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We support the self determination of Camphill Communities - An open letter

4 December 2014

Dear Friends

We want to thank you for your letters and support for Botton's Co-workers in the recent months. Your messages from far and near and the selfless support from friends and families have been extremely encouraging and have meant a lot to the vocational Co-workers that remain in this charity.

We support what we believe made Botton and the other life-sharing communities so popular and successful: the freedom to live life and co-create homes and community as equals. Most agree that the self-determination of the community is essential to make this possible.

CVT has written to you and others making statements we feel are unbalanced and misleading. In our opinion:

- CVT is transforming a group of communities of vocational Co-workers into a large managed provider organisation staffed with employees.
- There has been no consultation process, no meaningful dialogue and no agreement with any of the stakeholders (Villagers, relatives and Co-workers) about these reforms.
- There is no legal, financial or social care imperative for CVT to alter the communities' way of life so substantially and replace all Co-workers with employees.
- CVT is not responding to the law as it says but has actively created a scenario that it uses to assert that Co-workers must be formally employed.
- CVT cites a catalogue of 'risks' to justify the effective dismantling of shared-living despite these being firmly refuted by distinguished community law practitioners.
- Trusted sources say that CVT's strategy – removing the Co-workers and fundamentally altering the key life-sharing principle – has been in the works for years.
- CVT is in breach of its founding principles, the principles of Rudolf Steiner as explicitly stated in its Memorandum.

- CVT is enforcing reforms
 - through a divide and rule policy that splits the community
 - by giving people, including its disabled beneficiaries, misleading information
 - by censoring information and restricting freedom of expression and movement, breaching the Mental Capacity Act and Equality Act
 - by vilifying Co-workers with exaggerated cost-claims
 - using coercion and threats
 - using gagging orders
 - by manipulating the voting membership list

As you will probably have heard by now, Marjatta van Boeschoten, General Secretary of the Anthroposophical Society in Great Britain, visited Botton and has subsequently brokered a process of mediation facilitated by mediator Friedrich Glasl, due to begin in December. We were very pleased about what we feel is a genuine effort to help overcome this crisis.

Co-workers want to speak up for a tradition that is precious to us all and is creating something of great value that we believe is threatened by reform plans that are too fast and extreme, going beyond what is really necessary, thereby threatening Co-working, Community and Shared-living.

From Community to Provider

In 2011 the charity's first chief executive was brought in from a background in restructuring social care housing in Manchester but who had no experience, and judging by some of his comments, no sympathies for Camphill's model of vocational Co-working. He announced that 'we are first and foremost a *provider*', as opposed to Camphill's vision of places where people create *communities*. He suspended Co-worker trustees, Co-worker managers and Local Management Committees, and established a hierarchy of employed centre-managers who report to him. More and more staff have since been employed by CVT into roles that had previously been fulfilled by Co-workers.

Following a process of mediation, Botton Co-workers were working in a spirit of openness and trust with the manager, confident that they were meeting all requirements of a modern social care provider. They now engage with the concepts and standards of commissioners more positively; this is being recognised and they are passing the CQC and other assessments. They, like those in other communities, recognised that CVT Communities, like all in the NHS and social care, need to address their shortcomings and adjust to a changing environment.

CVT approached a tax barrister for her opinion on the Co-worker status, which suggested, on 26 April 2014, that Co-workers now appear or behave more like employees of the CVT Charity. As we all know, on 13 May Co-workers were notified by CVT that they would have to become formally employed, or leave the Community.

With hindsight it is becoming clear to us that CVT has changed the lines of control and decision making knowing that this could and almost certainly would affect the legal status of Co-workers. CVT itself was repeatedly made aware of this by its auditors.

CVT has not simply *reacted* to alleged changes in tax law, but has *actively created* a reality that *now appears* to be at odds with relevant tax law (which itself has not changed), a situation which CVT now pledges to resolve by making all Co-workers formal employees.

Co-workers maintain that Botton is a community of people with and without disabilities, which also carries out provider and business functions, and that they are vocational and life-sharing - a model that is perfectly sustainable. They are not the employees of a provider organisation offering work and support during certain fixed hours.

CVT is going far beyond adaptation

Social care policy in the UK has changed in the recent years, with person-centred care planning and risk assessments requiring much documentation, and a need to demonstrate robust governance and clear lines of accountability. The reduction and personalisation of social funding is continuing to exert pressure on any social care provider. There is no doubt that these required a process of adaptation as highlighted in reviews carried out by the local authority, but not the axing of the whole system of life-sharing Co-workers as CVT's own commissioned report by the In Control Group confirmed.

