

**SLOUGH BOROUGH COUNCIL**

REPORT OF AN INVESTIGATION UNDER SECTION 66 OF THE LOCAL GOVERNMENT ACT 2000 AND REGULATION 5 OF THE LOCAL AUTHORITIES (CODE OF CONDUCT) (LOCAL DETERMINATION) REGULATIONS 2003 (AS AMENDED) BY KULDIP CHANNA, (KC) (LITIGATION SOLICITOR) APPOINTED AS INVESTIGATION OFFICER, BY MARIA MEMOLI, THE ACTING MONITORING OFFICER INTO AN ALLEGATION CONCERNING COUNCILLOR BALWINDER SINGH DHILLON.

## **1. Introduction**

- 1.1 Councillor Arvind Dhaliwal (AD) made a written complaint to the Monitoring Officer of Slough Borough Council (SBC). The complaint is undated. (Document 1).
- 1.2 In summary AD alleged that on 22 March 2010, Councillor Balwinder Dhillon's (BD) conduct, at a meeting of the Health and Scrutiny Panel, (HSP), was unacceptable. The meeting was attended by several representatives from outside bodies. and guests. Briefly AD alleged that BD: a) was intimidating and insulting towards him; b) repeatedly asked irrelevant questions of the hospital Trust representatives in an embarrassingly aggressive tone, despite being asked to address questions through the Chair thereby ignoring requests; b) Was rude by referring to a particular Councillor as "She" rather than by name or "Councillor"; c) Was intimidating and rude to AD referring to personal matters; d) by referring to personal matters in a public meeting damaged AD's political reputation and dignity; e) was asked to leave the meeting but repeatedly refused to leave the meeting.
- 1.3 The Monitoring Officer also received a complaint from Councillor Christine Small (CS) about BD's conduct being unacceptable at the same meeting. (Document 2). Briefly CS alleged that BD a) accused the board/trust of improprieties in a bullying and threatening manner; b) became angry and irate, shouted, waved his arms and argued with the Chairman and refused to leave the meeting room; c) he was intimidating and insulting towards the Chairman.
- 1.4 On 28 April 2010, the Standards (Assessment) Sub- Committee, considered the complaints from AD and CS and decided to refer the complaint for investigation. The Sub-Committee also noted that AD and CS had not particularised the breaches of the Local Code of Conduct ("the Code") and as a consequence identified the following paragraphs which may apply to the alleged conduct:-
  - (a) "You must treat others with respect", contrary to paragraph 3(1)
  - (b) "You must not bully any person", contrary to paragraph 3(2)(b)
  - (c) "You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute", contrary to paragraph 5
- 1.5 The Decision Notice in respect of AD and CS's complaints are at Documents 3 and 3.1 respectively.

## **2. The Process**

- 2.1 As part of my investigation I conducted face to face interviews with the following:-
  - (a) The Complainant AD (Chair of the Health Scrutiny Panel (HSP) on 22 March 2010) – interview statement (Document 4),
  - (b) The Complainant CS – interview statement (Document 5),
  - (c) Councillor Robert Plimmer (PL) – interview statement (Document 6),
  - (d) Councillor Balvinder Singh Bains (BB) interview statement (Document 7)
  - (e) Councillor David Maclsaac (DM) – interview statement (Document 8),
  - (f) Councillor Julia Long (JL) – interview statement (Document 9).

- 2.2 As part of my investigation I interviewed by telephone Andrew Grimshaw, (AG), Chief Finance Officer, Heatherwood and Wexham Park Hospital (Document 10)
- 2.3 As part of my investigation I also contacted the following who were supposedly present at the HSP meeting but who were not interviewed for various reasons:-
- a) Councillor Patricia O'Connor (PO) – an appointment was made but unfortunately the Member was unable to attend the meeting due to personal reasons;
  - b) Councillor Walsh – whilst his details appear in AD's complaint form, he advised me that he was not present at the HSP meeting;
  - c) Councillor Davis – no response was received to the initial contact letter; in my letter I had advised that if I did not hear from him by 21 June 2010 then I would assume that he was unable to assist with the investigation;
  - d) Julian Emms, Deputy Executive Director, Berkshire Healthcare NHS Foundation Trust – whilst his details appeared on the Minutes of the HSP meeting, he advised me that he was not present at that particular meeting;
  - e) Viki Wadd, Assistant Director, Locality Commissioning, Slough, Berkshire NHS Foundation Trust – an indication was given via email that she was willing to discuss the matter with me however no response was received when I tried to make arrangements for a telephone interview;
  - f) Carole Jackson-Doerge, Slough LNs – I did not approach this witness since I believed that I had reached a sufficient cross section of persons at the meeting.
- 2.4 It may be noted that some witness statements are signed and some are not. I would like to confirm that some witnesses' signed their statements at the end of their interviews. For other witnesses, due to the lack of computer facilities in the interview room or because the interviews were conducted by telephone, the typed document was sent to the witness for review. In my covering letter to the witness I requested that a response be provided within a certain time frame and if no response was received by the deadline set then it would be deemed the witness had no objection to the information as set out in the statement or it being used for the purposes of the investigation.
- 2.5 There was no face to face interview with BD as he seemed reluctant to meet me. This observation is based on the fact that any queries BD had about the investigation were made to me through the Conservative Political Group Officer. And furthermore following a prompting letter from me on 26 August 2010, BD indicated he only wished to provide written information about the allegation. The following correspondence took place:
- a) 15 June 2010 – I initially wrote to BD providing him with the complaint documents and the process to be followed in the investigation. I received no response from BD. (Document 11)
  - b) 26 August 2010 – I wrote to BD to update him on the progress of the investigation and offer an interview appointment after 10 September. (Document 12)
  - c) 13 September 2010 – I received an email letter from BD requesting "*statements made by those who were present.*" BD further stated that he

*“will then be in contact to ensure that you receive a written statement of my recollection of the alleged “incident” “. (Document 13)*

- d) 21 September 2010 – I wrote to BD advising him that I had already provided him with details of the complaints and that it was necessary for him to provide me with his *“own independent recollection of events relating to the allegation”*. (Document 14)
- e) 5 October 2010 - I received an email from Charanjit Heer, Conservative Group Political Officer indicating that BD would like a further copy of the complaint documents. (Document 15). On the same day I sent a copy of the complaint documents together with my letter of 15 June to BD. In my letter I also requested an estimate of the time scale within which BD would be able to provide me with a response to the allegations. (Document 15.1).
- f) 7 October 2010 – I was again contacted by email by Charanjit Heer, asking about the time scale for BD’s statement. (Document 16). On 14 October 2010, I replied to Charanjit Heer and advised her that I had written directly to BD and requested that he submit his relevant information by 4pm on 1 November 2010. (The email is at Document 16.1 and the Letter is at Document 16.2).
- g) 15 October 2010 – a letter dated 1 October 2010 was received from BD. The letter also had attached to it extracts from a statement dated 9 November 2009, made by Sukhjot Kaur Dhaliwal in reference to a County Court Claim number 9SLO 1748 and with the same County Court Claim number an unsigned statement dated “April 2010” by BD. (Document 17). I assessed the information and concluded that a large portion of the letter and the statement was information about personal matters between BD and others and was therefore not relevant and unsatisfactory for the purposes of the investigation.
- h) 21 October 2010 - I wrote to BD (Document 18) advising him that:
  - (i) I had reviewed the contents of his letter and noted that the first five paragraphs indicated his recollection of the HSP meeting on 22 March;
  - (ii) the final two paragraphs referred to the motivation of Councillor Dhaliwal and from reading the statements provided with BD’s letter they seemed to me to relate to some very personal matters regarding some long standing landlord/tenant and family dispute;
  - (iii) the statement by Councillor Sukhjot Dhaliwal was not complete and certain paragraphs had been omitted;
  - (iv) in my view the personal matters and motivation were not relevant to this code of conduct investigation;
  - (v) if BD wished to raise a point about the conduct of the Chair at the HSP meeting on 22 March then he would be aware that he would have to raise these through formal channels;
  - (vi) that this investigation related to his conduct at the HSP meeting and that I would therefore take into account the first five paragraphs of his letter;
  - (vii) in the light of BD not wishing to attend an interview and correspond only in writing about this matter, it would be helpful to my

investigation if he could provide answers to a set of questions which I included in the letter.

- i) 25 October 2010 (received on 27 October) (“the Response Letter”) – BD provided written answers (Document 19) to the questions I had asked in my letter of 21 October 2010. Interview by letter is not entirely satisfactory, however I felt obliged to ask further questions since I believed that BD’s written response dated 1 October left some unanswered questions in the light of the evidence I had obtained from other witnesses and the HSP meeting Minutes. Interview by letter provides no scope to immediately put follow up questions to answers given and it is difficult to assess the overall evidence provided by the witness without the benefit of a face to face interview. However, it was the best that could be achieved in this investigation.

2.6 I also reviewed the Minutes of the HSP meeting on 22 March 2010. These are at Document 20. The relevant Minute is noted at 43. AG’s presentation dealt with the financial deficit and proposals to manage the future budget at the Heatherwood and Wexham Park Hospital. I understand that the purpose of HSP was to assess the current and future impact of that financial information on the residents of Slough Borough Council (SBC).

2.7 I have investigated the complaints by AD and CS together as they relate to the same HSP meeting, the same set of circumstances at that meeting and the issues raised by both Complainants are similar. I have set out above in detail the issues raised by each of them.

### 3. Statutory Framework

3.1 The Relevant Authorities (General Principles) Order 2001 sets out the principles which are to govern the conduct of Members and two appear relevant to the complaint in question. This is:-

*“Respect for Others*

*Members should promote equality by not discriminating unlawfully against any person, and **by treating people with respect**, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority’s statutory officers, and its other employees.”*

3.2 The Council adopted its current Local Code of Conduct for Members (“the Code”) on 21<sup>st</sup> May 2007.

3.2 All Members who are elected to office must sign a “Declaration of Acceptance of Office” before they can officially act as a Councillor. In that declaration they undertake to observe the Code as to the conduct which is expected of Members of the Council.

3.3 BD was first elected to the Council on 10 June 2004 and signed his declaration of acceptance of office on 14 June 2004. He was re-elected on 3 May 2007 and made his declaration on 9 May 2007.

3.4 BD has attended the following training sessions on the Code:  
13th January 2005 Lobbying & Dual Hattedness  
5<sup>th</sup> December 2005 (Ethical Framework)  
9<sup>th</sup> May 2007 Revised Local Code of Conduct & Member/Officer Relations Code  
3rd November 2008 Local Code of Conduct  
12th May 2010 Local Code of Conduct & Member/Officer Relations Code

3.5 The Code is split into three parts:-  
Part 1 is relevant and entitled, "General Provisions" and "General Obligations" of which paragraphs 3 and 5 are relevant for the purposes of this investigation.  
Paragraphs 3 and 5 state:

**paragraph 3(1)**

"You must treat others with respect"

**paragraph 3(2)(b)**

"You must not, bully any person",

**paragraph 5**

"You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute".

3.6 It is helpful to refer to the Code of Conduct, Guide for Members, May 2007, ("the Guidance"), from the Standards Board for England ("the Standards Board") on treating others with respect, bullying and bringing the elected office or Council into disrepute.

3.7 It is against the Guidance and these General Principles and the provisions of the Code that I have investigated the complaints.

**3.8 Practical approach to the investigation:**

The complaints refer to the same incident from different viewpoints. For ease of reference I have split the complaints into two aspects, BD's conduct towards AG and BD's conduct towards AD. I have then considered the different types of alleged conduct towards each of these individuals. I will consider each of the relevant paragraphs of the Code in turn. However, before I do so it is important to note the material findings about the events at the HSP meeting. From the evidence it is only possible to gage a broad understanding of the sequence of events since different witnesses have recalled events in different sequential order. The primary events however are clear:

- (a) AG gave his presentation. Members put questions to AG. BD was given an opportunity to put questions to AG;
- (b) BD did not put relevant questions to AG but made irrelevant points or statements; the description by the witnesses seems to suggest a torrent of words being directed at AG;

- (c) witnesses are agreed that the tone and manner in which the words were spoken was not of an acceptable standard in which to address a representative from an outside body;
- (d) BD was asked by AD to put proper questions BD failed to do so;
- (e) BD was then asked to put questions through the Chair and BD became challenging towards the Chair when this request was made by AD;
- (f) BD's view is that he was interrupted by AD and not allowed to ask his questions fully and AG was not permitted to make an answer;
- (g) BD referred to another Member (PO) as "She" sometime during his challenges to the Chair;
- (h) BD states that he does not recall addressing the Member in this informal way; BD states he did not address PO at all and had no reason to do so;
- (i) BD continued to challenge the Chair and raised personal issues between himself and AD; there was an exchange of words between BD and AD; two witnesses state that AD asked BD to retract the comments or leave the meeting but the majority of witnesses state that AD was trying to control the meeting at this point as BD became more and more heated;
- (j) Warnings were given to BD about irrelevant questions and to keep calm but they were not heeded;
- (k) AD asked BD to leave the Chamber but BD refused to do so;
- (l) AD adjourned the meeting and there was some conversation between AD and BD (possibly included in this conversation was reference to personal issues);
- (m) it would appear BD remained in the Chamber and may have refused to leave;
- (n) some witnesses suggest that the Conservative Group Political Officer spoke to BD before he left the meeting room; BD accepts that she spoke to him but not that she asked him to leave the meeting; some witnesses make reference to there being a discussion about calling a Slough Borough Council (SBC) Security Officer to remove BD from the meeting; it appears BD left before the arrival of a Security Officer;
- (o) BD did leave the meeting during the adjournment; BD states he left of his own volition;
- (p) the meeting resumed after the five to ten minutes adjournment;
- (q) there is some reference that BD made a request to return to the meeting but that the Committee Clerk advised that the Chair would not permit him to rejoin the meeting;
- (r) general embarrassment was felt by those present in the Chamber and general apologies offered to the external representatives about BD's conduct; both AD and JL formally apologised to those present at the meeting; JL felt compelled apologise formally since BD is a Member of the same Political Party as herself and felt the embarrassment more acutely.

#### **4(A). Material Findings – You must treat others with respect**

##### **4.1. BD's Conduct towards AG:**

###### **BD asking irrelevant questions**

- (a) The HSP meeting Minutes state that AG was asked questions about Quangos and what was going to happen in the next few weeks. It is noted in the Minutes in two different sentences that AG "*did not understand this line of questioning*".

- (b) AG confirms in his statement that he *“was unable to make a reply and I think it was not a relevant point as it was about Quangos”* (p1, par3; p2, par5). He further states that he is used to *“off the wall”* questions and he can *“usually get to the nub of someone’s point.”* (p2, par5). AG further adds that he tried to help BD by *“trying to assess what he may be wanting to ask me.”* (p2, par5). AG also states that BD’s approach towards him was *“one dimensional”*. (p1, par4; p2, par7).
- (c) AD states that, *“Councillor Dhillon’s questions were difficult to understand....just asked one question after another.”* (p1, par6). Further that *“he did not seem to accept the answer or was not satisfied with the answer and he just carried on and on asking one question after another. I cannot remember the precise questions but they were irrelevant questions and not to do with the deficit.”* (p2, par10).
- (d) CS states that *“it was difficult to understand what Councillor Dhillon saying to Andrew Grimshaw. He appeared to be accusing Andrew Grimshaw...blaming the Board...seemed like a general rant”* (p1, par3).
- (e) RP states that *“Councillor Dhillon’s questions were about dismissal of the finance officer”*. (p1, par3). He further states that, *“it was proper to ask questions about financial improprieties but to make a subjective statement and then fire off an accusation was irrelevant to the meeting.”* (p1, par5).
- (f) BB states that BD, *“started by making a long statement and did not seem to get to asking a question.”* (p1, par4). And further that BD was making, *“lengthy statements”* (p2, par7). Later on BB states that *“it was like Councillor Dhillon was reading a script and he would not stop”*. (p2, par13).
- (g) DM states that BD asked *“inappropriate questions”* as the question was about Quangos and that this was *“irrelevant”*. DM further states that *“Mr Grimshaw said he did not understand the question”* and that DM’s observation of BD at the meeting was that he had not followed *“what Mr Grimshaw was saying and the purpose of his report.”* (p1, par2).
- (h) JL states that BD was invited by AD to ask his questions, however when it was his turn he *“did not ask a question”* but *“verbally attack Mr Grimshaw”*. JL further states that he talked about *“wasting rate payers’ money on various Quangos..”* and *“..about the shortcomings of the hospital Trust”*. (p1, par3).

4.2. BD in his letter of 1 October 2010 states that he did not believe his questions were *“irrelevant or insubstantial”* and were directed at establishing *“the composition of the board of directors, specifically about those ...who may be superfluous to requirement”*.

