

**LONDON BOROUGH OF HAMMERSMITH & FULHAM**

**Standards Committee  
Assessment Sub-Committee**

**Summary of Decision**

**Complaint Reference 01/2010**

**This is a summary of the Assessment Sub-Committees consideration of a complaint pursuant to Regulation 8 of the Standards Committee (England) Regulations 2008**

**Complaint**

On 2 February 2010, the Assessment Sub-Committee of this authority's Standards Committee considered a complaint from the Complainant concerning the alleged conduct of a Councillor of the Authority. The membership of the Sub-Committee was as follows:-

Ms Grace Moody-Stuart (independent member)  
Councillor Donald Johnson (administration member)  
Councillor Stephen Cowan (opposition member)

Ms Moody-Stuart was the chairman and also present were Michael Cogher (Monitoring Officer) and David Bays (Committee Co-ordinator).

A general summary of the complaint is set out below:-

The complainant alleged that on Thursday, 14 January at approximately 8.45am at the main entrance of Stamford Brook underground station, the Councillor, who he had never met before or had any dealings with, but who he had identified by looking at Hammersmith & Fulham's website, was canvassing for upcoming local elections and handing out election leaflets. He realised what the leaflet was after he took one and handed it back to the Councillor. The allegation concerned the nature of the subsequent conversation between the complainant and the Councillor:

The allegations, if proven, could have amounted to a breach of the Council's Code of Conduct.

We considered a confidential pre-assessment report from the Monitoring Officer which contained the statement supplied by the Complainant and, following a request from the complainant that the complaint be passed to the Councillor, a reply from the Councillor concerned.

## **Decision**

In accordance with Section 57A (2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee decided unanimously that no action should be taken on the allegation.

The Sub-Committee also decided that the summary of the allegation set out above be provided to the Councillor and that the written summary of this decision which we are required to make available to the public should exclude the names of both the Councillor and the Complainant in the public interest.

## **Reasons for decision**

We carefully considered all the documents put before us. In particular we had the benefit of the statement from the Complainant and an email from the Councillor denying the allegations. The Councillor contended that he/she had been attending Council business that morning which meant leaving home in Shepherds Bush at around 8.35am. The Councillor's departure from home was corroborated by a head porter at the address. The relevant Group Leader was able to confirm that no canvassing had been organised by the local party in the Borough that day. A Council officer who was responsible for clerking the meeting being attended by the Councillor was also able to confirm that the Councillor concerned had attended the scheduled meeting, arriving around 9.45am, mentioning to him about having had breakfast in a nearby cafe, having arrived early for the meeting.

This independent information corroborated the Member's statement and taken with the fact that the complainant had never met the Councillor against which the complaint was made and had only identified him/her from the Council's website, we concluded that there was good evidence that the Member concerned was elsewhere and it was therefore not him/her who was present at Stamford Brook Station that morning. We did not therefore consider that a full investigation would be appropriate in all the circumstances of the case and have concluded that no further action should be taken.

Nevertheless, we would like to stress that we did consider that the behaviour the complainant was allegedly subjected to was unacceptable and to emphasise this we have asked the Monitoring Officer to send a copy of this Summary to the Council party whips to draw their attention to conduct expected of Councillors when dealing with the public in the course of election campaign work.

Finally, given the nature of the allegations and our decision to take no further action in relation to this matter we consider that to identify the Councillor in the summary the Sub-Committee's decision which it required to make available to the public is likely to unfairly damage their reputation and prejudice their ability to effectively carry out their duties as a ward member. In all the circumstances we therefore consider that it would not be in the public interest for them or the Complainant to be identified in the summary of our consideration of the allegation.