourable and with no mechanisms in place to hold personnel to account for UB.

1.11.3 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Other Ranks**

1.11.4 The NSI Review Team consider that ORs are also at a greater risk of being subject to UB from fellow ORs as well as officers. Female ORs are at the highest risk of experiencing UB.

1.11.5 During the training and Focus Groups delivered on Mon 28 Feb 22 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.11.6 Furthermore, the fact that the Armed Forces results in people living and working together, [REDACTED] There was little recognition for the fact behaviour that may be consensual between friends can still create an unacceptable working environment for other personnel or influence the culture in terms of what is deemed acceptable. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.11.7 'Banter' and the use of it by [REDACTED] were cited as examples of bullying during the NSI. The NSI Review Team accepts that repartee between colleagues can foster team cohesion, inclusion and an effective and positive working environment; however, problems arise when this is used as a tool for exclusion or to humiliate personnel. [REDACTED] commented on how the environment has become more positive since [REDACTED] took command. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1.11.8 However, when these issues were discussed in the Focus Groups there was a greater understanding of how UB can be avoided in a workplace.

1.11.9 Following the Focus Groups it was [REDACTED] one of the most positive experiences of [REDACTED] career during a day of mandatory training. During the transit and the training, [REDACTED] set out how [REDACTED] colleagues had engaged in positive discussions about behaviours and listened to [REDACTED] responses.

1.11.10 Furthermore, it was [REDACTED] who demonstrated active bystander behaviours during an incident of victimisation on [REDACTED]. However, there is [REDACTED] that was assessed as being negative and resistance to change both during the NSI Focus Groups, the Focus Groups held during the [REDACTED] visit to [REDACTED] and during the assurance visit to the same [REDACTED] by the NSI Review Team.

1.11.11 However, the appointment of [REDACTED] has also had a positive impact on discipline and shaping the environment to prevent UB. Examples include:

- prompt investigation into allegations of UB;
- the use of MAA to address both UB and standards and discipline; and
- assurance of the environment.

**Example**

[REDACTED]

1.11.12 These initiatives were endorsed by [REDACTED]. The combination of [REDACTED] [REDACTED] is notably positive and the approach to management and leadership provides reassurance to the SPs and the NSI Review Team that there is strong leadership to effect cultural change.



## 1.12 Support pathways available to personnel

1.12.1 The current support pathways for personnel are as follows:

- RAFAT LM and CoC
- HR Centre PS&SD staffs on Unit
- Unit CoC
- Padre
- Medical Centre
- SSAFA
- Defence Bullying Harassment and Discrimination Helpline
- RAF Benevolent Fund

1.12.2 The NSI revealed a lack of understanding of among RAFAT personnel of support systems available to them. A reluctance to engage with Unit staffs (PS&SD, Padre) or to go outside of the Sqn as well as a reluctance and a [REDACTED]. Aircrew are averse to engaging with the Medical Centre due to concerns that they would be restricted from flying and this is propagated by the response of the [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1.12.3 SPs were generally not aware of the Defence BHD Helpline nor the fact they could access support through SSAFA and counselling through the RAF Benevolent Fund. They were also not aware that they could go directly to the Unit CoC and P Staffs but even having been made aware of this expressed their reluctance to do so.

1.12.4 [REDACTED] provided the NSI Review Team with details of the Unit 'Buddy, Buddy' scheme that was set up during COVID-19 lockdown to support SPs. Despite the scheme being visible across Unit infrastructure the knowledge of this amongst the RAFAT SPs spoken to was low. The NSI Review Team were impressed with the scheme and, coupled with other information received from SPs who engaged with the NSI, attributed the lack of information to the inclusive nature of RAFAT pre NSI as well as the SPs being less present in the physical workplace due to COVID.

1.12.5 SPs did have a high level of confidence in [REDACTED] and said they felt if they approached [REDACTED] would take their concerns seriously; however, during the NSI, the Review Team felt this view was endorsed. The NSI Review Team reassured personnel that the [REDACTED] would welcome their approach if they felt they were unable to engage with their immediate LM or did not feel comfortable doing so.

1.12.6 The NSI Review Team met with Padre and heard from personnel who had engaged with [REDACTED]. The NSI Review Team were confident in the Padre to support while properly signposting personnel to the resources available to provide them with appropriate and proper support. The relationship between the Padre and the Unit / CO is cohesive and the NSI Review Team have confidence that an approach to the Padre would also result in personnel receiving multi-disciplinary support.

1.12.7 The Padre's background as [REDACTED] makes [REDACTED] an approachable resource, particularly for females on the one hand but can also give the perception that [REDACTED] may be more orientated to support [REDACTED]; the word 'perception' is key and is based on the presumptions that the NSI Review Team heard from SPs who had been the recipients of UB that they would not be believed if their complaint was against [REDACTED] and a concern that those close to [REDACTED] will not be supportive. It must be noted that that NSI

Review Team did not find that there was any bias demonstrated by the Padre and several personnel spoke of the positive support [REDACTED] had given prior to and during the NSI.

1.12.8 The NSI Review Team were concerned about the support SPs received to be able to engage with the Padre. [REDACTED]

[REDACTED]

[REDACTED] The Padre confirmed this incident did occur and that [REDACTED] found it inappropriate.

**1.13 Selection process for RAFAT**

1.13.1 The NSI Review Team noted that there is a high incidence of appointment by interview at RAFAT. The NSI Review Team were advised that the justification for interview is to identify personnel who will be 'the right fit' for the Sqn. There is a hesitancy to describe the Sqn as unique, both by the Sqn CoC and also by the NSI Review Team, to avoid the perception of the Sqn describing itself as 'special' or to afford a heightened status, but the Sqn is unique in terms of its operational output and the 'normal duties' that are performed by the SPs assigned to the Sqn and therefore there is a degree of logic in the preference for interviewing personnel. During the NSI reference was made to the following roles being subject to interview:

- Sqn Execs
- Display Pilots
- Holding Officers
- JEngO

1.13.2 It may be the case that other roles are subject to interview but were not revealed to the NSI Review Team.

1.13.3 However, based on the visibility the NSI Review Team has of behaviours of SPs who had been selected by interview, there are concerns as to the effectiveness of interview as a mechanism to select the right person for the role as well as the attributes being sought in successful candidates.

**Example 1**

[REDACTED]

1.13.4 It was apparent to the NSI Review Team that, historically, UB and what was acceptable in the workplace was not understood and / or not prioritised against the delivery of the Sqn's output. Consideration must be given to the large number of SPs who commented on the fact the UB described to the NSI Review Team were prevalent across the RAF and, if the NSI Review Team were to visit any other sqn or unit and conduct a similar inquiry, the same type and frequency of behaviours would be identified. The NSI Review Team concludes that a candidate's understanding of UB and what constitutes an acceptable working environment, were not historically prioritised in any interview or selection process.

1.13.5 The NSI Review Team has high confidence in the fact the Sqn will prioritise understanding of UB in future selection considerations. [REDACTED] with the NSI Review Team [REDACTED] stated that [REDACTED] and [REDACTED], interviewed [REDACTED] to ascertain

their understanding of UB. [REDACTED] demonstrated any visibility of the Report on Inappropriate Behaviours authored by ACM Wigston. The remaining candidates who are [REDACTED] were unable to demonstrate a reasonable understanding of UB, the sS and Defence position on UB, or the intent of the SLT irt UB. Assuming [REDACTED] will have completed their mandatory annual training, this demonstrates a lack of awareness of SPs generally and / or [REDACTED] and a potential lack of effectiveness of the current training packages / promulgation of the directives and intent of Defence and the RAF SLT.

1.13.6 Reference has been made to the NSI Review Team of [REDACTED] challenges for [REDACTED]. This includes serving members of the team playing a [REDACTED] and [REDACTED] to perform a test, depending on how [REDACTED] will be taken into account for their selection.

**Example 2**

[REDACTED]

1.13.7 The example given at 3.1.21 has persuaded the NSI Review Team that this type of 'test' lacks any legitimate utility in selecting SPs who will be 'the right fit' for RAFAT. It sends a clear message that to 'fit in' SPs should not challenge behaviours of others and should submit to being purposefully humiliating and degrading behaviour without reaction.

## Part II

### 2.1 Delivery of Initial Recommendations

#### Training

2.1.1 The presumption with which the NSI Review Team approached this head of the TORs is on the basis that all personnel will have undertaken mandatory training.

2.1.2 The NSI Review Team were advised by [REDACTED] of bespoke training delivered ahead of deployment on [REDACTED] and following the behaviours of 15 (RAF Regt) Sqn being revealed. This training was delivered because RAFAT is a Sqn very much in the public eye and it was deploying to a [REDACTED] location when the rest of the nation was under lockdown. The training focussed on the Report on Inappropriate Behaviours 2019.

2.1.3 Despite this training, personnel who had deployed on [REDACTED] stated during training and the Focus Groups held between [REDACTED] that they had almost no visibility of the Report on Inappropriate Behaviours. Criticism was also levied at the mandatory training offered irt D&I, Unconscious Bias and Bystander training. SPs stated that the behaviours that the NSI Review Team had identified as being unacceptable were not properly briefed or explained in the mandatory training.

2.1.4 A bespoke package of training was delivered between [REDACTED] using master slides that were adjusted for four different cadres:

- SACs and JNCOs
- SNCOs and JOs
- Display Pilots
- Sqn and Stn Execs

2.1.5 These cadres were selected due to the patterns of behaviour that the NSI Review Team established. There were common behaviours within each of these cadres that required a nuanced adjustment to each presentation.

2.1.6 The presentation was designed to provide a brief followed by exercises to encourage discussion and check understanding.