4.3. In the Response Letter, BD states that he asked two questions and he did not make statements.

4.4. **BD’s Conduct towards AG – Manner and tone - in an embarrassingly aggressive tone, intimidating, accusatory, threatening and bullying manner**



- (a) AG describes BD's voice as *"raised and he was expressing passion..... Some of the passion was directed at me"* (p2, par6).
- (b) AD states that BD was *"firing another question at him in an aggressive and very rude manner and it carried on."* (p2, par7). He further states that BD *"was rude and very aggressive. His "tone" was very high, there was a, "roughness in his tone". His body language was aggressive as he was waving his arms."* (p2, par11). AD also comments that, *"I was concerned about Mr Grimshaw and how it made us all look in front of outside people".*(p2, par12)
- (c) CS states that BD's manner was *"aggressive"*. CS believed his body language was *"intimidating"* as he was *"leaning forward"*. Further that he had a microphone, *"but he was still shouting"*. (p1, par3). CS also states that *"it was embarrassing"* (p3, par8).
- (d) RP states that BD *"was aggressive towards Andrew Grimshaw"* and had *"an accusative manner"*. Further that he was *"intimidating"* and *"ill-mannered towards Andrew Grimshaw"* (p1, par6).
- (e) BB states that he believes BD has a loud voice and that *"sometimes people can take this to mean he is shouting."* (p1, par6). He further states that in his view, at this meeting *"he was not very professional even if he had a loud voice"*. (p1, par6). BB further confirms that BD *"was waving his arms"*. (p1, par6).
- (f) DM confirms that BD was, *"shouting"* when he was speaking to AG. (p1, par3).
- (g) JL states that BD, *"continued in a loud voice."* (p1, par3). JL felt she had to apologise to the meeting because of, *"my own opinion of Councillor Dhillon's embarrassing behaviour."* (p2, par5). Others had also spoken to her in the corridor during the adjournment about the embarrassment.
- (h) Some witnesses noted that BD referred to PO as "she" and not formally with her title or as "Councillor".

4.5. BD states in the Response Letter, that he *"kept a reasonable tone of voice"* (q10). At q25 he states that he *"was not aggressive"* to AG. And further that he was seated at all times and he was not aware of any issues with his body language (q11). BD also states that he did not hold AG *"personally responsible for anything"* (q14) and that he knew he was present to provide information. BD does note at q16 that AG, *"did not quite understand what the questions meant"* and that this was *"unfortunate"*. BD has no recollection of referring to PO (q19).

#### **4(B). Reasoning – "You must treat others with respect"**

4(B).1.**BD's conduct towards AG: asking irrelevant questions** – Although there is difference of opinion as to whether questions were asked or a statement made by BD, I find that the overall evidence shows that BD did make irrelevant points and thereby did not treat AG with respect for the reasons set out below:

- (a) AG's evidence is clear that he could not understand BD's questions even when he tried to decipher them. The HSP meeting Minutes note AG did not understand the line of questioning.

- (b) Witnesses at the HSP meeting confirm that points appeared irrelevant. AD as the Chair tried to clarify the points to be put to AG and asked questions to be put through the Chair.
- (c) BD's points are not supported by any of the evidence from the witnesses.

4.(B).2 **BD's Conduct towards AG – Manner and Tone - in an embarrassingly aggressive tone, intimidating, accusatory, threatening and bullying manner –** I find that the balance of evidence shows that BD's manner and tone was such that he did not treat AG with respect when he spoke to him at the HSP meeting for the reasons set out below:

- (a) With the exception of BB's comments about BD having a loud voice and AG's observations that BD was expressing passion about his views, the other witnesses confirm that the general tone was aggressive and accusatory as well as BD speaking in a shouting manner. BD's body language was intimidating in that he was leaning forward as well as waving his arms when he spoke.
- (b) AD, CS, JL and other witnesses comment on the fact that they were embarrassed by BD's conduct.
- (c) BD's points are not supported by any of the evidence from the witnesses.
- (d) Please see point 5 below with regard to bullying.

**4(C). Material Findings – You must treat others with respect**

**4.6. BD's conduct towards AD:**

- (a) AD states that he had to control the meeting and ensure that AG *"was treated fairly and respectfully and not insulted"* (p2, par9). At the point at which AD tried to control the meeting, it would appear BD became *"more aggressive"* (p2, par12). BD also referred inappropriately to another Member who had previously put questions to AG. BD called PO *"she"* rather than *"Councillor"* or by her name. When objections were raised by other Members and AD raised it with BD, he seemed to ignore this point and did not offer to make any apology. AD states that when he tried to control the line of questioning by BD, he pointed his finger at him and said, *"now you answer my questions!"* (p2, par13). AD states that he gave BD *"plenty of pre- warning shots"* (p4, par21) but that despite knowing the consequences BD *"carried on and on"*. BD then brought personal matters up at the meeting and accused AD of *"being unfair with him"*. (p2, par14). AD states that he felt that it was *"not right"* (p3, par18), that BD brought up personal matters in the public meeting. AD feels that it is insulting when BD keeps suggesting AD has acted improperly as AD is a public figure. AD asked BD to calm down. BD was given several opportunities to ask his question and calm down. When BD did not do either of these things he was asked to leave the meeting but BD refused to do so. The meeting had to be adjourned. Following further discussion with AD and possibly some other individuals BD eventually left the meeting during the adjournment.

- (b) CS notes that AD was trying to deflect BD's aggression from AG but that the meeting "*disintegrated*" because BD continued "*to rant*" and he challenged AD as BD "*was not calming down*". (p2, par4).
- (c) RP notes that when AD asked for questions to be through the Chair, BD "*seemed to feel that he was being gagged and then this is when it blew*" (p2, par10). RP confirms that BD brought up personal matters at the meeting. He further states that AD asked him to retract his comments or leave the meeting. BD's response is noted as, "*who will make me?*". (p2, par12).
- (d) BB states that everyone was given a fair chance to speak at the meeting. He also confirms that personal issues were raised by BD at the meeting. BD was given "*many chances to ask the question but he did not do so*" (p2, par9). BB also confirms that BD was asked to leave and the meeting had to be stopped as he would not leave.
- (e) DM states that BD "*was demanding why the Chair was trying to stop him and stating that other Councillors had been allowed to ask questions without interference.*" (p1, par4). DM further states that BD made reference to an incident outside of the meeting between BD and AD. When BD did not stop and would not leave the meeting then the meeting was adjourned.
- (f) JL states that AD gave BD warnings to address Members properly and about his behaviour to AG. She further states that some personal matters between BD and AD about a planning application were brought up by BD. JL also confirms that BD was asked to leave the meeting but refused to do so and that the meeting was suspended so AD could deal with the situation.
- (g) From the observations of the witnesses it seems that BD felt he was being treated unfairly by AD. Further it seems that BD's personal issues with AD were brought up by BD. Witnesses state that AD was fair to all Members who wanted to ask a question. Furthermore witnesses note that when no questions or irrelevant questions were put by BD then AD tried to control the situation, however BD did not accept this intervention. BD challenged AD further and the meeting had to be adjourned.
- (h) It would appear there were a number of trigger points which contributed to the escalation of BD's conduct at the meeting:
  - (i) AD and other Members reminding BD to refer respectfully to another Member; RP's statement suggests that this point was minor compared to BD's conduct towards AG; RP further suggests that if this point had been separated by Members at the meeting from the conduct towards AG "*then perhaps the situation would not have escalated*" (p2, par8); and although this is not directly put in words in RP's statement but it hints that Members were aware of BD's "*temperament*" and other Members joining in the point about the reference to PO was not conducive to the situation when they knew this about BD;
  - (ii) AD asking BD to put proper questions to AG;
  - (iii) AD asking BD to put questions through the Chair;
  - (iv) AD providing BD with warnings about his irrelevant points to AG;
  - (v) AD asking BD to leave - the overall evidence from the witnesses suggests that BD was asked to leave due to the

escalation of his conduct. However RP does mention that when BD raised personal issues, AD asked BD “to retract his comments or leave the meeting” (p2, par3). Further DM also states that BD referred to personal matters and “claimed that the Chair had bullied him in private”. (p1,par4) and that it was at this point AD “advised him to stop otherwise he would have to ask him to leave”.(p1, par5). JL also states that following BD’s personal remarks and BD having ignored AD’s warnings that BD was asked to leave.

(vi) AG notes that the Chair’s approach “was quite measured.” (p2, par6). He further states that the Chair tried to keep the meeting “*in order by warning and telling him to ask his question*” (p1, par6). And that BD “*became heated so quickly that to a degree there was miscommunication by him to the Chair.*” (p2, par4). Furtheron, he states that most of BD’s passion “got directed at the Chair”. (p2, par6).

- 4.7. Observations by the witnesses are that BD felt that he was not being treated fairly by being allowed to put his points to AG. However, further comments about how the Chair dealt with the situation indicate that AD gave BD appropriate opportunity to speak and only intervened when BD’s conduct was unacceptable.
- 4.8. BD in his letter of 1 October states that he was asked to stop by the Chair “*in the middle of a sentence*”.
- 4.9. In the Response Letter, BD states that he believes AD “interrupted” him whilst he tried to ask questions (q8) and that AD had an “*unwillingness to allow reasonable questions*” and that his was “*more of an embarrassment.*” (q25). And further that the Chair “prevented” AG from answering his questions. (q17).
- 4.10. BD states that AD displayed “*aggression*” towards him and he believe this was due to the personal matters and the context of this needs to be considered in this investigation. (q40).
- 4.11. BD believes that it was unreasonable for AD to ask him to leave the meeting and to speak to him outside the Chamber when a meeting was going on. (q26). BD refers to personal matters in the Response letter. The responses by BD to my questions seem to suggest that BD was under the impression that the Chair was asking to discuss personal matters outside of the Chamber. .
- 4.12. BD further believes that he was asked to leave when the meeting was not in progress and when “*Members had decided to take a break*” . (q35).
- 4.13. BD states that he left the meeting of his own volition. (q37).
- 4.14. BD’s evidence does not refer to AD asking him to retract his comments.
- 4.15. BD at q1 in the Response Letter makes it clear he understands the role of the Chair at meetings.

#### **4(D) Reasoning – “You must treat others with respect”**

4.(D)1 **BD's conduct towards AD:** I find that the balance of evidence shows that at THE HSP meeting, BD did not treat AD with respect and the manner and tone used by BD towards AD was of not acceptable standard expected of a Member for the reasons set out below:

- (a) BD's recollection of the sequence of events appears confused for example being only asked to leave during the adjournment of the meeting. If this was the case, the question has to be asked what was the purpose of the adjournment in the first place? The evidence from the witnesses suggests that during the meeting BD was asked to leave the Chamber because of his conduct. Evidence shows that BD was not asked to leave to have a personal discussion about personal matters with the Chair outside the Chamber. It seems illogical that the Chair of a meeting would adjourn it so that he could discuss personal issues with another Member and leave the persons in the formal meeting waiting!. The evidence from witnesses suggests that the meeting was adjourned by AD when BD refused to leave the Chamber. The recollection of events as suggested by BD are not supported by evidence from other witnesses at the HSP meeting.
- (b) Furthermore witnesses confirm that:
  - (i) AD attempted to control the meeting by ensuring that due respect was shown to AG;
  - (ii) that the meeting was conducted in an appropriate manner which befits formal SBC meetings;
  - (iii) AD took appropriate action and had a measured approach towards BD's conduct;
  - (iv) there is little evidence to suggest that AD was aggressive towards BD;
  - (v) it is accepted that BD was interrupted when addressing AG, however this was an attempt by AD to deflect the situation from AG and steer BD to ask appropriate questions;
  - (vi) there is evidence to suggest that BD was dissatisfied with the Chair's approach and challenged the Chair's authority to such an extent that AD felt obliged to adjourn the meeting in order to deal quietly with the situation created by BD;
  - (vii) the raising of personal issues in this formal setting was wholly inappropriate;
  - (viii) BD failed to adhere to the etiquette of such formal meetings by his failure to listen to the Chair or abide by his ruling or instruction on the matter;
  - (ix) BD ignored the issue of his inappropriate reference to PO;
- (c) It is possible that AD may have asked BD to retract the personal comments about AD and if he did not do so BD would be asked to leave since two witnesses observe this point. However I think that it appears that BD's conduct had already escalated and it is possible that different witnesses heard AD warn or ask BD to leave more than once. The evidence is patchy about the precise order in which things were said and by whom. I think this is not unusual when information is gathered about such events.

- d) It is quite clear that BD knows what the role of the Chair is and the process for the formal conduct of meetings however at this HSP meeting he appears to have ignored all his knowledge and thrown the meeting into shambolic disarray by his conduct in front of external representatives. The evidence shows BD failed to control his own conduct.
- e) In view of the overwhelming evidence from witnesses I can only conclude that BD's conduct towards the Chair was unacceptable at the HSP meeting. However I do not conclude that there was damage to AD's reputation or dignity by BD raising personal issues at the HSP meeting. My reasons are that there appears to be random comments fired at AD about the personal matters; other Members at the meeting were already aware of and seemed to understand that there was some personal history between BD and AD; and BD's comments did not necessarily make them think any less of AD, in fact it had the opposite effect in that they sounded tired of BD raising this personal issue again; other people at the HSP meeting do not appear to have been able to make any sense of what BD said about the personal matters so I do not feel any harm was done to AD's public reputation. I do however accept AD's point that the repetition of such personal issues in open forums can have an accumulative damaging effect. This point however is not relevant to this investigation and AD needs to consider his own options about what to do about this matter for the future. Overall I do find that it was wholly inappropriate conduct by BD to raise personal issues at the HSP meeting and as such it is evident that it added to an already difficult situation and created further discomfort and embarrassment for AD as the Chair.

**5(A). Material Findings – “you must not bully any person”**

- 5.1 The issue here being: Could BD's conduct amount to bullying of AG and AD at the HSP meeting?
- 5.2 AG expects robust questioning and challenge at these types of meetings.
- 5.3 AD and most other witnesses considered BD's conduct to have been embarrassing rather than bullying.
- 5.4 Witnesses do not refer in their statements about BD's conduct amounting to an act of bullying.
- 5.5 BD suggests that he was trying to make important robust points as the purpose of scrutiny is to *“investigate and evaluate issues on behalf of the public”* (q15 Response letter).

**5(B). Reasoning - “you must not bully any person”**

- 5.6 Bullying can be a one off incident. Bullying can be offensive, intimidating, malicious, insulting or humiliating behaviour directed towards a weaker person.
- 5.7 AG states he was able to deal with the situation.
- 5.8 AD managed the situation.
- 5.9 BD's conduct could potentially border on bullying towards AG and AD since it is possible that less able persons may not have been able to deal with the situation as well as they did. However overall I do not find that BD bullied AG or AD at the HSP meeting. From the witnesses' evidence I do however, find that there was an overall tone of aggression by BD towards AG and AD at the HSP meeting.

**6(A). Material Findings - "You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute".**

- 6.1 It was an official meeting. There were representatives from outside bodies such as the NHS Foundation Trust and those working in partnership with SBC.
- 6.2 BD attended in his capacity as an elected Member.
- 6.3 It is not clear if there were any members of the public present in the public gallery.
- 6.4 It would appear that there were some SBC Officers such as the Clerk to the HSP meeting and Conservative Group Political Officer.
- 6.5 BD was permitted to put questions to AG.
- 6.6 BD failed to ask effective questions. AG did not understand the points raised by BD.
- 6.7 AD asked BD to put proper questions to AG.
- 6.8 BD continued to make statements. AG did not understand the points raised.
- 6.9 AD asked BD to put questions through himself as Chair.
- 6.10 BD appears to have become irate and at one point referred to PO simply by calling her "she" rather than in a formal manner.
- 6.11 AD asked BD to stop. He did not do so.
- 6.12 AD adjourned meeting.
- 6.13 BD does not accept any of the above. His view is that he asked proper questions but was prevented by the Chair from putting his points effectively. He was not making statements. He was not asked to leave but left of his own volition.
- 6.14 JL as a Member of the Conservative Group felt she had to apologise to the meeting for BD's conduct.

- 6.15 AD apologised to the meeting for BD's conduct.
- 6.16 Other Members felt embarrassed and were also apologetic towards the outside representatives present at the HSP meeting as they felt the reputation of SBC elected Members and that of SBC's ability to conduct proper and effective meetings was tarnished by BD's conduct.

**6(B). Reasoning – “You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute”.**

- 6.17 The Members' Guide, suggests that bringing the office into disrepute relates to “while acting in your official capacity” and that as an elected Member, “your behaviour and actions are subject to greater scrutiny than ordinary members of the public”.
- 6.18 I conclude that BD did conduct himself in a manner which brought his office and authority into disrepute for the following reasons:
- a) BD was present at the HSP meeting in his official capacity and I find that BD's conduct did bring his office into disrepute. Whilst BD may have felt that he had a valid point to raise with AG, he ought to have taken the time to compose his questions properly so that he could be understood by AG. Further his negative reaction to the attempts by AD to bring the meeting back to order was a poor response in a formal setting and in his official capacity.
  - b) The general impression from the witness evidence is that there was an air of embarrassment felt by all at the meeting. There was a concern about the reputation of Members and SBC in general.
  - c) Whilst it is accepted that Members need to challenge issues of public concern the office demands a certain standard of conduct when undertaking such challenges on behalf of the public. BD's conduct fell short of that standard at the HSP meeting. The evidence shows that BD failed to manage his conduct in a public forum.

