

# Statement

- COUNCILLOR DR SIMON HARWOOD

## STATEMENT OF COUNCILLOR DOCTOR SIMON M HARWOOD

1. I am Councillor Doctor Simon M Harwood. I am an elected member of North Hertfordshire District Council representing Hitchin Highbury ward since May 2014. I have over a decade of experience working in central government for the Foreign, Home, Cabinet Offices and Ministry of Defence. For the last ten years I have been a business development and strategy director for a global industry prime contractor. My experience is in procurement, sales and technical project management for large complex government acquisitions, with significant experience in European and global contract law and ethics.
2. I have known Councillor Leal-Bennett since 2009 and formally since his election in 2013 as a fellow councillor in the Hitchin Highbury ward. I am aware that Councillor Leal-Bennett is subject to a disciplinary hearing in regard to two complaints made against him; in that i) he is alleged to have breached the Council's Code of Conduct and ii) further alleged that he breached the Member / Officer Protocol of the Council. I present this statement as a record of my evidence.
3. I understand that it is alleged that Councillor Leal-Bennett:
  - a. Has not complied with Council policies which set out required conduct from members. Cllr Leal-Bennett, it is alleged to have:
    1. Failed to respect the roles, workplace and pressures of Officers;
    2. Acted in a way that has lacked respect;
    3. Has bullied officers or has sought to use his office to advance the position of HTHL;
    4. Has criticised individual Officers in public;
    5. Has failed to take into account advice from the Head of Paid Service and the Monitoring Officer.
    6. It is also alleged that Cllr Leal-Bennett has failed to follow the rules of the Council in relation to the Declaration of Interests.
  - b. The second complaint in respect of Cllr Leal-Bennett from Mrs Patricia Cowley:
    7. Mrs Cowley alleges that Cllr Leal-Bennett has breached the rules of conduct in the Council's Constitution; in particular:
    8. Not conducted himself in a manner which could reasonably be regarded as bringing himself or the authority into disrepute; and
    9. Follow relevant advice provided by the authority's Officers; in particular by the authority's Monitoring Officer/Chief Legal Officer.

4. With respects to all allegations; I have never witnessed Councillor Leal-Bennett present himself in such a manner as accused. Further I would question why there are two separate allegations, when both seem to accuse Councillor Leal-Bennett of the same misdemeanours merely at different times?
5. With respects to allegations 3a 1,2,3 and 3b 7 and 8, Councillor Leal-Bennetts style is one of a hard negotiating passionate Councillor, who is able to intake, divulge and understand large amounts of complex financial information. This confrontational style, built upon many years of financial trading experience should not be confused with bullying or a lack of respect; it is merely a forthright negotiating style.
6. It is also evident from further information I have been party-to that the monitoring officers original advice on declarations of interest to Councillor Leal-Bennett was categorically wrong and a large amount of the resentment built up between elected members, paid officers and Councillor Leal-Bennett has been perpetuated by this misplaced advice. I therefore find accusation 3a 5, 6 and 3b 9 to be worthless on these grounds.
7. With respect to the allegation 3a 4 of criticising individual officers in public I can find no published evidence of this, any written evidence presented to me as directly quoted by Cllr Leal-Bennett appears to represent an honest opinion of the matter in hand. I therefore find the accusation worthless.
8. From my involvement in meetings and aspects of business associated with the allegations, it appears to me that the paid officers do not 'like' their authority questioned, and the resentment and resulting complaints made (particularly 3a 1, 2, 3 and 3b 7 and 8) have come about because Councillor Leal-Bennett continually questions the officers advice / competence in dealing with the matters in hand, as is his right. I find that just because officers do not like their authority / competence to be questioned both privately and in public thus believing that this constitutes bullying, makes a mockery of democracy and the elected officials roles. The local council environment / ethics is not representative of the way in which todays industry and central government functions where difficult conversations can be held in a constructive manner, it is apparent that a culture of 'do not question' pervades North Hertfordshire District Council.
9. Finally I return to the main reason that much of the 'tension' has originated between the parties, i.e. the 'declaration of interest' in Hitchin Town Hall. I repeat for the sake of clarity, I believe the original advice from the NHDC monitoring officer to be grossly wrong, and that following advice from higher authorities Councillor Leal-Bennett was acting with the best of intentions to represent the voters of

Dated 29 December 2015

Hitchin Highbury on this important matter, and as such the then leader, associated officers and elected officials have themselves brought this council into disrespect by furthering and embellishing this embarrassing situation which has been built on unstable foundational accusations without seeking to understand if their own official had given correct information.

10. I can find no evidence to uphold the accusations against Councillor Leal-Bennett.



Cllr Dr Simon M Harwood

29<sup>th</sup> December 2015.