

SLOUGH BOROUGH COUNCIL

REPORT TO: Standards (Determination) Sub-Committee **DATE:** 28th February 2011

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WARDS: N/A

PART I

FOR DECISION

ALLEGED BREACH OF LOCAL CODE OF CONDUCT – COUNCILLOR BALWINDER DHILLON (SBC 2010/23)

1. Purpose of Report

- 1.1 The purpose of this report is to submit for consideration the Council's Investigating Officer's report on the results of her investigation into a complaint that Councillor Balwinder Dhillon has failed to comply with the Local Code of Conduct for Members (**Appendix A**) and Councillor Dhillon's response thereto.

2. Recommendation/Action Required

- 2.1 The Sub-Committee is asked to consider the Investigating Officer's report and decide what further action, if any, is required.

3. Community Strategy Priorities

- 3.1 It is important that the public have confidence in all Members of the Council who are duty bound to abide by the provisions contained in the Local Code of Conduct for Members and the Council's own Ethical Framework. Furthermore, it is for the benefit of all Members that complaints made against them are fully investigated and dealt with in accordance with the procedure laid down by Standards for England.

4. Other Implications

- 4.1 There are no direct financial or staffing implications arising out of this report. The process of hearing and determining the allegation will be in accordance with the requirements of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 (as amended) and guidance issued by the Standards Board for England. Any potential human rights issues which might arise are addressed and provided for in the hearing procedure.

5. Background Information

- 5.1 On 13th July 2010 the Standards (Assessment) Sub-Committee referred to the Council's Monitoring Officer for investigation a complaint that Councillor Balwinder Dhillon had failed to comply with the Local Code of Conduct. In accordance with

the arrangement agreed by the Standards Committee, the Monitoring Officer delegated the conduct of the investigation to Kuldip Channa, Assistant Solicitor (Litigation) i.e. the Investigating Officer.

5.2 The complaint has been made by Mr Steve Wagner an officer of the Council. The general summary of the complaint against Councillor Dhillon is that during a telephone call by the Subject Member to the Complainant to discuss two cases he was interested in Councillor Dhillon became irate, raised his voice and was offensive and insulting to the Complainant.

5.3 To simplify the hearing process Councillor Dhillon has been asked to complete and return the following pre-hearing forms:

Form A – Identification of any disputes of fact

Form B – Other Evidence to be taken into account at the hearing

Form D – Arrangements for the Standards (Determination) Sub-Committee Hearing

Form E – Details of any witnesses to be called.

5.4 Enclosed for your attention and/or information are the following documents:

Appendix

Document

Appendix A

Investigating Officer's Report

Appendix B

Pre-hearing forms submitted by Councillor Dhillon - **TO FOLLOW**

Councillor Dhillon has indicated that he will be attending the hearing and that he intends to call a witness. Further detailed submissions along with a witness statement will be circulated as soon as possible.

Councillor Dhillon will be represented at the hearing by a Solicitor.

Appendix C

Procedure for the hearing

Appendix D

Standards Board advice on admission of press and public

Appendix E

Categories of "exempt information"

Appendix F

Sanctions available to the Sub-Committee

5.5 The procedure for the hearing will be as set out in **Appendix C** and any guidance and/or advice the Sub-Committee may require will be provided by the Monitoring Officer, Maria Memoli, Acting Borough Secretary and Solicitor.

6. Conclusion

6.1 The Sub-Committee is asked to consider the evidence presented and come to a decision as to what action, if any, should be taken in respect of this matter.