In her letter to the International community, Mrs Chadwick-Histed makes her case for change by painting an almost apocalyptic scenario afflicting some Communities when referring to actions required after local authority reviews in 2011. The 'special measures' she refers to were a self-imposed pause on further referrals - as recently confirmed by our Local Authority. This pause is now threatening the survival of Communities. There is no evidence for her remarkable claim that Co-working is illegal, and CVT has repeatedly gone beyond resolving well-defined issues as they are transforming and taking control of the charity and communities.

However, and this is important, none of the issues and challenges Communities are faced with, whether they are about care and support, legal or financial, actually requires that they so substantially alter their way of life and that Co-workers are replaced with employees.

Principles of Rudolf Steiner, Karl König and Camphill

The Camphill Village Trust was formed by Karl König in 1954 as a vessel to create and support communities on the principles of Rudolf Steiner, in particular his social ethic, the Fundamental Social Law and Threefold Social Order:

'The well-being of a community of people working together will be the greater, the less the individual claims for himself the proceeds of his work, i.e. the more of these proceeds he makes over to his fellow-workers, the more his own needs are satisfied, not out of his own work but out of the work done by others'.

Rudolf Steiner's Threefold Social Order is described in the Memorandum of the CVT as follows:

*"Social life in Camphill communities is based upon a threefold arrangement reflecting the recognition of the human being as comprising body, soul and spirit. This arrangement is expressed in the exercise of **freedom** in the spiritual/cultural domain; the safeguarding of **equality** in the realm of rights and responsibilities; and the practice of **brotherliness** in the economic realm. By application of these principles community members are bound together by will and personal commitment, not by legal*

constructs, meaning, for beneficiaries, any form of compulsion and for Co-workers the rights and obligations of contract."

Instead of supporting and improving the unique vocational (non-contractual) and self-managing communities, CVT is trying to manage and control them and there is now a real risk that, if continued, the (last of the nine) communities will cease to exist completely. In its place there will be centres of CVT's "One Charity" where staff provides support, like other providers do for their clients and service users. What seems a nuanced argument is however a substantial difference in emphasis that creates a different reality and experience for everyone.

Leading charity lawyer Hubert Picarda QC, in an opinion commissioned by the Delrow Goup of families, is quite clear that CVT trustees are in breach of trust. He asserts that the principles of Dr. Rudolf Steiner as applied in Camphill "are a known and demonstrably provable factual criterion which is capable of being adjudicated upon." He finds that the governing principles of the CVT Camphill communities are clearly embedded in the charity's founding document. He further argues that replacing what he calls a "*shared life community ideology*" with a "*care worker culture*" represents a fundamentally different charitable purpose.

This, families believe, is self-evidently the case when looking at what CVT has done to communities like Delrow, The Grange and Oaklands Park, and it is starting to show in Botton. The Centre for Welfare Reform has published a detailed analysis of the destructive effect of the reforms on one CVT community, Oaklands Park and leading experts have appealed to the government to review the funding mechanisms that destroy community.

Co-workers are people who have come to Camphill as they believe in its way of life and principles; they are the experienced committed Camphill experts. They are being eliminated whilst communities are being managed and run with managers and often staff that have no experience and interest in Anthroposophy and Camphill – we have been made aware that previous Camphill experience is unwelcome. CVT now finds it acceptable for its employees to simply 'google' the festival on the day so they can somehow celebrate it with the residents, or to mock the charity's founding principles like this locality manager.

Betrayal of trust

The In Control review of 2012 warned that the charity was at risk of breaking apart: "*If the conflict is not transformed into productive negotiation at some point, the result can be disintegration.*"

As some of you will remember, this led to mediation followed by a promising 15-month process of Co-workers and the manager working together. Despite the above warning, this came to an abrupt end with CVT's announcement that they will abolish the Co-worker model. As a consequence, there is now a strong feeling that the trust of Botton Co-workers was betrayed, re-opening an old rift that could have been bridged.

It appears that the intention to clear CVT communities of Co-workers and volunteers goes back years as a recent letter from the Chair of Trustees of the Mount to Mrs Chadwick-Histed suggests:
"Regarding the long-standing intentions of Frances regarding Co-worker status and shared living, I'm afraid you have simply been misled or misinformed: she revealed her strategy in this respect together with Tom Blake in 2009, and has been pursuing it consistently since then."

