

STANDARDS AND ETHICS INDICATORS 2021

Reporting Officer: Lloyd White, Head of Democratic Services

SUMMARY

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

- Public Interest Reports;
- Whistle Blowing Incidents;
- Challenges to Procurement Decisions;
- Employment Tribunal and Employment Appeal Tribunal Cases;
- Officer Declarations of Interest in relation to Council Contracts;
- Member Declarations of
 - Interest at Meetings
 - Gifts and Hospitality
- Stage 3 and Local Government Ombudsman Complaints.

RECOMMENDATION: That the report be noted.

INFORMATION

The Committee has agreed to receive annual 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 2021.

1. PUBLIC INTEREST REPORTS 2021:

Nil.

2. WHISTLE-BLOWING INCIDENTS REPORTED 2021:

One (nil in 2020).

3. CHALLENGES TO PROCUREMENT DECISIONS 2021:

Nil.

4. EMPLOYMENT TRIBUNAL (ET) AND EMPLOYMENT APPEAL TRIBUNAL (EAT) CASES RECEIVED AND/OR SETTLED AND/OR ONGOING 2021:

- In 2021, 2 ET cases were considered and subject to a commercial settlement (without admission of liability) ahead of a full hearing relating to:
 - (i) Allegations of disability and race discrimination relating to long term absence and complaints raised during employment.
 - (ii) Allegations of disability discrimination relating to absence.

- In 2021, 9 cases were received and remain outstanding pending consideration by an employment tribunal:
 - (i) Allegations of unfair dismissal and race discrimination relating to an agency worker.
 - (ii) Allegations of disability discrimination (relating to Covid-19) and constructive dismissal.
 - (iii) Allegations of unfair dismissal and disability discrimination relating to long term absence.
 - (iv) Allegations of race discrimination and victimisation – the claimant has an ongoing employment relationship with the Council.
 - (v) Allegations of constructive dismissal and disability discrimination relating to complaints raised during employment.
 - (vi) Allegations of constructive dismissal and disability discrimination of which Hillingdon Council is one of three respondents (all 3 Respondents are Local Authorities).
 - (vii) Allegations of disability discrimination pre-employment.
 - (viii) Allegations of unfair dismissal and race discrimination following dismissal for reasons of gross misconduct.
 - (ix) Allegations of unfair dismissal relating to absence.

5. OFFICER DECLARATIONS 2021:

i) Officer Declarations of Interest in Relation to Council Contracts in 2021:

Date	Department / Team	Details
07.01.22	Legal Services	Officer is a provider of a specialist EBD children's home in Oxford. There are a number of children within Hillingdon that require placements in specialist homes and are either on a waiting list or in semi-independent homes. Officer would like to be considered as an approved provider.

6. MEMBER DECLARATIONS 2021:

i) **Declarations of Interest made by Members at Meetings during 2021:**

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.

In 2021 the following declarations were made by Members:

Councillor:		
Birah 1	Hensley 1	Morgan 1
Corthorne 3	Kauffman 1	Morse 1
Eginton 6	Lavery 4	Sansarpuri 1
Farley 2	Lewis 2	
Goddard 1	Mathers 1	
	Melvin 1	

Broken down as follows:

Tuesday, 12th January, 2021 7.30 pm - Corporate Services, Commerce and Communities Policy Overview Committee

5. Review: Voluntary Sector Response to Covid-19 Pandemic

- Councillor Scott Farley - Non-Pecuniary - Councillor Scott Farley declared a non-pecuniary interest in agenda item 5 as he had been conducting Ward Councillor surgeries at the Foodbanks in question. He remained in the meeting during the discussion of this item.

6. 2021/2022 Budget Proposals For Services Within The Remit Of Corporate Services, Commerce & Communities Policy Overview Committee

- Councillor Martin Goddard - Non-Pecuniary - Councillor Martin Goddard declared a non-pecuniary interest in agenda item 6 as he would shortly be taking up a new Cabinet role. He left the meeting and did not participate in the discussion of this item.

