

SLOUGH BOROUGH COUNCIL

REPORT TO: Standards Determination Sub Committee **DATE:** 22 June 2015

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WARDS: N/A

PART I **FOR DECISION**

COMPLAINT OF FAILURE TO OBSERVE THE COUNCILLORS' CODE OF CONDUCT – COUNCILLOR SHAFIQ CHAUDHRY

1. **Purpose of Report**

The purpose of this report is to submit for consideration the Investigating Officer's report on the results of his investigation into a complaint that Councillor Shafiq Chaudhry failed to comply with the Councillors' Code of Conduct (**Appendix A**).

2. **Recommendation/Action Required**

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

3. **Wellbeing Strategy Priorities**

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 Councillors' Code of Conduct and the Council's own Ethical Framework. Furthermore, it is a prime function of the Audit and Corporate Governance Committee to promote and maintain high standards of conduct by Members.

4. **Other Implications**

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 procedure for conduct of a Sub-Committee hearing set out in the Council's constitution. Any potential human rights issues which might arise are addressed and provided for in the hearing procedure.

5. **Background Information**

- 5.1 In November 2014 Councillor Chaudhry provided a letter of support to the Ahmed family for use in a court case where two defendants were on trial for sexual offences relating to children. He signed the letter as a councillor.

- 5.2 On 16th February 2015 Councillor Chaudhry attended Reading Crown Court and was present in court at the sentencing hearing. The barrister for the defence made comment in open court that Councillor Chaudhry was present as Mayor.
- 5.3 On 18th February 2015 Councillor Chaudhry signed and submitted a Code of Conduct Complaint Form, in which he referred himself to be subject of the standards process of the Council.
- 5.4 In the complaint form Councillor Chaudhry stated (In Section 2.2) *“I believe I have made a serious error of judgement that may have led to a breach of the Council Code of Conduct”*.
- 5.5 The Monitoring Officer, having consulted the Council’s Independent Person as required in the Complaints Process, referred the complaint for investigation. He appointed Wilkin Chapman LLP Solicitors to conduct the investigation into the complaint. The Monitoring Officer considered the Investigating Officer’s final report and decided that it should be sent for determination by the Standards (Determination) Sub-Committee.
- 5.6 Enclosed for consideration of the Sub-Committee are the following documents:

<u>Appendix</u>	<u>Document</u>
Appendix A	Investigating Officer’s Report
Appendix A1	Schedule of Evidence
Appendix B	Investigation and Determination of Complaints (including Procedure for conduct of a Sub-Committee hearing)

- 5.7 The procedure for the hearing will be as set out in **Appendix B** and any guidance and/or advice the Sub-Committee may require will be provided by the Monitoring Officer, Kevin Gordon, Assistant Director, Professional Services.

6. **Conclusion**

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. The Procedure for the Sub-Committee (**Appendix B**) sets out what conclusions the Sub-Committee may come to (paragraph 6.13) and what action it may take (paragraph 6.14).

7. **Background Papers**

None.