In 2011, Frances Wright was employed as director of human resources of the CVT, which was met with great concern considering that Co-workers are a substantial human resource in a Camphill Community. In 2014, in her recent letter to the Private Eye, she revealed her feelings about Co-working once more, when speaking of a “*flagrant misuse of public funds and charitable monies*” and ridiculing the valid legal agreement between the Association of Camphill Communities (AoCC) and the HMRC as an “*amazing sweetheart tax deal*”. This casts doubts on CVT’s proclamation that they tried their best to maintain Co-working and we can only conclude: it is not the state or the law requiring that the Co-worker model has to end, it is CVT, and as it appears not only *in response to a recent tax opinion*.

Readers may be aware that Mrs Chadwick-Histed is director of Publitas Consulting LLP, “*a public-private partnership consultancy, providing specialist income generation, service commercialisation, cost-saving, reputation management & strategic/tactical marketing and communications consultancy*”, specialised in “*Commercialising services & assets*” and “*Staff re-structuring, reduction, outsourcing*” and “*Reputation management*”.

We can’t help feeling that this describes the ongoing reform of this charity, how Co-workers in this charity are being ‘restructured’ and the charity’s services and assets ‘commercialised’ (or ‘monetised’ as the CVT Finance Director called it).

Co-workers and employees are needed for community, not employees only

The current leaders of this charity that was founded by Karl König now believe that running Camphill Communities with employed staff rather than vocational Co-workers makes no difference. And its chairperson responds with indignation when it is put to her that one can’t simply replace all life-sharing Co-workers with shift-working employees and expect that nothing should change. Botton, Delrow and The Grange need life-sharing Co-workers and employees, they always had both.

Botton has always been one of the largest employers in its area and their employees fondly remember the time they worked *with* them before CVT took over, whilst most no longer enjoy working under CVT today. Botton’s Co-workers have demonstrated a good attitude towards employees and Mrs Chadwick-Histed is in no position to advise them about working with employees or treating employed staff well, judging on her track record in Botton.

CVT seems unstoppable, employing new employees by the day and is trying to push community out of the way. The Association of Camphill Communities (AoCC) makes an important point in this respect: CVT have arrogated powers to the centre in almost every sphere. Our Communities have become mere subsidiaries of an organisation with a managerial mindset and a belief that they can only achieve compliance through control rather than trust and consensus.

There has been no consultation or dialogue

We maintain that with regards the questions of employment and life-sharing in CVT there has been

- no consultation
- no dialogue
- no agreement
- no consensus

with the residents, their families and with Co-workers. This is not acceptable. Furthermore, CVT has carried out no risk assessment regarding the effect of the changes on the Villagers and the charity.

The reader will agree that vocational life-sharing is a key question for a Camphill charity, which requires an intelligent and broader debate informed by facts. Although we know from various sources that most of the Villagers, their families and Co-workers want community-life, shared households and long-term relationships, and want them to be safe and transparent and offer choice, the issues raised by CVT's 13 May announcement and in particular its consequences have not been discussed with anyone affected.

CVT likes to say that e.g. a significant proportion is supportive of the changes. This is false and a hollow phrase as we do know that the clear majority of parents and families oppose the changes and have registered this with Action for Botton and a Botton parents group, and have expressed the same on the parents meeting before this year's Open Day in Botton where over 95% voted against the changes. Amongst the Botton Co-workers, over 45 are for a community independent from CVT control whilst only 9 support CVT. Importantly, we know from a number of sources such as their annual reviews with their social workers or other consultation processes (Search 2011, In Control 2013 and Our Lives 2014) that they enjoy or prefer living with Co-workers rather than without or more independently, and that for some more independent living may not even be appropriate.

CVT has not considered what Villagers, their families and Co-workers have to say about the plans, and it does not surprise us that they don't talk to Action for Botton either. This is not because we have voiced a concern that some of Botton's and Delrow's assets may be sold, which remains an informed concern, or because we have used the Care Home Chain analogy to highlight that CVT is increasingly behaving like a large private provider organisation (even if strictly speaking they provide supported living). The reality is that CVT simply will not debate and engage with opposing positions. Trustees have made their minds up and remain steadfast in their process of reform. At a Board meeting scheduled to be held in Botton they have listened to a presentation of the Co-worker Community vision once (after which Mrs Chadwick-Histed read a pre-formulated statement to be added to the meeting minutes saying that CVT had "a track record of good listening").

However, all stakeholders want and need to be heard and this is why we have proposed the Three Communities Convention so that everybody's views can inform the mediation meetings and the direction of travel of this charity. Mrs Chadwick-Histed seems very surprised at our request to put the restructuring and the relentless employment at least on hold whilst we are discussing the very same issue. Is that not common sense? How can one debate whilst the dismantling of community continues unabated?

