

Public Document Pack



Councillor Conduct Committee

Wednesday, 4 September 2019 at 6.30 pm
Room 1, Civic Centre, Silver Street, Enfield,
EN1 3XA

Contact: Penelope Williams
Secretary
Direct : 020-8379- 4098
Tel: 020-8379-1000
Ext: 4098

E-mail: Penelope.Williams@enfield.gov.uk
Council website: www.enfield.gov.uk

Councillors: Ergin Erbil (Chair), Glynis Vince (Vice-Chair), Christine Hamilton and Elaine Hayward

Independent Persons: Christine Chamberlain and Sarah Jewell

To Follow Papers

AGENDA – PART 1

4. APPEAL HEARING (Pages 1 - 8)

To carry out a hearing in relation to an appeal against a Monitoring Officer decision on a councillor complaint. (Report No: 86)

Supporting statements attached.

This page is intentionally left blank



Cllr Nesil Caliskan
Leader of the Council
Enfield Council
Silver Street
London EN1 3XA

17 June 2019

Dear Cllr Caliskan,

Thank you for sharing with me the detail of the complaints submitted, and the letter that was subsequently issued to you by the Chief Monitoring Officer at Enfield. You asked for the view of the LGA Labour Group, which I am happy to provide.

Overall, I have to say that I am baffled as to why this matter was subject to any investigation by the Council. As per the council's constitution, the Labour Party Rule Book, and your own group's standing orders, you have the power to appoint and remove members of the Cabinet as Leader of the Labour Group and Leader of the Council. Decisions related to the appointment of Cabinet are entirely political, and changes to appointments should not be subject to interference or investigation by the council.

I do not believe there was any justification for an investigation being carried out over your decision to suspend or remove a Cabinet member, or for the suggestion that you are required to provide reasons for this decision – I am unaware of this ever having occurred in any other council. The statement that making this decision prior to meeting the Cabinet member in question constituted a lack of respect contrary to principles of the council's Code of Conduct is frankly absurd.

Any disagreements between Labour members should be resolved within the group, and if necessary through the Labour Party's own disciplinary process, not via complaints using the Council's Code of Conduct.

Yours sincerely,

Pete Robbins

Head of Local Government Association Labour Group office
Peter.Robbins@local.gov.uk

Cllr Chris Bond
PO Box 50, Civic Centre
Silver St
Enfield
EN1 3XA

Tel 0208-379-2659
Mobile 0781-267-3118
E-Mail Cllr.Chris.Bond@enfield.gov.uk

Date 16th June 2019

To Whom It May Concern,

I feel compelled to write as a member of Enfield Council for over 30 years about the waste of public money, in what has become a political witch-hunt of the current Leader of Enfield Council.

It is clear from my experience that the complaints against Cllr Caliskan are politically motivated and do not fall within the remit of the Council Officers. It is clearly a Labour Party matter.

The Leader of the Council has within her constitutional right to appoint or remove Cabinet members. This is not done lightly and in this case was justified in my view given all the circumstances that I know of. The same action would have been taken by other Leaders, of either party. Therefore, the recommendation from the Chief Monitoring officer that the Leader of the Council should apologise for removing the Cabinet member is wholly inappropriate.

No investigation overseen by a Council officer and any recommendation that falls from that investigation can ever take into consideration a political context. That is precisely why Council processes should not be used to resolve political disputes.

So, I would ask that the pending enquiry be dropped and common sense to prevail and let the Labour Party deal with these spurious complaints and save the Enfield Tax payer any more cost.

If you wish to discuss further, more than happy to do so.

Yours sincerely



Cllr Chris Bond, Labour Cllr Southbury Ward

Members Room

London Borough of Enfield
PO Box 50, Civic Centre, Silver S
Enfield, Middlesex, EN1 3XY



Phone: 020 8379 1000
DX: 90615 ENFIELD
Website: www.enfield.gov.uk

Date: 17th June 2019

Statement from Cllr Mary Maguire

Ever since Cllr Caliskan was elected Leader of the Council, a certain group of Labour Councillors have acted in a totally unacceptable way towards her, either by repeated attempts to undermine her, by constantly questioning her legitimacy and acting in a bullying and harassing manner.

