



Independent  
Complaints  
and Grievance  
Scheme

# Bullying and Harassment Procedure for UK Parliament

[parliament.uk](https://parliament.uk)

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## 1. Introduction

1.1 This is an outline of how complaints of bullying or harassment are dealt with under the ICGS Bullying and Harassment policy. You can use it to find out:

- How to make a complaint about bullying or harassment;
- What to do if someone has made a complaint of bullying or harassment about you;
- How complaints of bullying and harassment are managed;
- What might happen as a result of a complaint being made under this procedure;
- Sources of support if you have a complaint or if someone has made a complaint about you.

1.2 This outline should be read together with the guides produced by the ICGS team on procedures for making a complaint under the Bullying and Harassment Policy, which give further details of the processes and time scales.

## 2. Reporting an allegation of bullying or harassment

What should I do if I believe I am being harassed or bullied by someone working for or with Parliament?

2.1 In the first instance, you will need to consider whether what you have experienced may amount to bullying or harassment (see section 2 of the Bullying and Harassment Policy, which sets out the definitions used).

2.2 If you think you may have been bullied or harassed, you may contact the ICGS helpline for information and advice. The Helpline also provides a safe space for you to discuss your experiences, which may help you understand whether you have been bullied or harassed. The Helpline can provide

information about sources of advice and support for you, both within the Parliamentary Community and externally.

2.3 When you contact the Helpline, you may either speak anonymously or provide personal information such as your name, role and contact details.

2.4 When you contact the Helpline, you can choose what to do next.

- **Make a report, or seek information and advice only:** You may not want to take the matter any further. If you do not want to make a formal complaint or take any informal action in response to the incident, but later change your mind and decide to make a formal complaint, you may do so. You may find it helpful to create a brief written record of your experiences if you do not already have one.
- **Informal resolution outside this procedure:** You may want to try and resolve the matter informally yourself, or with appropriate support (e.g. from your line manager), without making a formal complaint. .
- **Make a formal complaint:** In some circumstances, it is not possible or appropriate to seek informal resolution (or an attempt at informal resolution may have been made and proved unsuccessful), so at any stage after making a report to the helpline, you can make a formal complaint through the ICGS helpline (see section 4 of this outline). A formal complaint cannot be made anonymously

2.5 The decision whether to progress to a formal complaint under this procedure is wholly up to you. In exceptional circumstances, if a report involves risks or safeguarding issues which could not be mitigated in any other way, the Helpline may refer the report to other services without your express permission, in the interests of protecting you and other members of the Parliamentary Community.

2.6 An investigator may escalate a case to the ICGS team if they believe that your complaint of bullying and harassment includes behaviour that might amount to a serious criminal offence.

2.7 In that case, the team may share information with the police under a protocol that is designed to make sure that the ICGS investigation does not inadvertently prejudice a criminal investigation. The police will be responsible for deciding whether they need to investigate the matter further, and this may include asking for identifying information. Decision-makers may also have information sharing requirements under their own policies.

2.8 If you decide to make a formal complaint, you may withdraw the complaint and/or seek informal resolution at any stage before the investigation is complete and the draft formal assessment report has been issued for a factual accuracy check.

[What should I do if I believe I have been bullied or harassed by a visitor to the Parliamentary Estate?](#)

2.9 To manage the incident at the time you can contact the Parliamentary Control Room on 020 7219 3333, who will take any necessary action. You can also report the incident to the ICGS helpline and pursue a complaint through the ICGS team.

