

Appendix 1: member complaints data

Table 1: Complaints previously reported to this Committee (at its [June 2023 meeting](#))

Case No	Date	Status of complaint	If concluded, basis on which decision was taken	Complaint Topic <i>*note see end of table 2 for key</i>	Additional notes
A/2022 E/2022 J/2022	January/ February 2022	A decision has now been made to determine this complaint against a former elected member by taking no action	See last column	D	<p>Each of these three different complaints against the same elected member were referred for formal investigation. In each case, the investigator made an indicative finding that one or more breaches had taken place. However while a decision was made by the Monitoring Officer to refer all three complaints to a specially convened Standards Panel for determination, a date before the local elections in May 2023 could not be found. The individual who was the subject of the complaints has now ceased to be a member of BHCC.</p> <p>Following consultation with one of the Council's Independent Persons, and having given all three complainants (as well as the former member) the opportunity to make representations, a decision was taken to take no action in these three complaints. The detailed reasons supplied made reference to the weight given in the decision-making process to the expectation that complaints will only be proceeded with where doing so is considered to be necessary in the public interest as well as proportionate. In this instance, it was <u>not</u> considered that investing the Council's limited resources in progressing these complaints against an individual who has</p>

					<p>ceased to be an elected member of this council was necessary in the public interest.</p> <p>All of the parties in each of these three complaints have been notified of the outcome and informed that this process is at an end.</p>
A/2023	Jan/ Feb 2023	Ongoing	Part of complaint remains at preliminary assessment stage pending receipt of requested information from another agency. The other aspects of the complaint against the member have now been determined by a decision to take no further action.	A	Complainant alleged that member had acted toward them in a way which exhibited prejudice and bias.
C/2023	Jan 2023	A decision was taken to refer complaint for formal investigation, which remains ongoing.	External investigator was appointed to carry out a detailed investigation. That will be reported to the Monitoring Officer and will be the subject of a further report to this Committee in due course.	A	Complainant alleged that member had engaged in conduct contrary to the Code which failed to meet appropriate standards of respect and courtesy.
J2023	May 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	Complainant alleged that the member had been unresponsive to the complainant's emails and questions about the Council's services in the local area.
K2023	May 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 a current elected member alleging that social media posts made in the course of their campaign for re-election breached the Code.

Table 2: Complaints received in since June 2023

Case No	Date	Status of complaint	If concluded, basis on which decision was taken	Complaint Topic	Additional notes
L2023	June 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	Complainant alleged that member had engaged in conduct contrary to the Code by failing to disclose interests on Register of Interests, and/or by using their position or influence improperly to the advantage or disadvantage of themselves or others.
M2023	June 2023	Complaint against former member was not pursued. Complaint against current member was determined by a 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	Complainant alleged that member (and former elected member: a complaint which was not proceeded with) had failed to disclose their and/or their spouse's interests on the Register of Interests.
O2023	July 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	Complainant alleged that the member had been insufficiently responsive to the complainant's requests for information about the Council's services in the local area.
P2023	July 2023	Determined by decision to take no action at	Insufficient evidence of	A	Complainant unhappy at being asked to complete a form in order to have their

		preliminary assessment stage.	conduct contrary to the Code identified to merit referral of complaint for formal investigation.		query dealt with, rather than it being acted on on the basis of a simple email.
Q2023	July 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	Complainant alleged that the member had been insufficiently responsive to the complainant's requests for information about the Council's services in the local area.
R2023	July 2023	Ongoing This complaint has been despatched to the Independent Person so that the Monitoring Officer may consult with them re next Steps.	N/A	B	Complainant alleged that the member breached the Code of Conduct at a Council meeting when responding to a public question submitted by the complainant.
S2023	September 2023	Ongoing This complaint was received in close to the Report deadline. It is being despatched to the Independent Person so that the Monitoring Officer may consult with them re next Steps.	N/A	A	Complaint against a current elected member alleging that a leaflet to the constituents in their ward breached the expectations of the Code.
T2023	September 2023	Ongoing This complaint was received in close to the Report deadline. Evidence of the complaint has been requested and it will	N/A	A	Complainant alleged that the member had been insufficiently responsive to the complainant's requests for information/ input about a local issue.

		shortly be despatched to the Independent Person so that the Monitoring Officer may consult with them re next Steps.			
U2023	September 2023	Ongoing This complaint was received in close to the Report deadline. It will shortly be despatched to the Independent Person so that the Monitoring Officer may consult with them re next Steps.	N/A	C	Complaint against two current elected members of the same ward alleging that they had both failed to respond to concerns about a ward issue articulated via email.

Key to Complaint topics

Code	Description of type of conduct complained about
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>
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>