Right from the start, a certain group, angry that the former Leader was not re-elected, have waged a campaign of harassment, through frequent outbursts in the media and constantly complaining about Cllr Caliskan's actions.

For example, Cllr Daniel Anderson, following a Cabinet pre-meet, followed Cllr Caliskan to directly outside the doors of the conference room, wherein sat members of the public and Opposition Councillors, shouting loudly and aggressively at her "You should resign".

I wrote to him privately after that outburst, warning him that his behaviour was damaging his reputation and standing with the public. His behaviour was bullying, threatening and intimidating.

I have witnessed him in other meetings, both in front of all Labour members and in meetings with officers, where he has shouted at Cllr Caliskan and abused officers.

I have also witnessed Cllr Yasemin Brett shouting over Cllr Caliskan when she was trying to chair an informal Cabinet meeting. Cllr Brett has constantly complained about Cllr Caliskan and demanded investigations and when she doesn't get the result she wants, complains to another grouping or institution demanding another investigation. Constantly undermining, complaining and demanding that an individual be investigated is harassment and should not be allowed.

16th June 2019

Dear Councillor Conduct Committee

Statement in Support of Cllr Nesil Caliskan's Appeal

I would like to make a statement in support of Cllr Nesil Caliskan's Appeal against Monitoring Officer's decision relating to the allegations raised by Cllr Yasemin Brett. I believe the Solicitor appointed by the Monitoring Officer based their understanding and recommendation on interviews with a heavily prejudiced, narrow group of people including Cllr Brett, Cllr Anderson, Cllr Pite. I consider these individuals to have undertaken a personal and politically motivated approach intent on undermining Cllr Caliskan and her leadership of Enfield Council. This complaint being of such a nature, design and intent.

Had the Solicitor appointed by the Monitoring Officer spoken to a wider range of people than this small coterie they would have been able to better understand the context within which the circumstances and actions occurred. They would have understood that there had been a constant and grinding effort to discredit, disrupt and destabilize Cllr Caliskan following her election as Labour Group Leader in May 2018. Cllr Caliskan has had to endure behavior and conduct of others towards her that I don't believe any male Leader of her age would have experienced. Cllr Caliskan has been very clear that she is unwilling to use Council processes to resolve political disputes due to a desire for unity and to avoid wasting Council resources.

As some context for my statement, from May 2018 to April 2019 I was the Labour Group Treasurer and therefore a member of the Labour Group Officers who met regularly. The other Officers at this time included Cllr Caliskan (Labour Group Leader), Cllr Brett (the Group Secretary), Cllr Pite (Women Officer) and Cllr Anderson (Group Deputy Leader). For information: Cllr Erbil was the Group Whip and the Group Chair was Cllr Barry. During this time, I witnessed and experienced coordinated, continue and sustained aggressive, disruptive and intimidatory behavior towards Cllr Caliskan at Labour Group Officers' meetings. This was consistent with a wider agenda seemly attempting to discredit Cllr Caliskan. On several occasions whole meetings would fail to address the basic meeting agenda as the time was spent in disruptive, minacious and intimidatory behavior. This included repeated attempts to record meetings against the wishes of attendees, followed by intimidatory efforts to establish that such actions could be undertaken regardless. These meetings alone demonstrated a clear and consistent attempt from Cllr Pite, Cllr Anderson and Cllr Brett of disruptive behavior towards Cllr Caliskan which was intended to frustrate, undermine and intimidate seemingly in an attempt to force her to resign from her role as Leader. The meetings were far from civilized, and certainly not comradely.

I am happy to discuss this matter further should the Committee wish.

