

STANDARDS AND ETHICS INDICATORS

Reporting Officer: Lloyd White, Head of Democratic Services

SUMMARY

This report sets out summary information on a range of topics, by which to gauge the corporate the health of the Authority in relation to Standards and Ethics.

RECOMMENDATION: That the report be noted.

INFORMATION

The Committee has agreed to receive regular reports on a range of standards and ethics indicators and presenting this information in the public arena will demonstrate that the Council is conducting its business in a lawful, transparent manner and that any transgressions are dealt with according to due process. The figures below relate to the calendar year 2015.

1. Audit Commission public interest reports:

Nil.

2. Whistle-blowing incidents reported:

Nil

3. Challenges to procurement decisions:

One

4. Employment Tribunal (ET) and Employment Appeal Tribunal (EAT) Cases Received and/or Settled and/or Ongoing:

In 2015, 9 ET cases were considered / ongoing. Of these claims:-

- 3 claims were dismissed by the ET relating to;
 - Age & race discrimination and gender reassignment
 - Age & race discrimination and unfair dismissal
 - Breach of TUPE
- 1 claim was withdrawn by the Claimant relating to;
 - Race discrimination
- 3 claims were settled relating to;
 - Race discrimination, unfair constructive dismissal, automatic unfair dismissal, unfair dismissal, harassment, victimisation
 - Race discrimination, constructive dismissal, bullying and harassment
 - Unfair dismissal
- 2 ET cases are live or ongoing, relating to;
 - Disability discrimination

- Age discrimination, breach of TUPE

Schools Cases

In 2015, 1 ET was considered / ongoing

- 1 claim was settled relating to unfair dismissal and disability discrimination

5. Officer Declarations:

i) Declarations of Interest in relation to Council contracts

Date	Details of interest, contract, etc:	Department / Team
21.09.15	Officer's property is let for a mother and baby unit.	Children's Social Work Team
04.11.15	Officer's neighbour is a recipient of direct payments.	Early Intervention & Prevention Adult Resources
24.11.15	Officer married to the Contract Manager for provider of MAXI M&E Contracts	Early Intervention & Prevention
24.11.15	Service Manager related to 2 LBH staff members who work in a different department	Adult Social Care - Early Intervention & Prevention

ii) Declarations of Gifts and Hospitality:

The Council's Golden Rules on gifts and hospitality require Corporate Directors to keep a register of declarations made by staff and for an annual report to be made to Management Team. The summary of declarations for 2015 by Directorate is set out below:

Administration & Finance – Total of 20 declarations (90 in 2014):

- 10 offers of hospitality and 5 of gifts
- 9 offers in total were declined.
- 3 gifts were donated to the Mayor's charity.
- The majority of gifts were token thank you gifts (confectionary etc).
- The hospitality offers were either working events or thank you gifts.

Residents Services – Total of 17 declarations (39 in 2014):

- 7 offers of hospitality and 10 of gifts.
- 8 offers in total were declined.
- 4 gifts were donated to the Mayor's charity.
- The majority of gifts were thank you, token gifts.
- The majority of hospitality offers were working lunches or industry events.

Social Care – Total of 6 declarations (13 in 2014)

- 6 offers of gifts
- 0 offers were declined.
- 1 gifts was donated to the Mayor's charity.
- The majority of gifts were thank you gifts of relatively minor value.

6. Member Declarations

i) Declarations of Interest made by Members at Meetings:

Note: A Member with a *pecuniary* interest in any matter being considered must declare that interest, not speak or vote on the item and leave the meeting. A Member with a *non-pecuniary* interest must declare that interest but may remain in the meeting, speak and vote. If, however, a member of the public, knowing all the relevant facts, would view the non-pecuniary interest as so significant that it is likely to prejudice the Member's judgment of the public interest, then that Member must declare that interest, not speak or vote on the item and must leave the room whilst that item is being considered.

Councillor Ahmad-Wallana:

- 20 May & 2 September, 2015 - Central & South Planning Committee - The Nags Head PH, Falling Lane, Yiewsley - Non Pecuniary - had dealt with issues of anti social behaviour relating to the site
- 26 November, 2015 - Central & South Planning Committee - Maksons House, 52 Station Road, West Drayton - Non Pecuniary - had had contact with parties involved in the petition. Left the room during the consideration thereof.