Wednesday, 20th January, 2021 6.00 pm - Major Applications Planning Committee

9. Harlington School - 18948/APP/2020/2551

- Councillor John Morse - Non-Pecuniary - Councillor Morse declared a non-pecuniary interest in respect of agenda item 9, as he was a governor at the school. Councillor Morse removed himself from the meeting when the item was determined.

Thursday, 21st January, 2021 7.00 pm - CABINET

5. Proposed Changes to the Admissions Criteria for Community Schools

- Councillor Eddie Lavery - Non-Pecuniary - Cllr Eddie Lavery declared a non-pecuniary interest in Item 5 on the agenda as the Chairman of Governors at Ruislip Gardens Primary School. He remained in the virtual meeting during the discussion and vote on the item.

Tuesday, 26th January, 2021 5.00 pm - Pensions Committee

- Councillor Philip Corthorne - Non-Pecuniary - Councillor Philip Corthorne declared a Non-Pecuniary interest in all agenda items because he was a deferred

member of the Local Government Pension Scheme. He remained in the virtual meeting during discussion of the items.

- Councillor Tony Eginton - Non-Pecuniary - Councillor Tony Eginton declared a Non-Pecuniary interest in all agenda items as he was a retired member of the Local Government Pension Scheme. He remained in the virtual meeting during discussion of the items.

Wednesday, 27th January, 2021 7.00 pm - Residents, Education and Environmental Services Policy Overview Committee

- Anthony Little - Non-Pecuniary - Mr Tony Little declared a non-pecuniary interest in respect of agenda items 7 and 8, as he was a Governor at Harlington School.

Wednesday, 3rd February, 2021 7.30 pm - Corporate Services, Commerce and Communities Policy Overview Committee

6. Policy Overview Committee Comments on Cabinet's Budget Proposals for 2021/2022 Financial Year

- Councillor Scott Farley - Non-Pecuniary - Councillor Scott Farley declared a non-pecuniary interest in agenda item 6 as he had substituted at the REESPOC meeting at which this matter had been discussed. He remained in the meeting during the discussion of the item.

Thursday, 4th February 2021 5.10 pm - Audit Committee

- Councillor Tony Eginton - Non-Pecuniary - Councillor Tony Eginton declared a non-pecuniary interest in agenda items 6 & 7 arising from the fact that he was a retired member of the Local Government Pension Scheme. He remained for the discussion of all items.

Wednesday, 17th February 2021 6.00 pm - North Planning Committee

6. 16 Murray Road, Northwood - 4626/APP/2020/3048

- Councillor Carol Melvin - Non-Pecuniary - Councillor Carol Melvin declared an interest in agenda item 6 as she had been involved with different planning applications at the property in the past. Councillor Melvin left the meeting and did not participate in the discussion or voting for this item.

Wednesday, 24th March 2021 5.00 pm - Pensions Committee

- Councillor Philip Corthorne - Non-Pecuniary - Councillor Philip Corthorne declared a Non-Pecuniary interest in all agenda items because he was a deferred member of the Local Government Pension Scheme. He remained in the virtual meeting during discussion of the items.
- Councillor Tony Eginton - Non-Pecuniary - Councillor Tony Eginton declared a Non-Pecuniary interest in all agenda items as he was a retired member of the Local Government Pension Scheme. He remained in the virtual meeting during discussion of the items.

Tuesday, 20th April 2021 7.00 pm - Residents, Education and Environmental Services Policy Overview Committee

6. Third witness session for the review into the Adult and Community Learning Service

- Anthony Little - Non-Pecuniary - Mr Little declared a non-pecuniary interest as he was a Governor of Harlington School, referenced within the discussion.

Thursday, 22nd April, 2021 7.00 pm - CABINET

7. Monthly Council Budget Monitoring Report: Month 11

- Councillor Eddie Lavery - Non-Pecuniary - Councillor Eddie Lavery declared a non-pecuniary interest on item 7 on the agenda (budget monitoring report) as a Director of Uxbridge BID. He remained in the virtual meeting during the discussion and decision on the item.