## **7. Conclusions and Recommendations**

- 7.1 BD has failed to treat AG with respect.
- 7.2 BD has failed to treat AD with respect.
- 7.3 I do not find that there was any bullying by BD in this situation.
- 7.4 BD's conduct has brought his office and authority into disrepute.
- 7.5 With regard to the reference to PO as “she” rather than in a formal manner:- whilst arguably in the overall investigation this is a minor point I do find this was discourteous conduct. However I am of the view that BD may have said this in the heat of the moment. Indeed from his response letter to my questions he does not appear to have any recollection that he referred to PO at all and states that he had no reason to refer to PO. The witnesses all heard this informal address to PO and



there were objections at the meeting and reference was made to BD for the need to address Members properly so therefore it is of concern that BD has no recollection of it. I do therefore find that this lack of awareness of what BD said in the heat of the moment may be an issue which needs addressing. I am inclined to conclude from BD's evidence in the Response letter when compared to the evidence of other witnesses that he may not be fully aware of his own conduct nor of its impact on others especially when he becomes focused, passionate or angry about an issue.

7.6 I also make one further observation in that some witnesses have commented on BD's general temperament and that his usual manner is rude and aggressive and he is not very clear or to the point at meetings. I do not propose to state any specific detail about the terminology used to describe BD's conduct as it is not relevant to this investigation but it is of note as it is so self evident in the witness statements. I do also feel compelled to make a note of it in the report simply because there was a consensus amongst the witnesses regarding BD's ongoing general conduct and temperament.

7.7 I would recommend that specific formal training for BD in the following is considered:

- a) effective communication in meetings
- b) interpersonal skills, with emphasis on self awareness about his conduct and its impact on others,
- c) anger management,
- d) BD is supported in learning how to separate his elected office matters from his personal matters,

7.8 I would like to record my thanks to all parties for the co-operation I have received in investigating these complaints.

7.6 In summary I conclude that:-

- a. BD has breached paragraph 3 of the Code in that he has failed to show respect for AG and AD at the HSP meeting on 22 March 2010.
- b. BD has not breached paragraph 3(1)(b) of the Code, in that he has not bullied AG or AD at the HSP meeting 22 March 2010.
- c. BD has breached paragraph 5 of the Code in that he has conducted himself in a manner which can reasonably be regarded as bringing his office and authority into disrepute at the HSP meeting on 22 March 2010.

**Date: 17<sup>th</sup> December 2010**  
**Kuldip K Channa,**  
**(Litigation Solicitor)**  
**Standards Investigation Officer,**  
**For and on behalf of the Monitoring Officer**

## **LIST OF DOCUMENTS ANNEXED TO REPORT**

- 1) Councillor Arvind Singh Dhaliwal's Complaint undated
- 2) Councillor Christine Small's Complaint undated
- 3) Decision Notice SBC 15 dated 6 May 2010
- 3.1) Decision Notice SBC 16 dated 6 May 2010
- 4) Councillor Arvind Singh Dhaliwal - interview statement dated 24 June 2010
- 5) Councillor Christine Small - interview statement dated 18 June 2010
- 6) Councillor Robert Plimmer - interview statement dated 23 June 2010
- 7) Councillor Balvinder S Bains - interview statement dated 29 June 2010
- 8) Councillor David McIsaac - interview statement dated 30 June 2010
- 9) Councillor Julia Long - interview statement dated 23 August 2010
- 10) Andrew Grimshaw, Chief Finance Officer, Heatherwood and Wexham Park Hospital – interview statement dated 18 August 2010
- 11) Letter dated 15 June 2010 from Investigator to Councillor Balwinder Dhillon
- 12) Letter dated 26 August 2010 from Investigator to Councillor Balwinder Dhillon
- 13) Email letter dated 13 September 2010 from Councillor Balwinder Dhillon to Investigator
- 14) Letter dated 21 September 2010 from Investigator to Councillor Balwinder Dhillon
- 15) Email dated 5 October 2010 from Charanjit Heer, Conservative Group Political Officer to Investigator
- 15.1) Letter dated 5 October 2010 from Investigator to Councillor Balwinder Dhillon
- 16) Email dated 7 October 2010 from Charanjit Heer, Conservative Group Political Officer to Investigator
- 16.1) Email dated 14 October 2010 from Investigator to Charanjit Heer, Conservative Political Group Officer
- 16.2) Letter dated 14 October 2010 from Investigator to Councillor Balwinder Dhillon
- 17) Letter dated 1 October 2010 (received 15 October 2010) and documents from Councillor Balwinder Dhillon to Investigator
- 18) Letter dated 21 October 2010 from Investigator to Councillor Balwinder Dhillon ,
- 19) Letter dated 25 October 2010 (received 27 October 2010) (Reponse Letter) from Councillor Balwinder Dhillon to Investigator
- 20) Minutes of the Health Scrutiny Panel dated 22 March 2010

**Members' local code of conduct - complaints form**

**Important: Please read attached guidance notes before completing this form.**

**1. Your details**

Title:\*

Councillor

First name:\*

Arvind Singh

Last name:\*

Dhaliwal

Address line 1:\*

34

Address line 2:\*

Shaggy Calf Lane

Town:\*

Slough

County:\*

Berkshire

Postcode:\*

SL 2 5HH

Daytime telephone:

1753732930

Evening telephone:

Mobile number:

7920485142

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- \* the Monitoring Officer of the authority
- \* the parish clerk (only if the complaint concerns a Parish Councillor)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it.

2. Please tell us which complainant type best describes you:

[Empty box for complainant type]

**3. Equalities monitoring**

It would be helpful for us to know about your background so we can check that we are meeting the needs of the whole community. Please do complete the equalities monitoring section further down.

**4. Making your complaint**

Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their authority:

First name

Cllr Balwinder

Last name

Dhillon

Council or authority name

Slough Borough Council

First name

Last name

Council or authority name

First name

Last name

Council or authority name

First name

Last name

Council or authority name

**5. Please explain in this section what the Member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.**

It is important that you provide all the information you wish to have taken into account by the Standards (Assessment) Sub-Committee when it decides whether to take any action on your complaint. For example:

- \* You should be specific, wherever possible, about exactly what you are alleging the Member said or did. For instance, instead of writing that the Member insulted you, you should state what it was they said
- \* You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe
- \* You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible
- \* You should provide any relevant background information


Please provide us with the details of your complaint:\*

On 22nd March 2010 I was chairing the health scrutiny panel. Panel member Cllr Patrica O-Connor, Cllr Bains, Cllr Davis, Cllr Walsh along with other councillors Cllr Long, Cllr Mackisk, Cllr Plimmer and Cllr Small along lot of representatives from outside

bodies, guests were present. Representatives from Wexham and Heatherwood hospital trust had finished the presentation on financial situation and question answers secession was in progress. Every panel member was given opportunity to ask the relevant questions and supplement questions were asked through the chair.

Cllr Dhillon turn came question was put through and answer was given, Cllr Dhillon not satisfied or may not understood the answer asked again an irrelevant question in aggrieve tone, answer given by the representative, Cllr Dhillon still not satisfied asks again straight to representative an other irrelevant question very aggressively and answer was given.

Further more Cllr Dhillon asked irrelevant question to representative and at that point myself being the chair of panel realised this is becoming embracing situation and is damaging for the reputation of the panel and the council in front of guests and outside bodies, I addressed Cllr Dhillon please ask questions through the Chair. Cllr Dhillon replied to me I was not fair, I did not stop Labour members and addressed Cllr O-Connor repeatedly as "she", other panel members objected to Cllr Dhillon behaviour asked him to address Cllr O-Connor by name or Cllr and Cllr was not bothered.

 Cllr Dhillon totally ignored my instructions and carried on. Then Cllr Dhillon directed questions to that I should be answering his questions. Then as chair I mentioned to Cllr Dhillon stop otherwise I will be forced to ask you to leave the meeting and Cllr Dhillon totally ignored. At this point Cllr Dhillon pointed to me that "I have some thing against him regarding his brother car park and Cllr Dhillon planning committee grudges".

Comments made by Cllr Dhillon in public meeting in the presence of outside bodies, guests and press were very derogatory to me and being a public figure unproven and false comments made against me has done damage to my reputation, dignity and effected my political carrier

Then reluctantly I had to ask Cllr Dhillon to leave the meeting and he refused again and again. As chair I stop the embracement I adjourned the meeting for 5 Minutes.

Committee services clerk Teresa approached Cllr Dhillon to diffuse the situation asked Cllr Dhillon to see her outside the chamber, Cllr Dhillon blatantly refused, then I approached him with the same request he did not move. It was suggested that last option was to call the security and escort Mr Dhillon outside the chamber. Some how Tory party political assistant persuaded Mr Dhillon to leave the chamber and ultimately he left the meeting.

The meeting was reconvened and as chair of the panel I apologised to every body for this incident and at the same time Cllr Long apologised to Chair for the inappropriate behaviour of one of his part member.

**Additional Help**

**6. Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.**

**We can also help if English is not your first language.**

**If you need any help in completing this form, please contact June Cook, Member Services Manager, 01753 875019 or email: [CouncillorComplaints@slough.gov.uk](mailto:CouncillorComplaints@slough.gov.uk).**

**Members' local code of conduct - complaints form**

**Important: Please read attached guidance notes before completing this form.**

**1. Your details**

Title:\*

Cll Mrs

First name:\*

Christine

Last name:\*

Small

Address line 1:\*

88 Grampian way

Address line 2:\*

Langley

Town:\*

Slough

County:\*

Berks

Postcode:\*

SL38UG

Daytime telephone:

1753715734

Evening telephone:

1753715734

Mobile number:

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- \* the Monitoring Officer of the authority
- \* the parish clerk (only if the complaint concerns a Parish Councillor)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it.

2. Please tell us which complainant type best describes you:

An elected or co-opted member of an authority

**3. Equalities monitoring**

It would be helpful for us to know about your background so we can check that we are meeting the needs of the whole community. Please do complete the equalities monitoring section further down.

**4. Making your complaint**

Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their authority:

First name

Cllr Balvinder

Last name

Dhillon

Council or authority name

First name

Last name

Council or authority name

First name

Last name

Council or authority name

First name

Last name

Council or authority name

**5. Please explain in this section what the Member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.**

It is important that you provide all the information you wish to have taken into account by the Standards (Assessment) Sub-Committee when it decides whether to take any action on your complaint. For example:

\* You should be specific, wherever possible, about exactly what you are alleging the Member said or did.

For instance, instead of writing that the Member insulted you, you should state what it was they said

\* You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe

\* You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible

\* You should provide any relevant background information

Please provide us with the details of your complaint:\*

Cllr Christine Small  
88 Grampian way  
Langley

Slough

Berks

SL3 8UG

25 .3.10

Dear Standards Board,

I would like to report the dreadful behaviour of Cllr B Dhillon at the health scrutiny panel held on 22 March 10.

Cllr Dhillon in his usual ranting style was being very rude & insulting to the representative Andrew Grimshaw, Chief Finance officer from Heatherwood & Wexham Park Hospital trust.

Cllr Dhillon was the last to speak from the members of the committee, all members had not held back with the questions & full frank discussion had taken place.

It would appear to me that Cllr Dhillon was accusing the board or trust of improprieties.

The manner in which he spoke & the body language he used was at the very least bullying, if not downright threatening.

The chair Cllr A Dhaliwal asked that Cllr Dhillon address questions through the chair to try calming the situation, this made Cllr Dhillon more angry & irate.

He started shouting & arguing with the chair raising his voice and waving his arms.

The chair asked him to calm down or leave the meeting.

He shouted at the chair saying he was not going to leave & who was going to make him.

The chair called for an adjournment whilst the situation was calmed.

The chair approached Cllr Dhillon and asked if he could have a quiet word with him outside the chamber. Cllr Dhillon refused.

After a little while Cllr Dhillon left the chamber.

When the meeting resumed The Chair offered apologies to everyone in the Chamber, followed by an apology by Cllr Long on behalf of her party.

Yours truly,  
C R Small

**Additional Help**

**6. Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.**

**We can also help if English is not your first language.**

**If you need any help in completing this form, please contact June Cook, Member Services Manager, 01753 875019 or email: [CouncillorComplaints@slough.gov.uk](mailto:CouncillorComplaints@slough.gov.uk).**



**SLOUGH BOROUGH COUNCIL**  
**STANDARDS (ASSESSMENT) SUB-COMMITTEE**

**DECISION NOTICE**

Reference: 2010/SBC15

**1. Complaint**

On 28<sup>th</sup> April 2010 the Standards Committee of this Council considered a complaint from Cllr Arvind Dhaliwal concerning the alleged conduct of Cllr Balvinder Dhillon, a Member of this Authority.

A general summary of the complaint is set out below:

The Complainant alleged that the Subject Member, Councillor Balvinder Dhillon's conduct at a meeting of the Health & Scrutiny Panel attended by several representatives from outside bodies and guests on 22<sup>nd</sup> March 2010, was unacceptable because he was intimidating and insulting towards the Complainant. In summary the facts alleged are as follows:-

- (a) The Subject Member repeatedly asked irrelevant questions directly of Wexham and Heatherwood Hospital Trust representatives in an embarrassingly aggressive tone, despite being asked by the Complainant, as Chairman of the Panel, to address questions through the Chairman, thereby ignoring her requests.
- (b) Was rude by referring to a particular Councillor as "She" rather than by name or "Councillor".
- (c) Was intimidating and rude to the Complainant pointing at the Complainant addressing those present "I have something against him regarding his brother's car-park and Councillor Dhillon's Planning Committee grudges".
- (d) The above derogatory comments were made at the said public meeting in the presence of outside bodies, guests and the press and the Complainant feels his reputation and dignity has been damaged and his political reputation has been affected.
- (e) The Subject Member repeatedly refused to leave the meeting when asked to do so by the Chairman of the Panel, because of the Subject Member's bad behaviour.

**2. Decision**

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee of the Standards Committee decided to refer the allegation to the Monitoring Officer for investigation.

I identify below the paragraphs of the Local Code of Conduct which may apply to the alleged conduct. The investigator will determine which paragraphs are relevant during the course of the investigation:-

- (a) failing to treat others with respect,
- (b) bullying, and
- (c) bringing an office or authority into disrepute.

3. **Reasons for Decision**

Please see the attached guide on the investigations process.

4. **Terms of Reference/Right of Review**


The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, which now provides for the local assessment of new complaints that members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and requirements for dealing with this.

The regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committee) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

5. **Additional Help**

If you need additional support in relation to this or future contact with us, please let us know as soon as possible by contacting June Cook, Member Services Manager on (01753) 875019 or by e-mail at [june.cook@slough.gov.uk](mailto:june.cook@slough.gov.uk). If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed:  Date: 6<sup>th</sup> May 2010  
Maria Memoli, Monitoring Officer, for and on behalf of the Sub-Committee

**SLOUGH BOROUGH COUNCIL**  
**STANDARDS (ASSESSMENT) SUB-COMMITTEE**

**DECISION NOTICE**

**Reference: 2010/SBC16**

**1. Complaint**

On 28<sup>th</sup> April 2010 the Standards Committee of this Council considered a complaint from Cllr Christine Small concerning the alleged conduct of Cllr Balvinder Dhillon, a Member of this Authority.

A general summary of the complaint is set out below:

The Complainant alleged that the Subject Member, Cllr Balvinder Dhillon's conduct at a meeting of the Health & Scrutiny Panel attended by among others, the Chief Finance Officer from Heatherwood and Wexham Park Hospital on the 22<sup>nd</sup> March 2010, was unacceptable because he was intimidating and insulting towards the Chairman of the Panel, Cllr Arvind Dhaliwal, In summary the facts alleged are as follows:-

- (a) The Complainant was present at the said meeting on the 22<sup>nd</sup> March 2010 where the Subject Matter accused the board/trust of improprieties in a bullying and threatening manner.
- (b) The Subject Member became more angry and irate, shouted, waved his arms and argued with the Chairman of the Panel and refused to leave the meeting room when asked by the Panel Chairman saying "I am not going to leave and who is going to make me".

**2. Decision**

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee of the Standards Committee decided to refer the allegation to the Monitoring Officer for investigation.

I identify below the paragraphs of the Local Code of Conduct which may apply to the alleged conduct. The investigator will determine which paragraphs are relevant during the course of the investigation:-

- (a) failing to treat others with respect,
- (b) bullying, and
- (c) bringing an office or authority into disrepute.

3. **Reasons for Decision**

Please see the attached guide on the investigations process.

4. **Terms of Reference/Right of Review**


The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, which now provides for the local assessment of new complaints that members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and requirements for dealing with this.

The regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committee) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

5. **Additional Help**

If you need additional support in relation to this or future contact with us, please let us know as soon as possible by contacting June Cook, Member Services Manager on (01753) 875019 or by e-mail at [june.cook@slough.gov.uk](mailto:june.cook@slough.gov.uk). If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed:  Date: 6<sup>th</sup> May 2010  
Maria Memoli, Monitoring Officer, for and on behalf of the Sub-Committee



**STATEMENT OF WITNESS**

**STATEMENT OF:** Councillor Arvind Dhaliwal

**AGE OF WITNESS:** Over 21  
(if over 21, enter "over 21")

**POSITION HELD:** Elected Member

**ADDRESS:** Slough Borough Council, Town Hall, Bath Road, Slough,  
Berkshire SL1 3UQ

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillor Dhillon - Compliant reference SBC15 and SBC16 in relation to a meeting on 22 March 2010 of the Health Scrutiny Panel.

1. On 22<sup>nd</sup> March 2010 I was Chairing the Health Scrutiny Panel.
2. I would like to make a correction to my complaint information in that Councillor Walsh may not have been present and I could be wrong about his presence at the meeting.
3. All members were given an opportunity to ask questions. As Members indicate they wish to speak, a note is taken of their names and they are given an opportunity to speak or ask questions or for clarity.
4. The Wrexham Hospital item was not controversial. The hospital has given reports in the past about the deficit and this was the second report as far as I can remember. It was about their plans to take care of the deficit of approximately 20million. It is all in the public domain and has had good media coverage.
5. Other Members were asking questions for the users of the hospital, how it will affect the users or staff or people on the waiting list, all those issues of concern about the hospital, the long term stability of the hospital. All relevant questions. Wrexham and Heatherwood Hospital is a major contributory factor in the town and there are concerns if residents could be affected by the deficit.
6. Councillor Dhillon's questions were difficult to understand. A Member can ask questions but if they want to ask further questions they have to ask the Chair if they can ask a supplementary question or if more questions have come to mind. Councillor Dhillon just asked one question after another.

7. Councillor Dhillon asked a question. The answer was given by Mr Grimshaw and then Councillor Dhillon was firing another question at him in an aggressive and very rude manner and it carried on.
8. It is the duty of the Chair to control the meeting and everyone should be given a fair chance to ask questions.
9. The outside representatives need to be treated fairly and respectfully and not insulted. We expect answers on the topic on which the representative was giving a report, but not answers to any absurd questions. Member should ask relevant questions. Most important questions had been asked by other Members but in fairness I gave Councillor Dhillon a chance to speak because he indicated he wanted to ask questions on the topic.
10. Councillor Dhillon asked a question and he did not seem to accept the answer or was not satisfied with the answer and he just carried on and on asking one question after another. I cannot remember the precise questions but they were irrelevant questions and not to do with the deficit.
11. Councillor Dhillon was rude and very aggressive. His "tone" was very high, there was a "roughness in his tone". His body language was aggressive as he was waving his arms.
12. I asked Councillor Dhillon to ask further questions through the Chair. I was concerned about Mr Grimshaw and how it made us all look in front of the outside people. Councillor Dhillon got more aggressive then and said that Councillor O'Connor had asked questions. He did not refer to her properly. He said something like, "she was asking questions and you let her carry on." He did not use Councillor O'Connor's name or her title. He kept calling her "she". This is not a respectful way to speak to other Members in a public meeting. Other Members objected to what Councillor Dhillon was doing by not calling Councillor O'Connor by her name or title. He did not accept this point from anyone. He did not say sorry but just carried on. In my view this is not the way to speak to other Members in a meeting like this.
13. I again asked him to ask questions through the Chair and he seemed not to be bothered and then said by pointing his finger at me. "now you answer my questions!"
14. Councillor Dhillon then accused me of being unfair with him and that I was bearing grudges against him for his brother's car park and other planning issues.
15. As the Chair I had to control the meeting. I decided to adjourn the meeting.
16. At first Teresa Clark, the Committee Clerk, spoke to him. Then I spoke to him and asked him to come outside. He refused and would not move from the Chamber. After a few requests for him to leave, it was suggested that Security should be called and he should be removed from the Chamber. After this I think the Political Assistant had a word

- with Councillor Dhillon and then he left. I understand that there was a message that Councillor Dhillon wanted to come back to the meeting but that Teresa Clark told the Political Assistant that the Chair would not let him come back because he had been asked to leave because of his bad behaviour.
17. All this scene happened in front of the people in the Chamber. Mr Grimshaw was in the Chamber. There were other people waiting to make other report. There were quite a few agenda items and people from outside bodies in the Chamber. This all happened in front of those people from outside bodies.
  18. Councillor Dhillon raised personal issues which had nothing to do with this meeting and for which he is angry about but I feel I have acted properly on all the things he keeps accusing me about. My wife and her business partner, rent their business premises from Councillor Dhillon's brother. I do not have anything to do with my wife's business. I do know that there have been some problems with rent reviews and the case is still in court. At one point Councillor Dhillon's brother tried to run me over in a car park. This was reported to the police and in my view it has all been dealt with now. I have no more to do with this and I bear no grudge to Councillor Dhillon for it. Also in previous years I have been on the Planning Committee and applications from his brother have come on the agenda. I have always declared an interest and left the meeting. There was one occasion when Councillor Dhillon's planning application came to the Planning Committee. I took legal advice and was told that I could take part in the meeting as he was a fellow Councillor and it was like any other case a Member had to deal with. Councillor Dhillon bringing personal issues into a public meeting is not right. I am a public figure and I do have reputation to keep and it is insulting when he keeps suggesting I bear grudges and have not acted properly. This is insulting and not a respectful way to behave. I have always acted in a fair and respectful manner with him.
  19. At the meeting I think lots of people were upset by his behaviour. I apologised to the meeting and Councillor Long also apologised on behalf of her party for his behaviour. In my view Members should not have to apologise for the bad behaviour of another Member. It is embarrassing for everyone.
  20. I gave Councillor Dhillon every opportunity to ask questions like any of the other Members. I gave him every opportunity to stop being rude and aggressive and ask relevant questions and to ask them properly and respectfully to someone from an outside body. He did not do so. Mr Grimshaw was in the middle of giving his report. I could not allow the rude and aggressive behaviour to carry on so the only power I had was to adjourn the meeting. Councillor Dhillon's bad behaviour carried on for about five to seven minutes. Everyone seemed shocked.

21. I feel it is my duty to respect the representatives from outside bodies. As a Member you have to uphold the integrity of the Town Hall and your public Office. Even before taking action to ask him to leave I gave him plenty of “pre-warning shots” and he knew what the next steps or consequences were if he carried on but he just carried on and on. He would not accept or understand the points Mr Grimshaw had made about the deficit.
22. In my experience Councillor Dhillon is full of aggression and anger most of the time and he will ask irrelevant questions. Often I do not understand his questions. Often in meetings I see that Officers try to make sense of his questions for themselves and then try to answer what they think he is talking about. He is not very clear. He is generally rude in my experience but at this meeting I think what he was doing was “unacceptable and unbearable” especially as there were representatives from outside. He is a “loose canon”. He does not know when to stop or how to behave in meetings. We are all political colleagues and we should have no real issue with each other or anyone else, it is not personal, it is all about debate on issues and we all have different views and that is our job to represent people. Elected Members come and go in elections, no point in making things personal or treating everyone as an enemy, its all about the issues but in my view Councillor Dhillon thinks everyone is his “enemy”, this is not the case and I think it is quite sad if Councillor Dhillon feels this way about everyone. As the Chair I did my best to ensure debate on the issues and give everyone a fair chance to represent people’s views.

**I hereby declare that this a true and accurate record of the interview on 24 June 2010 and this is an agreed record of that interview. I consent for any details to be used for this investigation.**

**Signed:**

**Date:**

**NAME:**



**SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION****STATEMENT OF WITNESS**

**STATEMENT OF:** Councillor Christine Small

**AGE OF WITNESS:** Over 21  
(if over 21, enter "over 21")

**POSITION HELD:** Elected Member

**ADDRESS:** Slough Borough Council, Town Hall, Bath Road, Slough,  
Berkshire SL1 3UQ

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillor Dhillon - Compliant reference SBC15 and SBC16 in relation to a meeting on 22 March 2010 of the Health Scrutiny Panel.

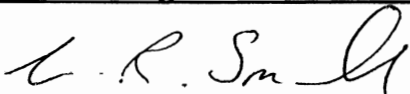
1. The meeting was at 6:30pm. I am not a member of the Health and Scrutiny Panel but I am the Commissioner for Health and Well Being and I was present under rule 30. The meeting was chaired by Councillor Dhaliwal. Councillor Dhillon was present from 6:30pm as he was a member of that Committee.
2. Andrew Grimshaw was presenting a financial report which to my mind was essentially factual. Wrexham Hospital is in 20 million deficit and it is clear there are future financial difficulties for the everyone. This was the thrust of his report which he explained how they got into the difficulties and the recovery plans. Following the presentation he invited questions. Most members of the committee had raised their concerns about the deficit and the knock on effects of the deficit. It was scrutiny acting as Scrutiny Committee. The Chair permitted everyone who wanted to speak to do so.
3. Councillor Dhillon was invited to speak by the Chair. It was difficult to understand what Councillor Dhillon's saying to Andrew Grimshaw. He appeared to be accusing Andrew Grimshaw of improprieties. He was blaming the Board, the Trust and seemed to me like a general rant. Councillor Dhillon's manner was aggressive. His body language was intimidating in that he had both arms on the table and he was leaning forward. He had a microphone on in front him but he was still shouting. It was not possible to understand the point he was trying to make to Andrew Grimshaw.
4. At this point the Chair asked Councillor Dhillon to address his questions through the Chair. Councillor Dhillon's attitude then

became antagonist towards the Chair. He accused the Chair of being unfair towards him as he said the Chair had not said this to anyone else asking questions. The Chair then again gave Councillor Dhillon the opportunity to ask his questions. The attitude of Councillor Dhillon did not alter at all. Councillor Dhillon was accusing Andrew Grimshaw. It seemed that Councillor Dhillon was "trying to shoot the messenger". I believe that everyone understood that Andrew Grimshaw was not personally responsible for the failings but Councillor Dhillon seemed determined to carry out some kind of "witch hunt". The Chair was trying to deflect Councillor Dhillon's aggression towards Andrew Grimshaw as a Chair should do so in these circumstances. However the meeting disintegrated because then Councillor Dhillon continued to rant. It felt like it was a challenge between the Chair and Councillor Dhillon because he was not calming down. The Chair then said to Councillor Dhillon that he will have to leave if he does not calm down.

5. When the Chair said this, then Councillor Dhillon made it clear that he had no intention of leaving. I recall that the Chair asked Councillor Dhillon to leave the Chamber but he did not do so as he remained in the Chamber. The Chair was calm and polite when he requested Councillor Dhillon to calm down and leave the Chamber. The Chair was not antagonist towards Councillor Dhillon.
6. The Chair called for an adjournment so that the whole thing could be calmed down. The Chair asked Councillor Dhillon to come outside to discuss the matter calmly but Councillor refused. The Chair then sat down and spoke to the Committee Clerk and my understanding is that the Council's Security Officers were to be called to take Councillor Dhillon out of the Chamber. However Councillor Dhillon left before any Security Officer arrived.
7. When the meeting was reconvened, other Councillors apologised generally but in my view the depth of the outrageous behaviour of Councillor Dhillon was so bad that even Councillor Long felt obliged to apologise on behalf of the Conservative Group. In politics, in my view, there is "rough and tumble" and that everyone has different style but for one politician to apologise for her colleague is a very significant step. This to me reflects the seriousness of Councillor Dhillon's behaviour that evening, in that it was embarrassing and unacceptable.
8. Over the years I have got used to Councillor Dhillon's "raving style" at meetings but this was far worse and far more aggressive than I have ever witnessed before. At this meeting Andrew Grimshaw was a visitor who was giving information to the Scrutiny Committee, so it would not have been a surprise to him to have been questioned thoroughly and have to answer difficult questions, but he ought not

to have had to be subjected "naked aggression" from Councillor Dhillon. No one deserves to be spoken to in that aggressive manner, that is no Officer or fellow Councillor or anyone else. Councillor Dhillon did not listen to the Chair and it was embarrassing. My concern is that we are representatives of this area, Councillor Dhillon's behaviour that evening sends out the wrong message for all of us. When he was behaving in an aggressive and rude manner I wanted to hide as I was ashamed as his behaviour was tarring us all with the same brush in front of visitors. It brings the whole Council into disrepute.

**I hereby declare that this a true and accurate record of the interview on 18 June 2010 and this is an agreed record of that interview.**

Signed: 

Date: 18. 6. 10.

NAME: CHRISTINE SMALL

**SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION****STATEMENT OF WITNESS**

**STATEMENT OF:** Councillor Robert Plimmer

**AGE OF WITNESS:** Over 21  
(if over 21, enter "over 21")

**POSITION HELD:** Elected Member

**ADDRESS:** Slough Borough Council, Town Hall, Bath Road, Slough,  
Berkshire SL1 3UQ

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillor Dhillon - Compliant reference SBC15 and SBC16 in relation to a meeting on 22 March 2010 of the Health Scrutiny Panel.

1. The major issue for me was the way in which Councillor Dhillon asked questions of Andrew Grimshaw, which started with a question about Quangos and whether they were wasting tax payers money. This did not have anything to do with the presentation.
2. Mr Grimshaw's reply is in the Minutes.
3. Councillor Dhillon then asked other irrelevant questions. The meeting was about the financial status of the Wrexham and Heatherwood Hospital and how the Board were proposing to turn around its finances. Councillor Dhillon's questions were about dismissal of the finance officer.
4. Councillor Dhillon said that Andrew Grimshaw would be out of a job in six weeks time. I personally thought this was out of order to a representative of an organisation with which SBC works closely.
5. It was proper to ask questions about financial improprieties but to make a subjective statement and then fire off an accusation was irrelevant to the meeting.
6. Councillor Dhillon was aggressive towards Andrew Grimshaw and asked questions in an accusative manner. His body language was no more than when he gets worked up at meetings. He does have a reputation for a fiery temperament. I feel he was intimidating towards Andrew Grimshaw. I do not think he was intimidating towards other Members as we all know he has a reputation for a fiery temperament. I think that Councillor Dhillon was ill-mannered towards Andrew Grimshaw as he was someone who was not aware of Councillor Dhillon's temperament.

7. Councillor O'Connor made some comment about Councillor Dhillon's line of questioning. Then Councillor Dhillon referred to Councillor O'Connor as "she" rather than "Member" or "Councillor".
8. Councillor Dhaliwal tried to bring this point to order with Councillor Dhillon. I do not think that this point is as important as Councillor Dhillon's questions to Andrew Grimshaw. In my view if this point had been separated from the reminder of the item on the agenda then perhaps the situation would not have escalated. Other Members also joined in on the point about "she" and Members are aware of Councillor Dhillon's temperament.
9. Councillor Dhaliwal as the Chair, called Councillor Dhillon to order as the comments to Andrew Grimshaw were not suitable. Councillor Dhillon exploded like a "loose cannon" as he tends to do on these occasions.
10. Following Councillor Dhaliwal requesting Councillor Dhillon to ask through the Chair. Councillor Dhillon seemed to feel that he was being gagged and then this is when it all blew.
11. Councillor Dhillon then brought up some personal matters between himself and Councillor Dhaliwal. I am aware that there is a history between Councillor Dhaliwal and Councillor Dhillon which extends over about five years. There has been a previous Standards Investigation where Councillor Dhillon had to apologise to Councillor Sukhi Dhaliwal so I am aware there is some baggage between the two Members. Councillor Dhillon tends to be critical of fellow Sikhs who are in the opposition. There was a verbal discourse between Councillor Dhillon and Councillor Dhaliwal about a personal issue. I do not know what it is about or why it blows up in public meetings. Something personal was said to Councillor Dhaliwal but I do not recall the words or the context of it.
12. Councillor Dhaliwal asked Councillor Dhillon to retract his comments or leave the meeting. But Councillor Dhillon refused to retract his comments and initially refused to leave. I do recall Councillor Dhillon saying something to the effect, "Who will make me?"
13. The meeting had to be adjourned for about five to ten minutes. I recall that Councillor Dhillon refused to go outside and Councillor Dhaliwal had a conversation with him in the corner of the Council Chamber. To me the conversation appeared to be a continuation of the personal issue raised by Councillor Dhillon. It was strange that both Members continued to discuss this in English as it is normal in my experience that Members revert to their own language on personal issues.
14. I do not recall Facilities attending the meeting. Councillor Long may have spoken to Councillor Dhillon. My next recollection is that Councillor Dhillon walked out of the meeting himself.

15. The meeting reconvenes. Councillor Dhaliwal apologises to Andrew Grimshaw for Councillor Dhillon's behaviour. Councillor Long also apologised on behalf of the Conservative Group as she was quite embarrassed by it all too.

**I hereby declare that this a true and accurate record of the interview on 23 June 2010 and this is an agreed record of that interview.**

Signed: Robert Plimmer

Date: 23/6/2010

NAME: ROBERT PLIMMER

**SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION****STATEMENT OF WITNESS**

**STATEMENT OF:** Councillor Balvinder S. Bains

**AGE OF WITNESS:** Over 21  
(if over 21, enter "over 21")

**POSITION HELD:** Elected Member

**ADDRESS:** Slough Borough Council, Town Hall, Bath Road, Slough,  
Berkshire SL1 3UQ

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillor Dhillon - Compliant reference SBC15 and SBC16 in relation to a meeting on 22 March 2010 of the Health Scrutiny Panel.