Councillor Allen: Nil

Councillor Barnes: Nil

Councillor Bianco: Nil

Councillor Birah:

- 5 November, 2015 - Council - Motions - Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Bridges: Nil

Councillor Burles:

- 11 February, 2015 - External Services Scrutiny Committee - Children and Families Act 2014 - Family Law Reforms - Non Pecuniary - employed by an organisation that had a contract with the Legal Services Commission to deliver Family Mediation. Stayed in the room during the consideration thereof.
- 5 November, 2015 - Council - Motions - Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Burrows: Nil

Councillor Chamdal:

- 21st April, 2015 7 - Central & South Planning Committee - 17 Orchard Way, Uxbridge - Non Pecuniary - had spoken with residents about the application.

Councillor Chapman: Nil

Councillor G.Cooper: Nil

Councillor J.Cooper: Nil

Councillor Corthorne:

- 23 September, 2015 - Pensions Committee - External Auditor Report on the Pension Fund Annual Report and Accounts - Non Pecuniary - a 'deferred' member of the Local Government Pension Scheme. Stayed in the room during discussion on the item.

Councillor Crowe: Nil**Councillor Curling:**

- 6 January, 2015 - Major Applications Planning Committee - Fassnidge Memorial Hall - R/O High Street, Uxbridge - Pecuniary - a trustee of the Fassnidge Trust. Left the room and did not vote on the item.
- 10th February 2015 - Major Applications Planning Committee - Brunel University, Kingston Lane, Hillingdon - Pecuniary - An employee of Brunel University. Left the room during the consideration thereof.
- 16 September 2015 - Petition Hearing - Cabinet Member for Planning, Transportation and Recycling - Request to retain the Mount Road / Coldharbour Lane bus stop in Hayes - Non Pecuniary - member of the Hayes Town Centre Stakeholder Working Group. Stayed in the room during the consideration thereof.
- 5 November, 2015 - Council - Motions - Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Dann: Nil**Councillor Davis: Nil****Councillor Denys: Nil****Councillor Dheer:**

- 5 November, 2015 - Council - Motions - Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Dhillon:

- 7 January 2015 - Central & South Planning Committee - Enforcement Report - Non Pecuniary - had instigated the report. Left the room whilst the report was being discussed.
- 29 January 2015 - Central & South Planning Committee - Enforcement Report - Non Pecuniary - had instigated the Enforcement Report. Left the room whilst the report was discussed.
- 17 February 2015 - Central & South Planning Committee - 209 Field Heath Road, Hillingdon - Non Pecuniary - related to the applicant. Left the meeting whilst the item was discussed

Councillor Dhot:

- 5 November, 2015 - Council - Motions - Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Duducu: Nil**Councillor Duncan:**

- 17 February 2015 - Central & South Planning Committee - 209 Field Heath Road, Hillingdon - Non Pecuniary - had been in discussion with the petitioners. Left the meeting whilst the item was discussed.
- 17 February 2015 - Central & South Planning Committee - 1 Fir Tree Avenue, West Drayton - Non Pecuniary - had been in discussion with the petitioners. Left the meeting whilst the item was discussed.

- 2 June 2015 - Major Applications Planning Committee - Land to the west of Laurel Lane, West Drayton - Non Pecuniary - trustee of Frays Academy Trust. Left the room during the discussion and consideration of this item.
- 16 July 2015 - Major Applications Planning Committee - Padcroft Works, Tavistock Road, Yiewsley - Non Pecuniary - Predetermined View
- 2 September 2015 - Central & South Planning Committee - Enforcement Report -Non Pecuniary - had reported the case to officers
- 26 November 2015 - Central & South Planning Committee - Maksons House, 52 Station Road, West Drayton -Non Pecuniary -Left the room during the consideration thereof.

Councillor East:

- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Edwards:

- 7 January 2015 - Central & South Planning Committee - Enforcement Report - Non Pecuniary - had instigated the report. Left the room whilst the report was being discussed.
- 20 May 2015 - Central & South Planning Committee - The Nags Head PH, Falling Lane, Yiewsley - Non Pecuniary - had dealt with a complaint in relation to the site
- 26 November 2015 - Central & South Planning Committee - 70 Yew Avenue, Yiewsley - Non Pecuniary - had liaised with the petitioners Left the room during the consideration thereof.

Councillor Eginton:

- 15 December 2015 - Audit Committee - IA Progress Report for 2015/16 Quarter 3 (including the Quarter 4 IA Plan) - Non Pecuniary - Member of the Schools Forum. Stayed in the room during discussion on the item.

Councillor Flynn:

- 13 May 2015 - North Planning Committee - The Woodman PH, Joel Street, Eastcote, Pinner -Non Pecuniary

Councillor Fyfe: Nil

Councillor Gardner:

- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Garg: Nil

Councillor Gilham: Nil

Councillor Graham:

- 29 January 2015 - Central & South Planning Committee - Enforcement Report - Non Pecuniary - had instigated the Enforcement Report. Left the room whilst the report was discussed.

