

Ms Naomi Crossman  
Employment Lawyer  
[KPMG LLP](#)  
8 Salisbury Square  
London EC4Y 8BB

[Ms Noëlle Rawé](#)

[ ]

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(By Recorded Delivery)

1 July 2008

See KPMG's [22.08.08](#) 'response' (which includes my Comments); discussed under **section 15.2** [KPMG page](#)

Stratford Employment Tribunal Claim: [Noëlle Rawé v KPMG LLP](#) – [Number 3200936/2008](#)

Dear Ms Crossman

## REQUEST FOR ADDITIONAL INFORMATION

On [17 June 2008](#), the Stratford Employment Tribunal sent me **your undated ET3 reply** to my [3 April 2008 claim](#) – for which your overall conclusion reads “...the Respondent believes that the Claimant has no reasonable prospect of success and therefore her claim should be struck-out”.

Since receiving your reply, I have been in contact with [Caroline Doyle, ACAS](#), appointed [Conciliator for the case](#). As a first step to taking advantage of Ms Doyle's kind offer of assistance, **I require clarifications / additional information relating to your ET3 reply.**

Hence, in addition to my enclosed [1 July 2008](#) Subject Access Request <sup>1</sup>, can you **please address the following contained in your ET3 reply:**

1. **Under “[IT Restrictions](#)”, paragraph 6:**
2. **Of: “*The Claimant's landlord Mr [Ladsky](#) contacted the Respondent in October 2006 making serious allegations against the Claimant*”**
3. In addition to my enclosed Subject Access Request:
4. Please detail who was involved in the decision to not inform me of the “**serious allegations**” made against me by Mr Ladsky.
5. Please provide email traffic, any notes of meetings, telephone conversations relating to the decision.
6. **Under “[IT Restrictions](#)”, paragraph 6:**
7. **Of: “*In January 2007 Mr [Ladsky](#) made further contact with the Respondent and threatened legal action against the Respondent in connection with allegations of libel*”.**
8. Likewise, in addition to my enclosed Subject Access Request:
9. Please detail who was involved in the decision to not inform me of the “**allegations of libel**”

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<sup>1</sup> My 1 July 2008 Subject Access Request – Data Protection Act 1998

made against me by Mr Ladsky.

10. Please provide email traffic, any notes of meetings, telephone conversations relating to the decision.
11. **Under [“IT Restrictions”, paragraph 6:](#)**
12. **Of:** “...the Respondent decided to restrict the Claimant's access to the internet as a precautionary measure”
13. Please define what you mean by “precautionary measure”; rationale.
14. Please detail who was involved in the decision.
15. Please provide email traffic, any notes of meetings, telephone conversations relating to the decision.
16. **Under [“IT Restrictions”, paragraph 7:](#)**
17. **Of:** “...the Claimant's serious breach of the IT policy which could potentially have led to the Claimant's dismissal”
18. Please provide copy of the IT policy that was breached and associated sanction.
19. **Under [“The Claimant's Appraisal”, paragraph 9:](#)**
20. **Of:** “...a departure from the standard timetable was agreed...”
21. Please explain “departure from the standard timetable”, the arrangements made, and rationale.
22. Please state when this decision was: (i) taken; (ii) “agreed”.
23. Please state who was involved in the decision, and the “agreement”.
24. Please provide supporting documents, including email traffic, any notes of meetings, telephone conversations relating to the decision and “agreement”.
25. **Under [“The Claimant's Appraisal”, paragraph 9:](#)**
26. **Of:** “During the process the Claimant made further allegations against her performance manager.”
27. The only communications I am aware of are my [15 October 2007 10h05](#) and [18h10](#) emails to Jeanette Dunworth, HR - on which I copied my manager, Ceri Hughes. Please provide detail of “further allegations” I am alleged to have made.
28. **Under [“The Claimant's Appraisal”, paragraph 11:](#)**
29. NB: In addressing the following two groups of requests for additional information (re. [“The Respondent continued to support the Claimant”](#)), consider each to be preceded by: “Other than:  

Shld be 22 Feb

”
  - The meetings with Julie Bennett, Well Being, on [15 February 2007](#) and 30 March 2007 ([at KPMG's insistence](#))
  - On 23 February 2007, the offer by Jeremy Nelson, Head of KPMG Security, to accompany me to [Kensington & Chelsea police](#) (contact [set-up by Julie Bennett](#))