Wednesday, 19th May, 2021 7.30 pm - North Planning Committee

13. Haste Hill Nurseries, Fore Street, Northwood Hills - 71072/APP/2021/179

- Councillor John Morgan - Non-Pecuniary - Councillor John Morgan declared a non – pecuniary interest in agenda item 13: Haste Hill Nurseries, Fore Street, Northwood Hills (71072/APP/2021/179) as the applicant was carrying out work in his garden. Councillor Morgan left the meeting and did not participate in the discussion or voting for this item.

Thursday, 27th May, 2021 7.00 pm - CABINET

8. Academy Conversion - Hermitage Primary School

- Councillor Eddie Lavery - Non-Pecuniary - Councillor Eddie Lavery declared a non-pecuniary interest in Item 8 on the agenda (Academy conversion – Hermitage Primary School) as a Trustee of the Vanguard Learning Trust. He remained in the room during the discussion and vote on the matter.

Thursday, 3rd June, 2021 7.30 pm - Corporate, Finance and Property Select Committee

6. Engagement with the Armed Forces

- Councillor Richard Lewis - Non-Pecuniary - Councillor Richard Lewis declared a non-pecuniary interest in agenda item 6 as he was a member of the RAF reserves.
- Councillor Tony Eginton - Non-Pecuniary - Councillor Tony Eginton declared a non-pecuniary interest in agenda item 6 as his son was a member of the RAF reserves.

Thursday, 10th June, 2021 5.00 pm - Pensions Committee

- Councillor Raju Sansarpuri - Non-Pecuniary - Councillor Raju Sansarpuri declared a non-pecuniary interest in all agenda items as he was a retired member of the Local Government Pension Scheme. He remained in the meeting during discussion of the items.

Thursday, 17th June, 2021 7.00 pm - CABINET

11. Academy Conversion - Field End Junior School

- Councillor Eddie Lavery - Non-Pecuniary - Cllr Eddie Lavery declared a non-pecuniary interest in Item 11 on the agenda (Academy Conversion – Field End Junior School) as Vice-Chairman of the Governing Body. He remained in the room during the discussion and decision on the item.

Thursday, 9th September, 2021 7.30 pm - Council

9. Motions

- Councillor Stuart Mathers - Non-Pecuniary - Councillor Mathers declared a non-pecuniary interest in Agenda Item 9.4, as it related to his employment, and left the room during the consideration thereof.

Wednesday, 29th September, 2021 5.10 pm - Audit Committee

6. Approval of the 2020/21 Statement of Accounts and Draft External Audit Report for the Year Ended 31 March 2021

- Councillor Richard Lewis - Non-Pecuniary - declared a non-pecuniary interest in agenda item 6 arising from the fact that he was a non-retired member of the Local Government Pension Scheme. He remained for the discussion of all items.
- Councillor Tony Eginton - Non-Pecuniary - declared a non-pecuniary interest in agenda item 6 arising from the fact that he was a retired member of the Local Government Pension Scheme. He remained for the discussion of all items.

Thursday, 14th October, 2021 6.00 pm - Major Applications Planning Committee

8. Area of Ickenham Green, South West of The Greenway - 44457/APP/2021/2212

- Councillor Philip Corthorne - Non-Pecuniary - Councillor Philip Corthorne declared a non-pecuniary interest in item 8 as he had been publicly outspoken against the development since before the agenda had been published; he withdrew from the meeting for that item and did not take part in the discussion or vote.

Tuesday, 2nd November, 2021 6.00 pm - Minor Applications Planning Committee

2. 54A Edwards Avenue, Ruislip - 34282/APP/2021/1682

- Councillor Allan Kauffman - Non-Pecuniary - as he had prior involvement with residents regarding the site. He did not vote and left the room during discussion of the item.

Wednesday, 1st December, 2021 5.00 pm - Pensions Committee

- Councillor John Hensley - Non-Pecuniary - Councillor John Hensley declared a non-pecuniary interest in all agenda items as a retired member of the Local Government Pension Scheme.
- Councillor Tony Eginton - Non-Pecuniary - Councillor Tony Eginton declared a non-pecuniary interest in all agenda items as a retired member of the Local Government Pension Scheme.

