

**LONDON BOROUGH OF BRENT**  
**STANDARDS COMMITTEE – 19 OCTOBER 2004**  
**REPORT FROM THE BOROUGH SOLICITOR**

**For Information**

**WARDS AFFECTED: ALL**

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| <b>REPORT TITLE :STANDARDS BOARD FOR ENGLAND BOROUGH STATISTICS</b> |
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**1.0 SUMMARY**

- 1.1 This report provides commentary on statistics provided by the Standards Board for England in respect of the number of complaints received and decisions made in reference to allegations of misconduct by members of London Boroughs.

**2.0 RECOMMENDATIONS**

- 2.1 That members note the report.

**3.0 FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications arising from this report.

**4.0 STAFFING IMPLICATIONS**

- 4.1 There are no direct staffing implications arising from this report.

**5.0 DIVERSITY IMPLICATIONS**

- 5.1 There are no direct diversity implications arising from this report.

**6.0 LEGAL IMPLICATIONS**

- 6.1 The report concerns the findings of the Standards Board for England in respect of complaints against members of London Boroughs. The Standards Board for England is an independent body introduced by Part 3 of the Local Government Act 2000.
- 6.2 The Standards Board is responsible for the conduct of members and co-opted members in a large variety of local authorities including police, fire and civil defence authorities as well as London Boroughs.
- 6.3 There is no legal requirement to maintain statistics of complaints.

**7.0 DIVERSITY IMPLICATIONS**

- 7.1 Officers believe that there are no specific diversity implications in this report.

## **8.0 DETAIL**

- 8.1 At the Standards Committee on the 6 July 2004, members received an annual report from the Monitoring Officer which contained information on complaints to the Standards Board for England regarding allegations of misconduct against Brent members.
- 8.2 As a result of that report, members requested further information on Standards Board statistics, in particular, how Brent compared to the other London Boroughs.
- 8.3 The Standards Board prepared especially for us a table of complaints received against London Boroughs as of 10 August 2004. This table is attached as Appendix A.
- 8.4 While this table is now out of date (by some 3 months), it is interesting to note that the Standards Board have received the most number of complaints about members of Brent (29) closely followed by the London Borough of Camden (22).
- 8.5 Members are asked to note that as far as we know approximately 5 allegations have been made by members of the public, the rest having come from other members. Of these five allegations, only one has resulted in an Ethical Standards Officer investigation and a finding against the member concerned.
- 8.6 Although the number of allegations received in respect of Brent members is the highest, this figure needs to be qualified by our own information, namely, that there have been situations where a number of complaints have been made by different members in respect of the same set of events. For example, nine complaints were made by the Conservative group in respect of every Liberal Democrat member who boycotted the council annual meeting on 12 May 2003. Although this relates to one incident the Standards Board counted them as 9 allegations i.e. – one from each member who failed to attend each meeting.
- 8.7 It is interesting to note that the Standards Board took no action in respect of 23 of the 29 allegations and that only 6 were referred to Ethical Standards Officers for further investigation. If one compares this to other boroughs it is clear that the allegations received versus the allegations referred are more “proportionate”. For example, the Standards Board for England received 16 complaints regarding members of the London Borough of Southwark of which 12 were referred for further investigation.
- 8.8 The last four columns of the table refer members to those cases that have been completed. Footnotes have been added to columns a, b, c, and d to assist members in distinguishing the findings namely:
  - a) That there is no evidence of breach
  - b) That no further action is required (if an honest mistake has been made, for example)
  - c) They could refer the matter to be dealt with locally by the Monitoring Officer, either prior to the conclusion of investigation, or after the investigation is completed (we are still awaiting regulations on this).

- d) They may refer the matter to the Adjudication Panel for England. As members are aware panel members are appointed by the Lord Chancellor and form the individual case tribunals that hear cases referred to them.

8.9 Members will note that in one case the Standards Board found against the Member concerned but did not impose a sanction (as reflected in the table).

8.10 Since this table has been produced, one more matter has been resolved in that no further action needs to be taken. In another matter, a draft report has been received from the Ethical Standards Officer.

## **9.0 BACKGROUND INFORMATION**

- Local Government Act 2000
- Correspondence with Standards Board for England

Any persons wishing to inspect the papers in connection with the above proposals shall contact Helen Keep at [helen.keep@brent.gov.uk](mailto:helen.keep@brent.gov.uk) Town Hall Annexe, Forty Lane, Wembley Middlesex HA9 9HD – Telephone number 0208 937 1368