For various reasons CVT's date to complete the transition to employment is set to March 2015; they have given such a commitment to the HMRC and as we now read also to the Charity Commission. We suspect another, if not the real reason is the enactment of new legislation, the Care Act in April 2015, which might give Villagers a chance to request a judicial review if they believed the reforms represented an infringement of their rights; currently charities are exempt from what can in practice be a powerful remedy, which for example would require a fair consultation process first. Furthermore, the Care Act is also expected to change the aim of care and support from creating *independence*, the guiding principle in CVT's segregation agenda, to *wellbeing*, which is exactly what the shared-living Botton Village Camphill Community creates so beautifully.

Misinformation of Villagers

CVT is rolling out a program called Learn to Lead in its Communities, which as such appears good, but we do not believe that it helps them assert their wish to live with Co-workers as this is not a topic. With regards the reforms CVT's approach to Villagers is to say that nothing will change, and with Learn to Lead they can then "make it truly their community", once Co-workers are gone or employed. Learn to Lead is a company where CVT human resources director Frances Wright is consultant and director.

Meanwhile, CVT is keeping the media, the public and recently a delegation of Camphill Families and Friends (CFF) trustees from even meeting and speaking to the Villagers - we assume they would tell them that they like to continue living with Co-workers. For the same reason, CVT has repeatedly rejected requests from the BBC to visit the village and meet its residents for a television program.

In his easy-read letter to the Villagers entitled "Dear Botton residents", the manager tells them that "*There will still be Co-workers living in Botton*" and that "*Co-workers and their families will still be able to live with you in Botton*" next to an image of three people in a house labeled 'Our House'. In the coming weeks there will be drop in sessions for residents where Villagers can get information from the Manager and CVT staff only, whilst any attempt by a Co-worker to inform them about the changes would be treated as gross misconduct or alleged abuse.

The wording and image conveys the reassuring message that things will be as they are now. However, currently Co-workers are vocational and therefore able to life-share, but employees will not be able to live in 'Our House' with the Villagers as they do now as there would be separation of living spaces between employees and people receiving support, nor would Community based on Freedom, Equality and Brotherliness and the Threefold Social Order be possible. Furthermore, most (45) Botton Co-workers feel there is no basis of trust to become an employee of the current CVT, whilst the few (6) that have become employees do not life-share.

Censorship of information

In his letter to Co-workers and staff of 8 August 2014, Mr Denny, Operations Director of the CVT, requests a number of actions based on *commitments given to North Yorkshire County Council (NYCC)*, which include:

- Staff "*should only provide information provided by the charity and agreed with NYCC*"
- "*Co-workers are advised they should not discuss or promote the content of the 'declaration of non-cooperation', or the campaign by Action for Botton with the people we support.*"
- "*Any Co-worker who has signed the declaration that they will not cooperate with the charity will not be involved in capacity assessments relating to participation by someone we support in press activity, public meetings or any other similar activity relating to this matter.*"
- "*Staff are informed that any approach from the media to a person we support must immediately be referred to the registered manager ...*"
- "*Concerns regarding family members' intervention and messaging should be shared with the General Manager who may be required to raise with NYCC any potential issues within the overall safeguarding context.*"
- "*The care and support managers will increase their activities ... also to record and action any issues that have been raised including reporting them as potential safeguarding incidents where appropriate.*"

- “*Staff will be informed that disciplinary action will be considered if there is a breach of these expectations.*”

Mr Knowles’ letter to Co-workers of 12 August 2014, regarding the Candlelit Vigil for Botton, stated:

- “*The involvement of people we support in the recent public meeting has caused North Yorkshire County Council, along with other individuals to express significant concern to the charity.*”
- “*As a result we are now required as the provider to ensure that their participation in such future events and activities does not take place without a suitable capacity assessment.*”
- “*Co-workers who have declared they are not willing to co-operate with the charity are no longer perceived to be sufficiently impartial to carry out such a capacity assessment on behalf of the charity.*”
- “*All those working in Botton should not take any steps to share or promote such events and activities like this proposed vigil.*”
- “*Should anyone we support nonetheless express an interest in the vigil or any other similar events and activities in the future then I (or in my absence the Registered Manager) should be informed immediately and appropriate arrangements will be made for capacity to be assessed.*”

These measures seem very controlling, almost oppressive for a Camphill organization. They include censorship of information and curtail the freedom of expression and movement for disabled people. They are also unlawful as confirmed by a solicitor specialised in the field, and the council stated that it did not ask CVT to make such commitments and that of course residents are allowed to attend the Candlelit Vigil. CVT does understand or honour the first principle of the Mental Capacity Act, that a person must be assumed to have capacity. Only where there is a valid concern can people be subjected to a capacity assessment before going out, not as a matter of cause or for a manager to control who attends a meeting that might support the Co-workers.

