

Mr David Natzler
Clerk of the House of Commons
House of Commons
London
SW1A 0AA

19 March 2018

Dear Mr Natzler

Newsnight Report into Bullying and Harassment

I write concerning the allegations of bullying and harassment made by female staff members of the House of Commons Service against several male MPs, as covered in a Newsnight report on 8 March.

The Commission

The Equality and Human Rights Commission is Great Britain's independent national equality body and human rights institution mandated by Parliament to challenge discrimination. The Commission has a statutory responsibility to encourage equality and diversity, eliminate unlawful discrimination and protect and promote the human rights of everyone in Britain.

We do this, in part, by promoting awareness of equality legislation, by helping employers and service providers to understand their obligations under the Equality Act 2010 and by holding organisations such as businesses and government to account for what they do. The Commission has a range of regulatory powers to assist it in fulfilling its statutory duties. The Commission uses those powers in accordance with its Compliance and Enforcement Policy:

<http://portal.ehrc.local/WWD/Legal/Documents/compliance-and-enforcement-policy.pdf>

Following recent disclosures of sexual harassment in a wide range of workplaces, we published guidance for employers on the law and sexual harassment:

<https://www.equalityhumanrights.com/en/publication-download/sexual-harassment-and-law-guidance-employers>

We have since undertaken a report into people's experience of sexual harassment at work, employers' responses to it and recommendations for improvements to law, policy and employer practice. The report will be published on 22 March.

You will appreciate that as an employer, you have a duty to protect your staff against discrimination and harassment, whether that is by members of your staff or other persons within the House of Commons. I am concerned that the latest allegations, together with earlier allegations which led to the establishment of the Cross-Party Working Group on an Independent Complaints and Grievance

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Policy, suggest that there may be a culture of sexual harassment and sex discrimination within the House of Commons which has not been effectively tackled.

I appreciate that work is underway to make improvements in this area. I would like to ensure that the House of Commons seizes this opportunity to put appropriate procedures in place to deal with existing and future complaints of harassment or discrimination and to improve its culture to make Westminster a safer place to work in the future.

The Respect policy and proposals for reform

I understand there are procedures currently in place to deal with harassment and discrimination and House of Commons Service staff are able to raise a grievance under the Respect Policy, introduced in 2011 and amended in 2014. However, Newsnight reported that no grievances have been escalated to the formal stages of this policy since the current version was adopted in 2014, which would be surprising in light of the fact that female employees have made allegations of aggressive and threatening behaviour by male MPs. It has been alleged by those interviewed by Newsnight that their complaints have not been taken seriously.

The report of the Cross-Party Working Group (which predates the Newsnight report) notes that the Respect policy *“offers a basis on which an improved and expanded complaints and grievance policy can be built, to address inappropriate behaviours and bullying and harassment for all concerned. The Working Group acknowledges however that the Respect policy does not set out to address sexual harassment as a separate process.”*

The report of the Cross-Party Working Group also states that it is hoped that the new scheme arising from the recommendations within the report will apply to staff employed by the House of Commons. However, the report notes that *“consultation with the recognised trade unions would be needed to amend these policies and allow employees of both Houses to be covered by the Scheme. So these existing policies will remain in place for such staff during the development of the Parliament-wide policy and procedure, and the Scheme will not apply to these groups in the first instance.”*

The Leader of the House of Commons, Andrea Leadsom, responded to an urgent question on this issues on 12 March 2018. She stated that at a meeting on 19 March, she will be recommending a short, independently led inquiry by the House Commission looking into allegations of systemic bullying of parliamentary staff. Ms Leadsom has proposed that the inquiry should take soundings from current and former House staff on whether the Respect policy is fit for purpose and whether House staff would be better served by having access to the new independent complaints and grievance policy from day one.

You stated in a letter to all staff of the same date that you recognise that you must consider again how policies and procedures can be improved. You acknowledged, as an example, that complaints of sexual harassment demand a separate process. Whilst informal reporting of complaints has been cast in a positive light in your letter, it also implicitly accepts that no complaints have been escalated beyond the informal stages. You stated that in consultation with staff, the TUS and Members, you will revisit and renew the Respect policy.

Proposed meeting

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In light of the Commission's statutory duties and our current work in this area, I would like to meet with you to discuss the scale and nature of the problem, how the House of Commons should address it, and the most appropriate way in which the Commission can seek to ensure that the House of Commons addresses the problem effectively. In particular, I would like to discuss the following issues:

- The number and nature of complaints of sexual harassment, other forms of harassment and bullying alleged to amount to discrimination received since the Respect Policy was introduced;
- To what extent any such complaints have been dealt with by the Respect policy, including whether it is correct that serious complaints have not been escalated to the formal stage and if not, why not;
- How the Respect policy can be improved in relation to sexual harassment, other forms of harassment and discrimination in particular;
- What measures you could adopt outside of the Respect policy, to afford staff greater protection against harassment and discrimination and to ensure that where incidents occur, staff feel able to use the Respect policy to report them;
- What stage you are at in your consultations with the TUS and members regarding amendments to the Respect Policy;
- Whether it is appropriate to continue to use the Respect policy rather than adopt the new independent complaints and grievance policy that will apply across Parliament;
- The Commission's statutory duties and powers;
- The Commission's recent work on sexual harassment including our sexual harassment guidance and our forthcoming report on sexual harassment in the workplace; and
- Whether the Commission, as an expert on these issues, should provide further support to the House of Commons Executive Board in making improvements.

I would be grateful if you could e-mail Matthew Smith, one of our principal lawyers, at matthew.smith@equalityhumanrights.com with your availability for the weeks commencing 16 and 23 April. Matthew will arrange a meeting accordingly.

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

Yours sincerely,



Rebecca Hilsenrath

Chief Executive

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