2.1.7 Due to a visit to SIB at CRN, Lead NSI Review Team was introduced to the SIB Sexual Offences Training Team and given a presentation of the sexual offences brief that CAS had endorsed for all SPs to receive. As yet this training is not mandatory training and does not attract a competency on JPA but will do in the future. The SIB Training Team advised that they cannot require a Unit to deliver the brief to its personnel, they must wait to be invited. CO SCA had received the brief and confirmed its utility. It was decided that the SIB Training Team would support the scheduled training and deliver their presentation ahead of the bespoke UB training. Lead NSI Review Team worked with the Stn P Staffs to design the UB brief.

#### Feedback from the training

##### Sexual Offences Brief

2.1.8 Generally the Sexual Offences Brief was negatively received. The reasons given were:

- the content was not appropriate to the situation on the Sqn;

## OFFICIAL-SENSITIVE

- SPs did not feel that they needed to know about child sex offenders or harm being done to children by SPs as this was not relevant; and
- the content and delivery was accusatory; personnel felt that they were being treated like criminals or being associated with the behaviours included in the brief.

### NSI Review Team Comment

2.1.9 It was explained to personnel at the outset that the training for the Sqn presented an opportunity for RAFAT to receive the brief ahead of the rest of the RAF and that the brief had been endorsed by CAS to be rolled out to all personnel. The training on consent and what amounts to a sexual offence was very relevant to the issues identified on RAFAT, particularly intoxication and the impact this has on consent.

2.1.10 The subject content is hard hitting and unpalatable and all personnel need to be aware of the issues raised in the briefing; however, the focus of the brief could be altered to spend more time on the issue most likely to occur or to affect SP ie consent and intoxication. The really clear message on these issues was evidently lost on the audience because of the hard-hitting elements regarding child sex offences and SPs convicted of the same. Whilst some elements of the brief were not germane to issues at RAFAT – such as the elements relating to child sex offences – the brief was, from the outset, profiled to the audience as a standard brief to be rolled out across the RAF and not bespoke to RAFAT. It is possible that the sections of the brief relating to consent and intoxication were close to home for some SPs resulting in a degree of denial and incredulity. On the other hand, some SPs have no experience of the historic behaviours on RAFAT or have not been exposed to UB or witnessed it and therefore found the content extreme.

### Bespoke UB Briefs

2.1.11 The SAC and Cpl cadre who attended the first brief was double the size anticipated. This led to logistical issues at the beginning as well as undermining the intention of the training to be more interactive. Larger groups in a training environment tend to result in personnel feeling able not to engage and this was made out in the feedback given by the Focus Groups. The training was delivered on the basis of 'Chatham House' rules to enable SPs to speak freely.

2.1.12 The exercises at the end of the brief were delivered sub-optimally due to the size of the discussion groups. Personnel supporting the training found it difficult to physically move around the room and interact with the groups and facilitate discussion. On one occasion, a facilitator did have to intervene because of statements being within a group that amounted to UB. This attracted criticism on the basis that the SP stated 'Chatham House Rules' applied and they should not have been held to account for their actions. This highlighted that 'Chatham House Rules' are not understood by SPs and the term should be replaced with a more explicit statement that whilst comments made will not be quoted and attributed to an individual it does not mean that UB or inappropriate language or disruptive behaviour will go unchecked.

2.1.13 The SAC and Cpl cadre felt that the brief was accusatory and the invitation to engage was superficial as their opinions and comments were not appreciated.

2.1.14 The SPs felt that the exercises were orientated towards the females being victims and the males in the scenarios being the perpetrators of UB. The vignettes were gender neutral where possible but did include some real-life examples where the gender was

relevant but the supplementary questions for consideration encouraged consideration from an alternate gender perspective.

2.1.15 The SNCOs and JOs were a smaller group but still too large for the discussion groups. There were elements within the group where SPs were resistant to the concepts being discussed or were openly hostile. Overt references were made to the behaviours of the [REDACTED] and comments made regarding the fact that all SPs are not treated equally.

2.1.16 The [REDACTED] were particularly engaged during their training. The smaller group made for a more interactive presentation. The same was true of the training with the [REDACTED]; however, this group revealed what the NSI Review Team expected, [REDACTED]

[REDACTED]

2.1.17 During the Focus Groups, feedback was received from SPs (excluding the Display Pilots) about the training. It was felt that the SAC – JO briefs were too large and would have benefitted from delivery in smaller groups. The Focus Groups (approx. 20 SPs per group) offered an optimum size. The SPs felt the organisation was poor and there was a lack of visibility of the timetable. There was a prevailing sentiment that the briefs were not relevant to most personnel and that the Display Pilots not being included in the Focus Groups (they were undergoing group mediation) was another example of differing treatment.

2.1.18 The NSI Review Team and facilitators were challenged as to whether the training was going to be undertaken across the RAF as RAFAT was no different to any other Sqn and therefore a degree of unfairness was felt because the whole Sqn was being held to account for the behaviour of a few. This caused offence among many of the SPs who felt they had done nothing wrong. The finding of the NSI Review Team that were summarised during the training was disregarded on the basis it was not believed that any UB extended beyond the conduct of the Display Pilots. The NSI Review Team were challenged to 'prove' their findings and declare information that was confidential to give validity to its report. It was noted that the SPs who were the most vocal had not engaged with the NSI.

#### **NSI Review Team Comments**

2.1.19 Despite the challenges in the delivery of the training and the Focus Groups, there were useful discussions in the training sessions and the Focus Groups.

2.1.10 The comments regarding organisation and the size of the training groups and the impact this had on optimal delivery are accepted. The optimum approach would have been to hold 6 mixed rank and branch and trade group sessions over 3 days. This would have reduced the size of the groups and provided an environment where the training and the Focus Groups could have been combined into one session.

2.1.11 The perception that the training was rushed is not accepted. The content of the training was delivered by experienced SMEs. The sub-optimal organisation is acknowledged and the Lead NSI Review Team was given inaccurate estimates of group size. The physical planning, to a degree, had to be delegated to Unit and Sqn staffs due to a lack of capacity

within the NSI Review Team to deliver content within the time constraints and best efforts were made to deliver effectively within the constraints.

2.1.12 It is conceded that the organisation challenges could have given the impression of training being last minute. The dates given for the training were considerably sooner than anticipated following release of the Initial Report of the NSI but the only dates available for Sqn to be able to make personnel available and when external visitors would not be present on the Sqn, which was a significantly limiting factor due to the impact of COVID-19 on the visit schedule.

2.1.13 Less than 10 working days was afforded to design the training considering the findings of the NSI, while also briefing the Initial Report within the SLT and CoC and providing immediate 1-2-1 support to personnel who had engaged with the NSI or who continued to come forward after the NSI Review Team left unit.

2.1.14 The NSI Review Team was struck by the lack of understanding of UB despite the mandatory training and the bespoke training undertaken by the Sqn ahead of its deployment on [REDACTED]. Feedback on mandatory training was not positive and the NSI Review Team found during the interview stage and training that many personnel did not understand that:

- UB could be unlawful;
- the types of behaviour that could amount to harassment / sexual harassment;
- that a SP can still complain about harassment even if they submit to the unwanted conduct;
- limitations on consent, particularly involving alcohol;
- the liability that the RAF / MOD would assume for behaviours and the types of awards that could be made for compensation.

2.1.15 This suggests that the mandatory training, particularly when delivered online, is not effective in raising awareness of when SPs could engage in UB and when they are able to challenge UB. However, new D&I training is now available intended to address the deficiencies in the previous training. It is advisable that this report is also shared with Air D&I to provide insight into a lack of understanding.

2.1.16 The feedback from [REDACTED] assurance visit to [REDACTED] repeated the feedback heard during the Focus Groups regarding the training and the NSI Review Team agrees that an enhanced training package, with standardised master slides would be useful for delivery post NSI / CA with slides on certain behaviours able to be selected depending on the type of behaviour / training need identified. The NSI Review Team has received a recommendation from [REDACTED] that DSAT approved training package be created. The value of DSAT is not underestimated by the NSI Review Team, however, this process was not sufficiently agile in this scenario and may not be sufficiently responsive in the future if a bespoke training package needed is not in scope, which is particularly the case when dealing with situations primarily influenced by human factors. The NSI Review Team's recommendation regarding review of future training will be set out in Part IV.

2.1.17 Overall, most SPs felt annoyed by the training and offended by its necessity. The NSI Review Team will be delivering a graphics led report to disabuse SPs on the Sqn of some of their assumptions ie that UB is only demonstrated by Display Pilots and it is not an issue for ORs. However, since the training positive feedback has been received about conversations concerning UB amongst the Sqn; females have reported more positive experiences; SPs are coming forward with information about behaviours and Sqn personnel



## OFFICIAL-SENSITIVE

are becoming active bystanders. It would be incorrect to assume this is all attributable to the training and is also indicative of a more proactive approach to discipline and responses to UB by the Sqn CoC.

2.1.18 There also needs to be additional training on Service Discipline, MAAP and Service Complaints. Many SPs raised the fact that there had been no visible action taken against personnel who were known to behave inappropriately. The reality is that most SPs do not understand how SPs are held to account nor the constraints regarding disclosure of information while processes are ongoing. It was explained to Focus Groups that when allegations are made and investigated all personnel are entitled to confidentiality; using an example where SPs were asked to put themselves in the position of someone accused of UB most were able to appreciate the need for confidentiality and the fact SPs should be afforded the opportunity to rehabilitate without the facts of a matter being common knowledge. The NSI Review Team concedes that there is a balance to be struck and more information should be available to victims about outcomes. It is understood that scoping work led by APC is ongoing to review the information that can be released regarding findings and sanctions, particularly in cases involving sexual offences and UB of a sexual nature.

**2.2 Mediation**

2.2.1 The NSI Review Team arranged for mediation for the [REDACTED]. This was because of the disclosures that occurred over the Christmas period [REDACTED] and the division this had caused within the cadre. The [REDACTED] felt that the disclosures undermined the trust and confidence within the group.

