

N. C. BROTHERS & Co.
S O L I C I T O R S

Nigel C Brothers, LLB
Kuldeep Sethi, LLBLLB

47 London Street Reading
Berkshire RG1 4PS
DX 4002 READING

Telephone: 01189 58 99 66
Facsimile: 01189 58 94 08
Regulated by the Solicitors Regulation Authority no 350463

Your ref: JC/SBC 2010/23
Our ref: NB.
Date: 23 February 2011

Mrs. June Cook
Slough Borough Council,
Town Hall
Slough SL1 3UQ

By fax only 01753 875171

Dear Mrs. Cook,

our client Cllr. B. S. Dhillon
our clients Mr. & Mrs. Bryant subject to contract

We act for Cllr. B. S. Dhillon. We enclose forms D and E completed and a copy of our clients witness statement.

Please acknowledge receipt of these.

Yours faithfully,


N/C BROTHERS & Co.

Form D Councillor B Dhillon SBC 2010/23

Arrangements for the Standards (Local Determination) Sub-Committee hearing


Please circle correct answer

<p>1</p>	<p>The proposed date for the Standards Sub-Committee hearing is given in the accompanying letter. Are you planning to go to the hearing?</p> <p>If "No", please explain why.</p>	<p><input checked="" type="radio"/> YES ↓ <input type="radio"/> NO</p>	<p>Reason:</p>
<p>2</p>	<p>Are you going to present your own case?</p>	<p><input type="radio"/> YES ↓ <input checked="" type="radio"/> NO</p>	
<p>3</p>	<p>If you are not presenting your own case, will a representative present it for you?</p> <p>If "Yes", please state the name of your representative.</p>	<p><input checked="" type="radio"/> YES ↓ <input type="radio"/> NO</p>	<p>Name: <i>N. BROTHERS.</i></p>
<p>4</p>	<p>Is your representative a practising solicitor or barrister?</p> <p>If "Yes", please give his or her legal qualifications. Then go to question 6.</p>	<p><input checked="" type="radio"/> YES ↓ <input type="radio"/> NO</p>	<p>Qualifications: <i>SOLICITOR.</i></p>

5	Does your representative have any connection with the case? If "Yes", please give details.	YES ↓ <input checked="" type="radio"/> NO ↓	Details:
6	Are you going to call any witnesses? If "Yes", please fill in Form E.	<input checked="" type="radio"/> YES ↓ NO ↓	
7	Do you, your representative or your witnesses have any access difficulties (for example, is wheelchair access needed?) If "Yes", please give details	YES ↓ <input checked="" type="radio"/> NO ↓	Details:
8	Do you, your representative or your witnesses have any special needs (for example, is an interpreter needed?) If "Yes", please give details	YES ↓ <input checked="" type="radio"/> NO ↓	Details:
9	Do you want any part of the hearing to be held in private? If "Yes", please give reasons.	YES ↓ <input checked="" type="radio"/> NO ↓	Reasons:

10	Do you want any part of the documents to be withheld from public inspection? If "Yes", please give reasons.	YES <input type="checkbox"/> <input checked="" type="checkbox"/> NO	Reasons:
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Please attach separate sheets if necessary.

Signed 
 Dated 23-2-11

Slough Borough Council - Local Determination of Complaints

FORM E Details of proposed witnesses to be called Councillor B Dhillon SBC 2010/23


Name of witness or witnesses		1	2	3	
WITNESS 1					
a	Will the witness give evidence about the allegation? If "Yes", please give an outline of the evidence the witness will give	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Outline of evidence: THE TELEPHONE CONVERSATION 26 MAY 2010.		
b	Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed? If "Yes", please provide an outline of the evidence which the witness will give.	<input type="checkbox"/> YES <input type="checkbox"/> NO	Outline of evidence:		

Slough Borough Council - Local Determination of Complaints

FORM E

WITNESS 3		Outline of evidence:	
		YES <input type="checkbox"/>	NO <input type="checkbox"/>
a	Will the witness give evidence about the allegation?		
	If "Yes", please give an outline of the evidence the witness will give		
b	Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed?		
	If "Yes", please provide an outline of the evidence which the witness will give.		

Please attach separate sheets if necessary

Signed..... 

Dated..... 23-2-11

Slough Borough Council

Complaint by Mr. S Wagner

Statement of Cllr. Balwinder S. Dhillon.