It is another of CVT’s strategies to say that it has given a commitment to an authority, which sounds like the authority has requested the action in question, even if that is not the case. CVT says they have given a commitment to the Charity Commission that Co-workers are moved to employment by March 2015, even if the Commission has not requested this.

The reason for changes turns out to be untrue

CVT claimed that legislation has changed and that the HMRC agreement based on the Trevett opinion is now outdated. This is untrue. The Association of Camphill Communities (AoCC), representing the 61 Camphill communities in the UK and Ireland, including Botton, Delrow and The Grange, said in its letter of 2 October 2014:

“At this juncture, we can confirm that we have obtained independent professional advice on behalf of the Association that supports the continued implementation of the existing HMRC Agreement with regard to the taxation of Co-workers.”

Furthermore, the Treasury has also confirmed that its agreement with Camphill is still valid and that there has been no change in legislation, but that CVT has taken steps to change its organisation:

*“I would like to make it clear that there has been no recent change in legislation, nor change in rules by HMRC, which affect the status of volunteer workers. ..., the agreed treatment is published in HMRC guidance, which you may find helpful and can find at:
<http://www.hmrc.gov.uk/manuals/bimmanual/bim22040.htm>.”*

In his letter of 21 November 2014, Dave Mitchell, Chairman of the AoCC states:

"It is important to make it abundantly clear at the outset, that Co-workers are vocational workers and no contractual or legal relationship exists between a Co-worker, the community and the charity."

"It is now obvious that the CVT approached HMRC to establish if their Co-workers were employed or self-employed, totally ignoring the fact that Co-workers are vocational workers and that the existing Agreement between HMRC and the Camphill Association establishes that fact. As a result and from the documentation circulated by CVT, HMRC proceeded to apply the standard test, based on the information provided by CVT, which has resulted in the ruling circulated by CVT."

However, the **HMRC** clarified that it *"did not make a ruling, but merely offered advice, to the set of circumstances provided by CVT Charity"*, as stated in the letter by the Camphill Association of 28 November 2014, and *"they did not state that the status of a vocational Co-workers of a Camphill Community was such that they could not continue to rely upon BIM22040"*.

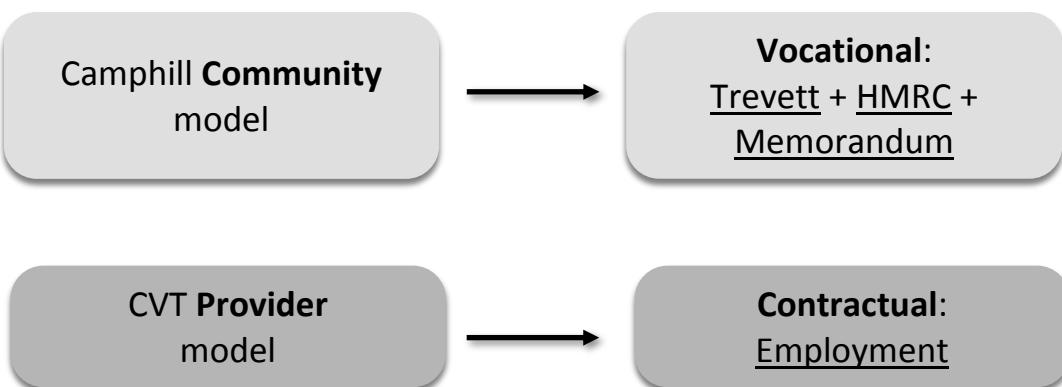
All this makes CVT's claims and actions appear in quite a different light. It means that communities could continue to function in line with the valid HMRC-AoCC agreement, if CVT was prepared to support a modern and fully compliant community based on the Co-worker model.

It means that each of the many times the charity cited 'the law' as the reason for ending the Co-worker model, which caused so much pain and damage, they may have misled Co-workers, Villagers, the charity's stakeholders and the public.

CVT's changes threaten Co-worker status

CVT has taken over the charity's governing board, CVT has been trying to take control of the charity's communities. The charity has done that by removing Co-workers from community management groups and imposing its own managers and thereby created, by stealth, a situation that has the appearance of a 'master-slave relationship' and Co-workers being employees of CVT. These cumulative changes over the recent years appeared to move Co-workers and communities away from a situation in line with the opinion by Peter Trevett QC, the HMRC-AoCC agreement of 2002 and the charity's Memorandum and Articles, and towards a different entity, a large provider organisation where Co-workers could be regarded as employees.

