

SLOUGH BOROUGH COUNCIL

SUPPLEMENTARY REPORT TO THE

REPORT DATED 12 JANUARY 2011

OF AN INVESTIGATION UNDER SECTION 66 OF THE LOCAL GOVERNMENT ACT 2000 AND REGULATION 14 OF THE STANDARDS COMMITTEE (ENGLAND) REGULATIONS 2008 (AS AMENDED), BY KULDIP CHANNA, (KC) (LITIGATION SOLICITOR) APPOINTED AS INVESTIGATION OFFICER, BY MARIA MEMOLI, THE MONITORING OFFICER INTO AN ALLEGATION CONCERNING COUNCILLOR BALWINDER SINGH DHILLON (SBC23).

1. FURTHER INVESTIGATIVE STEPS TAKEN SINCE ISSUE OF FINAL REPORT ON 12 JANUARY 2011

- 1.1 On 2 February 2011, I received a telephone call from BD. A file note of that telephone conversation is produced as **Document 9**. The file note is self explanatory.
- 1.2 On 21 February 2011, I received an email from June Cook, Member Services Manager advising me that BD had submitted an additional witness statement from Satpal Grewal (SG), the applicant for the disabled facilities grant. At the time I received this email I was on annual leave. When I returned to the Office on 28 February, I reconsidered my Final Report and papers for this investigation. I noted that I had not previously received this information from BD when he submitted his original response on 15 November 2010 to me about this matter. Nor indeed was this information provided when BD made a complaint to the Corporate Complaints Officer on 26 May 2010 or Denise Alder, who investigated and responded to BD's complaint on 24 June 2010.
- 1.3 SG is an interested party in this matter since he is the applicant wishing to obtain a facilities grant. However in view of the new evidence provided by BD, as the Investigator I felt obligated to make further enquiries of SW.
- 1.4 SW repeated his evidence as contained in his statement of 3 November 2010. He further advised me that I should perhaps also check the telephone records since there now seemed to be an issue about whether SW telephoned BD or BD telephoned SW. Although I did not necessarily accept this was the crux of the issues in this case, I nevertheless made enquiries of the relevant SBC Officers about the telephone records. A copy of my email dated 8 March 2011 requesting the relevant telephone records together with the results of the search are at **Document 10**.
- 1.5 On receipt of the telephone records I further interviewed SW on 10 March. A copy of my file note of that interview is at **Document 11**. SW was shocked by the fact that the telephone records showed that he had telephoned BD. He said, "*I would have put my mortgage on it that he phoned me*". SW accepted with embarrassment that he had made a mistake about whether he or BD had telephoned that evening and went on to confirm that whilst he may be mistaken about that detail he was certain that the other information in his statement of 3 November was correct.
- 1.6 On 10 March following my interview with SW, I contacted the Private Sector Housing Administrator, Martin Brown (MB) and asked him to make a search of electronic and manual records as to whether SW had been provided with any telephone messages to call BD on 26 May 2010. He was unable to find any records which would assist the investigation. A copy of my email and his response is at **Document 12**.
- 1.7 I have considered SG's statement and note that he states that BD did not insist that SW process the grant immediately. Further that BD did not "*raise his voice nor shout at Mr Steve Wagner*" and that SW put the telephone down, "*which I find was very rude....I personally felt Mr Wagner's behaviour was rude, offensive and intimidating towards*" BD. Further it is suggested that SW was being obstructive and that SW should not be permitted to repeat such behaviour. SG then lists his concerns about the process of the grant application. In SG's evidence I detect a

tone of pressure on the SBC Officer to deal with this particular application and a clear lack of understanding of the disabled facilities grant system since the Officer appears to be wholly blamed for lack of progress in the case rather than a note of the fact that the wait since 2006 relates to the process and not to the Officer's lack of activity on the case. The progress of the case for the grant appears to be within the normal permitted six month time limit from when an applicant is at the top of the list and the formal checking process prior to the payment of the funds to the applicant.

2. In summary I conclude this Supplementary Report by observing that:-
- a. The telephone records point about who rang who is not an issue since it is accepted that there was a telephone conversation on 26 May between BD and SW; in my view the important issue is the content of that telephone conversation and how each person treated the other;
 - b. BD has been less than co-operative with the investigation and has a poor view of SBC Officers, and in particular I would refer to BD's comments to me regarding Officers as referred to in Document 9;
 - c. SG's evidence ought to have been provided at an early stage and the Investigator ought to have been permitted to interview relevant witnesses;
 - d. SG's evidence has been produced following the receipt of the final report about this complaint;
 - e. SG's evidence has not been provided in any earlier complaint about SW by BD;
 - f. it is clear in the light of the new information from BD and the telephone records that the Standards Committee need to hear oral evidence from both parties in order to further assess this matter for themselves;
 - g. I believe that there has been a lack of desire to understand the disabled facilities grant process by both SG and BD and that instead a choice has been made to simply push SBC and in particular SW to get on with it quickly regardless of what the formal process may or may not be for SBC.

AND for the reasons outlined above I would confirm the conclusions of my previous report dated 12 January that:

- h. BD has breached paragraph 3 of the Code in that he has failed to show respect for SW during the telephone conversation on 26 May 2010.
- i. BD has not breached paragraph 3(1)(b) of the Code, however he did put undue pressure on SW during the telephone conversation on 26 May 2010.

Date: 16th March 2011
Kuldip K Channa, (Litigation Solicitor)
Standards Investigation Officer,
For and on behalf of the Monitoring Officer

ADDITIONAL LIST OF DOCUMENTS ANNEXED TO REPORT

For documents 1 to 8 please see final report

- 9) File note of telephone conversation with BD on 2 February 2011
- 10) Email dated 8 March 2011 requesting the relevant telephone records and email dated 9th March responding to that request with copy of the telephone record.
- 11) File note of interview with SW dated 10 March 2011
- 12) Email to Martin Brown from Investigator and his response dated 10 March 2011