1. On 22<sup>nd</sup> March 2010 I was at the Health Scrutiny Panel. I was present when Councillor Dhillon caused the meeting to be stopped because of the way he was talking to the person giving the report and to the Chair. Councillor Dhaliwal was chairing the meeting.
2. I believe that when we as Members have visitors or speak to or ask questions to the visitors we should be respectful and think carefully about how we ask things.
3. Councillor Dhillon was raising his voice. He was not being very professional.
4. I think the problems started from how Councillor Dhillon started to say things to the person giving the report. He started by making a long statement and did not seem to get to asking a question. It was his turn to ask a question. I cannot remember exactly what Councillor Dhillon was trying to say.
5. It is the job of the Chair to control the meeting so the Chair asked Councillor Dhillon to ask his question. However Councillor Dhillon just went on elaborating on his statement which he had made earlier and did not ask a question. If he did have a question or point to make it was a very lengthy way of doing it. So the Chair had to keep on asking him to ask the question.
6. In my experience I think like me Councillor Dhillon has a loud voice and sometimes people can take this to mean he is shouting. At this meeting I do think he was not very professional even if he had a loud voice. When he was speaking he was waving his arms about as well.

7. I think there was some comment about not calling another Councillor by name or title. This is disrespectful. I cannot remember the full details of how this happened but the overall impression I had of the situation was that Councillor Dhillon thought he was being treated unfairly by the Chair. He was not being given his time to ask the question. But looking at the situation, I could see that he was not asking the question but just making lengthy statements. The Chair had to control the meeting. The Chair gave him chances to ask his question but he just went on.
8. In my view from what I remember about the meeting is that everyone who had wanted to speak was given a chance to speak. I do not think anyone was ignored.
9. I am aware there are personal tensions between Councillor Dhillon and Councillor Dhaliwal but these things should not come into the public meetings. I think that maybe Councillor Dhillon felt he was being treated unfairly by the Chair because of the personal issues. Councillor Dhillon seemed to be bringing up some "tic" for "tac" points against the Chair. However at that meeting I think everyone was given a fair chance to speak. Councillor Dhaliwal gave Councillor Dhillon many chances to ask the question but he did not do so.
10. I remember that the meeting had to be stopped. The Chair did ask Councillor Dhillon to leave but he would not leave. I think there was talk about getting Security to remove him. In the end I think a party official came to talk to Councillor Dhillon and he left after that. He did not come back to the meeting.
11. When the meeting started again Councillor Long apologised to the meeting.
12. To me it was Councillor Dhillon behaving in his usual way. He has a strong voice and some people think that this is aggressive. When he gets angry his voice grows louder. But how he behaved was not professional at this meeting.
13. Visitors were present at this meeting. Everyone was surprised at what was happening. We are elected Members and we should show professionalism. We should treat everyone with respect. It does not look nice in front of the visitors because it gives the impression that our meetings are not right. It was like Councillor Dhillon was reading a script and he would not stop. When he would not leave it all creates a bad impression for the visitors and public.

**I hereby declare that this a true and accurate record of the interview on 24 June 2010 and this is an agreed record of that interview. There are two pages. I consent for any details to be used for this investigation.**

Signed: *B Baines*

Date: 29/06/2010

NAME: *CU BALVINDER S. BAINES*



**SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION****STATEMENT OF WITNESS**

**STATEMENT OF:** Councillor David Maclsaac

**AGE OF WITNESS:** Over 21  
(if over 21, enter "over 21")

**POSITION HELD:** Elected Member

**ADDRESS:** Slough Borough Council, Town Hall, Bath Road, Slough,  
Berkshire SL1 3UQ

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillor Dhillon - Compliant reference SBC15 and SBC16 in relation to a meeting on 22 March 2010 of the Health Scrutiny Panel.

1. On 22<sup>nd</sup> March 2010 I attended the Health Scrutiny Panel. Councillor Dhaliwal was chairing the meeting.
2. I was present when Councillor Dhillon started asking inappropriate questions of Mr Grimshaw from Heatherwood and Wexham Park Trust. This was about Quangos which was irrelevant because this seemed to be to do with national issues, and then he asked questions about what was going to happen in the next few weeks with the Trust which was not clear what he was trying to find out. Mr Grimshaw said he did not understand the question. He was shouting at the time. From my observations I felt that Councillor Dhillon was not following what Mr Grimshaw was saying and the purpose of his report.
3. I remember that other Councillors were asking him to calm down.
4. At this point the Chair asked him to stop and address questions through the Chair. Councillor Dhillon became very irrate. He was demanding why the Chair was trying to stop him and stating that other Councillors had been allowed to ask questions without interference. He then accused the Chair of bullying and referred to an incident outside of this meeting where he claimed that the Chair had bullied him in private.
5. The Chair advised him to stop otherwise he would have to ask him to leave. Councillor Dhillon said he would refuse to leave. At this point Chair decided to adjourn the meeting and asked to speak to Councillor Dhillon outside.
6. Facilities staff had been called as I saw they were waiting outside the Chamber. Councillor Dhillon then left. The meeting resumed.

7. Councillor Julia Long apologised on behalf of the Tory Group for his behaviour.

I hereby declare that this a true and accurate record of the interview on 30 June 2010 and this is an agreed record of that interview.

There are 2 pages.

I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used for any other purpose.

I consent for any details to be used for this investigation.

Signed: D. MacIsaac

Date: 30/6/2010

NAME: DAVID MACISAAC

**SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION**



**STATEMENT OF WITNESS**

**STATEMENT OF:** Councillor Julia Long

**AGE OF WITNESS:** Over 21  
(if over 21, enter "over 21")

**POSITION HELD:** Elected Member

**ADDRESS:** Slough Borough Council, Town Hall, Bath Road, Slough, Berkshire SL1 3UQ

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillor Dhillon - Compliant reference SBC15 and SBC16 in relation to a meeting on 22 March 2010 of the Health Scrutiny Panel.

1. On 22<sup>nd</sup> March 2010 I attended the meeting of the Health Scrutiny Panel. I was there in accordance with Rule 30, as a Councillor who had an interest in the report which Mr Grimshaw, Chief Finance Officer, Heatherwood and Wexham Park Hospitals NHS Trust, who was going to make a presentation about the financial position of the Wexham Park Hospital Trust. Also present under this Rule 30 were Councillors Maclsaac, Plimmer and Small. The Meeting was Chaired by Councillor Arvind Dhaliwal.
2. Following the reading of the Minutes, the first item was Mr Grimshaw's presentation, after which the members of the panel were invited to ask questions. Councillor O'Connor asked some questions of Mr Grimshaw. Councillor Dhillon had also indicated that he wished to speak and was invited by the Chair to ask his questions.
3. Councillor Dhillon did not ask a question but he started to verbally attack Mr Grimshaw about how the hospital was wasting rate payers' money on various Quangos. I cannot recall verbatim what he said as I had no reason to make a note at the time. He was reminded by the Chair to ask the question if he wished to do so. Councillor Dhillon continued in a loud voice to go on about the shortcomings of the hospital Trust. Again he was told by the Chair that he should ask his question. He then said to the Chair, "when she was talking and asking questions you did not stop her and you can't tell me to shut up." Councillor Davis interjected at this point and said to the Chair that Councillor Dhillon should address Councillor O'Connor properly and

- not refer to her as "She". The Chair did remind Councillor Dhillon that he should address other Members properly and with respect.
4. The Chair warned Councillor Dhillon on at least two occasions about his behaviour. I took this to mean Councillor Dhillon's behaviour towards Mr Grimshaw and other Members. Councillor Dhillon continued to ignore the Chair and he continued to be loud and aggressive. He then loudly spoke to the Chair about the Chair having a planning grudge against him and he made some comments about the Labour Party and then said "I will see you in Court". None of this, whatever it meant, was relevant to the Agenda item. Some remarks were made by Councillor Dhillon in Punjabi. I believe it was at this point the Chair asked Councillor Dhillon to leave because he had ignored the warnings previously given regarding his behaviour. Councillor Dhillon said that he was not going to go. Councillor Dhillon then said something along the lines of that he was entitled to ask questions and that he was not being listened to and not being treated fairly by the Chair. By this time it was embarrassing for everyone else in the room and the Chair then asked him for a second time to leave the meeting because of his conduct. Councillor Dhillon again refused. At this point the Chair then announced that he was suspending the meeting for five minutes.
  5. Various persons left the Chamber including myself, and eventually Councillor Dhillon also left the Chamber and the meeting reconvened without him. I also went back into the Chamber and in view of one or two comments made to me outside in the corridor during the interval and my own opinion of Councillor Dhillon's embarrassing behaviour, I apologised to the meeting on behalf of the Conservative Group. I considered his behaviour to be totally unacceptable. I also felt that this type of behaviour reflects badly on Slough Borough Council and its elected Members especially as senior members of the health authority were present. It showed a total lack of respect for all present.

**I hereby declare that this a true and accurate record of the interview on 23 August 2010 and this is an agreed record of that interview. There are two pages. I consent for any details to be used for this investigation.**  
**I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used for any other purpose.**  
**I consent for any details to be used for this investigation.**

Signed: *J. S. Long*

Date: 23/8/10.

NAME: JULIA LONG

**SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION****STATEMENT OF WITNESS****STATEMENT OF: Andrew Grimshaw****AGE OF WITNESS: Over 21**  
(if over 21, enter "over 21")**POSITION HELD: Chief Finance Officer, Heatherwood and Wexham Park  
Hospitals NHS Trust**

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillor Dhillon - Compliant reference SBC15 and SBC16 in relation to a meeting on 22 March 2010 of the Health Scrutiny Panel.

1. I am the Chief Finance Officer for the two local NHS hospitals. On 22<sup>nd</sup> March 2010 I made a presentation to the meeting of the Health Scrutiny Panel at Slough Borough Council. This meeting was a while ago now but as I remember my presentation was about the finance turnaround plans for the hospitals. After my brief presentation the panel members were permitted to ask me questions about the NHS Trust's financial plans. I have attended these types of meetings before in other local authorities. This was the first one which I attended at Slough Borough Council.
2. There were several questions by different people. The questions I was asked were relevant and related to how the NHS Trust's finances will impact upon services, implications for the population of Slough, essentially questions which I was anticipating would be asked in this type of forum.
3. I remember that there was some issues with one of the individuals at the meeting. I understand that the person concerned was called Councillor Dhillon. He was given an opportunity by the Chair to ask his questions. I do not recall the precise words of what he said. I do not think that it was a question. I remember that I was unable to make a reply and I think it was not a relevant point as it was about Quangos. From my understanding of Quangos, the Heatherwood and Wexham Park Hospitals do not have Quangos, so I did not understand the point of what Councillor Dhillon was saying to me.
4. I do not recall Councillor Dhillon saying anything about the elections or anyone at the NHS Trust being out of a job after six weeks. Councillor Dhillon did however persist with his one dimensional approach of

questioning me. At this stage there was an exchange between Councillor Dhillon and the Chair. Councillor Dhillon became progressively heated about being advised by the Chair to ask his question. The Chair said that Councillor Dhillon needed to move on as it was a redundant point. However Councillor Dhillon did not want to let go of the point. Councillor Dhillon became heated so quickly that to a degree there was miscommunication by him to the Chair.

5. I am used to fairly "off the wall" questions. I can usually get to the nub of someone's point. I tried to help Councillor Dhillon by trying to assess what question he may be wanting to ask me. I am used to dealing with people who are passionate about their points of view. Also in my experience passionate views can sometimes create unclear questions. In my professional capacity I am usually able to decipher the point and establish the relevant line of questioning however on this occasion I was unable to do so because I could not understand the point about the Quangos. It was an irrelevant point as the local NHS Trust does not have Quangos. I could not decipher the question from the views being expressed by Councillor Dhillon.
6. The Chair warned Councillor Dhillon several times about moving on from the point and that it was a redundant point. I thought the Chair was quite measured in his approach. Councillor Dhillon's voice was raised and he was expressing passion about what he wanted to say. Some of that passion was directed at me but most of it got directed at the Chair. The Chair tried to keep the meeting in order by warning him and telling him to ask his question.
7. Councillor Dhillon stayed with his one dimensional approach. I think I did hear a comment by someone else along the lines of "let it go". I think that Councillor Dhillon then commented that he was not being treated fairly by the Chair by not being allowed to put his questions to me. The Chair said he should ask his question. Councillor Dhillon made some comments to the Chair which I did not understand fully and when Councillor Dhillon continued in this way, the Chair asked him to leave but he did not do so.
8. The Chair then adjourned the meeting for five minutes. I was somewhat surprised and mildly amused by the conduct of Councillor Dhillon. I have not experienced this type of behaviour at other meetings I have attended in other local authorities. On the whole I thought that the rest of the meeting was constructive and positive. I thought that the other people attending the meeting had a good understanding of health issues and asked relevant questions. I do expect a robust line of questioning and challenge at these meetings and I am there to answer those hard questions.
9. Councillor Dhillon left the meeting during the adjournment. After the meeting reconvened, the Chair apologised to me for the conduct of Councillor Dhillon and about his irrelevant questions to me. The rest

of the meeting went as expected and on the whole I thought that the meeting was well managed by the Chair.

**I hereby declare that this a true and accurate record of the telephone interview on 18 August 2010 and this is an agreed record of that interview. There are three pages. I consent for any details to be used for this investigation.**

**I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used for any other purpose.**

**I consent for any details to be used for this investigation.**

**Signed:**

**Date:**

**NAME:**

15 June, 2010

Department:	Law & Corporate Governance
Contact Name:	Kuldip K Channa
Contact No:	01753 875189
FAX:	01753 875183
Email:	kuldip.channa@slough.gov.uk
Our Ref:	KKC/013093
Your Ref:	

Councillor Balwinder S Dhillon,  
67 London Road,  
Slough,  
Berkshire, SL3 7RS

**PRIVATE & CONFIDENTIAL**

Dear Councillor Dhillon,

**Re: Standards Investigation Complaint Reference SBC15 and SBC16 regarding Code of Conduct matter on 22 March 2010**

I write to advise you that I am instructed to undertake a Standards Investigation in respect of a complaint made against you by Councillor Dhaliwal and Councillor Small. It is alleged that on 22 March at a Health and Scrutiny Panel meeting you were intimidating, insulting, bullying and threatening towards the Chairperson and Councillor Small. Further that you have failed to comply with Council's Code of Conduct, in that you failed to treat others with respect and brought an office or authority into disrepute. The Standards (Assessment) Sub Committee considered this matter on 28 April 2010 and has referred it for investigation. These are two separate complaints but I propose to deal with them together as they relate to the same meeting, unless of course you object to them being dealt with together.

I have been appointed by Maria Memoli, Slough Borough Council's Acting Monitoring Officer, to investigate the allegations which have been made about your conduct. I would like to assure you that although the Standards Sub Committee has referred the allegation for investigation, the Standards Sub Committee has formed no view on the matters set out in the allegation. The investigation will enable the Standards Committee to reach a conclusion on whether there has been any failure to comply with the Council's Code of



Conduct. Part of the investigation will include seeking information and documentation from you and other people, where relevant.

I enclose a copy of the documents which make up the allegation made against you. These include the following:

- 1) Councillor Dhaliwal - Complainant's form – undated,
- 2) 2010/SBC/15, a copy of the Monitoring Officer's summary of the allegation and Decision Notice dated 28 April 2010,
- 3) Councillor Small - Complainant's form – undated,
- 4) 2010/SBC/16, a copy of the Monitoring Officer's summary of the allegation and Decision Notice dated 28 April 2010,

You may disclose these documents to your solicitor or other representative, should you choose to appoint one, for the purposes of seeking advice in relation to this investigation. The documents should not be disclosed to anyone else.

You are welcome to provide me with your initial response to the allegation should you wish to do so at this point.

I hope to complete the investigation within six to eight weeks. I anticipate that the matter can go before the committee by the middle of September 2010 after taking into account the approaching summer holiday period. In order to assist in the progress of the investigation could you please let me know of any periods of time, such as holidays, when you will not be available? I anticipate undertaking interviews in July 2010. I will be contacting you shortly to arrange a convenient date for the interview.

I want to keep you informed of the progress of the investigation and I will endeavour to accommodate your wishes as to how you wish to be contacted about the progress of the case. Please let me know any specific ways in which you would or would not like to be advised of the progress of the case, email, telephone or standard postal letters.

If you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing [Kuldip.Channa@slough.gov.uk](mailto:Kuldip.Channa@slough.gov.uk). Please quote the reference on all correspondence.

I look forward to hearing from you.

Yours sincerely

Kuldip K Channa  
Litigation Solicitor  
On behalf of the Acting Monitoring Officer  
Encs.