[What should I do if I'm not sure whether to report an incident to the ICGS helpline?](#)

2.10 The table below provides guidance to help you decide whether and how to report an incident.

I'm not sure whether what I've experienced constitutes bullying or harassment	I don't know whether to report what I have experienced as sexual harassment	I believe what I have experienced may constitute a criminal offence
<p>Call the ICGS helpline who can provide information about where you can get further advice and support to discuss your circumstances and help you decide. The definitions of bullying and harassment in section 2 of the Bullying and Harassment Policy may assist.</p>	<p>If you have experienced sexual harassment in addition to other bullying or harassing behaviour, you may choose to report this using this procedure or the sexual misconduct procedure (but not both). The Sexual Misconduct procedure includes access to specialist advice, and so may be more appropriate where the behaviour you have experienced is exclusively or substantially sexual, or where this is the behaviour that concerns you most. A complaint under this procedure can be transferred to the sexual misconduct procedure (with your consent) if you decide that is more appropriate.</p>	<p>The police are best placed to deal with any concerns about alleged criminal offences, although this does not prevent you from making a complaint under the ICGS. You can contact the ICGS helpline, who can provide information about sources of advice and support within the Parliamentary Community and externally, whether or not you want to report the matter to the police. If appropriate, you should also tell your manager so that they can provide any support you may need at work.</p>

2.11 If you are worried about making a report to the Helpline or do not feel able to do this yourself, you can make arrangements to do so with support. For example, a Trade Union representative or Members' Staff representative could be with you when you contact the Helpline.

### 3. Responding to a complaint of bullying or harassment

I have been advised that a complaint has been made against me—what should I do?

- 3.1 You could find out that someone has concerns about bullying or harassment at different times, including if they approach you to discuss the matter informally or if they make a formal complaint about you (see sections 4 and 5 of this outline). You can contact the ICGS helpline to find out about support that is available for you, whether or not a formal complaint has been made.
- 3.2 If the person approaches you informally to try and resolve the matter, this can be a good opportunity to repair and maintain your working relationship. You may be able to understand more about the incident(s) they are concerned about, as well as giving you an opportunity to explain things from your perspective, and discuss how you can work effectively together in future. Further advice is available on informal resolution from the ICGS helpline, or from your HR service if one is available to you.
- 3.3 If a formal complaint has been made to the ICGS team, the Independent Investigator will help ensure that you are aware of how the complaint will be managed and the sources of support that you can access.
- 3.4 If someone makes a formal complaint about you, you will be told the details of the complaint being investigated and have the opportunity to respond. If both you and the complainant agree, a formal complaint can also be resolved informally, with or without external support (and the Independent Investigator can have oversight of that process).
- 3.5 You may find it useful to compile your own record of any incident(s) relating to a complaint or any future incident(s) that arise whilst a complaint is being assessed, including a description of what has happened, where and when it took place, any witnesses and relevant documentation (e.g. emails, letters, social media posts).

## 4. Stage 1: Making a complaint

What is the first step in making a formal complaint of bullying or harassment?

- 4.1 Making a formal complaint of bullying or harassment can be done by contacting the ICGS helpline.
- 4.2 A formal complaint can be made in writing by the complainant using the Bullying and Harassment Complaint Form. The ICGS helpline may also complete a form on behalf of the complainant over the phone. The helpline will, with the complainant's consent, forward the complaint to the ICGS team to appoint an Independent Investigator, who will contact the complainant.
- 4.3 The Independent Investigator will first make an initial assessment of the complaint to determine whether the allegation should progress to a formal assessment. To do this, they will check that the complaint meets the conditions for being reported under the ICGS Bullying and Harassment Policy (e.g. that the complaint is made by and against people who are covered by the policy). They will also examine the wider context of the complaint to ensure this is the right policy to use; and whether the alleged behaviour reaches the threshold for constituting bullying or harassment. Finally, they will consider whether the complaint has been or is being considered in a different forum (e.g. in a workplace disciplinary process or an employment tribunal). Complaints that, in the Independent Investigator's opinion, have already been fully and fairly examined in another forum, or which are in the process of being considered in another forum, may not also be considered under the ICGS. In some cases, this initial assessment stage will need to include contacting the respondent or the decision-making body for either the complainant or the respondent.