Kind regards

Cllr Tim Leaver

Chair of Enfield Labour Group

Date: 18th June 2019

Statement from Cllr Nneka Keazor

Dear Councillor Conduct Committee

I am writing regarding the ongoing attack on the Council Leader. I have decided to do so following the media coverage about the Councillor Conduct Complaint from Cllr Yasemin Brett. I am appalled to see Council processes being politicised in this way and tax payer's money being wasted.

I was first elected as a Councillor in 2010. I currently served as a Cabinet Member. I also served as a Cabinet Member under Cllr Taylor's leadership during the previous administration. In all my years as a Councillor I have never seen or experienced the degree of disrespect, intimidation and political attack from a minority of Labour colleagues as has persisted over the past year. I have written to the national Labour Party about what I deem to be ongoing and systematic attempts to bully the first female Council Leader of Enfield Council by a group of Labour Councillors. Their conduct has been politically motivated, opposing Cllr Caliskan's leadership. The individuals responsible for the systematic political attack towards Cllr Caliskan are individual who have been interviewed as part of the process looking into the Councillor Conduct Complaint made by Cllr Brett against Cllr Caliskan.

Understanding and acknowledging the broader context is crucial in being able to determine whether a complaint to the Council Conduct Committee is politically motivated, which ultimately determines whether the Councillor Conduct Committee process should be used as the process for any investigation.

I have observed a small group of Councillors namely: Cllr Yasemin Brett, Cllr Ayfer Orhan, Cllr Daniel Anderson, Cllr Dinah Barry, Cllr Vicki Pite constantly disrupt meetings and verbally attack the Leader at Labour Group Meetings, Informal Cabinet Meetings and Pre-Council Meetings. Cllr Brett, Cllr Orhan and Cllr Anderson have all publicly attacked Cllr Caliskan in the media, demonstrating very clearly, they that are political opponents. I am happy to provide evidence if the committee would like me to.

These attacks on Cllr Caliskan began from the moment she announced she would put herself forward as a candidate for Leader of Enfield Labour Group. It is apparent to those from Enfield that there has been a coordinated campaign of harassment through frequent outbursts in the media and constantly complaining about Cllr Caliskan's actions. These individuals have regularly made unfounded accusation about Cllr Caliskan's conduct. They have lodged their complaints with the Labour Party, demonstrating that these are political matters.

The behaviour against Cllr Caliskan from the Councillors I have listed above has been

obsessive. The latest attempt by Cllr Brett to use a Council process is another attempt to bully Cllr Caliskan out of her role and is quite plainly a political tactic. The use of a Council process and resources for political purposes should not be permitted by the Chief Monitoring Officer.

Furthermore, I do not believe that the investigation into the complaint made by Cllr Brett could or did consider the broader political context. Indeed, I was never interviewed as part of the evidence gathering. Therefore, any finding or recommendation is highly questionable given the investigation cannot be characterised as fair and balanced.

Had I have been called to interview I would have provided evidence, for example, that I have witnessed Cllr Brett shouting over Cllr Caliskan as well as attempting to generally disrupt Informal Cabinet Meetings chaired by the Leader. Furthermore, I am in no doubt that Cllr Brett's decision to break an agreed Cabinet position is a serious political matter which Labour Councillors would expect the Leader to respond to. Cllr Caliskan's decision to remove Cllr Brett from Cabinet was made within the framework of our Council's Constitution and the Enfield Labour Group Standing Orders. Both documents permits the Leader to exercise political judgement in appointing and removing Cabinet Members. Any other Council Leader would have exercised the same right. Indeed, Council Leaders up and down the country do so regularly, from all political parties. There are plenty of examples from other local authorities to demonstrate that other Council Leaders would not have given Cllr Brett the benefit of the doubt by reinstating her two weeks later, which is what Cllr Caliskan did.

Any ongoing political matters between any two Councillors should be resolved within the Party. Indeed, the very complaint from Cllr Brett was dealt with at a local Labour Party constituency meeting through a proposed vote on the matter in November 2018. This event received media coverage which the Chief Monitoring Officer would have been aware of. Therefore, it is unclear why the decision was taken to accept the complaint when the matter had clearly already been considered within the Labour Party structures.