Councillor Haggar:

- 25 November 2015 - Children, Young People and Learning Policy Overview Committee - Major Review - The Effectiveness of Early Help to Promote Positive Outcomes for Families - Witness Session 3 - Non Pecuniary - due to personal family circumstances. Left the room while the item was discussed

Councillor Hensley: Nil

Councillor Higgins:

- 24 September, 2015 - Executive Scrutiny Committee - Consideration of Any Call-ins - Non Pecuniary - a trustee of HOAC. Stayed in the room during the discussion on the item.
- 17 December 2015 - Executive Scrutiny Committee - Consideration of any Call-Ins -Non Pecuniary - the voluntary sector grant to Hillingdon Outdoor Activity Centre - Trustee. Stayed in the room during the discussion and vote on the matter.

Councillor Jackson: Nil

Councillor Jarjussey:

- 12 May 2015 - External Services Scrutiny Committee - The Hillingdon Hospitals NHS Foundation Trust - Review of the Care Quality Commission Inspection Report - Non Pecuniary - had recently been a regular user, and Stayed in the room during the consideration thereof.
- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Kauffman: Nil

Councillor Kelly: Nil

Councillor Khatra: Nil

Councillor Khursheed: Nil

Councillor Lakhmana: Nil

Councillor Lavery: Nil

Councillor Lewis: Nil

Councillor Markham:

- 12 May 2015 - External Services Scrutiny Committee - The Hillingdon Hospitals NHS Foundation Trust - Review of the Care Quality Commission Inspection Report - Non Pecuniary - recently been a regular user. Stayed in the room during the consideration thereof.

Councillor Melvin: Nil

Councillor D.Mills: Nil

Councillor R.Mills: Nil

Councillor Money: Nil

Councillor Morgan:

- 6 January 2015 - Major Applications Planning Committee - 5 Fassnidge Memorial Hall - Pecuniary - trustee of the Fassnidge Trust. Left the room and did not vote on the item.
- 13 May 2015 - North Planning Committee - 12 The Woodman PH, Joel Street, Eastcote, Pinner - Non Pecuniary

Councillor Morse:

- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Nelson:

- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor O'Brien:

- 23 September, 2015 - Pensions Committee - External Auditor Report on the Pension Fund Annual Report and Accounts -Non Pecuniary - a 'deferred' member of the Local Government Pension Scheme. Stayed in the room during discussion on the item.

Councillor Oswell:

- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Palmer: Nil

Councillor Puddifoot: Nil

Councillor Riley:

- 21 January 2015 - Petition Hearing - Cabinet Member for Planning, Transportation and Recycling - Petition Requesting Traffic Calming Measures to Alleviate Speeding on the Approach to the Crossing on Bury Street, Adjacent to Pinn Way, Eastcote - Non Pecuniary - resident of Bury Street. Stayed in the room and took part in discussions.

Councillor Sansarpuri:

- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Seaman-Digby:

- 23 July 2015 - Cabinet - Council Budget Monthly Monitoring Report - Month 2 - Pecuniary - connection with a contract ratified at the meeting. Left the room for the discussion and decision on the item.

Councillor Simmonds: Nil

Councillor Singh:

- 5 November, 2015 - Council - Motions -Non Pecuniary - member of a trade union. Stayed in the room during the consideration thereof.

Councillor Stead:

- 6 January 2015 - Major Applications Planning Committee - The Battle of Britain Bunker, RAF Uxbridge, Hillingdon Road, Uxbridge - Non Pecuniary - member of the 'Friends of the Bunker'. Left the room and did not vote on the item.
- 17 February 2015 - Central & South Planning Committee - 209 Field Heath Road, Hillingdon - Non Pecuniary - had been in discussion with the petitioners. Left the meeting whilst the item was discussed.
- 30 June 2015 - Central & South Planning Committee - Prince Albert PH, Field Heath Road, Hillingdon - Non Pecuniary - Had discussed the application with residents not realising the application was going to go to Committee for a decision.

Councillor Sweeting: Nil

Councillor White: Nil

Councillor Yarrow:

- 11 August 2015 - Central & South Planning Committee - 3 Harvey Road, Hillingdon - Non Pecuniary - The applicant had 'phoned him but had been advised that, as he was on the Committee, he was unable to discuss the application with him.

ii) **Declarations of Gifts and Hospitality:**

In 2015 16 declarations (10 in 2014) were received from:

Councillor Burles:

- 15.05.05 - Brunel Volunteers Awards Dinner - Brunel Volunteers, Union of Brunel Students - value unknown - accepted.