4.4 The outcome of the initial assessment could be as follows:

Proceed to formal assessment	No formal assessment	
<b>The complaint can be made under this policy and the incident(s) warrant further investigation (i.e. they may constitute bullying or harassment)</b>	<b>The conduct complained of would not constitute bullying or harassment</b>	<b>The complaint cannot be made using this policy because it does not meet the relevant conditions, or it has already been fully examined (e.g. in the employment tribunal)</b>
The complainant and the decision-making body for the respondent will be notified. The decision-making body may choose to inform the respondent themselves (e.g. to ensure they are supported at the time) or ask the Independent Investigator to inform the respondent.	The complainant and, if the respondent is aware of the case, the decision-making body for the respondent will be notified. The Independent Investigator may still offer support for an informal resolution, to support a positive future working relationship.	The complainant and, if the respondent is aware of the case, the decision-making body for the respondent will be notified. The Independent Investigator may still offer support for an informal resolution, to support a positive future working relationship.

4.5 Where an initial assessment has found that the allegation should progress to a formal assessment, the decision-making body for the complainant should consider any management actions that may be appropriate as the complaint is managed either through brokered resolution or formal assessment (e.g. temporary changes to working hours or responsibilities).

### What happens next?

4.6 If the initial assessment has found that the allegation should progress to a formal assessment, there are two possible outcomes:

- Informal resolution brokered by the Independent Investigator (with or without the support of an external mediator);

- Formal assessment of the complaint by the Independent Investigator.

4.7 In the case of complaints made against an MP, the Parliamentary Commissioner for Standards will have been notified of the complaint as soon as it is passed to an investigator. She has oversight of the investigation under the Standing Orders of the House of Commons from the receipt of the initial assessment until delivery of the final report, and of any proposed informal resolution.

4.8 Usually, the Independent Investigator will explore the possibility of informal resolution, which requires the agreement of both parties, unless the circumstances make this inappropriate. Even if informal resolution has been attempted previously, a brokered approach at this stage can be effective in resolving the problem.

4.9 The complainant also has the option to withdraw their complaint or to take no further action after the initial assessment (but see paragraph 2.8 above).

#### What is involved in informal resolution at this stage?

4.10 The Independent Investigator will advise both parties about options for informal resolution and the support they can provide (e.g. arranging a meeting with both parties to discuss the matter). The options for brokered informal resolution include (but are not limited to):

- A facilitated phone call or meeting between the complainant and respondent;
- Communication in writing from the complainant;
- Another appropriate individual (e.g. line manager) supporting communication between both parties.

4.11 The outcomes from brokered informal resolution could include (but are not limited to):

- An apology or acknowledgement of behaviour from the respondent;
- An agreed behaviour contract for working together in future;

- Training for the respondent to increase awareness; or for a particular team/area to enable cultural change or increased awareness;
- Agreement to external mediation.

4.12 Mediation is a voluntary and confidential form of resolving workplace disputes between people, in which a trained, impartial mediator from outside Parliament meets with those involved (both separately and jointly) to understand the issues and assist both parties in finding options for resolving their difference or dispute.

4.13 Since mediation is most likely to be successful if certain conditions are met and is not suitable in all cases, the Independent Investigator will discuss with both parties whether the following conditions apply:

- Whether both parties agree to mediation;
- Whether the problem is appropriate for mediation (in some cases mediation may not be appropriate due to the nature of the issue or the power dynamics in the relationship);
- Whether there is commitment on both sides to seeking resolution.

If these conditions are met at the pre-mediation stage, the Independent Investigator will make arrangements for independent mediation.

4.14 At any stage during informal resolution, the complainant can choose to move to formal assessment. However, if the complainant is satisfied with the outcome of the informal resolution or mediation, there is no need to do anything further.

4.15 If a complaint is resolved via brokered informal resolution, there would be no assessment made in relation to the respondent (i.e. whether the complaint constituted bullying or harassment), since no formal assessment would be made as part of informal resolution activities.

## 5. Stage 2: Formal assessment of complaints

5.1 There may be circumstances in which informal resolution to a complaint is either inappropriate (for example, if the nature of the complaint is particularly serious), unwanted by either or both the complainant and respondent, or in which informal resolution or mediation are unsuccessful. In these cases, following an initial assessment that concludes that the allegation merits further investigation, the complainant can request a formal assessment of the complaint, which will be undertaken by the Independent Investigator.