Tuesday, 7th December, 2021 6.00 pm - Borough Planning Committee

10. 14 - 16 Hall Lane, Harlington - 70943/APP/2021/2779

- Councillor Mohinder Birah - Non-Pecuniary - as he had prior involvement with residents regarding the site. He did not vote and left the room during discussion of the item.

ii) **Member Declarations of Gifts and Hospitality during 2021:**

In 2021, 17 declarations were received (8 in 2020) from:

Councillor Allen

- 14.11.21 - Veteran from British Legion - gift of enamel gilded poppy brooch - value unknown - retained.

Councillor Bridges

- 04.11.21 - Carole Bromley - mediumship and tarot reading - £50 - accepted

Councillor Edwards

- 14.09.21 - Guru Nanak School - glass plaque and flowers - £35 - accepted.
- 24.11.21 - Muslim Community Leaders, Hayes - flowers - £7 - accepted
- 24.11.21 - Muslim Community Leaders, Hayes - chocolates - £5 - accepted
- 24.11.21 - Muslim Community Leaders, Hayes - a copy of the Qur'an - value unknown – accepted
- 24.11.21 - Muslim Community Leaders, Hayes - Ajmal Ahlamm perfume - £13.99 – donated to Mayor's Charity

Councillor Puddifoot:

- 11/01/21 - Polish Airman's Association - Model Hurricane - 303 Polish Squadron - £86 - accepted
- 14.01.21 - bottle of malt whiskey - Kevin and Toni Mullaly (HACS) - £48 – retained
- 14.01.21 - bottle of Prosecco - Jeanne Smith - @£25 - retained
- 17.05.21 - Guru Nanak Multi Academy Trust - engraved crystal glass plaque - £45 - retained
- 24.05.21 - Polish Air Force Memorial Committee - engraved crystal decanter - £65 - retained
- 11.08.21 - Gerrards Cross & Uxbridge District Angling Society - 2021 / 22 season membership - £50 - accepted
- 11.08.21 - Gerrards Cross & Uxbridge District Angling Society - Access key - £10 - accepted
- 30.11.21 - HACS - bottle of whiskey - £35 – retained

Councillor Sweeting:

- 31.03.21 - Mr Aked - flowers. Approx' value £5 – retained
- 31.03.21 - Copy Centre, West Drayton - chocolates - £6.40 - retained

7. STAGE 3 AND OMBUDSMAN COMPLAINTS RECEIVED/SETTLED 2021

Stage 3 complaints and complaints to the Local Government Ombudsman (LGO) continue to be dealt with within required timescales and in accordance with the Council's Corporate Complaints Policy.

The Policy was reviewed and updated by Cabinet in 2015 with the result that the process has been streamlined and made more efficient for complainants, with less time spent on complaints about 'policy' or complaints that could be labelled frivolous.

Statistically:

Stage 3 Complaints 2021:

2014 total = 60 (10 upheld or partially upheld)

2015 total = 42 (9 upheld or partially upheld)

2016 total = 11 (2 upheld or partially upheld)

2017 total = 1 (1 not upheld)

2018 total = 0

2019 total = 0

2020 total = 0

2021 total = 0

Complaints to the Local Government and Social Care Ombudsman and Housing Ombudsman Service during 2021:

In 2021, 34 complaints to the Ombudsman were processed (56 for 2019 and 67 for 2020) and the table below sets out the figures

Service Area	Total complaints	Upheld	Partially Upheld	Not Upheld	Did not investigate
Finance	5	0	0	0	5
Adult Social Care	3	0	0	0	3
Children Services	3	0	0	0	3
Residents Services	23	2	1	1	19
Total	34	2	1	1	30

The number of Ombudsman Investigations is lower for 2021 than in previous years because the Local Government and Social Care Ombudsman decided to pause their investigations for 4 months to allow Local Authorities to focus on our Covid 19 response during 2021.