

## **Torbay Council Pre-Hearing Process Summary**

<b>Name of the subject member:</b>	Councillor Richard Haddock
<b>Name of the complainant:</b>	Councillor John Thomas
<b>Committee Members:</b>	Councillors James O'Dwyer, Mike Morey and Cindy Stocks
<b>Monitoring Officer:</b>	Anne-Marie Bond
<b>Investigating Officer/ Ethical Standards Officer (if appropriate):</b>	Amanda Barlow
<b>Clerk to the Hearing:</b>	Lisa Antrobus

### **Summary of the Complaint**

That during the course of the Council meeting on 3 February 2016 Councillor Haddock made allegations that were critical of officers, and suggested behaviour on the part of officers that was improper, unprofessional and not neutral, to an extent that the whole lawfulness of the amendment was being questioned.

That Councillor Haddock referred to a 'junior officer' in an interview with a reporter regarding the Radio 1 Big Weekend, which led to an article being published on the front page of the Herald Express on the 3 February 2016, leaving the impression that officers actions or inactions had cost the Bay an important event.

### **Relevant Section(s) of the Code of Conduct**

- Paragraph 5(h) – You must not conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute;

Relevant section of the Member and Officer Local Protocol

- Paragraph 9.1(f) – Not to be personally criticised in meetings of the Council, the Executive, or any Committee, or any other meeting at which members of the public or third parties are present, or in the media. If members are unhappy with an officer's performance they shall raise the issue in private with an appropriate Executive Head or Executive Director of Operations and Finance in the cases of posts at Executive Head level and above in accordance with paragraph 16 (Paragraph 16 of this protocol sets out 'when things go wrong').

**Findings of fact in the Investigation Report that are agreed**

As in the Investigating Officer's Report.

**Findings of Fact in the Investigation Report that are not agreed**

None.

**Date, time and location of the hearing**

11:00 a.m., Wednesday, 31 August 2016  
Meadfoot Room, Town Hall, Torquay

**Will the subject member attend or be represented?**

Subject member will attend and will not be represented.

**Will the Monitoring Officer be attending?**

Yes

**Names of any witnesses who will be asked to give evidence?**

None.

**Outline of the proposed procedure for the hearing**

The Sub-Committee will firstly receive a summary of the allegation and the key issues from the Monitoring Officer.

They will then have to agree the findings of fact (which are set out in investigator's report).

Then consider whether or not the subject member has failed to follow the Code of Conduct for Members.

Then, if they consider that he has not breached the Code, whether they should make any recommendations to the Council.

OR

If they consider that he has breached the Code, what if any, sanctions should be imposed and if they should make any recommendations to the Council with a view to promoting high standards of conduct among members.

The Investigating Officer and subject member will be given the opportunity to comment on each stage of the process and may ask questions through the Chair as no cross examination will be permitted. Members of the Sub-Committee may ask questions of any persons present at anytime during the meeting.

## **Appendices**

Appendix 1 Investigation Report

**Anne-Marie Bond, Monitoring Officer**  
**17 August 2016**