It is inappropriate for Council Officers to express judgment about a political decision of a Council Leader which it itself was made within the framework of our Council Constitution. I urge the Councillor Conduct committee to preserve the integrity of the Council Constitution and uphold Cllr Caliskan's appeal.

Kind regards

Cllr Nneka Keazor



Ian Davies
Chief Executive
London Borough of Enfield
Civic Centre
Silver Street
Enfield
EN1 3ES

1st Floor
Congress House
Great Russell Street
London WC1B 3LS

Tel: 0800 0 857 857
www.unison.org.uk/london

14 June 2019

Dear Mr Davies

RE:- Councillor Nesil Caliskan - Leader of Enfield Council

I understand that one of your senior officers has authorised an investigation into allegations against Cllr Nesil Caliskan.

Nesil is a UNISON member and I write to express my concerns that these allegations could be perceived as part of an ongoing campaign of harassment against Cllr Caliskan, since she was elected the first female Leader of the Council last year.

Council Leaders, by the very nature of the role, take challenging political decisions. I understand that these latest allegations relate to decisions Cllr Caliskan made as Council Leader, acting in accordance with the Council's constitution, as she exercised her political judgement.

I am sure you would expect UNISON to want to ensure that Cllr Caliskan is treated with dignity, respect and fairness, at all times but most especially throughout an investigation of this nature.

Any investigation conducted regarding Cllr Nesil Caliskan should be balanced, fair and withstand scrutiny with a framework of consideration that her role as Leader of Enfield Council is a political one. Cllr Nesil Caliskan should be entitled to process of appeal that is not compromised in anyway.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Maggi Ferncombe".

Maggi Ferncombe
Regional Secretary – UNISON Greater London



21st June 2019

Statement from Cllr Peter John, Chair of London Councils

Dear Nesil,

I am writing regarding the Standards complaint against you; and the findings and recommendations from Enfield Council's Chief Monitoring Officer. I understand you intend on appealing.

Firstly, I should say that I am sorry that what appears to be clearly an intra-group complaint has been allowed to proceed under the Standards regime. The complainant and her supporters should not have chosen this route; and the Monitoring Officer should not have allowed the system to be used for internal group or party positioning or gain.

The Labour Party has well established systems and rules for determining and resolving internal disputes. These should always be the first - and probably last - avenue for complaints of this nature to be pursued. Using and allowing Council processes to be used for political advantage does nothing but harm Enfield Council's reputation.

On the substance of the complaint, I believe that the "strong leader" model under which we operate gives the Leader power to manage their Cabinet as they think fit, and to use the powers which they have to maintain unity and discipline within the Cabinet and their Group. That is all that you appear to have done in this case. The author of the report on this matter has clearly not taken into account how politics operates in the real world. If they had they would have not reached the conclusions they did. It would be ludicrous to expect a Leader to do nothing in circumstances where a Cabinet member has acted inappropriately for fear of upsetting that Cabinet member and/or facing a Standards complaint. Whilst appreciating the Complainant's genuine feelings, she is a politician who has sought and held significant council office and therefore should have fully understood that by breaking collective political responsibility at a public Cabinet meeting she would swiftly face the consequences of her action in political life.

I would urge any complaint against you which represents a misuse of the Standards regime to be rejected, so that Council processes are not misused, or Council resources are not wasted.

Finally, I would like to say that Enfield should be proud of the fact that it has two young women as Leaders of the Council and Opposition - women who are liked and respected across London. This is a fact that Enfield should be promoting and celebrating. We have too few women Leaders in London politics and your presence representing your borough should be celebrated by your colleagues, and not undermined.

Please feel free to draw this letter and contents to the attention of anyone further considering this matter.

With best wishes,

Peter

Cllr Peter John
Leader of Southwark Council
Chair of London Councils