2.2.2 The RAF Mediation Lead was contacted and agreed to undertake the mediation. The RAF Mediation Lead and second highly experienced RAF Mediator were assigned to the matter. It was agreed that the mediation would take place on [REDACTED] with a pre-mediation session on [REDACTED].

2.2.3 Mediation is confidential therefore the detail of the mediation has not been disclosed to the NSI Review Team. However, the NSI Review Team were made aware by the Mediation Team that there were one or two strong characters in the group who were not receptive to what was considered UB and furthermore that there was a need for trust and a responsibility for personnel to protect against disclosures about people's personal lives ie that information should not leave the Sqn. This unfortunately occurred at the end of the mediation. [REDACTED]

[REDACTED]

2.2.4 Lead NSI Review Team was also asked to speak [REDACTED]

2.2.5 The account from [REDACTED]

2.2.6 [REDACTED] contacted Lead NSI Review Team on [REDACTED], requesting a follow-on mediation because the [REDACTED] felt that the previous mediation has concluded with the 'lid fully off' ie it had raised issues that had been left unresolved. [REDACTED] said that the process needed to be completed. Bearing in mind the late disclosure of the negative sentiments within the initial mediation session, this was a reasonable statement. Lead NSI Review Team engaged with y the RAF Mediation Lead and facilitated dialogue with [REDACTED] to complete a further session at short notice, which was achieved. It was understood that this mediation would be a further mediation with the [REDACTED]

2.2.7 Lead NSI Review Team was advised on [REDACTED] that the second mediation did not go ahead. The mediation was scheduled for [REDACTED] and Lead NSI

Review Team were both on leave [REDACTED] when the mediation was due to occur. The night before the mediation was due to take place, the RAF Mediation Lead received a call from [REDACTED] cancelling the mediation. The Mediation Team were travelling from NI and COS. Travel was cancelled and both SPs reinstated their normal duties.

2.2.8 The following day, when the RAF Mediation Lead should have been at RAFAT for the mediation, [REDACTED] received a call from [REDACTED] who was [REDACTED], asking where [REDACTED] was. The RAF Mediation Lead explained that [REDACTED] had cancelled the mediation and all travel had been cancelled as a result. [REDACTED]

[REDACTED] There was no mention of the rest of the [REDACTED] being included. Whilst this is not mediation per se as it is dealing with parties individually, the Mediation Team were happy to do this and organised a MS Teams meeting at short notice, [REDACTED]. Therefore, despite the statement that the team felt the mediation needed to be 'finished' or 'completed' this was cancelled by [REDACTED]

2.2.9 There was no explanation for the mediation being cancelled or any follow up. Mediation is led by the parties so the RAF Mediation Lead did not report the change in situation to Lead NSI Review Team until asked to comment on the perception of success of the mediation.

2.2.10 Bearing in mind the fact criticism was levied at the mediation process for 'exposing issues' that the [REDACTED] felt they did not need any help with, the cancellation of the further mediation in the absence of [REDACTED] is surprising and does potentially undermine the sentiment of [REDACTED], which the NSI Review Team accepts as genuine, that the team wanted to disabuse [REDACTED]

2.2.11 During the NSI assurance visit to [REDACTED] feedback was given that the mediation was considered to have made matters worse. [REDACTED]

[REDACTED] Had the mediation planned for [REDACTED] proceeded, there would have been the opportunity to address the concerns about mediation and the divide amongst the [REDACTED]

**2.3 Lessons Identified**

**Managing UB through the SD and administrative processes**

**Initiated by an NSI**

2.3.1 The NSI highlighted the sub-optimal elements of the disciplinary and administrative processes, particularly the detailed and mandatory stages of the processes and the impact this has on all parties involved in the process.

**Efficiency and visibility**

2.3.2 The time taken for action to be taken was the primary frustration articulated by personnel involved in the processes, whether alleged perpetrators or victims, and also personnel who were 'observers'.

2.3.3 The key issue for those not involved in the process was a perception that no action was being taken when personnel had openly engaged in UB. This was exacerbated by the fact the NSI had been initiated. There was an expectation that action against those who were felt to be responsible for the NSI being initiated should be immediate and visible.

2.3.4 For the personnel involved in the processes a key issue was a lack of visibility of what is involved in the processes.

**Example 1**

[REDACTED]

2.3.5 For an observer, during the period that SIB consider whether to launch an investigation, it appears that no action is being taken. For the alleged perpetrator, they are disconcerted by the fact they are being asked to account for behaviours that have occurred sometime ago. These perceptions encourage distrust and frustration in the system.

**Example 2**

[REDACTED]

2.3.6 The latter sentiment is reasonable and again attributable to the fact SPs cannot have visibility of work that is ongoing irt to the NSI involving individuals as well as referrals to Service Police, initiation of MAAP and considerations of TD. It is a matter of fact that the NSI has been disruptive; however, the only time an inquiry is unlikely to be disruptive is where there are no UB identified.

2.3.7 The former sentiment is more challenging. During the training and Focus Groups held by the NSI Review Team and Stn staffs, there was a considerable amount of denial that the initial findings of the NSI were accurate or that the training was necessary as the behaviours were not recognised at RAFAT. This statement is counter-intuitive to the concern that SPs may be still subject to disciplinary and administrative action while the full NSI report is outstanding. If personnel are concerned that they are going to be subject to action such as MAAP, there must be substance to this namely an awareness of the fact their behaviours may have been unacceptable. This may have been known at the time or it may be reflective following the NSI and training that was delivered. If there are no issues with behaviour, as asserted during the Focus Groups, then it follows that individuals should not feel vulnerable due to scrutiny.

2.3.8 Alleged victims have greater visibility of action being taken but the fact that the Armed Forces operates its own justice system as well as being an employer and being required to take action to meet it legal obligations in the workplace.

2.3.9 The responsibilities and administration of both Service Discipline and Administrative Action processes have two common factors; the decision making and determinative role of the CO and the involvement of People Ops Officers. These common factors cause confusion between the two processes, both for the individuals involved in the processes and lead to the Service failing to consider whether action should be taken as an 'employer' because there has been a Service Police referral and a perception that this means the matter is concluded, particularly if the SP is not charged or acquitted at trial.

#### **Transition from NSI to SD and administrative processes**

2.3.10 The Lessons Identified by the NSI Review Team confirmed that the approach taken by the Team to conduct interviews on the basis that SPs could speak freely, encouraged engagement with the NSI. Had the Team stated that anything the SPs shared would automatically be able to be used in formal processes, the engagement of SPs would have been significantly lower and the information available about SP's experiences and the culture and the environment would have been limited. The NSI Review Team also find that this would compromise future NSIs with word quickly spreading that NSIs should not be engaged with otherwise anything said will be used in disciplinary or administrative processes. As a NSI cannot compel personnel to engage in an NSI, future NSIs may lack utility and fail to produce any discernible benefit if it is mandatory that information disclosed to a NSI is automatically used in administrative processes.

2.3.11 All SPs were advised that if they were relevant to any subsequent action to hold personnel to account for their actions they would be contacted and they would have control over the information that they wished to share formally; however, SPs were advised that the NSI Review Team would have to disclose information provided to it if they were legally compelled to do so. This reassured personnel and the NSI Review Team benefitted from forthcoming and informative interviews.

2.3.12 However, this does not provide the Service with assurance that information shared with NSI will be available, in full, to any disciplinary or administrative processes. Furthermore, any referral to Service Police and the referral for consideration of MAAP sees

personnel repeatedly questioned about the same issues shared with an NSI. The simple solution for the Service would be to state that all information provided to a NSI can be used in disciplinary and administrative action but, as stated at paragraph 2.3.10, this would remove any control by SPs engaging with a NSI as to what information was used in formal processes and this would, in the opinion of the NSI Review Team, dissuade SPs from sharing their experiences. Therefore, what appear to be a simple solution for the Service in securing information from a NSI for use in SD or MAAP, would undermine the Service receiving honest and full accounts from its SPs about their experiences.

2.3.13 There is also a difficulty with the current NSI policy, which states that the Service Inquiry (SI) process should be broadly followed. Despite the ability not to be bound by the SI process, issues have been raised about whether personnel should be afforded 'Reg 18' protection. If the NSI process is to follow the SI process, including being required to provide Reg 18 protection then a NSI has no real utility and SIs should be established in all cases. Conducting a SI for a situation like this at RAFAT is not an agile or reasonable way to identify cultural and behavioural issues in a workplace. A 'reasonable and fair' investigation is what all other employers would be required to undertake and this has been achieved with this NSI with personnel being afforded a forum to speak freely and control the information they offer to any formal processes as well as SPs being afforded the protections of the appropriate 'holding to account' processes. The NSI policy needs to be reconsidered as to whether it offers any utility outside of a SI but also consideration should be given to designing a bespoke process that goes beyond a CA, based on this NSI and the LIs, for investigation of UB cultures and environments. This will be commented on further in Part IV.

#### **Unacceptable Behaviours Team – People Ops / Originating Officers**

2.3.14 One of the challenges with the NSI had faced has been the hand-off to the HR Centre, particularly in relation to MAAP following a referral to Service Police.

2.3.15 Although Lead NSI Team briefed HR Centre staffs it was evident that the concepts of harassment (in this case because of sex) or sexual harassment under the Equality Act 2010 were not fully understood. The SD referral to the CO that was confined to the limited incidents that would potentially cross the criminal threshold at their highest were essentially repeated in the TORs for the MAAP investigation, limiting the scope of the investigation. This approach is not uncommon – APC frequently see MAAP drafted through a SD lens, focussing on the facts as to how they would support a criminal or Service offence, as opposed to consideration being given to the broader remit available to the Service when properly considering its responsibilities under the Equality Act 2010 and sS and Defence policy on UB. What can amount to a failure of the Service Test under a heading of bullying, harassment or sexual harassment is far broader than the elements of offences under Service Law. Legal advice is a mandatory part of MAAP and the Regional Legal Offices confirm that they do provide advice that is cognisant of the Equality Act 2010.

