

Mr David Natzler
Clerk of the House of Commons
House of Commons
London
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16 October 2018

Dear Mr Natzler

The Bullying and Harassment of House of Commons Staff: Independent Inquiry Report of Dame Laura Cox DBE

I write further to the publication of the above report.

You suggested at our meeting on 23 April that the Commission may wish to contribute to Dame Laura's inquiry which was to be announced later that day. The Commission took the opportunity to make submissions, as you will have noted from the report, and I now enclose a copy of those submissions for your information.

Having now read Dame Laura's inquiry report, we are very concerned about her findings. In particular that:

- Bullying and harassment is a significant problem, between MPs and House Staff and between members of House Staff;
- There are serious problems with sexist and racist behaviour towards staff in some areas of the House;
- There is a 'gender dimension' to complaints as outlined at section D3 of the report;
- There is a significant problem with sexual harassment, as outlined at section E of the report, with a small number of House Staff being known as serial predators;
- Staff felt ashamed and embarrassed to discuss their experiences;
- Responses to complaints were poor with frequent references to matters being 'swept under the carpet'; and
- Staff regard the prevailing culture in the House as the principal reason for the complete lack of support they are said to have been shown by senior management in relation to complaints of bullying and harassment made against MPs.

As stated in the inquiry report, we were not privy to any of the evidence before Dame Laura. Our submissions to the inquiry focussed on the existing and proposed policies and procedures for dealing with bullying and harassment. You will note from our submissions that we raised many of the defects raised by Dame Laura in relation to the Valuing Others Policy and the Revised Respect Policy. We agree that both policies should be abandoned as soon as possible, and members of House staff wishing to complain about bullying, harassment or sexual harassment should no longer be required to use them.

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We also agree, as outlined in our submissions, that the new Independent Complaints and Grievance Scheme has much to commend it. However, as Dame Laura says, it should be amended, so as to ensure that those House Staff with complaints involving historical allegations can access the new Scheme. As outlined in our submissions, contrary to the contention within the Delivery Report, we believe that Tom Linden QC's advice supports this position. Further, we are concerned that the arbitrary cut-off date of June 2017 may unjustifiably discriminate against older employees who are more likely to have a historical complaint, contrary to section 19 Equality Act 2010 (EA 2010).

You will be aware that the House, as a public authority exercising public functions (falling outside of those functions exempted under Schedule 18 EA 2010) is subject to the public sector equality duty (PSED) under section 149 EA 2010. Under section 149, public authorities are required to have due regard in the exercise of their public functions to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

As part of its role, the Commission has responsibility for monitoring compliance with section 149. The Commission has the power to conduct an assessment as to whether a public authority has complied with the PSED and to issue a compliance notice where it has not. We are concerned, given the findings in the independent inquiry report, that due regard may not have been given to the above matters to date. We would be grateful if you could now provide a detailed response as regards how you intend to deal with the issues laid out in Dame Laura's report in order to comply with the PSED in future.

If you wish to discuss anything in this letter in the meantime please contact Matthew Smith on 0161 829 8244.

Yours sincerely,



Elizabeth Prochaska

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