

**Committee on Standards in Public Life**

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*Sent by email*

4 December 2020

**SUBMISSION TO THE 18 MONTH REVIEW OF THE INDEPENDENT COMPLAINTS AND GRIEVANCE SCHEME**

Dear Alison,

I write to you as Chair of the independent Committee on Standards in Public Life, which advises the Prime Minister on issues of ethics and propriety. For the past two years the Committee has held a close watching brief on measures implemented to tackle bullying and harassment in the Houses of Parliament. Since the news broke of the scale of the problem in late 2018, and the subsequent Cox, White, and Ellenbogen reports, the Committee has been meeting with key stakeholders in Parliament and following developments closely.

We welcome the opportunity to contribute to the 18 month review, which comes at a crucial point in the scheme's development. The Committee has recently finished a round of stakeholder engagement on this matter, on which our submission is based. Our conclusions reflect an overall picture where the ICGS is a significant improvement on past processes, but the scheme remains a work in progress, and is yet to gain the full confidence of all stakeholders. We are, however, pleased that there appears to be significant political support behind the scheme and the leadership of both Houses seems committed to ensuring its success.

The success of the ICGS must also be seen in the context of the various culture change programmes in both Houses, which are ongoing, and which will be essential to inculcate positive working practices. A successful complaints procedure alone will not be enough to transform Parliament into a place where all staff are treated fairly and equitably. The long term success of Parliament's attempts to combat bullying and harassment should not be measured exclusively through the successful operation of the ICGS. Rather, success will be determined by changes in the culture of Parliament so that bullying and harassment does not occur in the first place. Induction and training programmes that complement the ICGS are vital in this respect.

Our key conclusions on the operation of the scheme are as follows:

1. **The ICGS scheme is complex.** There are multiple moving parts across both Houses, including those running the hotlines, providing victim and respondent support, investigating complaints, and liaising with the House authorities. Policy and procedure is not uniform across both Houses and inequalities of process remain. Overall, the impression given was that the ICGS was created in a rush and that has led to a complex web of overlapping bureaucratic structures which have not yet settled into their final form, and ongoing work is needed to refine the finer points of its operation.
2. **Training is vital.** Stakeholders told us the Valuing Everyone training is key for engendering culture change across both Houses.
3. **Investigations take too long to complete.** There was a near-unanimous view amongst the stakeholders we spoke to that the length of time it takes to complete investigations is too long. The delays between a complaint being made and a sanction implemented can be a matter of months. This undermines confidence in the scheme, extends a period of distress for complainants and respondents, and disincentivises victims to come forwards.
4. **The scheme needs greater resources.** Those managing the scheme have dealt with considerable change in a short time and in a context of great complexity, and have done so with limited resources. The Director and her team have delivered significant outcomes and improvements, including those set out in the latest Annual Report. But the resources that are available may not be enough for what the scheme has evolved to require. The timeliness problem was linked to a lack of resources, and to changes in the various providers used in the ICGS service. The workload of the Commissioners for Standards in both Houses has also increased significantly as a result of the scheme.
5. **There are inequalities in access to the scheme.** Though the scheme largely treats complainants and respondents equally, there are areas where inequalities can arise. In particular, MPs and Peers can appeal against a finding of fact in an investigation, whereas staff cannot. Some stakeholders said, however, that achieving complete parity would be impossible given the variation in power and resources across both Houses.
6. **There are concerns over the legalisation of the ICGS process.** Stakeholders warned that respondents may be tempted to seek - and use - legal counsel when responding to the complaints process. This was both intimidating to the complainant and risked creating a significant imbalance of resources. Currently cross-examination of witnesses by legal representatives is prohibited.
7. **Support for complainants and respondents as they go through the scheme.** We would encourage the review to look at what support systems are available to members of staff who make a complaint. In particular, staff who are not members of a trade union may have less support than they need when they make a complaint. Stakeholders emphasised the courage of complainants, and that staff in both Houses do try to provide support, but there seems to be a lack of consistency is the support offered to users of the scheme.

We hope these conclusions are of use to the 18 month review. Please do not hesitate to contact me if you have any further questions.

Yours sincerely,



Lord Evans of Weardale KCB DL

Chair, Committee on Standards in Public Life