2.3.16 Service Complaints will consider behaviours in light of the Equality Act 2010 and sS and Defence policy on UB; however, this same analysis and scrutiny is not seen when the RAF should be considering its obligations as an employer through the MAAP process.

2.3.17 Understanding amongst Stn Cdrs, as seen by APC and SCT, regarding the legal obligations under the Equality Act 2010 is also low unless they have cause to receive specific advice; however, this can be erroneous due to a broader lack of understanding of bullying, harassment and discrimination across the People Ops space. This also leads to MAAP being abandoned due to 'double jeopardy' which is a wholly erroneous concept formed on the basis that if the Service Police determine there are no grounds to pursue a

Police investigation or a person is not convicted of an offence beyond reasonable doubt no further action can be taken. This is incorrect and there is no 'double jeopardy'. This is self-generated concept that conflates the criminal and civil jurisdictions.

**Hypothetical example**

A person who is employed by a large supermarket chain is at a Christmas party, with work colleagues, and under the influence of alcohol. The person touches a work colleague, without consent, on the bottom.

The victim considers the unwanted physical contact to be sexual in nature and makes a complaint to the Police. Thames Valley Police make initial inquiries and note that there are no witnesses to the incident. The victim had also been consuming alcohol and the Police conclude that they would be unlikely to secure a conviction by convincing a jury beyond reasonable doubt that a sexual assault had occurred. They decide not to pursue the matter.

Does this mean that the supermarket chain should take no further action? No. The supermarket chain has a responsibility as an employer to properly deal with a complaint of sexual harassment under Equality Act 2010 because the incident occurred in the workplace. The definition of the workplace extends beyond the physical workplace to any place in connection with the course of a person's employment, which covers both formal and informal social events due to the broad definition of 'in connection with employment' given by the Employment Tribunal.

The supermarket chain, as an employer, has a responsibility to investigate matters where there has been potentially unlawful behaviour under the Equality Act 2010. In this case, the HR Director recognises that an employee has been subject to unwanted physical conduct, that the touching was sexual in nature (touching on the bottom is considered to be sexual in nature for the purposes of Equality Act 2010) and the victim states that it creates an offensive and humiliating environment for them. The HR Director starts an investigation. The investigation includes an account from the victim, and account from the employee accused of touching victim and accounts from colleagues. The employee accused of touching the victim cannot remember anything because they were intoxicated. Colleagues who were also at the event did not see the act but they do recall the employee who is accused of sexual harassment being very drunk and being close to the victim. They recall the victim becoming angry at the employee and leaving the room suddenly, visibly distressed.

The HR Director advises the disciplinary panel of the fact that cases where it is one person's word against the other are common and it needs to decide whether, on the balance of probabilities, the allegation is made out. One of the panel asks whether they should take account of the fact TVP decided not to charge the accused employee. The HR Director rightly advises them that TVP were considering whether the criminal offence of sexual assault could be made out and whether there were reasonable prospects of the offence being proven beyond reasonable doubt, which is a very high threshold where a jury must be 98% convinced and offence is made out. They go on to state that the matter being considered is not sexual assault but sexual harassment in the workplace under Equality Act 2010. The HR Director must consider each element of sexual harassment and decide on the balance of probabilities – so they are 51% satisfied or consider it more likely than not – whether sexual harassment occur.

## OFFICIAL-SENSITIVE

The disciplinary panel conclude that the victim was subject of sexual harassment and conclude iaw their zero tolerance on harassment in the workplace that dismissal is within the band of reasonable responses.

The dismissed employee appeals the decision and it is upheld as is the sanction. The dismissed employee then brings a claim before the Employment Tribunal (civilians can bring claims for Unfair Dismissal unlike Service Personnel) because he claims his dismissal was unfair because TVP found no evidence. The ET upholds the employer's decision to dismiss as fair on the basis that the supermarket chain correctly took disciplinary action following an incident in the workplace. The ET dismisses the argument that the actions of the local constabulary bind an employer as the Police and the Employer have acted in two different jurisdictions, with the employer correctly discharging their responsibilities under the Equality Act 2010, following a fair process, and reaching a decision on the balance of probabilities that is within the band of reasonable responses.

2.3.18 The fact the military has its 'own constabulary' does not mean that it is absolved of taking action as an employer using MAAP even if UB does not fall under the Equality Act 2010.

2.3.19 The Armed Forces have a responsibility to behave as a reasonable employer and decide whether behaviour fails the Service Test, on the balance of probabilities. This is done frequently where there is no connected consideration by the Service Police yet it is commonly thought that if the Service Police have been involved there can be no further action by the Service as an employer. It does not mean MAAP is appropriate in all cases; a CO – as the employer for the purposes of this example – can decide not to take action as an employer following consideration by Service Police but this will need to be a reasonable decision based on the facts.

2.3.20 The concept of 'double jeopardy' needs to be challenged immediately across the Service and coupled with enhanced training of an employer's responsibilities irt UB, whether legal obligations under Equality Act 2010 or policy obligations under sS or Defence policy. The RLOs confirm that they will challenge the 'double jeopardy' concept; however, if a CO takes advice from P Staffs who adopt and approach of 'avoiding 'double jeopardy' and do not take legal advice from the RLO or the CO prefers the advice of the P Staffs over the RLO, the concept will continue to be applied and result in the Service not holding its SPs to account as it should and / or unequal treatment of SPs and / or inconsistent messaging across the Service about UB.

2.3.21 In addition, if a UB Team is established, it would be sensible to have People Ops personnel attached to the team to act as Originating Officers for the CO for referrals generated by an NSI. The People Ops personnel can be specifically trained as SMEs in the Equality Act 2010 and the responsibilities of a reasonable employer giving a 'first line of defence' that can be further enhanced by legal advice. They would also be a SME resource for the People Ops professional at the HR Centres. The UB Team Originating Officers could contact the personnel who engaged with the NSI and ask for permission to use the submissions to the NSI in MAAP. The SP can be provided with the notes of the NSI Review Team and asked if there is anything they would like to clarify or specifically exclude. This will remove the repeated approaches seen from this NSI while, importantly, also giving the SP control over how their information is used in formal processes. The information can then be taken forward in the MAAP by People Ops staffs who are SMEs in the responsibilities of an employer as well as SD. It will also provide the CO with bespoke support off the back of a NSI and information will not get lost in translation.



2.3.22 The NSI Review Team also found that whether a person acquiesced to behaviour or were perceived to acquiesce was given disproportionate weight in determining whether the Service, as an employer, should intervene.

2.3.23 Both the SPs on RAFAT, the CoC and P Staffs were unaware that even when a person does not reject behaviour it does not mean that they were consenting and they can still have been subject to unlawful sexual harassment.

2.3.24 The Employment Tribunal has rejected the concept that a person cannot know if their conduct is unwanted until it is rejected and in the same vein supports the fact that individuals can endure harassment for many years without rejection, without it being consented to.

2.3.25 Likewise, a person can be subject to sexual harassment where a consensual relationship has ended and also when they have initiated or gone along with 'banter' amounting to sexual harassment as a coping strategy.

2.3.26 Frustration was expressed at the fact these nuances of sexual harassment and harassment legislation appear not to feature in both casework and legal advice received by decision makers. This frustration was expressed by individuals who engaged with the NSI and had sought advice from P Staffs and by those in command who deal with SD and administrative action.

**Example 2**

[REDACTED]

**Example 3**

[REDACTED]

2.3.27 As in paragraph 2.3.25, the same approach applies to discrimination and although bullying is not defined in law, should apply to bullying as defined in JSP 752.

2.3.28 Multi-disciplinary training is needed across legal, People Ops and the FCSP to provide assurance that cases of UB are dealt with in extant decisions of the Employment Tribunal and sS and Defence policy, ensuring that the RAF is adopting best practice in supporting its people and that there is parity in terms of the advice being received by SPs as to their rights and for those in command. [REDACTED] commented that [REDACTED] would have welcomed much longer on these issues during FCSP. People Ops and RLO assert that correct advice is given; however, the information shared with the NSI by SPs who have sought advice, both personally and as decision makers, suggest this is not the case. Either there is a failure to follow advice or provide relevant information or, as has been asserted, the correct advice has not been received.

2.3.29 For the Service to err on the side of caution, and demonstrate assurance of the advice given regarding UB, it is advisable that MDT training is considered, preferably with collaboration between People Ops and DLS, to assure Service wide consistency of understanding and application and demonstrate a clear position. This will also enable the Service to strengthen the justification for taking action for command failures as the Service will be able to show the correct advice, and SQEP SMEs, are available across People Ops and DLS.

### Alcohol

2.3.30 The NSI Review Team saw alcohol being referred to as a mitigating factor as a mitigating factor by those in [REDACTED] and in SD and administrative action advice to excuse UB or to justify formal action not being taken, particularly where a person was apologetic or contrite when sober.

2.3.31 The Manual of Service Law states that drunkenness should be considered either as an additional offence or as an aggravating factor for the original offence so in a case of indecent exposure, drunkenness would be an aggravating factor. In terms of discrimination and harassment, being intoxicated is no defence to unlawful behaviour as it does not affect whether the behaviour was consented to nor whether it created an intimidating, hostile, degrading, humiliating or offensive environment for the individual subjected to the behaviour.

2.3.32 Furthermore, whether a person subject to unwanted conduct has consumed alcohol should not be grounds to dismiss any further action. In terms of sexual offences, consumption of alcohol by a victim goes to support an inability to consent. The same is true of discrimination, harassment etc; a person cannot consent to conduct if they lack the ability to do so through intoxication.

2.3.33 The fact that [REDACTED] who engaged with the NSI [REDACTED]  
[REDACTED]  
[REDACTED] The NSI Review Team found that [REDACTED] perceptions were reasonable taking account of responses of Unit and Sqn staffs up to the NSI. However, since the NSI [REDACTED] has ensured that appropriate action is taken that challenges these perceptions caused by historic approaches. The NSI review Team have no concerns regarding [REDACTED] ability to properly manage such cases appropriately and the increased visibility of personnel and welfare matters on RAFAT has enhanced this.