- My telephone conversation, on 23 February 2007, with Well Direct (at KPMG's insistence)
  - The [5 April 2007](#) email from Nuffield Proactive Health offering me a "health and lifestyle assessment"
  - The consultation, on 10 April 2007, with Shirley Caplin, therapist, 46 Harley Street, London (at KPMG's insistence)
  - (In case this is considered as "support"), w/c 23 April 2007, the phone call from Jeremy Nelson informing me that "Kensington & Chelsea police is not going to take the matter further. Isn't that good news?" (At Peter Bassett's suggestion, three weeks previously, on [30 March 2007](#), I had sent Jeremy Nelson the [16](#) and [20 March 2007](#) emails sent by [Kensington & Chelsea police](#) to my website Host in which the police implied that I had committed a crime and branded me as "a Nazi")
  - The telephone conversation, on [8 May 2007](#), initiated by Seraphina Burch, Occupational Health Adviser
  - The [17 May 2007](#) email from Julie Bennett, Well Being, and 21 May 2007 reply to my response of the same date, followed by Julie's 22 May 2007 email"
30. **Of:** ["The Respondent continued to support the claimant..."](#)
31. Please detail in what way KPMG "continued to support [me]..."
32. Please detail when this took place, and by whom.
33. Please provide any documentation in support, including email traffic, any notes of meetings, telephone conversations.
34. **Under ["The Claimant's Appraisal", paragraph 11:](#)**
35. **Of:** ["The Respondent continued to support the claimant..."](#)
36. Please explain what the prior "support" consisted of.
37. Please detail when this took place, and by whom.
38. Please provide any documentation in support, including email traffic, any notes of meetings, telephone conversations.
39. **Under ["The Claimant's Appraisal", paragraph 11:](#)**
40. **Of:** ["The Respondent... and make allowances where possible"](#)
41. Please detail in what way [KPMG](#) "[made] allowances where possible"
42. Please detail when this took place, and by whom.
43. Please provide any documentation in support, including email traffic, any notes of meetings, telephone conversations.
44. **Under ["The Claimant's Appraisal", paragraph 11:](#)**
45. **Of:** ["The claimant has on occasion wanted the Respondent to consider her "personal issues"](#)

Shld be  
3 Apr

46. Please detail the "occasions" on which I am alleged to have done this.
47. Please detail the individuals involved.
48. Please provide any documentation in support.
49. Under "[The Claimant's Appraisal](#)", [paragraph 11](#):
50. Of: "...as she acknowledges"
51. Please explain what you are referring to.
52. Under "[Response to the Claimant's Allegations](#)", [paragraph 12\(e\)](#):
53. Of: "Any limited relaxation of the restrictions to her access was supervised and solely to allow the Claimant to continue her work and alleviate her alleged distress"
54. The first instance of "limited relaxation" took place on [8 August 2007](#). Please confirm or, if you disagree, please provide documentation proving otherwise.
55. Under "[Response to the Claimant's Allegations](#)", [paragraph 12 \(h\)](#):
56. Of: "Any differences in the performance appraisal process conducted in relation to the Claimant were to the Claimant's advantage"
57. Please explain the differences and in what way there were "to [my] advantage"
58. Please detail the individuals involved in the decision.
59. Please supply copy of all documents, including email traffic, any notes of meetings, telephone conversations relating to the decisions.

**I take this opportunity to also ask for related information**

60. Please supply copy of my remuneration package for year 2006-2007 i.e. salary and benefits.
61. Please supply copy of my remuneration package for year 2007-2008 i.e. salary and benefits.
62. Please supply copy of my contract of employment.

I would appreciate a [reply within the next 14 days](#) of receipt of this request i.e. [by Wednesday 16 July 2008](#). I shall be grateful of course if you are able to respond earlier. Please let me know promptly if you are unwilling in principle to comply with any of these requests so that if necessary I can apply for an order without delay.

Thank you.

Yours sincerely

Noëlle Rawé

cc. (For information) **(1)** Caroline Doyle, Conciliator, ACAS, London Region, Floor 22, Euston Tower, 286 Euston Road, London NW1 3JJ (ACAS Ref: 85680); **(2)** Geoff Saunders, Regional Officer, Unite The Union, 33-37 Moreland Street, London EC1V 8HA



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