### What happens during a formal assessment?

5.2 The Independent Investigator will gather further evidence about the complaint from the complainant, the respondent and any witnesses. This will usually involve holding detailed evidence gathering meetings with those involved and/or requesting written evidence.

5.3 The report will make an assessment, the outcomes of which may be:

Recommendation to uphold the complaint	Recommendation not to uphold the complaint	
The investigator finds facts which he or she assesses as supporting the allegation of bullying or harassment	The investigator's assessment is that the evidence does not support the allegation of bullying or harassment	The complaint is potentially malicious, vexatious or deliberately false
The complainant and the decision-making body for the respondent will be notified. Further action may be taken by the decision-making body for the respondent.	The complainant and the decision-making body for the respondent will be notified.	The parties and their respective decision-making bodies will be notified. Further action may be taken by the decision-making body for the complainant.

5.4 The standard of proof for a formal assessment will be on the balance of probabilities (i.e. that the incident complained of is more likely than not to have occurred). In cases where there is limited evidence available, the Independent Investigator will comment on this and the role it has played in their assessment.

## **6. Stage 3: Decision and action**

6.1 Once the Independent Investigator has completed the formal assessment, the decision-making body for the respondent will be sent the report. If there has been an assessment of bullying and harassment by the investigator, the decision-maker will use their own policies and procedures to deal with the matter, including conducting any additional investigations and imposing sanctions, where appropriate.

6.2 Potential sanctions will be dependent on the relevant decision-making body.

6.3 If the following aggravating factors are uncovered in the course of any fact finding or investigation, they will be reported in the formal assessment and may affect the sanctions imposed by the decision-making body:

- The increased impact that bullying or harassment on a person targeted because of a particular protected characteristic (or perceived characteristic) under the Equality Act 2010;
- Retaliation or victimisation as a result of the complaint;
- Breaches of the confidentiality of the complaint by the respondent;
- Failure to comply with measures previously agreed by informal resolution or imposed by an earlier ICGS report;
- Refusal to engage with the investigation;
- Additional breaches of the Behaviour Code.

6.4 There may be times when it is not appropriate for complainants to know full details of any sanctions imposed (e.g. via disciplinary proceedings).

Complainants will always be made aware of and consulted about any sanction, or the publication of any report, that involves the public identification of either themselves and/or the respondent, and their views will be fully taken into consideration.

6.5 If a complaint has been found to be malicious, vexatious or deliberately false, the decision-making body for the complainant will be notified. They will use their own policies and procedures to deal with the matter, including conducting any additional investigations and imposing any sanctions.

## 7. Reviews

### What if I don't agree with the outcome of an initial assessment?

7.1 If an initial assessment finds the allegation should not progress to a formal assessment the complainant can ask the ICGS team for a review of the outcome. If the ICGS team agree that a review is appropriate, it will be conducted by an investigator who has had no previous involvement in the case. A review may be requested only once, and must be requested within 14 days of receipt of the initial assessment.

7.2 For complaints against an MP, in addition to any review requested by the complainant a review of an initial assessment will be carried out by the Parliamentary Commissioner for Standards. If a review finds that the decision on the initial assessment was flawed, the case will generally be re-assessed by a different Independent Investigator.

### What if I don't agree with a draft formal assessment?

7.3 The independent investigator must send the draft assessment to the parties for a factual accuracy check, in accordance with paragraph 7 of the Sexual Misconduct policy.

## 8. Arrangements for initial and formal assessment meetings

8.1 This section of the procedure contains information for complainants, respondents and witnesses. Further information is available from the ICGS.

### Notification of meetings

8.2 If you are a complainant, respondent or a witness involved in an assessment, you may be invited to meeting(s) with the Independent Investigator.

### The right to be accompanied

8.3 If you are a complainant or respondent, you can be accompanied in any meetings under this procedure by a colleague from the Parliamentary Community, an interpreter or trade union representative. Further information about what a person accompanying you can or cannot do is available from the ICGS team.

8.4 If you are interviewed as a witness, you would not usually be accompanied in the meeting. However, the Independent Investigator may, at their discretion, permit you to have a companion if appropriate to the circumstances (e.g. if you have difficulty understanding written or spoken English or have particular needs as a result of a disability).