2.3.34 However, this has not been without challenges where [REDACTED] has had to push back in to advice received that propagates the stances taken that are not law or policy and have developed through a lack of understanding, a lack of training or a misplaced

understanding that the Services have an exemption from normal practices of a reasonable employer.

**Workplace relationships**

2.3.35 The NSI Review Team recognises that personnel have a right to a private life. For SPs this is protected by Article 8 of the European Convention of Human Rights / Human Rights Act 1998 as the rights are directly effective for employees or servants of the crown. There are exemptions to this right set out within Article 8.

2.3.36 It is also acknowledged that historically, the Armed Forces did, on the balance of probabilities, interfere with private lives in a way that was intrusive or disproportionate under the guise of upholding its core values. However, the NSI Review Team consider that the current trend all personal relationships being considered a private life issue / a hesitancy to engage with SPs about workplace relationships / to limit the occasions where personal relationships are deemed to interfere with operational effectiveness, to be contributing to a culture where UB can occur.

2.3.37 The main issues considered by the NSI Review Team were:

- Abuse of position / lack of agency
- Impact of operational effectiveness

**Abuse of position / lack of agency**

2.3.38 The NSI Review Team were advised of several relationships between SPs throughout the period 2018 to 2021 inclusive. The evidence given was both [REDACTED]

2.3.39 A concerning trend was the number of relationships with a considerable rank /service experience differential. [REDACTED]

2.3.40 [REDACTED] Whilst the ability of personnel to compartmentalise matters is recognised, operating in close proximity would, foreseeably, absorb capacity of the parties. However, the NSI Review Team is not suggesting that in all circumstances workplace relationships will undermine performance in safety critical roles but awareness of a relationship or a breakdown of a relationship should result in the CoC making appropriate enquires to assure flight safety. This may mean having conversations about issues that are personal and there is no prohibition on these conversations providing they are conducted appropriately and sensitively. The CoC may face challenge from an individual, especially if a SP is not aware there is visibility of a relationship, but this should not undermine the responsibility for the CoC to ensure the welfare and safety of personnel.

2.3.41 This approach would also provide a SP with an opportunity to disclose if they do not wish to be in the relationship and are feeling pressurised to remain in one. [REDACTED]

[REDACTED]

**Example**

[REDACTED]  
[REDACTED]  
[REDACTED] This behaviour is unprofessional and would justify intervention by the CoC to hold personnel to account for their actions in the workplace.

2.3.42 There is also a perception that relationships may lead to personnel receiving preferential treatment because of a relationship, which can have an impact on operational effectiveness as well as undermining C2.

2.3.43 It would not be appropriate for the Service to 'ban' relationships in the workplace, whether extra-marital or otherwise, but it can investigate and take appropriate action where a relationship impacts operational effectiveness or causes disruption to the workplace. Civilian employers can take such action so consideration should be given to justification given by the Service of why it should not.

2.3.44 The Service has a responsibility to investigate where there are concerns of an abuse of position or a lack of agency by one party. Significant rank differentials or considerable differences in service experience would be reasonable grounds to conduct appropriate enquiries / an investigation to ensure that there is no abuse of position / lack of agency even if parties are consenting adults. This is reasonable to protect both the Service and its SPs from allegations of UB, particularly harassment because of sex and / or sexual harassment.

**Impact on operational effectiveness of workplace relationships**

2.3.45 The NSI Review Team finds that the actual standard for relationships impacting operational effectiveness is too low / limited. In reality, concerns regarding impact on operational effectiveness are dismissed if the SPs involved are not in the same reporting chain. Policy provides for 11 scenarios and it would be appropriate for this policy to be strengthened and to expressly cite the second and third order effects of a relationship such as:

- Undermining command / impacting effective C2.
- Impacting decision making.
- Disruption in the workplace.
- Unprofessional behaviour in the workplace.

2.3.46 As is the case now, individual circumstances should be assessed on case-by-case basis but this does not prevent the policy being strengthened as suggested.

**NSI as a mechanism to address UB**

**Efficiency**

2.3.47 The NSI expanded vastly in the first few weeks. Due to the volume of SPs who came forward to share their experiences, in order to meet the TORs, the scope of the final NSI Report had to broaden. The NSI Review Team have heard from SPs whose experiences are relevant to the culture at RAFAT dating back to 2017.

2.3.48 Bearing in mind the breadth of information revealed, the NSI Review Team has considered whether this type of inquiry does deliver timely results. The work of the NSI Review Team has been constant from 6 Dec 21 and has almost exclusively absorbed the time of Lead NSI Review Team. The work undertaken by the NSI Review Team will be set out in section 2.4. The conclusion of the NSI Review Team is that this work cannot be undertaken by personnel with other full-time posts and there needs to be a dedicated team established.

2.3.49 In terms of whether the NSI model is effective, the NSI Review Team note that not all NSIs / UB inquiries will cover nearly 5 years of behaviours. This may be the case in early inquiries undertaken by a UB team but as culture in the Service changes to deliver optimised responses to UB, in the long term, inquiries will be shorter, more efficient and focussed on a narrowed period of time.

### **Mission command and NSIs**

2.3.50 ██████████ agreed that the NSI created space for SPs to share their experiences honestly which, in some cases, included their concerns and frustrations regarding the actions of their CoC either directly towards them or in response to occurrences of UB.

2.3.51 Following the NSI completing its initial interviews, personnel continued to engage directly with the NSI Review Team, which provided a useful source of information for the NSI as to changing culture as well as feedback for the CoC. The personnel who continued to engage with the NSI Review Team continued being candid which demonstrated the utility of a conduit outwith of the immediate working environment. The level of the engagement is considered by ██████████ to be indicative of a loss of PS personnel at Unit level following HROM, who were previously visible and contactable. However, the level of engagement experienced in this NSI was indicative of the way ██████████ and the NSI Review Team encouraged the Sqn to be transparent and that there was nothing to fear in this regard. ██████████ is not convinced other units will be so open solely down to paucity of People Ops resource post HROM; however, this NSI has shown that the CoC setting the narrative of an impending NSI is key as well as offering a range of seniority with whom personnel could engage.

2.3.52 However, the engagement with the NSI Review Team was not without its challenges. A considerable amount of resource was absorbed because of actioning engagement from SPs with the correct stakeholders and SMEs and it is a valid concern that direct engagement with a NSI Review Team, and resulting actions, could have the effect of undermining the Mission Command of the CoC and their ability to discharge their obligations and react to situations appropriately and, importantly, to lead the response. For any Sqn or Unit subject to a NSI irt UB, where there have been historic failings in the response by the CoC, it is important to demonstrate to personnel that sub-optimal responses do not persist hence it is important that the CoC be seen to lead responses to UB iaw legal and policy obligations and processes.

2.3.53 On the contrary, there is a risk for the Service that sub-optimal responses and historic cultural behaviours not to address UB continue to persist within the CoC and therefore the existence of a conduit for personnel to share their candid experiences remains an important source of information for the Service as it engenders cultural change.

2.3.54 Therefore, a sensible way forward is to establish a pathway for information to be passed to and from the CoC to ensure that the CoC are aware of how their actions are being perceived while also providing the Service with assurance. In this case, direction was given by AOC 1 Gp that following an incident of UB, the CoC is to provide a short report within 24

of hours of becoming aware of the incident to the OF5 and HR Centre. This provides the Service with assurance that incidences of UB are being acknowledged and actioned while also enabling the CoC the space to take appropriate action and lead a response. This should be implemented as a reporting norm for all OCs across the Service.

2.3.55 It is strongly felt by the RAFAT CoC that every unit should be set-up in this regard to provide a conduit for personnel to share their experience ie through SMEs who can enact convincing focus groups (as per CA in Aug 21) yet act with pace. Furthermore, it should be 'normal jogging' that incidents of UB should be reported up the CoC in a timely fashion. However, there is a legitimate concern that due to historic poor management of behaviours a 'recovering' Sqn or Unit may not be given time for SD processes to mature before conclusions are drawn. A NSI takes time and, as already addressed, the SD processes also take time. In the thirst for 'Service Assurance', morale, conjecture and disunity can occur at Sqn and Unit level leading to serious operational consequences. OC RAFAT has raised the fact that if the NSI was mapped onto a flying Sqn at R3 or R2 on the form cycle – the process would need to be significantly condensed in terms of time bounding.

## 2.4 Additional work undertaken by NSI Review Team

2.4.1 The following additional work has been undertaken by the NSI Review Team from the inception of the NSI on 6 Dec 21 and delivery of the NSI Final Report (excluding staff work and briefing connected with the work and outputs of the NSI):

- Drafting and delivery of training on specific UB and knowledge gaps identified at RAFAT.
- Support and engage in direct engagement with SPs who contributed to the NSI and who were being asked to share their experiences in connected SD and administrative processes.
- Providing bespoke support and engagement with [REDACTED] irt delivering their desired redress, providing frequent updates and responses to their enquiries regarding the NSI and connected processes.
- Liaising and co-ordinating with APC, RAFC Cranwell, BZZ, 22 Gp and mental health profession [REDACTED]
- Liaising and coordinating with RAFAT Eng SMEs, 22 Gp, CM and Ph 2 to secure gap analysis of [REDACTED] to find a solution [REDACTED]
- Supporting a SP and providing SME advice and contacts to [REDACTED]
- Providing advice and SME support to OC RAFAT and CO SCA during the NSI and the transition to SD and administrative processes.
- Continuing to be a POC for personnel who engaged with the NSI irt any matters impacting or affecting them because of the NSI.

## Part III

### RAFAT and RAF Scampton today

#### 3.1 Culture at RAFAT and RAF Scampton

3.1.1 The NSI Review Team were asked to consider whether the culture at RAFAT / RAF Scampton was one that would foster UB. The historic situation has been addressed in Part I of the report. This section will focus on the current situation.

