

STANDARDS AND ETHICS INDICATORS 2023

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 2023.

1. PUBLIC INTEREST REPORTS 2023:

Nil. (nil in 2022)

2. WHISTLE-BLOWING INCIDENTS REPORTED 2023:

Nil (one in 2022):

3. CHALLENGES TO PROCUREMENT DECISIONS 2023:

One (Nil in 2022).

A supplier unhappy with the outcome of a tender process run by the Council's Procurement Team opted to seek Judicial Review of the Council's decision. This was contested by Hillingdon prior to proceeding to court. The High Court refused permission for the application for judicial review to proceed and held that the claim was totally without merit and ordered the Claimant to pay a £5k contribution to the Council's costs, and damages for costs were awarded to LBH.

4. EMPLOYMENT TRIBUNAL (ET) AND EMPLOYMENT APPEAL TRIBUNAL (EAT) CASES RECEIVED AND/OR SETTLED AND/OR ONGOING 2023:

In 2023, 1 ET claim was struck out and 1 (school) was settled.

There are currently 5 cases that are currently active which relate to:

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

One Employment Claim was issued in 2023 with 2 being settled or struck out.

5. OFFICER DECLARATIONS OF INTEREST IN RELATION TO COUNCIL CONTRACTS 2023:

Nil

6. MEMBER DECLARATIONS 2023:

i) Declarations of Interest made by Members at Meetings during 2023:

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 2023 the following declarations were made by Members:

Councillor:		Dhot 1
Bennett 2		Gohil 1
Roy Chamdal 1		Kaur 1
Corthorne 5		Mand 1

Broken down as follows:

4 January 2023 Children, Families and Education Select Committee
Youth Offer Update

- Councillor Dhot declared a non-pecuniary interest in this item as he worked with young offenders. He remained in the room for the discussion of the item.

11 January 2023 Property, Highways and Transport Select Committee
Select Committee Review - Attaining Best Practice and Value for the Council's Highways Resurfacing Programme

- Councillor Kaur declared a non-pecuniary interest in this item as her brother had previously worked for O'Hara Bros Surfacing Ltd. She remained in the room and took part in the discussion for the duration of the item.

22 February 2023 Major Applications Planning Committee
Land East of Mons - 585/APP/2022/665 - Hillingdon West

- Councillor Bennett declared a non-pecuniary interest in this item as he lived very close to the application site and the master developer was the freeholder of his apartment. He left the room for the duration of the item.

5 April 2023 Borough Planning Committee
32 Kingsend, Ruislip - 9894/APP/2022/3871

- Councillor Corthorne declared a non-pecuniary interest in this item as he had discussions with officers regarding the application prior to the meeting. He left the room for this item.

10 May 2023 Borough Planning Committee
2 Northbrook Drive, Northwood - 56315/APP/2022/2504

- Councillor Gohil declared a non-pecuniary interest in item 9 as a friend owned a neighbouring property. She left the room for the duration of the item.

22 June 2023 Major Applications Planning Committee
Haydon House, 296 Joel Street, Eastcote - 51321/APP/2023/24

- Councillor Corthorne declared a non-pecuniary interest in this item as he knew the applicant. He left the room for the duration of the item.

5 September 2023 Borough Planning Committee
Garages at Cranford Drive, Hayes - 77448/APP/2023/1159

- Councillor Mand declared a non-pecuniary interest in this item as a Pinkwell Ward Councillor who had engaged with residents petitioning against the application. He left the room for the duration of the item.

5 September 2023 7.00 pm - Borough Planning Committee
Pembroke House, Ruislip - 38324/APP/2022/2010

- Councillor Corthorne declared a non-pecuniary interest in this item as he had previously spoken against related applications for the site. He left the room for the duration of the item.

14 September 2023 Major Applications Planning Committee
Pets at Home, Elystan Business Centre, Springfield Road.

- Councillor Corthorne declared a non-pecuniary interest in this item due to a relationship with a supermarket chain. He remained present for the discussion and participated in the vote on the item.

11 October 2023 Major Applications Planning Committee
The Barn Hotel, Ruislip - 7969/APP/2023/1833

- Councillor Corthorne declared a non-pecuniary interest in this item as he had originally been lobbied by objectors with regard to the associated Full Planning Application referenced in the agenda item description (7969/APP/2023/1473). Councillor Corthorne had not made any comments on the application and remained to take part in the vote on item 7.
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1 November 2023 Hillingdon Planning Committee
2F Beacon Close, Uxbridge - 78099/APP/2023/1735

- Councillor Roy Chamdal declared a non-pecuniary interest in this item as he knew the developer. He left the room for the duration of the item.

6 December 2023 Hillingdon Planning Committee
Land at Yiewsley Library and Former Yiewsley Pool, Falling Lane and Otterfield Road
- 76795/APP/2023/2503

- Councillor Bennett declared non-pecuniary interests in these item as he knew the petitioner. He left the room for the duration of both items.

ii) Member Declarations of Gifts and Hospitality during 2023:

In 2023, 6 declarations were received (17 in 2021 and 20 in 2022) from:

Councillor Corthorne

- 27.05.23 - Ruislip Manor Cottage Society Dinner invitation - approx' £30.

Councillor Edwards

- 10.05.23 – Hayes Muslim Centre – Eid hamper - £40 – accepted.

Councillor Garelick

- 18.12.23 – Beck Theatre pantomime ticket - £30 – accepted.

Councillor Kaur

- 18.12.23 – Beck Theatre pantomime ticket - £30 – accepted.

Councillor Nelson-West

- 07.01.23 – Afghanistan & Central Asian Association – Ukrainian Christmas Party & Resettlement Project – cost unknown – accepted.

Councillor Smallwood

- 26.08.23 – GPF Lewis – tickets to watch Arsenal FC - £300 – accepted.

7. OMBUDSMAN COMPLAINTS RECEIVED/SETTLED 2023

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 2023:

In 2023, 36 complaints to the Ombudsman were processed (56 for 2019, 67 for 2020, 34 in 2021 and 89 in 2022) and the table below sets out the figures:

Service Area	Total complaints	Upheld	Partially Upheld	Not Upheld	Did not investigate
Finance	6	0	1	0	5
Adult Social Care	7	3	0	0	4
Children Services	0	0	0	0	0
Residents Services	23	7	0	2	14
Total	36	10	1	2	23

The number of Ombudsman Investigations was lower than 2022 because in 2022 the Ombudsman was able to catch up with those investigations, that had been paused to allow local authorities to focus on the Covid19 response. However, please note that 64% (23) of the investigations that were concluded by the Ombudsman in 2023, they decided not to investigate, which is a significant number of investigations.