26 August, 2010

Department:	Law & Corporate Governance
Contact Name:	Kuldip K Channa
Contact No:	01753 875189
FAX:	01753 875183
Email:	kuldip.channa@slough.gov.uk
Our Ref:	KKC/013093
Your Ref:	

Councillor Balwinder S Dhillon,  
67 London Road,  
Slough,  
Berkshire, SL3 7RS

**PRIVATE & CONFIDENTIAL**

Dear Councillor Dhillon,

**Re: Standards Investigation Complaint Reference SBC15 and SBC16 regarding Code of Conduct matter on 22 March 2010**

Further to my letter of 14 June 2010, I note that I have not had any contact from you regarding this investigation. I did not contact you in July to make any interview arrangements as I had not yet completed the interviews with the relevant witnesses. I am therefore now writing to update you on the progress of the case as I have nearly completed the interviews with the witnesses and anticipate that I can offer an interview to you after 10 September. I would be grateful if you can please contact me after 6 September to arrange a mutually convenient appointment. It would be preferable to meet with you but you do have the alternative option of writing to me about this matter if you do not wish to meet with me.

If you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing [Kuldip.Channa@slough.gov.uk](mailto:Kuldip.Channa@slough.gov.uk). Please quote the reference on all correspondence.

I look forward to hearing from you.

Yours sincerely

Kuldip K Channa  
Litigation Solicitor  
On behalf of the Acting Monitoring Officer

Channa Kuldip

Document 13

**From:** B Dhillon [balwinderdhillon@hotmail.com]  
**Sent:** 13 September 2010 15:31  
**To:** Channa Kuldip  
**Subject:** Standards investigation complaint ref SBC15 & SBC16 - 22 March 2010

Date: 13<sup>th</sup> September

Councillor Balwinder Dhi  
67 London Road  
Slough  
Berkshire  
SL3 7RS

Kuldip K Channa  
Law & Corporate Governance  
St Martins Place  
51 Bath Road  
SL1 3UF

Dear Kuldip

**Re: Standards Investigation SBC15 and SBC16**

Thank you for your letter dated 26 August. I would like to request that you provide me with the statements made by those who were present. I will then be in contact to ensure that you receive a written statement of my recollection of the alleged "incident"

Yours sincerely

Councillor Balwinder Dhillon

21 September, 2010

Department: Law & Corporate Governance  
Contact Name: Kuldip K Channa  
Contact No: 01753 875189  
FAX: 01753 875183  
Email: [kuldip.channa@slough.gov.uk](mailto:kuldip.channa@slough.gov.uk)  
Our Ref: KKC/013093  
Your Ref:

Councillor Balwinder S Dhillon,  
67 London Road,  
Slough,  
Berkshire, SL3 7RS

**PRIVATE & CONFIDENTIAL**

**BY EMAIL ONLY**

Dear Councillor Dhillon,

**Re: Standards Investigation Complaint Reference SBC15 and SBC16 regarding Code of Conduct matter on 22 March 2010**

Thank you for your email letter of 13 September.

In accordance with the investigation process on 15 June, I provided you with details of the allegation. The investigation is an administrative process and you will have an opportunity to make representations about the report and the evidence of other witnesses once the report is issued by me. At this stage it is important that the Investigator is provided with your own independent recollection of events relating to the allegation.

If you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing [Kuldip.Channa@slough.gov.uk](mailto:Kuldip.Channa@slough.gov.uk). Please quote the reference on all correspondence.

I look forward to hearing from you.

Yours sincerely

Kuldip K Channa  
Litigation Solicitor  
On behalf of the Acting Monitoring Officer

**Channa Kuldip**

Document 15

**From:** Channa Kuldip  
**Sent:** 05 October 2010 11:13  
**To:** Heer Charanjit  
**Subject:** RE: Cllr Balwinder Dhillon

Hi Charanjit,  
 Yes that was what I was saying I can do today. I will put them in the post now.  
 Kuldip

---

**From:** Heer Charanjit  
**Sent:** 05 October 2010 11:04  
**To:** Channa Kuldip  
**Subject:** RE: Cllr Balwinder Dhillon

Hi Kuldip,

could you send them directly to him if that's ok? Cheers

Regards

**Charanjit Heer**

Conservative Group Political Officer  
 Slough Borough Council  
 email: [Charanjit.Heer@slough.gov.uk](mailto:Charanjit.Heer@slough.gov.uk)  
 Tel: 01753 875 116



Please consider the environment before printing this email.

---

**From:** Channa Kuldip  
**Sent:** 05 October 2010 11:02  
**To:** Heer Charanjit  
**Subject:** RE: Cllr Balwinder Dhillon  
**Importance:** High

Hi Charanjit,  
 Councillor Dhillon was sent copies on 15 June 2010, that is both the complaints and decision notices . I can put another copy of the documents in the post to him again. I am not sure I can send them to you directly due to the rules of confidentiality under the investigation process. Do you want me to put them in a post?

Kind regards

*Kuldip*

Kuldip K Channa  
 Litigation Solicitor  
 For the Borough Secretary & Solicitor  
 Legal Services (SMP 1st East)  
 Town Hall, Bath Road, Slough  
 Berkshire, SL1 3UQ

DX 42270 Slough (West)

Direct Tel: 01753 875189  
 Legal Tel: 01753 875031  
 Reception: 01753 475111  
 Legal Fax: 01753 478642

---

**From:** Heer Charanjit  
**Sent:** 05 October 2010 10:12

15/12/2010

35

**To:** Channa Kuldip  
**Cc:** Cook June  
**Subject:** Cllr Balwinder Dhillon

Hi Kuldip,

Cllr Dhillon has requested copies of all paperwork that has been sent to him regarding Cllr A Dhaliwal's and Cllr Small's complaints. I am not sure what he has been given, could you possibly check your records and either forward copies on or if June holds any of the paperwork I can obtain it from her office. Your help would be much appreciated.

Regards

**Charanjit Heer**

Conservative Group Political Officer

Slough Borough Council

email: [Charanjit.Heer@slough.gov.uk](mailto:Charanjit.Heer@slough.gov.uk)

Tel: 01753 875 116



Please consider the environment before printing this email.

Document 15.1

5 October, 2010

<b>Department:</b>	Law & Corporate Governance
<b>Contact Name:</b>	Kuldip K Channa
<b>Contact No:</b>	01753 875189
<b>FAX:</b>	01753 875183
<b>Email:</b>	kuldip.channa@slough.gov.uk
<b>Our Ref:</b>	KKC/013093
<b>Your Ref:</b>	

Councillor Balwinder S Dhillon,  
67 London Road,  
Slough,  
Berkshire, SL3 7RS

**PRIVATE & CONFIDENTIAL**

Dear Councillor Dhillon,

**Re: Standards Investigation Complaint Reference SBC15 and SBC16 regarding Code of Conduct matter on 22 March 2010**

I have today received an email request from Charanjit Heer that you would like a further copy of the complaints documents in this matter. Please find enclosed a copy of the original letter of 15 June together with relevant documents.

I would be grateful if you can advise me of a date when you will provide your response to me about these allegations as I would like to draw this investigation to a close as soon possible.

If you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing [Kuldip.Channa@slough.gov.uk](mailto:Kuldip.Channa@slough.gov.uk). Please quote the reference on all correspondence.

I look forward to hearing from you.

Yours sincerely

Kuldip K Channa  
Litigation Solicitor  
On behalf of the Acting Monitoring Officer  
Encs.

**Channa Kuldip**

Document 16

**From:** Heer Charanjit  
**Sent:** 07 October 2010 11:38  
**To:** Channa Kuldip  
**Subject:** RE: Cllr Balwinder Dhillon

Hi Kuldip,

When do you require Cllr Dhillon's statement by?

Regards

**Charanjit Heer**

Conservative Group Political Officer  
 Slough Borough Council  
 email: [Charanjit.Heer@slough.gov.uk](mailto:Charanjit.Heer@slough.gov.uk)  
 Tel: 01753 875 116



Please consider the environment before printing this email.

---

**From:** Channa Kuldip  
**Sent:** 05 October 2010 11:13  
**To:** Heer Charanjit  
**Subject:** RE: Cllr Balwinder Dhillon

Hi Charanjit,  
 Yes that was what I was saying I can do today. I will put them in the post now.  
 Kuldip

---

**From:** Heer Charanjit  
**Sent:** 05 October 2010 11:04  
**To:** Channa Kuldip  
**Subject:** RE: Cllr Balwinder Dhillon

Hi Kuldip,

could you send them directly to him if that's ok? Cheers

Regards

**Charanjit Heer**

Conservative Group Political Officer  
 Slough Borough Council  
 email: [Charanjit.Heer@slough.gov.uk](mailto:Charanjit.Heer@slough.gov.uk)  
 Tel: 01753 875 116



Please consider the environment before printing this email.

---

**From:** Channa Kuldip  
**Sent:** 05 October 2010 11:02  
**To:** Heer Charanjit  
**Subject:** RE: Cllr Balwinder Dhillon  
**Importance:** High

Hi Charanjit,  
 Councillor Dhillon was sent copies on 15 June 2010, that is both the complaints and decision notices. I can put another copy of the documents in the post to him again. I am not sure I can send them to you directly due to the rules of confidentiality under the investigation process. Do you want me to put them in the post?  
 Kind regards

15/12/2010

38



**From:** Channa Kuldip  
**Sent:** 14 October 2010 11:11  
**To:** Heer Charanjit  
**Subject:** re Councillor Dhillon's query

Dear Charanjit,

Thank you for your email of 7 October. I confirm I have written directly to Councillor Dhillon advising him that I would be grateful to receive his information by 1 November.

Kind regards

*Kuldip*

Kuldip K Channa  
Litigation Solicitor  
For the Borough Secretary & Solicitor  
Legal Services (SMP 1st East)  
Town Hall, Bath Road, Slough  
Berkshire, SL1 3UQ

DX 42270 Slough (West)

Direct Tel: 01753 875189  
Local Tel: 01753 875031  
Reception: 01753 475111  
Legal Fax: 01753 478462

[Mailto:kuldip.channa@slough.gov.uk](mailto:kuldip.channa@slough.gov.uk)

Telephone: 01753 875189

Fax: 01753 478642

Document: 013093-COR-289/109593

Document 16.2

14 October, 2010

Department:	Law & Corporate Governance
Contact Name:	Kuldip K Channa
Contact No:	01753 875189
FAX:	01753 875183
Email:	kuldip.channa@slough.gov.uk
Our Ref:	KKC/013093
Your Ref:	

Councillor Balwinder S Dhillon,  
67 London Road,  
Slough,  
Berkshire, SL3 7RS

**PRIVATE & CONFIDENTIAL**

**BY EMAIL ONLY**

Dear Councillor Dhillon,

**Re: Standards Investigation Complaint Reference SBC15 and SBC16 regarding Code of Conduct matter on 22 March 2010**

On 7 October, I received an email from Charanjit Heer, enquiring as to the date by which you could submit your information to me about this code of conduct matter. However, I have not heard from you about this query. In these circumstances I am writing directly to you to advise you that I would be grateful if you can send the relevant information to me by 4pm on Monday 1<sup>st</sup> November.

If you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing Kuldip.Channa@slough.gov.uk. Please quote the reference on all correspondence.

I look forward to hearing from you.

Yours sincerely

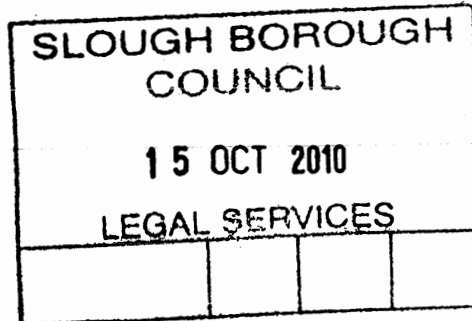
Kuldip K Channa  
Litigation Solicitor  
On behalf of the Acting Monitoring Officer

Document 17

Date: 1st October 2010

Councillor Balwinder Dhillon  
67 London Road  
Slough  
SL3 7RS

Miss Kuldip Chana  
Assistant Solicitor  
Resources  
St Martins Place  
Bath Road  
Slough  
SL1 3UF



Dear Miss K Chana

**Re: Statement – Health Scrutiny 22nd March 2010**

As per your request in your email dated 21st September 2010, please find my statement regarding the Health Scrutiny Panel on the 22nd March 2010.

- 2 I recall that a finance officer attended the meeting to explain how to find any savings about a turnaround plan for the local trust and Wexham Park Hospital. The Chair Cllr Arvind S Dhaliwal allowed the entire panel to raise questions starting from his left hand side, as I was sitting on his right hand side I was the last member of the panel to ask any questions.
- 3 In the light of the current credit crunch I was very concerned about our current and future spending plans. When my turn came during the meeting I posed some questions through the Chair and to the officer requesting a definitive timescale and requesting further information regarding the composition of the board of directors, specifically about those members of the board who may be superfluous to requirement.
- 4 Cllr A Dhaliwal seemed to take offense at these questions and I did not deem the questions to be irrelevant or insubstantial. Also I felt it polite to address the officer as an external guest, whereas Cllr Arvind Dhaliwal insisted that I look at him whilst asking questions. I feel this was quite uncalled for.
- 5 While I was asking my questions Cllr Dhaliwal asked me to cease despite the fact that I was in the middle of a sentence, quite rudely interrupting me for no discernable reason. He then requested that he and I should speak outside the chamber because I objected to being interrupted during a conversation between the officer and myself which I felt dealt with some extremely serious issues which will have a significant impact on the town.
- 6 I personally feel that due to a Slough County Court case between Cllr Sukhjit K Dhaliwal (Cllr Arvind S Dhaliwal's wife) had pursued against a member of my family, he had let his personal prejudices cloud his judgement.
- 7 It was quite evident to me that Cllr Dhaliwal felt a certain level of belligerence towards me as he was aware that he and his wife had made a misleading statement with unfounded allegations against my family members and they tried to mentally torture and bully members of my family and as my name was mentioned in (Mrs S K Dhaliwal) their statements of 5<sup>th</sup> November 2009, as follows:

In fact Slough County Court has thrown out their claim and ordered them to pay legal costs to my brother. Hence I did not feel comfortable speaking to him outside the chamber alone as there would be no witnesses to the conversation.

As to Cllr Arvind Dhaliwal's complaint I am happy to take the issues he has raised one by one.

- A. I only spoke when invited to do so. I requested information about the financial **turnaround plan**. Cllr Dhaliwal may believe this is irrelevant, I however believe it will have a substantial impact on Slough and this must be investigated by the panel. In relation to my other questions they were in reference to the board of directors specifically those members who may be **superfluous** to requirement. I cannot agree that these questions are irrelevant; indeed I believe them to be extremely relevant given the current economic climate.

I waited to be invited to ask my questions and then addressed them to the officer as he was an external guest and possibly not familiar with Council procedure, I did not want to appear to be rude by not addressing him directly. While I appreciate Cllr Dhaliwal's point I don't believe this to be significant enough to warrant a complaint to the standards committee.

- B. I certainly do not recall referring to any member as "she" and frankly I doubt that occurred.

- C. I have no recollection of this event, I believe Cllr Dhaliwal is projecting his own concerns onto me in this instance. At no point did I make any reference to any private matters between his wife and my brother. As far as I am concerned this matter is between Cllr S Dhaliwal and Jaswant, it is irrelevant to my work as a Councillor

- D. I feel that this is quite inaccurate given that I made no personal derogatory remarks to anyone. I appreciate that he may be frustrated given the failure of his wife's Slough County Court case against my brother given that his **frivolous complaint** was submitted too late. However this has nothing to do with Council business and I resent what I would consider to be a civil matter seems to have prompted a **specious standards complaint**. If Cllr Dhaliwal's reputation has been damaged it would be through his own doing rather than through any actions of mine.

Frankly I think it was inappropriate for him to call me out of the meeting given that my questions were not irrelevant. I don't really understand what Cllr Dhaliwal's motivations were, I can only conclude they were due to personal grudge and I felt bullied by Cllr Arvind S Dhaliwal to leave the panel meeting. In addition to this an ex-Labour member has informed me that a series of standards complaints were planned by Labour councillors, I am able to put the committee in contact with this person if this needs to be verified. To provide a background to this complaint I have inserted the statement I made above.