3.1.2 The NSI Review Team was informed of several incidents of UB under the current [REDACTED] and [REDACTED] where there was no evidence of action being taken against SPs despite the UB / incidents being widely visible across the Sqn and to the [REDACTED]. Bearing in mind the degree of UB, and the seriousness of the same, and the apparent wide knowledge of the incidents. It is clear that information regarding UB was not visible to [REDACTED] as matters were not referred to the Unit. The NSI Review Team concludes that RAFAT was an environment where UB would be fostered. The key terminology here is 'was'. The NSI Review Team has seen recent positive progress in addressing UB and overall a very positive active bystander culture emerging. However, it is early days for the Sqn and whilst there is reason to be positive – this is tentative. The Sqn needs to continue on its current trajectory of affirming and reaffirming a behaviours culture and application of 'zero tolerance' to UB.

3.1.3 The NSI Review Team reached the same conclusion regarding [REDACTED] as a Unit up to command being assumed by current [REDACTED]. The NSI Review Team does not have high levels of confidence that UB was properly understood by Unit P Staffs nor referred to the CO appropriately.

#### Example 1

[REDACTED]



**Example 2**

[REDACTED]

3.1.4 The NSI Review Team were reassured by the attitude of the RAFAT CoC and CO SCA towards UB and their co-operation with the NSI Review Team. It is helpful at this juncture to provide a summary of the NSI Review Team of the current Stn Cdr and OC RAFAT.

**CO RAF Scampton**

3.1.5 Current CO SCA was not in command at the time of the failings involving RAFAT that were visible / notified to the Unit CoC during [REDACTED]. It was also clear to the NSI Review Team that information had not been shared with him regarding the UB visible to the Sqn. He has demonstrated to the NSI Review Team an excellent understanding of his legal and policy obligations, as CO in relation to UB. He has also been able to demonstrate the action he has taken across the Unit in response to UB through CAs, establishment of the Unit 'Buddy Buddy' system as well as his response to reported incidents of UB. Furthermore, he has had no hesitation in taking necessary action against SPs where allegations of UB have been made. This has been demonstrated across RAF Scampton not only irt UB at RAFAT.

**OC RAFAT**

3.1.6 The NSI Review Team are aware that OC RAFAT is unique in that he has held 3 roles on RAFAT; a display pilot; Red 1 and now OC RAFAT. [REDACTED]

[REDACTED]

3.1.7 The NSI Review Team had the benefit of hearing from personnel who were on the Sqn when the current OC was Red 1. [REDACTED]

[REDACTED]

3.1.8 The NSI Review Team should note that there is no issue with a SP leading a flying sqn being a 'pilot's pilot' but at RAFAT this does need to be balanced within the CoC with SPs whose focus is more broad. For example, a combination of a 'pilot's pilot' and a 'Sqn Boss' across the roles of Red 1 and OC RAFAT represents a good balance that delivers focus on the development and performance of the Display Pilots as well as the performance and people issues affecting the whole Sqn. Too much weight either way will potentially negatively impact the overall performance of the team.

3.1.9 The NSI Review Team were made aware of [REDACTED]

[REDACTED]

[REDACTED]

3.1.10 The NSI Review Team have seen a continual improvement in the response to UB on the Sqn and this has been led by OC RAFAT. In particular, the correct administrative processes are now being used to address incidents of UB. OC RAFAT has the loyalty of his personnel and this will enable him to drive forward cultural change ahead of change of command and relocation of RAFAT to WAD. The NSI Review Team consider him to be the right SP to lead the Sqn through change.

**RAFAT as a Sqn**

3.1.11 The NSI Review Team considers the leadership culture at RAFAT to be positive. SPs have reported a positive change in culture following the NSI and this has been demonstrated in a recent event where UB was challenged by peers demonstrating active bystander behaviour.

3.1.12 However, there is still a visible element of resistance to a change in culture. There is divide between the commissioned officers and ORs and the NSI Review Team considers this is attributable to two reasons:

- The 'upstairs / downstairs' division between the pilots and the engineering section. The term derives from the physical divide between the working environments of the pilots and the engineers as well as a perceived differential between the treatment of the pilots and the engineers.
- There is a degree of anger / animosity because it is perceived to be behaviour predominantly undertaken by the pilot cadre and 'blame' is assigned to them for the scrutiny and impact of the NSI.

**'Upstairs' / 'downstairs'**

3.1.13 The 'upstairs / downstairs divide' was referred to by almost all of the [REDACTED]

3.1.14 On the contrary – t [REDACTED]

3.1.15 The response from [REDACTED] who initially engaged in the NSI and [REDACTED]

the Focus Groups on [REDACTED] agreed with this statement and gave examples of where [REDACTED]

3.1.16 The comments regarding the lack of understanding of [REDACTED] led to broader comments about the disparity between [REDACTED]. The disparities identified related to:

- Responses to behaviour /failings
- Use of disciplinary and administrative action
- General treatment – working environment, support, welfare

**Example 1**

[REDACTED]

3.1.17 Prior to the NSI, the Review Team noted that there was a trend of behaviours not being addressed where this would impact the output of the team. This means that when a SP's behaviour occurred; the resilience of the team, its commitments, and the personnel who became aware of the incident, would impact whether appropriate action was taken. This created inequity and unfairness for personnel but it was not the pilot cadre that exclusively benefited from this.

**Example 2**

[REDACTED]

**Example 3**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3.1.18 During the Focus Groups held on 28 Feb 22 the NSI Review Team and facilitators were repeatedly challenged as to why the NSI wasn't holding [REDACTED]

[REDACTED]

[REDACTED] However, this is not true. The NSI Review Team found that UB occurred across the rank structure and branch and trade but it has also concluded that the behaviour of [REDACTED] was influential over whether UB was normalised within the culture and whether it was properly addressed.

3.1.19 The perceived unfairness between how the pilot cadre / officer cadre were treated vice how OR are treated, coupled with the behaviours seen of the officer cadre is contributing to a lack of respect for rank and position. The Sqn operates a flat structure that is based on a 'one team' approach; however, this is not necessarily conducive with an effective working environment.

3.1.20 The NSI Review Team also heard experiences [REDACTED] [REDACTED] It seems to be that length of service on the Sqn, and proximity to the display team eg being selected for Circus, dictates status as opposed to rank.

3.1.21 However, the palpable animosity towards the aircrew is also a significant factor in a healthy working environment. [REDACTED]

[REDACTED] The NSI Review Team found that [REDACTED] perceptions were made out; they were presumed to be 'entitled' whether they demonstrated those behaviours or not. Even junior SPs with limited service experience appeared to have a dismissive attitude to aircrew and a lack of respect for their rank. Bearing in mind their lack of service experience it is foreseeable that these attitudes are 'handed down' from more senior SPs, including in a Ph 1 environment. Reference was made [REDACTED] demonstrating these attitudes.

**Example 4**

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

**Example 5**

During the Focus Groups held on [REDACTED] the NSI Review Team and facilitators were told by [REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED] The NSI Review Team conceded that it is for [REDACTED]

[REDACTED] However, when it came to behaviours this is still a working environment as it is still in 'connection with employment' a term that is given a wide definition in law to include social events formal or informal. The prevailing view of the Focus Groups was that this should not be the case. The NSI Review Team asked if SP would expect to be subject to SD action if they were to punch a senior officer on a night out. They replied that they would expect to be held to account for such behaviour by the Service. The NSI Review Team explained that the same accountability applies to UB when the Sqn are socialising because they are deployed together on duty.

3.1.22 The NSI Review Team has concluded that the structure of RAFAT is too flat. It is understood an inclusive 'one team' approach is fostered and this can create a positive and effective working environment and would be a sensible model to adopt taking account of the apparent divide between 'upstairs / downstairs' on the Sqn. However, coupled with prevalent UB, a lack of visible accountability for UB and a bystander culture, the Sqn may benefit from reinvigorating a hierarchical structure and focusing on standards and discipline. This is already occurring as seen on [REDACTED] by the measures taken to control behaviour and the visibility of consequences for UB. As well as [REDACTED] [REDACTED] have been material in these changes.

[REDACTED] and [REDACTED]

3.1.23 Both current [REDACTED] and [REDACTED] have assumed their roles during the NSI. The NSI Review Team have been impressed by both and their working relationship is visibly positive. The NSI Review Team have had visibility of [REDACTED] particularly when acting up as [REDACTED] either due to leave or as 'Det Cdr' of Main Party when the display team may be at another location. The NSI Review Team has confidence in [REDACTED] understanding of when to escalate matters, as demonstrated on [REDACTED] and how to manage challenging members of [REDACTED] team in conjunction with [REDACTED] Having [REDACTED] [REDACTED] in the absence of [REDACTED] is a good balance and, considering historic behaviours, a mitigation against matters being kept 'in house' within the pilot cadre or the perception of this occurring.

3.1.24 [REDACTED] has naturally assumed the role of [REDACTED] and assumed responsibility for discipline, as can be seen from [REDACTED] actions during [REDACTED] to moderate behaviours. Whilst [REDACTED] is [REDACTED] of [REDACTED] on the Sqn [REDACTED] has stepped up to assume a broader role in to standards and discipline that has been much needed. The NSI Review Team have confidence that [REDACTED] would challenge behaviours of 'upstairs' and escalate and advise [REDACTED] as appropriate despite this being beyond [REDACTED] remit. The NSI Review Team are

reassured about flight safety due to the proactive approach of [REDACTED] to behaviours and discipline. [REDACTED] is a considerable asset that has met an urgent need on the Sqn.

### **RAF Scampton**

3.1.25 Whilst there is a good relationship between [REDACTED] and [REDACTED] the NSI Review Team considers it unlikely that this is also replicated between Sqn SPs and Unit SPs. There is a reluctance to approach SHQ staffs about behavioural matters or an understanding, especially post HROM, of the resource available.

