

The Independent Complaints and Grievance Scheme (ICGS): a guide for witnesses

This guide is to provide information on what to expect if you have been approached to be a witness in an ICGS investigation. The ICGS is Parliament's independent mechanism for handling complaints of bullying, harassment, or sexual misconduct.

What is a witness?

A witness is a person who can provide evidence in an ICGS investigation. That evidence may help determine the outcome of a complaint.

By supporting investigations, witnesses are contributing to the progression of an ICGS investigation and in turn, positively contributing towards culture change in Parliament. However, the role of a witness is voluntary, and you are under no obligation to agree to be a witness.

Being a witness

An individual who is involved in an ongoing complaint will identify you as a potential witness, and they will provide your name to the person investigating the complaint. This will either be an independent ICGS investigator or, for cases involving Members of the House of Lords and their staff, the Lords Commissioners for Standards.

Complaints about Members of the House of Lords and their staff are investigated by the Lords Commissioners for Standards (LCS) and their team, who may be assisted by an ICGS investigator. More information about the process followed in these cases can be found in the [House of Lords Code of Conduct](#) and specific information on the role of witnesses at paragraph 163 of the Code.

The individual who has identified you could be:

- the complainant (the person making the complaint)
- the respondent (the person being complained about)
- another witness

You could also be identified as a witness if your name appears on physical evidence such as email or WhatsApp messages.

Once you have been identified as a witness, you can expect the following:

- You will be contacted by an investigator or member of the LCS team. They will introduce themselves and ask if you want to be a witness. The contact usually happens over email but may be by phone. ICGS investigators are independent of Parliament and so use their own e-mail addresses. In their introduction, they will share contact details of the ICGS team. If you are uncertain about their credentials, contact the ICGS team who can confirm, our contact details can be found on the email from the investigator.
- If you agree to being a witness, you must keep all information relating to the investigation confidential. For cases investigated by an ICGS independent

investigator, you will be asked to sign a confidentiality statement. Please read this carefully.

Your evidence

The investigator may need to interview you, and they will arrange a time for you to meet.

During the interview, the investigator may:

- Ask you questions, including asking you to give an account of any incidents you may have witnessed. They may also request evidence, which can include e-mails, text messages etc.
- Record the interview. Recordings are used by investigators after interviews to help them type up notes, as a record of your discussion. After the meeting notes are created and the investigator will delete the recording.
- After the interview, the investigator will send you a copy of their notes to review for accuracy. For cases investigated by an independent ICGS investigator, you have five working days to request any corrections to these notes. The notes are used as evidence.

You can decline to be interviewed, but still provide evidence. Please speak to the investigator, the LCS team or ICGS team if you choose to do so.

The investigator might also not need to interview you, if they only require certain types of evidence (usually documents or written communications). If this is the case, they will let you know what they are looking for, and how to send it to them.

Complainants and respondents may see your evidence. For this reason, you cannot be anonymous.

Any evidence you share with the investigator may also be shared with the complainant, the respondent, and the Decision-Making Body (DMB) for the respondent. The DMB will usually be the employer of the respondent. In the case where the respondent is an MP, the DMB is the Parliamentary Commissioner for Standards. In the case where the respondent is a Member of the House of Lords or their staff, the DMB is the Lords Commissioners for Standards.

After providing evidence, you will not usually be contacted again by the investigator.

Outcomes

The outcome of an ICGS investigation is confidential to the complainant and the respondent. You will not be informed of how a complaint progresses or any outcomes.

The only time you may find out the outcome of an investigation is where the respondent is an MP or a Member of the House of Lords. The Independent Expert Panel (IEP) or the Lords Commissioners for Standards might publish a report. These reports are public and are sometimes referred to in the press. In published reports, the evidence you provide may be referred to, although steps will be taken to ensure that you remain anonymous.

Confidentiality

Divulging the details of an ongoing investigation can pose a risk to the wellbeing of those involved, before a fair and thorough investigation has taken place. You cannot discuss the investigation, or your interview with the investigator, with anyone other than the investigator

or a member of the LCS or ICGS team. It is particularly important you do not discuss the investigation with the complainant, the respondent, or any other witnesses in this case.

You may question why you have been contacted without first being informed by the individual who named you as a witness. This is because all complainants, respondents and witnesses are required to sign a confidentiality statement, and therefore cannot discuss the case with you. Collaboration between witnesses and either the complainant or respondent interferes with a fair and thorough investigation and may be taken into account by the investigator in their final report or the Decision-Making Body when deciding their sanction.

Support

We recognise that you may feel apprehensive about being a witness. The [ICGS Hub](#) and Parliamentary Website has a range of support services which are available to you.

The ICGS also have a dedicated Casework and Inclusion Officer to provide support by answering any questions you have, explaining the process and signposting you to support services. You can contact Lucy Brighty at brightyl@parliament.uk.

Victimisation

Victimisation occurs when someone is treated unfavourably by parties to the investigation because of their involvement. If victimisation is identified during an investigation, it will be taken seriously and may be an aggravating factor if the case is upheld. Please contact the LCS or ICGS Team if you have any concerns.

Accessibility

The ICGS is committed to ensuring it is accessible to all and that no person is disadvantaged on the grounds of their protected characteristics, flexible working, caring responsibility, or whether colleagues work virtually or on the Parliamentary Estate. We have options in place to ensure that our investigators are flexible and can respond to any adjustments requested by you, or anyone else involved in the investigation.

If you do have any requirements or requests, please do not hesitate to contact the independent investigator, the LCS or ICGS team.

ICGS Commonly Used Terms

We have created an aid to provide an explanation for words and terms we frequently use, in the link below.

[Commonly used ICGS terms \(sharepoint.com\)](#)