Yours sincerely



Councillor Balwinder Dhillon

IN THE SLOUGH COUNTY COURT

CLAIM NO.9SL0 1748

BETWEEN:

SUKHJIT KAUR DHALIWAL

Claimant

AND

JASWANT SINGH DHILLON

Defendant

---

WITNESS STATEMENT OF THE CLAIMANT

---

I SUKHJIT KAUR DHALIWAL of 34 Shaggy Calf Lane. Slough Berkshire, SL2 5HH will state as follows:-

1. I am the Claimant herein and I make this statement pursuant to the Order of District Judge Jones made on the 6<sup>th</sup> August 2009. The statement was due to be filed by 27<sup>th</sup> August but various extensions to the time were agreed with the Defendant because I have not been able to view the CCTV footage referred to by the Defendant in his statement of 28<sup>th</sup> July 2009 until very recently.
2. My recollection of the hearing was that the Defendant stated through his representative that a viewable copy would be delivered within 36 hours of that hearing. I am informed by my solicitor that a copy was not delivered to them until some time over the weekend of 19<sup>th</sup> September. Due to technical difficulties I have just been able to view the disk recently.
3. I accept that the Defendant is a Director of D & V Property and Investment Ltd and that it is that company which owns the freehold of the shop from which I operate my business and that it is the company that is my landlord. There have been difficulties between myself and my business on the one hand and the landlord on the other, but it is my case that the Defendant's conduct towards me has been well beyond what would be expected between landlord and tenant, even where that relationship has been difficult. It has crossed the line and has become personal to the extent that his professional dealings have been affected by his personal attitude towards me and his abusive behaviour towards me has reached the point where it amounts to harassment.
4. I have known the defendant for many years and our families have mutual friends as they are from neighbouring villages in India. My son and the

Defendant's son went to the same school and were very good friends for a time as they were growing up. I would occasionally call and collect my son from the Defendant's house and I would chat to his wife on those occasions but we were not particularly close. As our sons got older they gradually grew apart and I did not see the Defendant for a while until his company bought the parade of shops including my business in around 2000.

5. Throughout the time that the Defendant's company have been my business's landlord I have been unhappy with the way in which the Defendant and his co-director have behaved professionally towards my partner and I. There have been occasions when I believe they have misled us in order to gain a commercial advantage and there have been periods when solicitors have been instructed by both sides to try and resolve issues that have arisen. Those issues do not form part of this case, save that the Defendant's personally abusive and bullying behaviour towards me has on occasions been within the context of those disputes.
6. I was elected as a local councillor in 2001 and a constituent informed me that the Defendant's brother had suggested that I would be willing to accept money to assist the Defendant in an application for planning that his company had made to develop some flats near the parade of shops where my business is located. The constituent asked me if this was true and I assured her that it was not.
7. I was obviously very concerned to have heard such an allegation which called into question my honesty and integrity and after discussing it with my maternal uncle who was a good friend of the Defendant's brother it was agreed that I would go and speak to him to find out whether he had said this or whether it was all a misunderstanding.
8. I therefore went to visit the Defendant's brother with my maternal uncle Mr Raghbir Singh Bath, my business partner Mr Rajinder Singh Sandhu and my husband Mr Arvind Singh Dhaliwal. Unfortunately the meeting was not a success and degenerated into a heated argument.
9. As we were about to leave, the Defendant arrived. He clearly knew what the meeting was about and he was immediately very hostile, particularly towards me. He was rude and abusive towards me saying that I had a big mouth and should shut up. I responded angrily to this and he moved towards me in a very threatening manner and I genuinely believed he was going to hit me.
10. My husband had to step between us at that point. The Defendant then told my husband that he was not a man because I was talking as I was and that he should shut me at home and not let me out. He said I was given too much freedom. At this point my husband and I left.
11. My business lease came up for renewal in 2004 and the Defendant was extremely difficult about this. I was approached by people who wanted to take over the shop and who said that they had been encouraged by the Defendant who had said to them that I was not going to carry on running my business in the future. Other people told me that the Defendant had been saying that he wanted a friend of his, who ran a competing business, to take over the shop. During this period, the Defendant did not make any direct comment of this sort to me but I felt stressed by the uncertainty that was being created.

12. In May 2005, before the lease renewal had been finalised, both the Defendant and I were guests at a wedding reception. The Defendant was a little tipsy and at one point came up to me and put his arms around me and asked me why I was angry with him. I told him that he should behave properly towards me if he wished to talk to me and I mentioned the difficulties that I believed he was causing with my lease and he did not deny any of the points I made. My business partner was also present and asked why he was causing us such difficulties. The Defendant then said that he was offended that I had not been to see him personally to ask him to renew the lease. I found the Defendant's attitude insulting and his behaviour manipulative.
13. Shortly after this, with the help of my solicitor, the lease was renewed. The Defendant visited the shop shortly afterwards and suggested that we should open a food shop. I had already been considering this and in August 2005 we opened as Maharaja Sweets. The Defendant came to the opening and was very complimentary and had a look round. We had a storage area at the back and a condition on our usage that we could not cook on the premises, only heat items. The Defendant suggested that we should convert the storage area to a kitchen and that he would allow this if I were nice to him. I ignored the personal element of that comment.
14. However, in the light of his indication, in October 2005 I applied for planning permission to alter the storage area to a kitchen and to be allowed to cook items on site. The Defendant was sent the landlord's copy of the planning application. Later the Defendant denied both receiving these and ever having suggested the change and this led to a serious dispute in which the Defendant claimed that my partner and I had breached our lease by carrying out the alterations without the landlord's consent.
15. The Defendant told me that my business was damaging his friend's business which was similar to mine and because of this he was unhappy that we now had the kitchen. When I pointed out that he had suggested and agreed to this he said that this did not matter and that I was damaging his friend's business and that he could not allow me to keep the kitchen.
16. I subsequently had a meeting with the Defendant at which my son was present and we discussed this again. I said that I was willing to pay an increased rent because we now had the kitchen and the Defendant agreed to this in principle and it was left that we would get the necessary paperwork drawn up to reflect this agreement.
17. It was at this point that I received a solicitor's letter threatening to end our lease because of the alterations having been done without the landlord's consent. I again spoke to the Defendant and he assured me that this was just a formality and he would speak to his solicitor to resolve it. We continued to be threatened with termination of our lease by the Defendant's solicitors despite the fact that the Defendant was saying something different to me when we spoke directly. It is my view that the Defendant was deliberately misleading me about his intentions. We then instructed solicitors and that issue has been resolved but the Defendant's conduct in saying entirely different things to me directly as compared with what he was clearly instructing his solicitors caused me considerable anxiety and distress.

Defendant to come and clamp our vehicle and to shut the van door so that it did not appear to be being loaded. He also said that the man was not to ring the Defendant when we complained about being clamped. At no time was my business partner's vehicle clamped and nor was the van when he was using it.

27. Since this incident the Defendant has, on several occasions stood near the shop staring at us for periods of up to half an hour at a time. I have seen this and my staff have reported it to me as well.
28. I accept that individually these incidents may not seem severe but over the years they have had a cumulative effect upon me and I am of the view that the Defendant has embarked upon a personal vendetta against me. I feel harassed and bullied by him, particularly after the incident that I dealt with in my first statement on 25<sup>th</sup> July.
29. Some of this has taken place within the context of disputes between his company as our landlord and my business. Whilst some disputes may be genuine I believe that the Defendant has been particularly difficult because of his antipathy towards me personally.
30. I accept that there will be the need for us to communicate because of that relationship but since the court hearing he has complied with the undertaking he gave and, whilst he has been in the vicinity in the normal course of his business there have been no further incidents and I would be content if matters continued as they have since 6<sup>th</sup> August 2009.
31. On 25<sup>th</sup> July the Defendant got into his car to leave the premises. He reversed initially and then moved forward towards where my husband was standing. He stopped immediately behind my husband who then acknowledged that he was in the way and moved away to his left. As he moved away the Defendant moved forward and also steered the car to his left towards my husband coming very close to running over his foot. It was at this point that my husband banged on his car. It is quite clear on the CCTV footage that the Defendant steered to his left and that there was no need for him to have done this as he had plenty of room to have carried straight on. It was this movement which I described in my original statement as an attempt to run my husband over.
32. I am not suggesting that the Defendant drove fast at my husband or that he attempted to knock him down but that he manoeuvred unnecessarily close to him and that he intended to do so.
33. The CCTV footage also shows quite clearly that some minutes after this incident, from around 21.13 the Defendant was behaving in a very aggressive manner towards both myself and my husband and he only left the scene when I called the police.
34. I would ask the Court to find that the Defendant has, over the years carried out a course of behaviour towards me that is motivated by a personal dislike of me and which has gone beyond the bounds of simple dislike and has amounted to harassment of me. Even though we are two partners in the business but I feel that I am singled and the only way I can put this is because I am a woman.



STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed 

Dated this 5<sup>th</sup> day of November 2009

My brothers solicitor requested that I should verify the allegations by confirming or denying and I should make a statement, I have to tell the truth about their allegations, which they were unable to substantiate and which were later rejected by the Slough County Court Judge for simply being a waste of time.

**1<sup>st</sup> statement of Balwinder Singh Dhillon**

Dated April 2010 on behalf of Defendant

IN THE SLOUGH COUNTY COURT

Claim No. 9SL01748

BETWEEN:

SUKHJIT KAUR DHALIWAL

CLAIMANT

and

JASWANT SINGH DHILLON

DEFENDANT

---

FIRST WITNESS STATEMENT OF BALWINDER SINGH DHILLON

---

I, Balwinder Singh Dhillon, of 69 London Road, Slough, SL3 7RS say as follows:

1. Save where otherwise indicated the assertions of fact made in this witness statement are based on matters within my own knowledge and as such are true. Where assertions of fact are based upon what others have told me they are true to the best of my knowledge and belief.
2. I am a councillor in Slough Council and brother of Mr Jaswant Singh Dhillon, the Defendant in the above matter.
3. I have been contacted by my brother's lawyers to provide a narrative of an incident that alleged to have taken place in 2001 at my home.
4. I have seen a copy of the witness statement of Mrs Sukhjit Kaur Dhaliwal dated the 5th November 2009 which contains a reference to an alleged incident of personal abuse of Mrs Dhaliwal by my brother at my house in or around 2001. I make this statement to set out my recollection of the incident referred to.
5. The event actually happened in late 2003 or early 2004 and not in 2001 as stated in Mrs Dhaliwal's statement. It was Mrs Dhaliwal who instigated the meeting. I recall that Mrs S K Dhaliwal, Mr Arvind S Dhaliwal, Mr Raghbir Singh Bath who is a uncle of Cllr A S Dhaliwal's family and Mr Rajinder Singh Sandhu whom I understand is the business partner of Mrs S K Dhaliwal family came to my house. I was not informed in advance about their visit.
6. Mrs Dhaliwal informed me that they came to enquire whether I had suggested to anybody that she had agreed to support a planning application being made by my brother in return for the payment of some money.
7. Brief background to events that led to this incident is as follows. On or about late 2003 I have been told by my brother that Mrs Dhaliwal and her business partner Mr Sandhu demanded one flat out of the **(Nine) flats** proposed to be built by D & V Property and Investment, ("the Company") in return of her support for successfully obtaining the Company's planning application for **(Nine) flats** before the Slough Council.
8. I told my brother that we should inform the media about this demand but my brother was reluctant to do so. I understand that my brother did not wanted pursue that matter due to

the fact that Mrs Dhaliwal was a tenant of the Company in which he is a major shareholder and because he did not want to damage reputation of Mrs.S K Dhaliwal.

9. I stood for the local council election of May 2004. I started campaign for my candidature six months prior to the election. At one of my discussions with local constituents I discussed the way how some of the council members deal with public referring to Mrs Dhaliwal demand for favours in return of supporting planning applications. I did not mention my brother's name to the constituents with whom I discussed.

10. Sometime thereafter, as stated above Mr .A S Dhaliwal, Mrs S K Dhaliwal, Mr Sandhu, Mr Bath came to my house and accused me of making false allegation. I told them that the matter of allegation relates to the planning application put forward by the Company in which my brother is a major shareholder. I also informed them that I got the information from my brother Mr. Jaswant Singh Dhillon and I will call him to come and verify in front of all parties. However, all parties were not interested and was about to leave my house

11. Thereafter I called my brother Mr Jaswant Singh Dhillon who lives very near to my house. When he came to the house all four visitors were about to leave. I asked my brother in front of everybody whether Mrs S K Dhaliwal and Mr. Sandhu demanded flat for supporting the Company's planning application for flats. My brother confirmed it in front of all parties. Mrs Dhaliwal or anybody did not object this statement and left silently.

12. My brother did not get involved in the argument. It is not true to state that he was rude or abusive to Mrs Dhaliwal as alleged in her witness statement.

13. I wish to add my further comments that I am very surprised as an elected member of Slough Borough Council they should know better than anybody else that they not only need to inform him in writing but to make sure their landlord is willing to agree as well and should confirm in writing as well about any change/alteration from storage to kitchen use in their premises

14. Mrs SK Dhaliwal's statement paragraph 19 to state the death of her tenant's husband one of our family member who died in December 2006 in a heavy fog/RTA accident. It is incorrect and misleading that Mr Jaswant Singh Dhillon was the only uncle living here in the United Kingdom, I can confirm that I am BS Dhillon uncle number 2 and I was also helping her to deal with her dead husband's funeral. I also have another elder brother who is Mr Gurnam Singh Dhillon who lives at 3 Drake Ave Slough who is the widow's third uncle living here in Slough. Furthermore there are two more cousins living here as well.

15. I am also very surprised and sick to hear that Mrs SK Dhaliwal as an elected member of Slough Borough Council comment to suggest that Mr Jaswant Singh Dhillon was glad to hear the death of my nephew in heavy fog/RTA accident in December 2006. I was personally involved with my nephew's funeral and my brother never made any comment to suggest that the body should be sent back to India.

16. Mrs SK Dhaliwal's statement paragraph 21 to suggest that she helped the widows father-in-law to get him a visa to attend the funeral. I can confirm that it was my nephew and my elder brother who sponsored the widows father-in-law to attend the funeral and we directly communicated with the British Embassy at New Delhi.

17. I also can confirm that Mrs SK Dhaliwal was helping my nephew's widow and young children to her own advantage to get the rent money. She was only helping her to get her rent paid for her own personal advantage and to do that she needed to use the help of her Labour MP Fiona Mactaggart.

18. I am also horrified to hear from Mrs SK Dhaliwal and her husband Mr AS Dhaliwal they both are elected member of Slough Borough Council and they are/will be bringing the reputation of Slough Borough Council into disrepute by making misleading statements

**STATEMENT OF TRUTH**

I believe that the facts alleged in this witness statement are true

---

BALWINDER SINGH DHILLON

---

Dated

Document 18

21 October, 2010

Department:	Law & Corporate Governance
Contact Name:	Kuldip K Channa
Contact No:	01753 875189
FAX:	01753 875183
Email:	kuldip.channa@slough.gov.uk
Our Ref:	KKC/013093
Your Ref:	

Councillor Balwinder S Dhillon,  
67 London Road,  
Slough,  
Berkshire, SL3 7RS

**PRIVATE & CONFIDENTIAL**

Dear Councillor Dhillon,

**Re: Standards Investigation Complaint Reference SBC15 and SBC16 regarding Code of Conduct matter on 22 March 2010**

Thank you for your letter dated 1 October, which was received in this office on 15 October. I have also been provided with:

1. a copy of some parts of a statement by Sukhjit Kaur Dhaliwal dated 5 November 2009. Please note that paragraphs 18 to 26 of the statement are missing.
2. a copy of your statement which is undated.

I have reviewed the contents of your letter and note that the first five paragraphs indicate your recollection of the meeting on 22 March. The final two paragraphs refer to the motivation of Councillor Dhaliwal and from reading the statements provided seem to me to be very personal matters relating to some long standing landlord/tenant and family dispute. In my view the personal matters and motivation is not relevant to this code of conduct investigation. If you wish to raise a point about the conduct of the Chair at the meeting on 22 March then you will be aware that you will have to raise this through formal channels. This investigation relates to your conduct at the meeting and I will therefore take into account the first five paragraphs of your letter.

I would also remind you that this investigation consists of two complaints, one by Councillor Dhaliwal and one by Councillor Small. If you have any additional information you wish me to consider after reviewing Councillor Small's complaint please can you provide it to me by 1 November.

In the light of you not wishing to attend an interview and correspond only in writing about this matter, it will be helpful for my investigation if you can provide answers to the following questions:

1. What in your view is the role of a Chair at a council meeting?
2. How did you put your questions to Mr Grimshaw from Heatherwood and Wrexham Hospital Trust? For example did you make a statement and ask a question or did you ask short questions?
3. What were the questions which you were putting to Mr Grimshaw from Heatherwood and Wrexham Hospital Trust?
4. How many questions did you ask?
5. Did you give Mr Grimshaw an opportunity to answer your questions?
6. Did you receive any answers to the questions?
7. Were you satisfied with the answers you received?
8. If answers were given did you ask further questions about the same information or point?
9. Were you standing or sitting when you asked your questions?
10. What was the tone of your voice when you asked the questions?
11. What was your body language like when you asked the questions?
12. How would you describe the general tone of your voice?
13. Does the tone of your voice rise when you are trying to express views in an open forum?
14. It is alleged that you made subjective statements and then fired accusations at Mr Grimshaw what comments do you have about this?
15. It is alleged that you made comments about Quangos which were not relevant, what would you say about this point?
16. The overall impression is that Mr Grimshaw could not establish what you were asking him? It is suggested that you simply made statements and did not ask any relevant questions, what are your comments about this point?
17. It is stated that the Chair warned you to move on from the point, why did you not do so?
18. It is alleged that you persisted in a one way dialogue and did not ask a question or move on from the same point, what are your comments about this?
19. How did you address Councillor O'Connor?

