

## **London Borough of Hillingdon Members' Code of Conduct – Investigation into complaint by Councillor Janet Duncan against Councillor Anita MacDonald**

### **Note of interview with Councillor Janet Duncan at 10.00 am on Monday 8<sup>th</sup> August 2011 at Hillingdon Civic Centre**

Mr Revell (TJR) introduced himself and said that at the request of the Monitoring Officer for the London Borough of Hillingdon (LBH) following a complaint received from Councillor Duncan he was conducting an investigation into the allegations she had made against Councillor MacDonald. Councillor Duncan (JD) confirmed that she had received TJR's letter of 4<sup>th</sup> August 2011. TJR ran through the contents of the letter. JD confirmed that she had chosen not to be accompanied at the interview. TJR reiterated the need to keep the contents of the interview confidential. He outlined the procedure he was intending to follow. JD had no questions at this stage.

TJR asked JD if she could provide any background to her complaint so that he could try to understand the circumstances that led to a formal complaint being made. JD explained that Councillor MacDonald had first been elected in May 2006 and initially had received a lot of support from members of the Labour group who welcomed a younger active councillor into the group. However, over the four year period to May 2010 the nature of Councillor MacDonald's relationship with many members of the group caused much of this support to be lost. She had indicated that she wished to stand down in May 2010 so was involved in the interviewing and selection of Labour party candidates which would not have been possible if she had been seeking selection as a candidate because of the potential conflict of interest. As preparations for the elections were beginning one of the three selected candidates in West Drayton ward was removed unilaterally by a colleague of Councillor MacDonald who then replaced them as a candidate. JD indicated that this caused uproar in the local party but as the election was imminent it was impracticable to make another change so she placated the membership and Councillor MacDonald was allowed to stand. JD did not believe that Councillor MacDonald was aware that she intervened on her behalf.

In May 2010 Councillor MacDonald was elected Deputy Leader of the Labour group but JD did not believe that she was effective in that role as she had upset many members of the group by actively attacking colleagues and had also consistently attacked council officers supporting the group. Many members of the group thought that Councillor MacDonald had not been supportive of the group leader, Councillor Khursheed, particularly when he was recuperating from an operation and from July/August 2010 was acting as Chief Whip following the suspension of Councillor Garg from that role. JD thought that Councillor MacDonald was aggressive in her manner and had a bullying and manipulative nature. JD believed that statements made by Councillor MacDonald could not always be relied on and she was sceptical of the claim made in the e-mail of 15.6.11 about the pending repossession of her house. JD advised that Councillor MacDonald disliked Councillor Harmsworth who was JD's partner. This was reciprocated by Councillor Harmsworth who did not wish to speak to Councillor

Final statement of Interview with Tim revell - 8 August 2011



Macdonald other than in a professional capacity to discuss council or group business. However, JD indicated that she had never actively engaged in any disagreement with Councillor MacDonald herself. In May 2011 it was clear that the large majority of members of the group did not want Councillor MacDonald to continue as Deputy Leader and Councillor Harmsworth indicated that he would put his name forward if no other members wished to take on the role. No one did so he became Deputy Leader and at the same time JD became Chief Whip.

JD thought that some of the hostility directed towards her and Councillor Harmsworth arose from issues concerning Councillor Garg. At the parliamentary election in May 2010 Councillor MacDonald was the Labour party candidate in the Ruislip Northwood & Pinner constituency and Councillor Garg the candidate in the Uxbridge & South Ruislip constituency. JD noted that Councillor MacDonald was a close colleague of Councillor Garg. In July/August 2010 it was discovered that Councillor Garg had received police cautions for domestic violence offences. At this point he was suspended from the Party and as Chief Whip. This information had not become known during the parliamentary selection process so the Regional Labour party began an investigation which was delayed for a number of reasons. JD and Councillor Harmsworth would be witnesses at the hearing which was to take place shortly and JD thought that one of the motives behind the accusations made against her and by implication Councillor Harmsworth was to discredit them as witnesses. She referred to a conversation with Councillor Gilham on 28<sup>th</sup> June in which he related a conversation he had had with Councillor MacDonald in which she indicated her dislike of both JD and Councillor Harmsworth because they were acting against Councillor Garg. She noted that Councillor MacDonald's husband was a regional officer of the Labour party.