As a consequence, based on information about how CVT regards the running of the community today, HMRC advised that in many ways Co-workers now appear as employees. Chief executive Huw John consistently and we believe deliberately reverses cause and consequence: he states that he *anticipated* HMRC's recent findings (a cause that lies in the future) and in anticipation of this has made preparations to move Co-workers to employment (consequence). This is incorrect. The reality is, that Huw John *has implemented* a series of changes that created an employee-like relationship between his managers and the communities' Co-workers, which caused HMRCs recent findings. We say tried, because Co-workers have declared that they remain vocational and do not support CVT's intention to create such a relationship.



Unfair attacks on Co-workers using distorted cost calculations

CVT has sought to portray Co-workers at Botton and other communities as self-centered spendthrifts, living in the lap of luxury and unwilling to change. CVT claims that Co-workers come at extortionate costs to the charity, which Co-workers only found out after the sums, broken down to individual families, were 'leaked' to the local press. When Co-workers asked how CVT arrived at these figures they received no answer. The figures have since been published in CVT's Annual accounts, a most unusual move. And still, Co-workers have received no breakdown of the figures.

Little wonder that, with such lack of transparency and so much spin, Co-workers find it hard to believe CVT. Especially as all financial accounts so far showed that Co-workers remained within budget and the Charity Commission has accepted this. To demonstrate benefits on a person by person basis one simply needs to do that - not end the Co-worker model. It seems CVT is again taking a sledgehammer to crack a nut.

CVT's published accounts 2013/14 show an ever increasing bill of £6,018,000 for 274 employees and £2,126,000 for 112 Co-workers. Based on this, the average cost per employee is £21,963 compared with £18,982 per Co-worker.

One Co-worker managed, with the help of a solicitor, to get CVT to release a breakdown of his families' (two adults and two children) 'costs to the charity', that CVT claimed to be £65,597 a year. An independent accountant analysed the figures and arrived at £16,394 a year.

Another Co-worker told us:

"I was a Co-worker for five years. It was very hard work, extremely rewarding - but not in the financial sense at all. My wife and I are today significantly financially worse off for having volunteered as Co-workers for CVT when we could have been accumulating wealth in our original careers. Whilst working as Co-workers neither myself, nor any members of my family had any private medical or dental care. Nor did our children have a private education. We sacrificed material wealth for a community ethos we believed in. Our leaving expenses were less than £3,000 for a family of five."

"The latest CVT 'fact sheet' is an unbalanced mix of misinformation, clearly published to give the impression of greedy selfish Co-workers laughing all the way to the bank. It is a cruel attack on the vulnerable Co-workers who include some of the finest human beings I have ever had the honour to know. It amounts to nothing more than mud slinging, cynically timed before the AGM - clearly hoping that some of the mud will stick. Don't be taken in - support your local Co-workers!"

The Charity Commission

The Charity Commission is the regulator of charities in the UK. It became involved for two reasons in the recent years. First, in 2012 after a whistleblowing letter about a Co-worker in the Croft he described as living in luxury. An investigation was carried out and the accountant found that the communities' Co-worker costs were not excessive but within budget, though it could not be ruled out that an individual did not receive excessive benefits. They also reminded trustees of the general rule that benefits for people other than the beneficiaries of a charity needed to be incidental and reasonable, although they were not prescribing how much that is as "financial support for Co-workers is entirely the prerogative of the Trustees."

They also advised that there should be a majority of independent trustees on the board. This was put to the membership in the form of two resolutions that did not pass the vote in the AGM. However, they were passed on the next vote a month later after members received the following:

"You voted against the one, or both, of the special resolutions at the last General Meeting. This letter is therefore formal notice that your removal from Membership will be considered at the Trustees meeting unless you have returned a properly completed proxy form within the required time period supporting or abstaining from both the special resolutions."

Instead of achieving an appropriate balance there is now not a single Camphill Co-worker on the board where all nine are now independent. This was never the intention or a requirement of the Charity Commission. It wanted fewer Co-workers, but what it ended up with was only one Co-worker.

We now have a group of trustees and an operational team with barely an understanding and sympathy for the role of Co-workers in the Camphill Village Trust - what hope can there be?