## Attendance

8.5 If you are a complainant or respondent, you must take all reasonable steps to attend any meetings with the Independent Investigator. Failure to do so without good reason will be taken seriously and recorded in the assessment report. In the event of continuing failure of the complainant to attend, the Independent Investigator will treat the complaint as withdrawn. If the respondent persistently fails to attend, the Investigator may complete the report on the basis of the evidence available and without hearing the respondent's evidence.

## Confidentiality

8.6 Complaints under this policy will be treated confidentially and will only be discussed with those who are involved in resolving it by the ICGS helpline, the independent investigator, ICGS team and decision-making bodies. If you are involved in a complaint as a complainant, a respondent or a witness you should also treat the matter as strictly confidential (subject to paragraph 10.2). Likewise, if you are involved in informal resolution outside this procedure in any capacity (e.g. as a line manager or HR adviser), you should maintain confidentiality, as appropriate. Note that in exceptional circumstances information may be disclosed in order to safeguard the welfare of another person (who could be the complainant, the respondent or a witness).

8.7 Formal complaints cannot be raised anonymously since this would not allow the respondent to understand the complaint against them or for the complaint to be resolved or investigated fully. This will always be discussed with you before progressing with the complaint. You may make anonymous reports to the ICGS helpline.

8.8 During the course of initial and formal assessments, relevant extracts of statements or minutes from meetings with the complainant, respondent and

witnesses may, if the investigator thinks fit, be made available to both the complainant and respondent to ensure that all parties involved can understand and respond to relevant evidence provided by others. Copies of relevant documentation (e.g. email or other correspondence, social media posts) may also be provided.

## Records

8.9 If you are a complainant, respondent or witness, you will be provided with a copy of the notes from any meeting you attend under this procedure. You will be given the opportunity to review the notes and ensure they are an accurate record. If you dispute any aspect of the notes, a record of this will be kept.

## 9. Timescales

9.1 The intention is always that complaints made under this procedure are dealt with promptly. However, complaints of bullying or harassment can vary in complexity and circumstance, so some complaints may take longer to resolve than others. Details of the standard timescales are annexed to this procedure, and further information is available from the ICGS team.

## 10. Support for those involved in complaints of harassment or bullying

10.1 The ICGS helpline can provide information about sources of support for complainants and respondents, both within the Parliamentary Community and externally.

10.2 Whether you are a complainant or respondent, we encourage you to let your manager, HR service, party whips or other relevant people (e.g. your trade union representative) know that you are involved in a complaint of

bullying and harassment under this procedure. They will be able to discuss any actions that could be available to support you both during and after an investigation (e.g. temporary changes to working practices, hours, accompaniment during working hours).

## 11. Sanctions

11.1 Sanctions are a matter for the appropriate decision-making body.

11.2 Where a person has ceased to be a member of the Parliamentary Community, the decision-making body will be the body which would have been the decision-making body for that person immediately before the person's departure. However, the range of sanctions available will be much reduced, and in some cases no sanction will be available.

## 12. Tools and resources

The following tools and resources are also available

- Guidance from the ICGS team on the procedure;
- Flowcharts showing the procedure for the complainant and respondent;
- Table outlining usual time periods for assessment of formal complaints;
- Template form for making a formal complaint.

## Annex: standard timescales

Stage of procedure	Responsibility	Timescale
Acknowledgement of complaint	Independent Investigator	Within 5 calendar days of the complainant's request
Notice of meetings with the Independent Investigator	Independent Investigator	A minimum of 5 calendar days before the meeting
Provision of draft minutes from meetings	Independent Investigator	Within 5 calendar days of the meeting
Agreement of minutes of investigation meetings	Complainant, respondent or witness	Within 7 calendar days of receiving the minutes
Comments on formal assessment (see para 7.3 above)	Complainant and respondent	Within 14 calendar days of receipt of the draft report
Response to comments	Independent Investigator (and/or the Parliamentary Commissioner)	Within 14 calendar days of receipt of comments from the parties.