TJR asked JD to give her response to the series of e-mails she had submitted to support her complaint. JD indicated that the initial request for reimbursement of £25 had been passed to her by Councillor Khursheed which she had dealt with as soon as possible (appendices 1 & 2)<sup>1</sup>. She noted that Councillor MacDonald had continued to be paid an allowance for the Deputy Leader role for some days beyond the date when that ceased. This was a matter for payroll to resolve. JD was concerned that in the next e-mail (appendix 3) she had used emotive language in referring to a 'slush fund' and implying that the money in the group fund had not been properly accounted for. The operation of the group fund was overseen by the Chief Whip so JD felt that this was an implicit criticism of Councillor Harmsworth who had held that role from 2006 to 2010, Councillor Khursheed who was acting Chief Whip last year and herself as Chief Whip since May 2011. She thought that some of the comments particularly about taxation were irrelevant as the group fund had charitable status and all the money paid in was from the taxed income of group members. She was also concerned that what she assumed was a private matter had been deliberately copied to all Labour councillors and the support staff in the office. JD responded (appendix 4) setting out the position for contributions to the fund and arrangements for expenditure from it.

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<sup>1</sup> The appendices are those attached to Councillor Duncan's submission to the Assessment Sub-Committee



TJR asked JD about the alleged conversation concerning the use of the group fund during former Councillor Marshall's periods as leader of the group (appendix 5). JD responded that the allegation was untrue and that the alleged conversation did not take place. She advised that when she was first elected in 2002 she did not hold office in the group and had no part in the operation of the group fund. Initially there was no formal constitution governing the use of the fund but there were always audited annual accounts. TJR asked whether payments in cash had been made to staff in the Labour group office. JD replied that where staff had carried out additional duties that were not part of their job descriptions they were paid in cash but did not consider this to be a problem if payments were properly accounted for.

JD noted that in the e-mail at appendix 6 Councillor MacDonald had confirmed that it had been her intention to copy the correspondence to the whole group. JD had then responded (appendix 8) to what she considered to be a libellous statement made to all Labour members although she did not attack Councillor MacDonald in this response. She then received a further e-mail from Councillor MacDonald which she regarded as both personally offensive and untrue (appendix 9). Councillor Macdonald had not sent this e-mail "in the heat of the moment" as she had sent it the following day. Regarding the contents JD indicated that Councillor Harmsworth had not actively sought the Deputy Leadership. With regard to the selection of candidates JD advised that it was the responsibility of the Chief Whip to report on members of the group as part of Party selection processes. Usually a full individual report was only made on those who had not performed well or about whom there was some query. The councillors about whom a report was made were able to see their reports. Councillor MacDonald had not held surgeries contrary to the Labour party's rules so a report was made. Councillor Macdonald objected to the fact that a report had been made about her by Councillor Harmsworth who was the Chief Whip at the time and thought that reports should be made about everyone. Councillor MacDonald was not correct to suggest that this was against the party's rules and this had been explained to her. Councillor MacDonald had not raised these matters of being bullied over a period of years with the Leader and this was an example of her tendency to make accusations for which there was no evidence. In fact she had bullied others.

JD advised that since she had become Chief Whip she had arranged for the group fund and the petty cash disbursement to be audited and for the auditor to deal with any questions raised. An updated constitution had been prepared for the group fund which had been agreed by the group. She had done this to give full evidence to members that the Group Fund was being administered properly following Councillor Macdonald's smears. JD indicated that she had been reluctant to make a complaint using the standards committee process but Councillor MacDonald's behaviour was unacceptable and she needed to protect both her position and that of the Chief Whip. Whilst involved in public life both as a councillor and local authority officer she had never experienced anything like this. She had always tried to work with Councillor Macdonald so believed that her actions were unprovoked but calculated to undermine JD. She referred to a supportive e-mail from Councillor Bliss expressing her anger about Councillor MacDonald's actions.

The interview concluded at 11.20 am.

I certify this note is a true record of the interview conducted with Tim Revell on 8<sup>th</sup> August 2011.

*Janet SM Duncan*  
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Signed

*10 September 2011*  
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Date