Councillor Corthorne:

- 16.01.15 - Ruislip Manor Cottage Society Dinner - £30
- 18.02.15 - LHC - Housing Innovations awards dinner - £30 - declined
- 18.05.15 - NAPF Investments dinner party - £40 - declined
- 04.12.15 - invitation to Curtin & Co annual Christmas lunch - £40 - declined

Councillor Curling:

- 15.05.15 - Brunel University Awards Dinner - invitation by Brunel Volunteers, Union of Brunel Students - value unknown - attended.
- 19.05.15 - Brunel University Garden Party to launch the Brunel Festival - invitation by Union of Brunel Students - value unknown - accepted.

Councillor Dann:

- 06.02.15 - Subway Restaurant, High Street Yiewsley. Gift of kettle - £25. Retained.

Councillor Fyfe:

- 28.09.15 - Buffet Lunch at Oakley Court Hotel hosted by Groundworks Heathrow

Councillor Gilham:

- 22.01.15 - Heathrow Airport Ltd - guest on inaugural flight of Airbus A350 - estimate £200 - accepted.

Councillor Jackson:

- 15.02.15 - Bouquet of flowers from resident of Hewens Road - - £25 - retained

Councillor D.Mills:

- 13.06.15 - RAF Northolt - two tickets to open day - accepted.

Councillor R.Mills:

- 04.01.15 - Jackpot Joy - Lakeside Darts Tickets - £62 - accepted
- 04.07.15 - Two meals at London Youth Games, Crystal Palace - value unknown - accepted.

Councillor Puddifoot:

- 28.07.15 - West Middlesex Normandy Veterans' Association - two whisky tumblers - £30 - retained

Councillor Yarrow:

- 06/02/15 - Subway, Yiewsley - Orla twin pack table lamps - £40 - accepted

7. Ombudsman complaints received/settled

In 2015 54 complaints to the Local Government Ombudsman were processed (52 in 2014) as follows:

Date Received	Nature of complaint	Outcome
7 Jan 2015	Complaint about involvement of social services with family, which has caused lives to be destroyed	No evidence that the Council failed to support the family in a way which led to the problems
9 Jan 2015	Complaint about officer conduct when dealing with a housing application	Closed after initial enquiries - out of jurisdiction.
9 Jan 2015	Complaint about failure to provide school places	Not upheld - no maladministration.
26 Jan 2015	Council refused to allow complainant to apply for a transfer and failed to update Locata profile	Not upheld - no maladministration.
3 Mar 2015	Complainant wishes work at property and compensation	Not upheld - no maladministration.
27 Mar 2015	Complaint relating to housing repairs to property	Awaiting outcome
27 Mar 2015	Alleged maladministration in relation to direct payments	Awaiting outcome
30 Mar 2015	Complainant about payment of domiciliary care	Not upheld - no maladministration.
31 Mar 2015	Complaint about nature of correspondence from the Council concerning mother's care.	Council at fault - recommend payment of £250 for distress and uncertainty.
14 Apr 2015	Complaint about Council handling of petition for a 20mph zone to be installed along Swan Road	Closed after initial enquiries - no further action.
28 Apr 2015	Council failed to ensure an annual review of son's statement of special educational needs	Not upheld - no maladministration.
15 May 2015	Council has failed properly to address concerns about its performance.	Closed after initial enquiries - no further action.
19 May 2015	Complaint about Council's handling of planning applications and officer carrying out a vendetta against complainant.	Not upheld - No maladministration.
20 May 2015	Council failed to properly consider medical information supplied in support of housing application.	Upheld: maladministration and injustice.
21 May 2015	Council wrongly approved a planning application adjacent to complainant's property:	Council at fault in writing an incorrect distance in officer's report, failing to explain why it had not include a landscaping condition in the permission

