

STANDARDS AND ETHICS INDICATORS 2022

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
- 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 2022:**

Nil. (nil in 2021)

2. **WHISTLE-BLOWING INCIDENTS REPORTED 2022:**

One (one in 2021):

Date	Details	Outcome
May '22	An employee complained about manager's conduct and the refusal of the Council to pay redundancy	Complaint found not to be whistleblowing as statutory criteria not met.

3. **CHALLENGES TO PROCUREMENT DECISIONS 2022:**

Nil.

4. EMPLOYMENT TRIBUNAL (ET) AND EMPLOYMENT APPEAL TRIBUNAL (EAT) CASES RECEIVED AND/OR SETTLED AND/OR ONGOING 2022:

In 2022, 2 ET claims were subject to a commercial settlement (without admission of liability). The claims related to:

1. Constructive dismissal
2. Allegation of sex and race discrimination

In 2022, 5 ET claims proceeded to a hearing and all claims were dismissed. These claims related to:

1. Race/sex discrimination
2. Disability discrimination
3. Unfair dismissal
4. Race/sex discrimination and victimisation

An additional claim of Disability discrimination was withdrawn by the Applicant.

A further 8 claims remain outstanding and are awaiting a hearing. These claims concern:

1. Constructive dismissal
2. Unfair dismissal
3. Redundancy/Bullying/Victimisation/Constructive dismissal
4. Racial discrimination
5. Whistleblowing/Victimisation.

5. OFFICER DECLARATIONS 2022:

i) Officer Declarations of Interest in Relation to Council Contracts in 2022:

Date	Department / Team	Details
January '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 2022:

i) Declarations of Interest made by Members at Meetings during 2022:

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 2022 the following declarations were made by Members:

Councillor: Ahmad-Wallana 1 Allen 1 Denys 1 Eginton 2	Higgins 1 Lavery 2 Mathers 1 Palmer 1 Riley 1	Smallwood 1 Tuckwell 2
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Broken down as follows:

11 January 2022 Borough Planning Committee

32 Norwich Road, Northwood - 35516/APP/2021/2969

- Councillor Tuckwell declared a non-pecuniary interest in this item as he had close personal relatives living near the application site. He left the room and did not vote on this item.

13 January 2022 Council

Motions

- Councillor Allen declared a non-pecuniary interest in Agenda Item 10.1, as she was a member of the MOPAC Independent Advisory Group and remained in the room during the consideration thereof.
- Councillor Mathers declared a non-pecuniary interest in Agenda Item 10.3, subject to the agreement of his appointment to the Major Applications Planning Committee at Agenda Item 5 and stayed in the room and spoke on the item. Councillor Mathers advised that he would not be taking part in the determination of any planning application in relation to the site mentioned in Agenda Item 10.3.

17 February 2022 Cabinet

LHC - Consideration of withdrawal from the Joint Committee

- Councillor Lavery declared a non-pecuniary interests as a member of the LHC Joint Committee. He remained in the room during the discussion and decision on the item.

6 April 2022 Borough Planning Committee

182 The Fairway, Ruislip - 23977/APP/2021/2040

- Councillor Tuckwell declared a non-pecuniary interest as he had prior involvement with Ward Councillors regarding the site. He did not vote and left the room during discussion of the item.

6 April 2022 Borough Planning Committee

2 Westbourne Parade, Uxbridge Road Hillingdon - 5778/APP/2021/3809

- Councillor Ahmad-Wallana declared a non-pecuniary interest in agenda items 9 - 2 Westbourne Parade (5778/APP/2021/3809) and 10 – 2 Westbourne Parade (5778/ADV/2021/54) as he had prior involvement with the applicant regarding the site. He did not vote and left the room during discussion of the item.

21 April 2022 Cabinet

Uxbridge Business Improvement District

- Councillor Lavery declared a non-pecuniary interest as a Director of Uxbridge BID. He remained in the room during the discussion and vote on the item.

28 April 2022 Audit Committee

2021/22 Annual External Audit Plans

Auditor's Annual Report 2020-21

- Councillor Eginton declared a non-pecuniary interest in both items arising from the fact that he was a retired member of the Local Government Pension Scheme. He remained for the discussion of all items.