# APPENDIX A

## Allegations Received Against London Borough's as of 10 August 2004

| Authority                              | Total Allegations<br>Received | Refer | Non Refer | Of those referred cases that have been completed: |                          |                          |                          |
|--|-------------------------------|-------|-----------|---|--------------------------|--------------------------|--------------------------|
|  |                               |       |           | (a) Finding <sup>1</sup>                          | (b) Finding <sup>2</sup> | (c) Finding <sup>3</sup> | (d) Finding <sup>4</sup> |
| Corporation of London                  | 4                             | 1     | 3         | 0   | 1                        | 0                        | 0                        |
| City of Westminster Council            | 1                             | 1     | 0         | 0   | 0                        | 0                        | 0                        |
| Westminster City Council               | 1                             | 0     | 1         | 0   | 0                        | 0                        | 0                        |
| Greater London Authority               | 5                             | 1     | 4         | 0   | 1                        | 0                        | 0                        |
| London Borough of Barnet               | 13                            | 2     | 11        | 0   | 1                        | 0                        | 1                        |
| London Borough of Bexley               | 8                             | 1     | 7         | 0   | 0                        | 0                        | 0                        |
| London Borough of Brent                | 29                            | 6     | 23        | 0   | 1                        | 0                        | 0                        |
| London Borough of Bromley              | 8                             | 2     | 6         | 0   | 1                        | 0                        | 0                        |
| London Borough of Camden               | 22                            | 1     | 21        | 1   | 0                        | 0                        | 0                        |
| London Borough of Croydon              | 2                             | 0     | 2         | 0   | 0                        | 0                        | 0                        |
| London Borough of Ealing               | 6                             | 2     | 4         | 1   | 0                        | 0                        | 0                        |
| London Borough of Enfield              | 5                             | 3     | 2         | 0   | 0                        | 0                        | 0                        |
| London Borough of Greenwich            | 2                             | 0     | 2         | 0   | 0                        | 0                        | 0                        |
| London Borough of Hackney              | 3                             | 1     | 2         | 0   | 0                        | 1                        | 0                        |
| London Borough of Hammersmith & Fulham | 7                             | 1     | 6         | 1   | 0                        | 0                        | 0                        |
| London Borough of Haringey             | 9                             | 4     | 5         | 2   | 0                        | 0                        | 0                        |
| London Borough of Harrow               | 11                            | 3     | 8         | 0   | 0                        | 0                        | 0                        |
| London Borough of Havering             | 16                            | 1     | 15        | 0   | 0                        | 0                        | 0                        |
| London Borough of Hillingdon           | 10                            | 1     | 9         | 0   | 0                        | 0                        | 0                        |
| London Borough of Hounslow             | 7                             | 3     | 4         | 0   | 0                        | 1                        | 0                        |
| London Borough of Islington            | 15                            | 7     | 8         | 0   | 1                        | 0                        | 0                        |
| London Borough of Lambeth              | 8                             | 5     | 3         | 1   | 0                        | 0                        | 0                        |

| Authority                               | Total Allegations Received | Refer | Non Refer | Of those referred cases that have been completed: |                          |                          |                          |
|---|----------------------------|-------|-----------|---|--------------------------|--------------------------|--------------------------|
|   |                            |       |           | (a) Finding <sup>1</sup>                          | (b) Finding <sup>2</sup> | (c) Finding <sup>3</sup> | (d) Finding <sup>4</sup> |
| London Borough of Lewisham              | 3                          | 1     | 2         | 0   | 0                        | 0                        | 0                        |
| London Borough of Merton                | 1                          | 0     | 1         | 0   | 0                        | 0                        | 0                        |
| London Borough of Newham                | 2                          | 1     | 1         | 0   | 1                        | 0                        | 0                        |
| London Borough of Redbridge             | 6                          | 4     | 2         | 0   | 1                        | 0                        | 0                        |
| London Borough of Richmond Upon Thames  | 7                          | 4     | 3         | 0   | 3                        | 0                        | 0                        |
| London Borough of Southwark             | 16                         | 12    | 4         | 6   | 4                        | 0                        | 0                        |
| London Borough of Sutton                | 8                          | 0     | 8         | 0   | 0                        | 0                        | 0                        |
| London Borough of Tower Hamlets         | 9                          | 4     | 5         | 1   | 0                        | 0                        | 0                        |
| London Borough of Wandsworth            | 3                          | 1     | 2         | 0   | 0                        | 0                        | 0                        |
| London Borough of Waltham Forest        | 1                          | 0     | 1         | 0   | 0                        | 0                        | 0                        |
| Royal Borough of Kensington and Chelsea | 9                          | 1     | 8         | 0   | 1                        | 0                        | 0                        |
| Royal Borough of Kingston               | 1                          | 0     | 1         | 0   | 0                        | 0                        | 0                        |
| Waltham Forest Borough Council          | 2                          | 2     | 0         | 1   | 1                        | 0                        | 0                        |

<sup>1</sup> 'A' Finding: That there is no evidence of breach.

<sup>2</sup> 'B' Finding: That no further action is required – if an honest mistake had been made, for example.

<sup>3</sup> 'C' Finding: They could refer the matter to be dealt with locally by the Monitoring Officer, either prior to the conclusion of the investigation, or after the investigation is completed.

<sup>4</sup> 'D' Finding: They may refer the matter to the Adjudication Panel for England. The panel members are appointed by the Lord Chancellor and form the individual case tribunals that hear cases referred to them.