Date Received	Nature of complaint	Outcome
		and including reference to an irrelevant measurement in a complaint response to a different neighbour. None of these faults affected the decision that was reached but caused avoidable confusion and uncertainty. Council apologised for the errors and offered to pay for two trees to provide additional screening.
21 May 2015	Rain water from next door's conservatory runs into the sewage drain causing flooding and damage to property.	Not upheld - no maladministration.
27 May 2015	Council failed to send email correspondence or marked "do not redirect" as agreed, affecting Council Tax payments resulting in court action.	Council was at fault in failing to send correspondence by email or marked "do not redirect". However, this did not cause a significant injustice.
11 Jun 2015	Complainant allegedly suffered with domestic violence and requested to be housed in appropriate accommodation	Upheld: maladministration but no injustice.
16 Jun 2015	Council refused to take enforcement action against neighbour for erecting a visually intrusive radio aerial mast.	Closed after initial enquiries - no further action.
17 Jun 2015	Council's revised road scheme for High Elms Close does not meet the requirements for shared surfaces and has failed to ensure the finished surface is of an appropriate standard.	Not upheld - no maladministration.
1 Jul 2015	Council advised complainant to make changes to planning application which would make it acceptable. Amended application was refused.	Upheld - maladministration. Council to provide an apology and pay £775.40 plus £150 time and trouble compensation.
9 Jul 2015	Complainr about educational provision made for son.	Awaiting outcome
21 Jul 2015	Council failed to properly manage council tax account	Upheld - maladministration and injustice. Council apologised.
24 Jul 2015	Complaint about works carried out at Council property.	Not upheld - no maladministration.
31 Jul 2015	Housing complaint	Awaiting outcome
4 Aug 2015	Complaint about having to repay a housing benefit overpayment which arose due to a Council error.	Closed as complaint made to tribunal.
4 Aug 2015	Complaint about reassessment of care needs by social worker	Upheld - maladministration. Council remedied situation and case closed.
12 Aug 2015	Complaint about Council decision on homelessness application.	Closed as complainant can use statutory review process
13 Aug 2015	Complaint about Council's handling of complaint about anti social behaviour.	Closed as not through the Council's complaints procedure.

Date Received	Nature of complaint	Outcome
18 Aug 2015	Complaint that Council released electoral details without consent	Not upheld - no maladministration.
19 Aug 2015	Complaint that Council released electoral details without consent	Closed as complainant can use other mechanisms
2 Sep 2015	Complaint about being given an Incorrect Locata band and being in overcrowded accommodation	Not upheld - no evidence of fault in the way the Council assessed the housing needs or awarded priority on the housing register. However, the Council should review the wording of the Housing Allocation Policy regarding medical grounds to ensure it is clear.
2 Sept 2015	Council failed to provide correct housing benefit since 2010, Have not received a 24 hour care package.	Closed as not through the Council's complaints procedure.
7 Sept 2015	Council intervened in eviction proceedings allowing tenant to accrue further arrears	Closed after initial enquiries - unpaid rent a matter between a landlord and their tenant.
11 Sept 2015	Complainant incurred extra insurance premiums as a result of the Council damaging car	Closed after initial enquiries - complainant has a legal remedy to pursue.
15 Sept 2015	Complaint regarding safeguarding issues relating to complainant's daughter.	Awaiting outcome
28 Sept 2015	Complaint about issues that arose whilst in care.	Awaiting outcome
5 Oct 2015	Complaint about care provided to elderly relative	Ombudsman may consider once other agencies have investigated.
7 Oct 2015	Complaint about a housing application	Premature - not been through the Council's complaints procedures.
7 Oct 2015	Complaint about being given a moving traffic penalty.	Closed after initial enquiries as a right of appeal exists.
7 Oct 2015	Council cancelled purchase of home under the right to buy scheme'.	Not upheld - no maladministration.
13 Oct 2015	Complaint about the condition of a property	Premature - not been through the Council's complaints procedures.
15 Oct 2015	Council failed to deal properly with the transition of daughter after she left school in July 2015	Awaiting outcome
16 Oct 2015	Complaint about Council's management of a safeguarding allegation against a school transport escort.	Awaiting outcome
19 Oct 2015	Council failed to apply the correct discount to RTB application.	Awaiting outcome
12 Nov 2015	Complaint about the condition of the fence between neighbouring properties	Complaint out of jurisdiction.
12 Nov 2015	Complaint about a homelessness application	Premature - not been through the Council's complaints procedures.
13 Nov 2015	Complaint about removal from the Housing register	Awaiting outcome

Date Received	Nature of complaint	Outcome
19 Nov 2015	Complaint about heating issues at Council property	Premature - not been through the Council's complaints procedures.
19 Nov 2015	Complaint about a housing exchange	Awaiting outcome
16 Dec 2015	Complaint about Council's handling of a Homelessness application	Awaiting outcome
18 Dec 2015	Complaint about a safeguarding investigation into the care of late mother.	Awaiting outcome
22 Dec 2015	Complaint disputing court action and bailiff costs	Awaiting outcome
10 Dec 2015	Council not named a suitable school for son on his Education Health and Care statement	Closed - complainant can utilise appeal process.