In 2013 and again in 2014, parents hoped that the Charity Commission would intervene as the changes implemented by these new leaders constitute a breach of the charity's Objects and Powers as laid out in its Memorandum and Articles, which are not only morally but also legally binding:

Objects: *"in accordance with the principles of Dr Rudolf Steiner (as summarised in the appendix) ... particularly (without limitation) by the establishment and maintenance of communities ... or other types of social and/or educational community, in which beneficiaries live and/or work and/or to which they otherwise resort, in community with persons providing support."*

Powers: *"recruit and appoint community members to act as Co-workers for the benefit of beneficiaries and provide such Co-workers and their dependants with accommodation, food and support to meet their other personal and family needs, as the Trustees shall from time to time determine, in accordance with the principles of Dr Rudolf Steiner (as summarised in the Appendix to this Memorandum)"*

Please refer to our quote above for the principles of Rudolf Steiner as laid out in the Appendix to the Memorandum. The parents' concerns were well documented and evidenced, yet the Commission repeatedly declined to rule on these, even when backed up with a substantial legal opinion by the country's leading charity lawyer Hubert Picarda QC that could not be clearer that trustees were in breach of trust.

Manipulation of the voting list

Being a member of CVT most of all means an opportunity for a democratic vote on motions concerning the running of the charity. To become a member in the CVT people need to complete an application form that requires them to declare whether they are a Co-worker or former Co-worker; an employee; or living with, or related to, or supported by a Co-worker or former Co-worker, or an employee.

They then need to "*summarise their views upon the reforms as outlined in the membership policy*", which amongst some reasonable intentions state that "*the reforms require Co-workers to be employed*".

The majority of Villagers and families, Co-workers and employees do not want the reforms an end to life-sharing and self-determination. But because they don't want the reforms as they are, according to CVT's policy they cannot become members and are therefore cannot have a democratic vote on decisions that substantially affect their lives. Imagine the ruling party said that you can only vote if you support what they do, whilst those who oppose what they do will not get a vote. Whilst trustees generally have a right not to admit individuals, the guidelines of the Charity Commission state that:

"Trustees cannot use these legal rules to adopt an arbitrary membership policy so as to ensure (for example) that membership does not contain people that might oppose their views ..."

However, this is clearly what CVT is doing. We know that many with sympathy for Co-workers and the life-sharing communities have been rejected, often repeatedly, and that includes Botton Co-workers and many relatives of Villagers. On the other hand, many with no connection to the community or Villagers, but e.g. new CVT managers and their relations are admitted into the voting membership, and CVT has been actively trying to fast track the few Co-workers who are now working with CVT to get onto the voting members list.

Trustees decide in meetings who can become a member and who won't. There were 257 members in 2012, 430 in May this year and 520 after the latest intake at the trustee meeting in October.

None of the new members will be opposing the reforms on the forthcoming AGM on 5 December 2014.

Misuse of safeguarding

Last month two CVT managers told a Botton Co-worker that he and his children had to leave Botton immediately because of a complaint that CVT regarded as safeguarding incident, apparently serious enough to warrant his immediate eviction from his home and the village community. The next day, the local authority reviewed the allegation and found it was not a safeguarding incident - not to mention a serious one requiring an immediate eviction. There is no doubt in our view that CVT used the opportunity of a complaint, which could and should have been dealt with as an incident of 'poor

practice', to eliminate an eloquent opponent of the charity's controversial reforms by re-framing it as a serious threat to a vulnerable adult and using its power to protect the person from the Co-worker by removing him. This is one example of several ones, but the first one where *the victim of CVT* has realised and highlighted the injustice so clearly.

Gagging orders

There are other examples that suggest that CVT has suspended or evicted Co-workers under similar circumstances before, in Botton and other communities, and we have statements from victims and witnesses describing such actions. CVT required several who have left the community or have been suspended or evicted to sign detailed confidentiality clauses, also called gagging orders, that bar the person from talking about the charity and the circumstances of their departure. Some who have simply retired and left but not signed a gagging order are afraid to talk openly about their experiences for fear of losing their pension payments from CVT's Ruth Fund.

Co-workers, having served the community for many years, have always received a transitional payment from the charity to support them for up to six months after leaving the community. This is discretionary, and people have signed the gagging order even if it means signing away their freedom to speak about the injustice they experienced. We have plans to set up a Co-worker support and protection fund so that victims of such injustice are not under pressure to sell their freedom of expression.

In the UK, gagging orders are increasingly frowned upon because, apart from being cruel and immoral, under the terms of the Public Interest Disclosure act, whistleblowers are supposed to be protected. Gagging orders are, therefore, not in the public interest and can harm service users by preventing concerned workers from revealing the poor practices of a provider. A key recommendation of the Francis report on the Mid-Staffordshire scandal was that all gagging orders must be banned in the NHS to prevent harm to patients.

