Dear Kathryn,

**Committee on Standards and ICGS appeals**

In view of the continuing uncertainty about whether the present Parliament will continue in being, I thought I would write to you on behalf of the Committee to put on record some recent decisions of the Committee (some of which you will already be aware of) in relation to its conduct of appeals under the Independent Complaints and Grievance Policy (ICGS).

As you know, in March the Committee published a report setting out how it proposed to conduct such appeals (the Committee’s Sixth Report of Session 2017-19, HC 1976). This made clear that the Committee has a responsibility imposed on it by the House to conduct appeals in relation to complaints against Members of the House under the ICGS. The Committee will discharge that responsibility to the best of its ability until and unless the House instructs it otherwise. The Committee’s policy on this matter is without prejudice, therefore, to any future decisions the House takes with regard to Dame Laura Cox’s recommendation that the process for determining complaints of bullying and harassment or sexual harassment against Members should be an entirely independent process in which Members will play no part.

On 14 May the Committee made the following formal decisions:

- **Resolved**, That a Sub-Committee on ICGS Matters be appointed to consider applications for Independent Complaints and Grievance Scheme (ICGS) appeals, to conduct such appeals, and to take decisions on redaction to protect the anonymity of the complainant, as well as on other responsibilities of the Committee relating to ICGS appeals, and those relating to ICGS cases escalated to the Committee by the Parliamentary Commissioner for Standards.

- **Ordered**, That Tammy Banks, Kate Green, Arun Midha, John Stevenson and Paul Thorogood, be members of the Sub-Committee.

- **Resolved**, That the Sub-Committee have power to choose its own Chair.

- **Resolved**, That the Committee will not in any circumstances challenge the decisions of the Sub-Committee but will agree without debate to any request by the Sub-Committee to approve its findings or to publish reports or evidence.”
In its March 2019 Report, the Committee stated that its proposed framework on ICGS appeals was interim, both because of uncertainty about how the Cox report would be implemented, and because “as the implementation of the ICGS is a developing process, it may not be possible to anticipate every question which the appeal process throws up”. We therefore undertook to keep the operation of the appeals framework under continuous review and make modifications to the framework as necessary. The Committee stated that “our intention is to resolve any unanticipated questions as to appeals procedure and process by reference to the principles of natural justice, fair treatment of both parties, and the need to protect potentially vulnerable people”.

At its meeting on 23 July the Committee agreed the following modifications to the framework:

- The ICGS Matters Sub-Committee will not routinely request a memorandum from the Parliamentary Commissioner for Standards in the initial phase of its consideration of an appeal application. Instead it will notify the Commissioner that an appeal has been received, and send the application documents to her. She will have a right to submit specific comments on these if she wishes to. If any such comments are received by the Committee, they will be shown to the applicant.

- When an ICGS appeal application is received by the Committee, the Committee Chair will contact the other four members of the sub-committee to determine their availability. A meeting will be set up involving attendance by five, four or three members (three being the quorum) in light of their availability. Members so appointed in respect of a particular case are expected to attend all meetings of the sub-committee related to that case. Only in exceptional circumstances should a member not attend a meeting to deal with that case. If, exceptionally, a member did not attend such a meeting, they should not attend subsequent meetings on the same case.

The Committee looks forward to continuing to work with you closely on these and other matters.

I am copying this letter to Mr Speaker, in his capacity as Chair of the House of Commons Commission, to the Leader and Shadow Leader of the House, and to the Clerk of the House in his capacity as head of the House of Commons Service; and we will be publishing this letter on the Committee’s website.

Yours ever,

KATE GREEN MP
CHAIR, COMMITTEE ON STANDARDS