Standards Committee

28 February 2023

29 June 2022 - Standards Committee

Appointment of Independent Person

- Councillors Riley and Denys declared non-pecuniary interests in this item as one of the applicants was known to them. They remained in the room and voted.

14 July 2022 Council

Report of the Head of Democratic Services

- Councillor Palmer declared a non-pecuniary interest in Agenda Item 5.4, as Mr Armour was known to her. She stayed in the room during the consideration thereof.

21 September, 2022 Children, Families and Education Select Committee

Twice Yearly School Places Planning Report

- Councillor Smallwood declared a non-pecuniary interest as he had recently been appointed a Governor at Whiteheath Infant School. He remained for the discussion of the item.

8 December 2022 Borough Planning Committee

57 Tudor Way - 20951/APP/2022/1228

- Councillor Higgins declared a pecuniary interest as he had close contact with the applicant and the application site. He did not vote and left the room during discussion of the item.

ii) Member Declarations of Gifts and Hospitality during 2022 (for current Members only):

In 2022, 20 declarations were received (17 in 2021) from:

Councillor Basit

- 22.07.22 - Karma Lounge, Cowley - meal approx' value over £25 - accepted.

Councillor Bridges

- 16.03.22 - Uxbridge Royal Naval Association - Honorary membership - £25 – accepted
- 08.12.22 - Oak Wood School - bouquet of flowers - approx' £30+ - accepted

Councillor Burles

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

Councillor Corthorne

- 27.07.22 - Granero Lounge opening, High Street, Ruislip - hospitality - approx' value £25 - accepted.

Councillor Garelick

- 31.10.22 - SME4Labour dinner - value unknown – accepted

Councillor Lavery

- 26.03.22 - Wealdstone Football Club - match invitation - £50 - accepted
- 18.07.22 - Laurence Cole (resident) - Singleton 12-year-old malt whiskey - £35 - retained.

- 27.07.22 - Bombay Chow Brasserie - sample lunch with the Mayor - £35 - accepted

Councillor D.Mills

- 01.02.22 - Links Signs - commemorative plaque for delivery of West Drayton and Eastcote improvement works - value unknown - accepted.
- 12.03.22 - Wealdstone FC - guest at football match - £50 - accepted

Councillor R.Mills

- 23.03.22 - Conservative Friends of Bangladesh - Gala Dinner - £60 - accepted

Councillor Nelson-West

- 16.06.22 - Regeneration & Regrowth Conference and Dinner - ticket provided by 'Back Heathrow' - £79+VAT - accepted.
- 07.01.23 - Afghanistan & Central Asian Association - Ukrainian Christmas Party & Resettlement Project - cost unknown - accepted.

Councillor O'Brien

- 12.03.22 - Wealdstone FC - invitation to a football match - £50 - accepted
- 18.06.22 - LTA - tennis at Queens - approx' £100 – accepted

Councillor Palmer

- 28.8.22 - Wealdstone Football Club, guest of Russell Grant in support of Middlesex County, including hospitality and match ticket - approx' £25+ - accepted

Councillor Riley

- 27.07.22 - Granero Lounge opening, High Street, Ruislip - hospitality - approx' value £25 - accepted.

Councillor Smallwood

- 27.07.22 - Granero Lounge opening, High Street, Ruislip - hospitality - approx' value £25 - accepted.

Councillor Sullivan

- 08.12.22 - Oak Wood School - bouquet of flowers - approx' £30+ - accepted

7. OMBUDSMAN COMPLAINTS RECEIVED/SETTLED 2022

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.

Complaints to the Local Government and Social Care Ombudsman and Housing Ombudsman Service during 2022:

In 2022, 89 complaints to the Ombudsman were processed (56 for 2019, 67 for 2020 and 34 in 2021) and the table below sets out the figures

Service Area	Total complaints	Upheld	Partially Upheld	Not Upheld	Did not investigate
Finance	8	0	1	1	6
Adult Social Care	10	2	3	3	2
Children Services	4	1	1	0	2
Residents Services	67	8	5	4	50
Total	89	11	10	8	60

The number of Ombudsman Investigations was higher for 2022 than 2021 because the Ombudsmen were able to catch up with those investigations, they had paused to allow local authorities to focus on the Covid 19 response. However, please note that 67% (60) of the investigations that were concluded by the Ombudsman in 2022, they decided not to investigate, which is a significant number of investigations.