3.1.26 During the referral of matters to the [REDACTED] the NSI Review Team noted the lack of resource available from the HR Centre to support the directed action as well as to support the PS & SD staffs at Unit level. Whilst this resolved itself, the lack of physical visibility of Unit P Staffs has the propensity to further discourage dialogue outside of the Sqn. Whilst it is always optimal to resolve matters at the lowest possible level within LM, sometimes this is not the right pathway for SPs and it is easier to discuss matters, or seek advice, outside of the Sqn. Bearing in mind the historic challenges at RAFAT of matters being kept 'in house' and concepts such as the 'Diamond of Trust' being articulated, there is a risk of history repeating itself, particularly following a change of hierarchy and the physical move of the Sqn to WAD, where it is understood RAFAT will be 'separated' from the main operating centre of the base with potentially its own entry and exit to and from the base due to the high number of visitors it receives. This paragraph is included as a cautionary note that the current positive and improving culture is vulnerable to a change in variables.

## Part IV

### 4.1 Summary of recommendations from Initial NSI Report

4.1.1 The following recommendations were made in the Initial Report of the NSI dated 10 Feb 22; where recommendations have been completed this will be annotated:

#### Immediate

1. A bespoke package of Unacceptable Behaviours and Bystander training be delivered to RAFAT and Stn personnel - **Completed**
2. Referral of identified SPs for disciplinary / administrative action to the Service Police and / or relevant COs - **Completed**
3. RAFAT be given specialist support to overcome dissonance and conflict within RAFAT, particularly in relation to engagement with the NSI - **Completed**
4. Secure Lines To Take (LTT) regarding Unacceptable Behaviours at RAFAT / RAF Scampton – **Completed irt NSI Initial Report – Further consideration required on release of full report**

#### Medium term

5. An uplift in Engineering Section management positions should be considered.
6. NSI Review Team to revisit RAFAT and RAF Scampton – **Completed – One further assurance visit circa Sep 22.**
7. Review time in post at RAFAT / review roles.

#### Long term

8. The RAF consider establishing a team under an Unacceptable Behaviours banner that has Review Teams permanently established.

4.1.2 The outstanding recommendations from the NSI Initial Report dated 10 Feb 22 remain extant. In addition, the NSI Review Team make the following additional recommendations. These recommendations relate to RAFAT but also to approaching inquiries of this kind in the future and the Lessons Identified by the NSI Review Team.

## 4.2 Summary of additional recommendations

4.2.1 The following additional recommendations are made:

### Immediate

1. Referral of identified SPs for disciplinary / administrative action to the Service Police and / or relevant COs [para 4.2.2]
2. Implementation of mandatory reporting of UB [para 4.2.4]
3. Increase training on UB during FCSP [para 4.2.8]
4. Removal of interview / selection for some posts and improvement of retained selection processes [para 4.2.9].
5. Establishing profession ambassadors for UB [para 4.2.13]
6. Continuous training on alcohol [para 4.2.18]
7. NSI Reports to be shared on change of command / relocation to WAD [para 4.2.19]

### Long term (within 6 months)

8. Establish Wellbeing Co-Ordinator / Detached Welfare Team [para 4.2.21]
9. Streamlining of SD and MAAP processes [para 4.2.25]
10. Review policy on relationships in the workplace [para 4.2.29]
11. Climate Assessment [para 4.2.31]

### Enhancements to recommendations in NSI Initial Report

1. Unacceptable Behaviours Team – Occupation Health / Mental Health SMEs [para 4.3.1]
2. Unacceptable Behaviours Team – People Ops Officers / Originating Officers [para 4.3.10]
3. Media and communication [para 4.3.12]

**Immediate – NLT [insert date]**

### **Referral of identified SPs for disciplinary / administrative action to the Service Police and / or relevant COs.**

4.2.2 The NSI Review Team consider, based on the information received, that on the balance of probabilities there are grounds to refer ██████████ for consideration of administrative action. This will be done

4.2.3 The referrals relate to:

- Command failings
- Bystander behaviour
- Unwanted conduct of a sexual nature



### Implementation of mandatory reporting of UB

4.2.4 This recommendation is based on direction given by AOC 1 Gp to RAFAT during the NSI. The recommendation is outcome based: namely that the CO for disciplinary and administrative purposes and the HR Centres are made aware of occurrences of UB.

4.2.5 In order for the CO to be made aware information regarding UB must reach the Stn Execs for each sqn / execs. On receipt the Stn Execs should issue a simple report to the CO and HR Centre within 24 hours of notification of the incident / event. The report can be very brief eg '*Incident of UB on [date]. Investigations underway to establish facts. Will engage with HR Centre for advice. Further update to follow.*'

4.2.6 This enables the stakeholders to engage for more information if needed but, as it provides pro-active visibility of incidents, it will engender the autonomy sought by sqns and sections to exercise Mission Command as there will be reassurance, for the higher levels, that the matter is in hand. This process supports the peripatetic nature of flying sqns / highly deployable sqns and the fact Units now have minimal PS&SD resource post HROM.

4.2.7 It is recommended that direction be given that each sqn / section on a Unit is responsible for creating, publishing and promulgating the route that any SP can follow to ensure incidents of UB reach Stn Execs. These routes should clearly show how the most junior SP can report matters and the pathway of that information to the Stn Execs, where the responsibility lies to report to the CO and HR Centre as per para 4.1.5.

### Increase training on UB during FCSP

4.2.8 UB is covered in FCSP alongside a range of issues pertinent to new commanders. As part of the Command and Leadership Review 'Top 10', the training guidance to future commanders should be reviewed and enhanced. Current CO SCA said he would have welcomed much longer on UB, dealing with UB, the sS and Defence positions and the applicable processes. It was clear to the NSI Review Team that current and former incumbents in the various command roles surrounding RAFAT [REDACTED] would have, as would all commanders, benefited from an enhanced training package.

### Removal of interview / selection for some posts and improvement of retained selection processes

4.2.9 The NSI Review Team suggests that the interview processes for some roles will provide the opportunity for there to be variation in perceptions and cultural norms. This will mitigate the risk of culture that normalises UB being propagated from team to team. The NSI Review Team does recognise the value in interviewing SPs joining the Sqn, particularly taking account of the historical issues with UB and the fact it will be leading the way with cultural change and meeting the aspirations of Defence and the SLT. It is important to select personnel who can demonstrate a good understanding of UB, what is acceptable in the workplace and with strong leadership and managerial qualities.

4.2.10 The NSI Review Team suggests that selection by interview is confined to the following roles:

- [REDACTED]
- [REDACTED]
- [REDACTED]

4.2.11 It is further recommended that selection processes are reviewed to ensure that all elements are appropriate and relate to technical and managerial capability as appropriate, with a focus on an understanding of current direction and policies relating to behaviours in the workplace. It is recommended that the review takes account of the suite of policies relating to UB, SD and administrative processes, SCs as well as directives concerning command and individual responsibilities. Engagement with Discip Pol is recommended to support this review.

4.2.12 Any element of selection processes that amount to 'initiation' or are not able to demonstrate a legitimate aim are to be ceased iaw sS and Defence policy.

#### **Establishing profession ambassadors for UB**

4.2.13 The NSI Review Team noted the propensity for the findings of the NSI to be dismissed or minimised because of the perception that UB could not be incorporated into the extremities of SPs individual's roles.

4.2.14 Reference has been made at paragraph 1.11.5 of SPs asserting that the operational risk to life associated with being in the Armed Forces necessitates a more permissive environment to UB. This assertion is not accepted by the NSI Review Team. Taking account of the combined operational experience of the NSI Review Team, it is satisfied that there is no correlation between an environment that considers UB permissible and an increase in operational effectiveness.

4.2.15 However, it cannot be ignored that engagement with experienced and senior SPs from within the same profession as the audiences has increased traction. The NSI Review Team have initiated discussions about the possibility of Profession UB Ambassadors being established, eventually as part of the proposed UB Team or under COS Pers' AOR in the interim, to deliver training about UB in the modern RAF both at home and on operations. The concept was originally raised as an idea for 1 Gp to lead with a view to rolling out across all flying units, particularly as a lack of understanding of UB / prioritisation of operational output has been identified in the General Duties (Flying) and Eng professions at RAFAT and referred to as being the norm at other Units and evident during the interviews with display pilot candidates.

4.2.16 Bearing in mind the findings of this NSI, the proposal is that an experienced General Duties (Flying) officer and Engineering profession OR9 are stood up as soon as possible to focus on delivering UB training to flying Sqns and being a support / mentor for CoCs of operational flying Sqns in handling UB. Generic lessons can be identified from this NSI that can be the foundation for this concept being stood up quickly to afford protection from UB rather than a response to it.

4.2.17 The follow-on recommendation is that each profession considers establishing ambassadors who are an experienced SP but with whom SPs in the profession can relate to. SPs with a strong operational background / breadth of service experience would be optimal and briefings can be tailored to the experiences of UB on specific sqns, informed by data from APC, SCT, SIs or NSIs into UB and the operational challenges particular to that sqn or unit.

#### **Continuous training on alcohol**

4.2.18 The NSI Review Team recommends that RAFAT ensure the Service / Defence position regarding alcohol be part of continuous training, with particular focus on alcohol being an aggravating factor, not a mitigating one, irt behaviours. As seen on [REDACTED]

██████████ the Sqn is taking a positive approach to moderating behaviour and consumption of alcohol. This needs to continue and it will be for the Sqn to determine when re-education around misuse of alcohol and alcohol as an aggravating factor is necessary.

#### **NSI Reports to be shared on change of command / relocation to WAD**

4.2.19 The NSI Review Team considers a culture to be personality driven. A culture can rise or fail depending on the priorities and attitudes of those in command. Bearing in mind the recent positive changes are still in their infancy there is still a risk that previous behaviour of keeping matters 'in house' or personnel losing confidence to come forward and share their experiences could change with a change in personnel in command and / or the imminent move to WAD.