Disrespect of Young Co-worker Volunteers

The young volunteers who come full of idealism to spend a year or two at our communities are a precious gift. We feel it is an abuse of their goodwill to simply make them cover houses without in turn providing the community experience, attachment to families and the mentoring by experienced Co-workers typical of Camphill. Under the new dispensation many feel disillusioned. Some have left early. Recently a group who had left Delrow having written a respectful and heart-felt letter bordering on despair to CEO Huw John were told by a manager they could not return to visit their friends because of their 'issues' with the charity. Only robust intervention by a group of parents procured a grudging change of heart. Similar threats were made by Botton management to young Co-workers who signed a letter critical of CVT's changes.

A culture of control, coercion and misleading information

CVT are masters of spin in our view. They talk of "*listening and responding*" when they don't, and tell the public that their forced restructuring plan is "*evolution not revolution*". In her letter to you, Felicity writes they are committed to working "*with integrity*". We are not saying the following lightly but we do not believe that CVT works with integrity.

Dramatization of existing problems that are perfectly soluble, and making vague references to ‘the law’ are known strategies to establish total control. Control is then cemented by manipulating the voting list by admitting only those as voting members who declare their agreement with their plans. Opposing Co-workers are being silenced, removed from influence and their groups’ decisions ignored, whilst key individuals are suspended and/or evicted for relatively minor charges using the procedures that are intended to protect the vulnerable or the community. A number of ex-Co-workers have signed a gagging order and retired Co-workers are afraid to speak. Meanwhile, new staff are being recruited rapidly and ‘planted’ into communities without consultation whilst most previous employees feel unhappy.

What may sound like a passage from a history book or the infamous practices of large corporates are in fact examples of the CVT charity behaving, as they say, “*professionally and with integrity*”, examples for which there is documentary evidence and witnesses willing to speak. For a while, Co-workers have asked themselves whether they were overly sensitive or, as some suggested, simply unwilling to trust and work with CVT, whether it was merely a question of being prepared to move on and modernise. However, everything now suggests that CVT has become a controlling and coercive organization intent on removing all Co-workers using even immoral means to this end.

Co-workers cannot trust such leaders and just let go of the valued Camphill community model by signing employment contracts with these people, contracts that don’t even mention the words Steiner or König, Camphill or Anthroposophy, that will be for a maximum of 18 months and may prove to be nothing but a loss leader in a restructuring program driven by people that have long demonstrated that they not the guardians of the charity’s traditions and values.

Is there any hope?

Maybe and with much optimism all this can be seen as a dialectic process. We don’t deny that Co-workers have, to some degree, been reluctant to change and trust and work with managers in the past. Now the pendulum has swung in the opposite direction with CVT staging the complete elimination of vocational Co-working, threatening the heart and soul of its communities.

We need to keep asking why do Co-workers resist CVT and ask for autonomy from them and understand what it is they want to uphold and achieve by this; and we need to keep asking why does CVT want to replace all Co-workers with employees and understand what is it they hope to achieve by this. Can a healthy synthesis be found?

At this moment we notice that there is no basis for trust and collaboration.

We do welcome mediation led by Dr Glasl, who appears to be a man with much experience and a good reputation and anthroposophical knowledge. The last few years have been terrible and we and Co-workers no longer trust CVT, but we also know there is no real alternative to mediation, because ongoing conflict would only upset those we live with and damage Camphill’s good name, and require costly and lengthy litigation to find remedy and justice. Co-workers must insist on their position much more strongly than last time and that binding agreements will be drawn up.

As one of Botton Villagers said: “*Botton isn’t CVT. CVT is a different thing.*”

A Delrow parent said: “*Our community has been hollowed out. If Karl König walked in today he would barely recognize the tree he planted. The soil that nourishes it is starving.*”

We believe that an autonomous Botton would be the best solution for living as a happy and healthy Camphill community, modern and compliant, and much preparation has gone into this project and professional support offered recently to make it a real option.

The way forward

CVT wants the big ‘one charity’ social care provider that manages its various centres, employing staff to support its beneficiaries. Our perspective is a different one, with the emphasis being on communities of people living and working together, sharing their lives in service to one another and a joint social and human and spiritual endeavour. We feel this is what Camphill is about. In order to be compliant with regulation and legislation including the AoCC-HMRC agreement, communities need to be self-managing entities that employ staff as required, as has been the case for decades, supported by a governing board, either its own in case of a standalone charity. In practice, that could mean that communities like Delrow, The Grange and Botton demerge from the CVT and form smaller more local charities with its own governing boards and management structure, or remain within the house of CVT but as fully devolved self-managing communities.

Action for Botton