

Appendix 1: Complaint data

Table 1: Complaints previously reported to this Committee (at its [January 2024 meeting](#))

| Case No | Date | Status of complaint | If concluded, basis on which decision was taken | Complaint Topic | Additional notes |
|----------------|---------------|---|---|------------------------|---|
| V2023 | November 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | A | Complaint against member alleging failure to respond to concerns about a ward issue articulated via email and voicemail. |
| W2023 | November 2023 | Closed. | This complaint was not pursued when the complainant became unable to supply any evidence due to ill health. | D | Complaint about member's posts on social media re events in the global arena. |
| X2023 | November 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against two members by another elected member regarding conduct toward the complainant at Children, Families and Schools Committee and one of the member's comments on X, formerly known as Twitter, after the CFS meeting. |
| Y2023 | November 2023 | Determined by decision to take no action at preliminary | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | D | Complaint about member's retweets / posts on social media re events in the global arena. |

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| | | assessment stage. | | | |
| Z2023 | November 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against member's conduct towards other Councillors at the Culture, Heritage, Sport, Tourism & Economic Development Committee. |
| AA2023 | November 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint about a member's conduct at an online consultation session with a Council maintained school. |
| BB2023 | November 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complainant alleged that member had breached the Code of Conduct at meetings of the Council in the context of an item relating to alleged child safeguarding concerns. |
| CC2023 | December 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against two members alleging that they had breached the Code of Conduct at a meeting of Full Council in the context of an item relating to alleged child safeguarding concerns. |

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| DD2023 | December 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | A | Complaint against member alleging failure to respond directly to concerns about child safeguarding concerns in schools articulated via email. |
| EE2023 | December 2023 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | D | Complaint about member's comments on a Brighton and Hove news article regarding events in the global arena |
| FF2023 | December 2023 | Determined by decision to take no action at preliminary assessment stage. | Neither proportionate nor necessary in the public interest to merit referral of complaint for formal investigation. | A | Complaint against member alleging failure to respond to concerns about a ward issue articulated via email. |
| GG2023 | December 2023 | Determined by decision to take no action at preliminary assessment stage. | Neither proportionate nor necessary in the public interest to merit referral of complaint for formal investigation. | B | Complaint against member regarding their response in Committee to a written question concerning a section 106 agreement involving the Council. |
| A2024 | January 2024 | Determined by decision to take no further action. | Individual is no longer "a member", so there is no longer an "allegation" to be determined under the Council's process. As a result, the Council has had no | A | Complaint regarding information given by a member regarding their place of residence whilst campaigning for the May 2023 local elections. |

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| | | | option other than to determine the complaint without taking any action. | | |
| B2024 | January 2024 | Determined by decision to take no further action. | Individual is no longer “a member”, so there is no longer an “allegation” to be determined under the Council’s process. As a result, the Council has had no option other than to determine the complaint without taking any action. | A | Complaint alleged that member had engaged in conduct contrary to the Code by failing to act with integrity and honesty and / or failing to act lawfully by providing a false place of residence, plus also alleged failures to respond re ward issues via email. |
| C2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Investigation was neither proportionate nor necessary in the public interest to merit referral of complaint for formal investigation. | A | Complaint alleged that the member had been insufficiently responsive to the complainant’s requests for information about the Council’s services in the local area and about being asked to make an email appointment to see the member to discuss ward issues. |
| D2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Investigation was neither proportionate nor necessary in the public interest to merit referral of complaint for formal investigation. | A | Complaint against member alleging failure to respond to concerns about a ward issue articulated via email. |

Table 2: Complaints received in since January 2024

| Case No | Date | Status of complaint | If concluded, basis on which decision was taken | Complaint Topic | Additional notes |
|----------------|--------------|---|---|------------------------|--|
| E2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against member alleging that they had breached the Code of Conduct at a meeting of Children, Families & Schools Committee. |
| F2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against member alleging that they had breached the Code of Conduct at a meeting of Children, Families & Schools Committee. |
| G2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against member alleging that they had breached the Code of Conduct at a meeting of Children, Families & Schools Committee. |
| H2024 | January 2024 | Determined by decision to take no further action. | Individual is no longer “a member”, so there is no longer an “allegation” to be determined under the Council’s process. As a result, the Council has had no option other than to determine the complaint without taking any action. | A | Complaint alleged that the member had been insufficiently responsive to the complainant’s requests for information about the Council’s services. In addition, complaint against member’s comments on online news articles. |

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| I2024 | January 2024 | Remains at preliminary assessment stage, having been referred to the Independent Person for review. | N/A | B | Complaint by an elected member against another member alleging that they had breached the Code of Conduct at a Council meeting. |
| J2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against two members alleging that they had breached the Code of Conduct at a meeting of Children, Families & Schools Committee. |
| K2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Member on member complaint which alleges misconduct at a Council meeting, specifically around comments made by one member when allowed to speak as a third speaker for their group on a particular Notice of Motion. |
| L2024 | January 2024 | Determined by decision to take no action at preliminary assessment stage. | Insufficient evidence of conduct contrary to the Code identified to merit referral of complaint for formal investigation. | B | Complaint against member alleging that they had breached the Code of Conduct at a meeting of Children, Families & Schools Committee. |

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| M2024 | February 2024 | Ongoing- has been referred to IP for their view | N/A | A | Complaint against member alleging failure to respond to concerns about a Freedom of Information Request. |
| N2024 | February 2024 | Ongoing- has been referred to IP for their view | N/A | A | Complaint against member alleging misconduct at a Brighton & Hove City Council event and not responding to the constituent's email following the event. |
| O2024 | March 2024 | Ongoing- has been referred to IP for their view | N/A | B | Complaint against member alleging misconduct at a Brighton & Hove City Council event and not responding to the constituent's email following the event. |
| P2024 | March 2024 | Ongoing | N/A | C | Multi faceted complaint about a members conduct in their ward, including but not only complaints about handing of personal data |

Key to Complaint topics

| Code | Description of type of conduct complained about |
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| A | <i>Complaints about members' conduct in their wards, including when discharging their ward responsibilities or otherwise communicating with constituents or other stakeholders.</i> |
| B | <i>Complaints about comments or conduct either at council meetings, or at meetings at which members are representing BHCC</i> |
| C | <i>Complaints about conduct relating to council business or other members made outside council meetings, including on social media</i> |

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| D | <i>Complaints about a member's conduct or position on an issue which is not council business or a ward matter, including conduct or a statement reported in the press or made on social media</i> |
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