4.2.20 The NSI Review Team recommends that its Initial Report and this report be shared with incoming command personnel (OC RAFAT / RED 1) and with Stn Cdr and OC BSW WAD so that the culture and environment can be assured until its cultural change has fully embedded.

#### **Long term – 6 months +**

##### **Establish Wellbeing Co-Ordinator / Detached Welfare Team**

4.2.21 The NSI Review Team were signposted to a role stood up on a Sqn at WAD; namely that of a Wellbeing Co-Ordinator. The post is a civilian post filled by a former Community Psychiatric Nurse. Although a Sqn asset the post and incumbent are 'outwith' of the CoC. The NSI Review Team recommends a similar post is established at RAFAT, with the incumbent being empowered to escalate matters and make referrals regarding UB to the CoC / CO.

4.2.22 The NSI Review Team were struck by the perception of ██████████

██████████ It is foreseeable that ██████████ personnel would not be disabused of this perception bearing in mind the visibility of a recent ██████████

4.2.23 However, SPs of all genders, need a mechanism to raise UB without being concerned those individuals are 'embedded' within the Sqn CoC. ██████████ recent assurance visit to ██████████ accompanied by the Padre and HR Centre staffs, as well as the surge of a People Ops Officer to support the OC, provided this conduit.

4.2.24 The NSI Review Team recommends that when the Sqn detached from RAF Scampton on tour, it is accompanied by a detached welfare team, which is separate and distinct in terms of CoC and location where possible while also being close and accessible. This will support the SPs and provide a conduit and a 'safe space' outwith of a Sqn that is perceived as insular and close where personnel can raise concerns. The SQEP of a 'welfare team' will also provide the CoC with SME support that is conducive with their unique type of deployment.

##### **Streamlining of SD and MAAP processes**

4.2.25 A balance needs to be struck between allowing an individual control over the information that they share with any formal processes and obtaining best possible evidence to support either disciplinary or administrative action to hold personnel to account.

4.2.26 It is recommended that a bespoke process is designed to enable NSIs / UB Inquiries to be used more broadly to conduct inquiries into allegations of UB and then how

this can be married with an efficient and effective 'hand off' to Service Discipline and administrative processes.

4.2.27 This recommendation will involve a review of streamlining the SD and MAAP generally and 'hand off' from an NSI / UB Inquiries. Consideration should be given to designing a specific NSI process for UB that takes account of the LIs from this report. As it stands, the current NSI policy is too close to a SI, which, if followed to the letter would be a cumbersome process that would be likely to discouraged engagement on such sensitive issues. A more flexible and agile approach, closer to how this NSI has been conducted, would be optimum. Efficiency will be achieved as UB is tackled across the Service hopefully resulting in less NSIs spanning nearly 5 years of unchecked behaviour.

4.2.28 The NSI Review Team, CO SCA and OC RAFAT would be welcome the opportunity to engage in a review / design of a bespoke process to share the Lessons Identified as well as their experiences with the process and the impact on their SPs.

### **Review policy on relationships in the workplace**

4.2.29 Consideration should be given to reviewing the policy relating to relationships in the workplace with greater explanation and support for the impact relationships, extra-marital or otherwise, can have on the working environment and in particular command and effective C2.

4.2.30 The following situations are recommended to be expressly included in the policy:

- behaviour means undermines discharge professional function
- decision making is fettered by risk to reputation or family life
- perceptions of professionalism
- impact on ability to uphold standards
- impact on ability to effect service discipline
- undermining of C2
- Setting of culture – endorsement by virtue of rank or experience

### **Climate Assessment**

4.2.31 The NSI Review Team recommends that a Climate Assessment is undertaken 6 months following the move of RAFAT to WAD. The NSI has been vast and will carry out a final assurance visit circ Sep 22, prior to RAFAT moving to WAD. It is unlikely a CA will add further granularity beyond the NSI and the [REDACTED] assurance visit to [REDACTED] It is recommended 6 months after the latter of a change of command / location move.

**4.3 Enhancements to recommendations in NSI Initial Report**

**Unacceptable Behaviours Team – Occupation Health / Mental Health SMEs**

4.3.1 The NSI Review Team wishes to make further recommendations regarding an Unacceptable Behaviours Team being established.

4.3.2 The concept proposed in the Initial Report was for there to be standing NSI Review Teams, focussed on UB; however, the work that has been taken on by Lead NSI Review Team following conclusion of the interview stage of the NSI has identified a need for the concept of the team to be broadened.

4.3.3 A considerable amount of the work was supporting personnel through the transition from the NSI, to the statutory requirement on the CO to refer sexual offences to Service Police, through the referral back to the CO for consideration of MAAP. The proposed review of the 'hand off' between the NSI process, and disciplinary and administrative action will alleviate part of this workload.

4.3.4 The remainder of the workload associated with the [REDACTED] in relates to welfare support. The NSI Review Team have continued to be approachable by personnel who chose to engage in the NSI, which included [REDACTED] [REDACTED] centred around the output of the NSI and the next steps. As HR Centre P Staffs were not involved in the NSI, this responsibility naturally fell to the NSI Review Team with [REDACTED] being signposted to the Stn, Service and Defence resources available for broader welfare support.

4.3.5 The support to SPs [REDACTED] [REDACTED] The Service should make reasonable adjustments to accommodate individuals who suffer with [REDACTED] and indeed, this has been done throughout the NSI. However, it became increasingly clear that the [REDACTED] [REDACTED] [REDACTED]

4.3.6 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

4.3.7 People Ops Officers invariably assume a primary support role for [REDACTED] [REDACTED] and invariably are the focus on frustrations with Service processes, in particular, the time taken for processes to be completed, albeit thoroughly. SPs can become obstructive and create a disproportionate amount of work, as well as becoming abusive towards those supporting them. Although people focussed, most People Ops Officers do not have training how to manage [REDACTED] and this can either result in People Ops Officers becoming unwell themselves or, with the best of intentions, making decisions that may further impact the [REDACTED]

4.3.8 The assumption is that the Service should not cut contact with SPs no matter how unmanageable they become; however, this case has highlighted this may not be in the interests of the SP and the optimal situation for the SP, would be for the Service to break

contact with an individual and allow treatment to focus on their health and recovery rather than completion of processes.

4.3.9 Providing mental health SMEs in support of a multi-disciplinary UB team would be likely to support more efficient completion of processes, enhanced co-operation and engagement and a reduced risk of SP's health deteriorating during the NSI or any other connected processes.

**Unacceptable Behaviours Team – People Ops Officers / Originating Officers**

4.3.10 It is recommended that People Ops personnel are attached to the team to act as Originating Officers for the CO for referrals generated by an NSI. The People Ops officers can be SMEs in the responsibilities of an employer, so a SME resource for the People Ops profession, and contact the personnel who engaged with the NSI and ask for permission to use the submissions to the NSI in MAAP. A UB Team under COS Pers' AOR would also have access to legal advice via the AOR.

4.3.11 Importantly, this will remove the repeated approaches seen from this NSI while also giving the SP control. The information can then be taken forward in the MAAP by People Ops staffs who are SMEs in the responsibilities of an employer irt UB as well as SD. It will also provide the CO with bespoke support off the back of a NSI and information will not get lost in translation.

**Media and communication**

4.3.12 During the NSI there have been media releases regarding events that resulted from the NSI as well as considerable speculation in the media as to why RAFAT is flying with 7 of 9 ac this season and the reasons for specific personnel leaving the Sqn.

4.3.13 At the beginning of the NSI a [REDACTED] [REDACTED] RAFAT reported [REDACTED] departure accurately on social media. [REDACTED] They were reassured by the NSI Review Team that the statement was accurate and the [REDACTED] from the Sqn would not cease or curtail the NSI nor any appropriate recommendations [REDACTED]

4.3.14 A [REDACTED] [REDACTED]

4.3.15 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

4.3.16 [REDACTED] [REDACTED] [REDACTED] It was further commented that CAS made an early and public statement about UB and made the position clear, which reduced speculation in the media. The latter part of this

statement is not accurate but the differences between the approach in the two cases has been repeatedly raised with the NSI Review Team.

4.3.17 The situations at RAFAT and 15 (RAF Regt) Sqn are distinct. The RAF had had the benefit of being able to conduct a NSI to establish facts and deliver immediate output to address failings identified before information was released to the media; however, many SPs who engaged with the NSI have voiced their wish for there to be a public and internal media release regarding UB at RAFAT. This will be a matter for consideration by the Service in conjunction with MOD.

4.3.18 Whilst the NSI Review Team would support a proactive approach to media and communication on this issue, regard must be had to the impact on the SPs currently serving on the Sqn as all RAFAT personnel are public facing and they must be supported ahead of and during any internal or external media release, particularly as they have all made considerable progress in terms of cultural change.

**4.4 Next steps**

4.4.1 The NSI Review Team have the following steps to complete:

- **Produce a simple (2-page max) statistical analysis of the UB at RAFAT / summary of the NSI.**

During the Focus Groups held on [REDACTED] asked to be provided with more detail about the findings of the NSI; a statistical representation of the number, frequency, and type of UB, as well as the split of UB by OR and officers. Any briefing will be subject to appropriate approval through COS Pers' AOR. The NSI Review Team consider a 'more visual' representation of the findings will help with acceptance and support the cultural change that is already occurring.

- **Conduct a final assurance visit in Sep 22 prior to the Sqn moving to WAD.**

This will conclude the NSI Review Team's involvement with RAFAT and RAF Scampton and output from that assurance visit will be briefed to COS Pers.

[REDACTED]  
[REDACTED]

Lead NSI Review Team

[REDACTED]  
[REDACTED]

NSI Review Team Member

[REDACTED]  
[REDACTED]

NSI Review Team Member

Dated 1 Jul 22