20. Did you refer to Councillor O'Connor as, "she"?
21. Were you aware of other Members' objections about referring to another Member as "she"?
22. Did the Chair ask you to address Councillor O'Connor in a proper manner?
23. Did you address Councillor O'Connor in a different manner?
24. Did you say anything to Councillor O'Connor after this point was raised at the meeting?
25. The Complainants state that your behaviour and manner was aggressive towards Mr Grimshaw and because of this it was embarrassing to the other Councillors especially in front of other partners from the health service what would you like to say about these observations by them?
26. How did you respond to the Chair's intervention?
27. Did you raise your voice when the Chair asked you to calm down?
28. Did the Chair warn you about your conduct?
29. What was your response to the warning by the Chair?
30. Did you bring up personal matters between you and the Chair when the Chair was trying to conduct the meeting?
31. Did you speak in Panjabi to the Chair when you responded to the Chair?
32. Did the Chair ask you to leave the meeting?
33. What did you do when he asked you to leave the meeting?
34. Did you comply with this request to leave the meeting?
35. It is stated that you refused to leave the meeting, why did you ignore the Chair's instructions and refuse to leave the meeting?
36. When the meeting was adjourned did the Conservative Political Assistant speak to you?
37. Did the Conservative Political Assistant ask you to leave the meeting?
38. When did you leave the meeting?
39. Why did you eventually leave the meeting during the adjournment?
40. Do you have any other information about this meeting which you wish me to consider?  
Any other comments?

If I do not hear from you by 4pm on Monday 1<sup>st</sup> November I will assume that you have no further representations to make and I will progress the draft report.

If you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing [Kuldip.Channa@slough.gov.uk](mailto:Kuldip.Channa@slough.gov.uk). Please quote the reference on all correspondence.

I look forward to hearing from you.

Yours sincerely

Kuldip K Channa  
Litigation Solicitor  
Standards Investigation Officer  
On behalf of the Acting Monitoring Officer

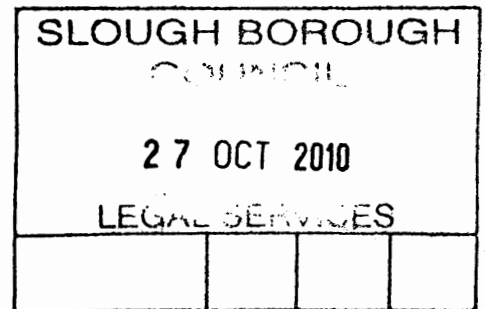


Document 19

Date: 25th October 2010

Councillor Balwinder Dhillon  
67 London Road  
Slough  
Berkshire  
SL3 7RS

Kuldip Chana  
Law and Corporate Governance  
St martins Place  
Bath Road  
Slough  
SL1 3UF



Dear Ms Chana

**Re: SBC15 &SBC16 – Letter dated 21st October 2010**

Please find below responses to the questions within your letter dated 21<sup>st</sup> October 2010:

1. I believe the role of the chair is as following; to preside over meetings so that its business can be carried out effectively. To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and at which Members are able to hold the Executive and external bodies to account. And to act in a neutral manner on all matters at all times with the interest of the public at the fore of their mind.
2. I believe I asked direct questions to Mr Grimshaw rather than statements.
3. I asked Mr Grimshaw if the Trust would be able to meet the deadlines of their Turnaround Plan and whether they had superfluous members on their board of directors who lacked clinical experience.
4. I asked two questions.
5. Yes I gave Mr Grimshaw the chance to answer my questions, unfortunately the chair interrupted whilst he was answering and therefore the Chair showed that he did not understand what his role is.
6. I received vague statements but no clear answer.
7. I was not satisfied, however I believe this is because the Chair prevented the questions from being answered fully.

8. I was not allowed to ask any other questions as the Chair had interrupted whilst I was asking questions.
9. I was sitting at all times, I did lean forward to see Mr Grimshaw more clearly however I at no stage stood up.
10. I kept a reasonable tone of voice.
11. I am not aware of any issues with my body language as I was seated at all times.
12. this was answered in question 10 and is repetitive.
13. No it does not, I always speak in the same manner.
14. I am well aware that Mr Grimshaw is an officer of the PCT, I am also aware that he was there as a representative on their behalf, hence I would never hold Mr Grimshaw personally responsible for anything, he was there to provide information I did not accuse Mr Grimshaw of anything, I was merely posing questions.
15. As a member I have a right to pose questions even if they are deemed to be irrelevant to others. The purpose of Scrutiny is not for members to display their knowledge but an opportunity to question, investigate and evaluate issues on behalf of the public.
16. I distinctly recall asking two questions (please refer to answer 3). The questions were posed, it is unfortunate that perhaps Mr Grimshaw did not quite understand what the questions meant. This question has also been posed earlier and is repetitive.
17. The Chair did not allow the question to be answered effectively, once he asked me to put the question through himself, which I did and then prevented Mr Grimshaw from answering.
18. This is inaccurate, I state again that two questions were asked and was not allowed to pursue my line of questioning by the Chair.
19. I did not recall addressing Cllr O'Connor to my knowledge, had no reason to address her do not believe I have ever spoken to Cllr O'Connor.
20. As I do not recall speaking to Cllr O'Connor or referring to her in any way it follows that I did not.
21. Again as I do not recall addressing Cllr O'Connor I do not recall any member objecting to anything.
22. I do not recall addressing Cllr O'Connor so no.
23. I do not recall ever addressing Cllr O'Connor.
24. I do not recall ever addressing Cllr O'Connor.

25. I believe the Chair's unwillingness to allow reasonable questions from members is more of an embarrassment to the Council and to members than any of my actions. I was not aggressive towards Mr Grimshaw at any point.
26. He asked me to address questions through himself, which I complied with. He then asked me to leave the chamber, to speak to him outside the chamber. Given the documents I have forwarded you I think it would be clear that I would feel uncomfortable. It is also unreasonable for any chair to ask anyone to discuss anything outside of the meeting while it is ongoing. In my seven year tenure I have never witnessed any chair of any meeting behaving in this manner, I believe this was quite unprofessional on his part.
27. I did not
28. I complied with his request to direct my questions through the chair, however I declined his request to see me outside the chamber for the reasons outlined in answer 26.
29. Please specify which warning you are referring to. So far as I am aware I complied and then the Chair requested that I leave the chamber therefore the question presupposes that I was given a warning.
30. Certainly not.
31. I would never speak a language that the members and officers may not understand in public as I would deem that to be quite rude.
32. He adjourned the meeting and then requested my presence outside.
33. I objected to this naturally but then I decided of my own volition that I did not want to take part in such a farcically run meeting.
34. I left the meeting because I chose to do so, not because of any request from the chair.
35. The meeting had been adjourned therefore was not in progress when he requested that I leave, therefore I do not see why my immediate departure from the meeting was necessary given that members decided to take a break.
36. Yes she did.
37. No as previously stated I left the meeting of my own volition.
38. I do not recall.
39. I felt that Cllr Dhaliwal was becoming increasingly aggressive and agitated and did not want to impact the Scrutiny Panel as it would not have been fair on other members present if they were not given an opportunity to scrutinise in the way that I was prevented from doing.

40. I think it is essential that it is understood that whilst I appreciate that the history between my family and that of Cllr Dhaliwal's is deemed to be personal it is essential in giving context to his treatment of myself and the aggression he displayed towards me.

Yours sincerely



Councillor Balwinder Dhillon

25/10/10

**Health Scrutiny Panel – Meeting held on Monday, 22nd March, 2010.**

**Present:-** Councillors A S Dhaliwal (Chair), Bains (from 6.39 pm), Davis, Dhillon (until 7.36pm) and O'Connor.

**Also present:-** Carole Jackson-Doerge (Slough LINKs), Andrew Grimshaw, Chief Finance Officer, Heatherwood and Wexham Park Hospitals NHS Trust, and Viki Wadd (NHS, Berkshire East). Julian Emms (Berkshire Healthcare NHS Trust).

**Also Present under Rule 30:-** Councillors Long, Maclsaac, Plimmer and Small.

**PART I**

**41. Declarations of Interest**

There were no declarations of interest.

**42. Minutes of the Last Meeting**

The minutes of the last meeting held on 9th February, 2010 were approved as a correct record subject to the addition of the following paragraph above the resolution within minute number 34:

“The Chair advised Mr Emms that the cheapest options were not always the best options. If the Trust went ahead with moving mental health service provision to Prospect Hospital in Redaing, this might be cheaper in monetary terms but the long term cost to carers, emergency services, and the health economy of Slough could well be higher”.

It was appreciated that Mr Emms may not have had all the answers to questions on that day but it was expected that there would be more clarity in March, when the Trust would be invited back to the Panel to present an update.

**43. Heatherwood and Wexham Park Hospital Trust- Financial Position - Presentation**

Andrew Grimshaw, Chief Finance Officer, Heatherwood and Wexham Park Hospitals NHS Trust, outlined a report and presentation to the Panel. He apologised that the paper had not been available for distribution with the agenda. The Panel was advised that Christopher Langley was appointed Chairman of the Trust in October 2009 and a new Medical Director, Dr John Wiggins had been appointed in February, 2010. Mr Grimshaw discussed the 42 core standards for better health, and it was noted that of these, 35 had been met, 2 were classed as insufficient and the remaining 5 had not been met.

## Health Scrutiny Panel - 22.03.10

- In relation to the Trust's board members a Member asked why individuals had not flagged up their concerns much earlier. Mr Grimshaw advised that the Board consisted of five non-executive, five voting members, a Chair and other non-voting executive members. He was unable to comment on the position prior to 2009 but advised that there was a degree of scrutiny conducted.
- In response to a question about the Trust's budget, Mr Grimshaw advised that the Trust had seen activity grow by 50% in recent years and there was a need to ensure that wherever possible patients should be treated in the appropriate environment. He cited the example of someone arriving at hospital to have a verrucae treated, when treatment should be carried out at a GP's Surgery. It was hoped that in the following year the Trust would be able to return to a "cost and volume" contract.
- A Member asked what the timescale for the turnaround plan was advised that it was hoped this would be achieved as quickly as possible.
- Mr Grimshaw was asked why he did not remove quangos from the Trust and was advised that he was unable to comment/ did not understand this line of questioning. The Member asked Mr Grimshaw again how many quangos there were within the Trust's Board and whether they were wasting tax payers money on these quangos. Mr Grimshaw advised that plans were in place to ensure that the Trust operated efficiently and that was the focus at this time. Quangos did not exist as such but whenever necessary the Trust would look to use external support where the expertise needed was not available locally.
- The Member asked Mr Grimshaw whether he knew what was going to happen in the next few weeks. Mr Grimshaw was unable to respond/ did not understand this line of questioning.

During the subsequent debate the Chair felt it necessary to adjourn the meeting at 7.25 p.m. in order to speak informally with a Committee Member. The meeting reconvened at 7.36 p.m.

- A Member in attendance under Rule 30 was concerned at the suggested reduction in the number of MRI scans and commented that she knew of a case where there was a waiting list of six weeks to have a scan. Mr Grimshaw advised that the reduction in MRI scanning was necessary and would ensure that only necessary scans were carried out.
- Mr Grimshaw was asked whether the Trust would work closely with Social Services around homecare issues and advised that recently partners had been invited to a 'lock in event' which included social services staff, to discuss how everyone could work together to make services more effective. Patients would not be inappropriately discharged from hospital but there needed to be a system in place whereby beds were not blocked, thereby preventing new admissions. Mr Grimshaw was satisfied that the Trust had a robust plan in place to deliver the necessary services.

## Health Scrutiny Panel - 22.03.10

The Panel noted the summary of income and expenditure and that although it was good news that the financial position agreed at the beginning of the year had been achieved, it was less positive to report that there was a £9.9m deficit. This had been caused due to a number of reasons including national pressures, backlog issues and changes in the commissioning environment. The Panel was advised that the Trust was however moving towards a surplus position on a month by month basis. Mr Grimshaw discussed the Monitor rating score and advised that the Trust remained at a financial risk rating of 1, out of a possible rating of 5. The turnaround plan would address this issue so that the rating could return to level 3 or 4. Transformation would deliver improvements to patients, ensuring that hospital services provided were safe, and the best quality of care was provided. It was also expected that there would be shorter waiting times in Accident and Emergency and that patients would be discharged promptly as soon as they were deemed fit. The Plan would be closely scrutinised by the Trust's Health Care Governance Committee to make sure that the proposals met required standards at all times.

The Panel noted the work streams and projects within the turnaround plan and the expected resulting savings in the next financial year. Projects included areas such as improving theatre efficiency, a reduction in unnecessary MRI scanning, the rescaling of prescribed drugs, and a reduction in back office staff pay. Monitor considered that the Plan was credible and would address areas of concern. The Trust would ensure that there was sufficient engagement of clinical staff at all times.

In the ensuing debate the Panel raised a number of questions/comments as follows:-

- A Member referred to a recent press article and asked whether it was true that the Chairman of the Medical Staff Committee of the Trust had revealed that 82% of consultants were opposed to the turnaround financial proposals and whether the consultant body supported the turnaround plan. Mr Grimshaw advised that there were ongoing discussions with the Committee and the Chair had indeed expressed a concern but recognised that actions were needed to correct the outstanding issues. He added that consultants were working with the Trust to meet the expectations of the Plan and a range of actions had been identified to realise this. It was a priority to ensure that the consultants were fully engaged in the Plan at all times.
- A Member was interested to know what the concerns of the consultants were and advised that she was personally unhappy about the possibility of a severe cut in the capacity for beds within the inpatients. She was advised that it was important that sufficient efficiencies were achieved and there had been concerns regarding the length of stay in hospital beds where this was not necessary. The Trust was working with the PCT to explore the changes in the commissioning area and was currently achieving best practice in this area. The Member felt that patients would be alarmed about the number of beds being reduced and was concerned that this would affect patient waiting times. She

## Health Scrutiny Panel - 22.03.10

expressed major concern regarding the possibility of any significant reduction in beds.

- Mr Grimshaw was asked how the Trust had arrived at the stage where it was in dire financial circumstances only three years after it had been granted Trust status. The Member asked in what way those people responsible would be held to account and also whether these individuals had been paid bonuses. She was hugely concerned that a number of Slough's residents were affected by poverty and could now face cut backs in the quality of care they received and this was clearly unacceptable. In response Mr Grimshaw advised that the problems which occurred could be attributed to a range of issues and many of these pressures had affected other organisations. He conceded that historically the Trust's financial planning had not been as robust as it could have been and a whole range of events came to a head at the same time. The savings outlined were a catch up exercise and should have been made over a two to three year period. It was generally accepted also that the current economic climate had exacerbated the financial affect on public services. The Trust's Board had been refreshed in the last year including the appointment of a new Chief Executive and a Chief Operating Officer and the appointment of four new Non-Executive Board Members. The individuals who had been brought in were people with significant experience. The Panel was advised that no bonuses had been paid since the financial year 2007/08 and in a response to a further question Mr Grimshaw advised that he was unable to report what bonuses had been paid during previous periods but these would be available within the Trust's accounts.
- A Member was concerned that the employment of contract staff had a severe financial impact and noted that there was no reference to these costs within the report. Mr Grimshaw advised that the Trust had agreed arrangements in place for the recruitment of contract staff. Shift patterns were examined so that it could be established where staff were needed on each ward. It was accepted that there were problems in appointing substantive staff and the main NHS agency assisted the Trust to fill vacant shifts. When on occasion they could not fill all the vacancies the Trust was obliged to look elsewhere for staff and was struggling to fill permanent positions. The Member asked whether the Trust was following other hospitals such as the Royal Berkshire Hospital, Reading in recruiting staff from other countries such as Ireland. Mr Grimshaw advised this was the case and staff were recruited from other countries including Ireland and the Philippines.
- A Member asked what impact the turnaround plans would have on their bed provision and appointments systems. Mr Grimshaw advised that this would be assessed and that there were ratios in place for the appointment system. It was noted that the PCT was requiring the Trust to refer patients with secondary conditions back to their GP to assess whether any further treatment could be conducted in the Primary Care setting rather than for example being referred directly to a dermatologist within the hospital.



### Health Scrutiny Panel - 22.03.10

- A Member in attendance under Rule 30 asked how big the problem of cancelled operations was and was advised that where necessary when emergency beds were full, patients had been placed into beds that would have been used for planned operations.
- In relation to the 'rescaling of prescribed drugs', Mr Grimshaw advised that this meant that patients were being encouraged to bring their own drugs with them when they were admitted to hospital and the scheme was already working successfully elsewhere. A Member in attendance under Rule 30 was concerned about this practice as a resident she knew had taken their medication to hospital and it was subsequently lost.
- A Member asked what the position was with shared services and was advised that a range of options were being assessed including the pooling of services. Judgements would be made but not just on financial issues and it was important that staff were engaged in the processes. It was noted that IT issues had affected some of the problems but the Trust was in the process of implementing a new patient information system.

**Resolved** - That the current position be noted and that an update report be brought to the next Panel meeting in June, 2010.