It is accepted that I had a telephone conversation with Mr. Wagner on the 26 May 2010. I was very unhappy with the way that Mr. Wagner dealt with me on that day and I have made a complaint about Mr. Wagner. That complaint has been dealt with by Denise Alder the strategic Director for the Green and Built Environment. Her response is by an email dated the 24 June 2010. It states that Mr. Wagner's recollection is that he was not given an opportunity to explain and respond. Her email concludes by "*I am sorry that you found the behaviour of any staff member offensive, distressing and intimidating but this was not the intention.*"

I am not entirely happy with the response in that the underlying problem, - Mr. Grewal's application for a grant has still not been resolved. His application was first made in 2007. It does not appear that Mr. Wagner has dealt with this in an efficient manner. His attitude has not been conducive to a timely processing and approval of this grant.

I am faced with a situation where I have tried to carry out my duties as a Councillor, I had a telephone call from an officer of the Council, had a very unsatisfactory response, complained about that officer, my complaint appears to have only resulted in the email referred to above which contains an expression of sorrow. I have been content to let matters rest there. I have even written to Mr. Wagner on the 25 October 2010 giving my apology to him if my conduct upset him. Yet I am still faced with these proceedings. This appears to me to be most unfair and disproportionate. Most significantly the problem as regards Mr. Grewal's grant has still not been resolved.

There is a statement from Mr. Grewal. This confirms that I did not behave in the way that has been suggested by Mr. Wagner.

The complaint by Mr. Wagner starts by asserting that I called him. This is untrue on that occasion he called me. Given that he is factually incorrect on this point, I feel that this indicates that there are other factual inaccuracies in what he has put forward.

I entirely accept that I did say to Mr. Wagner that his line manager Mrs. Dhar was more helpful. This is true, I did not find Mr. Wagner at all helpful. I have some knowledge of the procedure, I was not asking for any special favours from Mr Wagner, only his assistance in getting this application processed as at that time it had taken more than two years. Asking for his help in ensuring that this was dealt with as quickly as possible, is not in the circumstances of this case, unreasonable. Saying that Mr Wagner was not being very helpful is not offensive or insulting, and saying that his manager was the only nice person is not itself offensive or insulting. That this is an implied criticism does not mean that it is inaccurate, as on that occasion Mr. Wagner did not properly deal with the concerns being expressed.

This matter appears to be blow up out of all proportion. What is set out on the form of complaint does not refer to "bullying" or undue pressure, he refers to "*I took this as an insult*". It is interesting to look at my letter of the 26 May 2010 to Mr. F Sweeney where I have commented upon Mr. Wagners behaviour on that date. That Mr. Wagner's complaint was made on the 7 June some weeks later after my letter, does suggest that the only reason for this complaint being made is because of the complaint I made on the 26 May 2010.

It is also interesting to note that in his statement (undated document 4) Mr Wagner does not say that he felt bullied, he says that as a senior manager he felt able to deal with my attitude. He goes on to state that a junior member may have felt bullied. There is no statement from Mr Wagner saying I bullied him. Even his note of the telephone call does not state that. The suggestion that I bullied him is therefore unsubstantiated.

Mr. Wagner was unhappy that I said that Mrs. Dhar was the only nice person in the team. He found this insulting both personally and for his team. It was never intended to be a compliment; it does however reflect an honestly held opinion that on that occasion he was unhelpful and his people skills were lacking. I was trying to help someone resolve a problem, Mr. Wagner was not interested in helping to speed up what had already taken 2½ years. He could have been more helpful if he has wanted to be, no one was asking him to do anything improper. Respect goes both ways, Mr Wagner did not deal with me on that occasion with the respect that is being suggested is due to himself.

Given that the investigating officer has formed a conclusion that "*On balance the evidence is ...*" I would submit that his conclusions do not reflect all of the evidence. He did not speak to Mr. Grewal. I feel that the report ought to be withdrawn as it is misleading and inaccurate.

Saying to someone that you are not happy with the service they are providing is not showing a lack of respect. Saying that someone else is more helpful, is not in itself showing a lack of respect, though I accept that by inference this is not a compliment and someone may not be happy about such a comment.

The second conclusion that I have breached paragraph 3(1)(b) that I put undue pressure on Mr. Wagner has to be unfounded. There is no such complaint.