

# ICGS - Frequently asked questions (FAQs)

The ICGS policies and procedures are definitive. The FAQs listed below are intended to summarise some of the key issues covered in those documents.

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## Who does the ICGS apply to and who can use it?

The ICGS applies to acts of bullying or harassment or sexual misconduct by and against any member of the parliamentary community on the parliamentary estate or elsewhere in connection with their parliamentary activities. "The parliamentary community" means people who work for or with Parliament. It includes for example; staff of the House of Commons and House of Lords, Parliamentary Digital Services, Members of both Houses, their staff, and certain contractors. Visitors to Parliament can also make a complaint using the ICGS about the conduct of members of the Parliamentary community during that visit.

## What is bullying?

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour involving an abuse or misuse of power that can make a person feel vulnerable, upset, undermined, humiliated, denigrated or threatened. Power does not always mean being in a position of authority and can include both personal strength and the power to coerce through fear or intimidation.

## What is harassment?

Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

## What is sexual misconduct, and how does it link to sexual harassment?

Sexual misconduct describes a range of behaviours including sexual assault, sexual harassment, stalking, voyeurism and any other conduct of a sexual nature that is non-consensual or has the purpose or effect of threatening, intimidating, undermining, humiliating or coercing a person.

Further descriptions of Bullying, Harassment and Sexual Misconduct can be found in:

- [The Bullying and Harassment Policy](#)
- [The Sexual Misconduct Policy](#)

if you're unsure if the behaviour you are experiencing is Bullying, Harassment or Sexual Misconduct, we always recommend contacting the ICGS Helpline for support.

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## The ICGS Helpline

### **Can I use the helpline to make a complaint?**

You can call the helpline for advice, support, or to make a formal complaint. When you contact the helpline, an independent advisor can support you, guiding you through your available options, including making a formal complaint. We know that talking on the phone is not always easy or convenient – if you prefer, you can contact the helpline via email instead.

ICGS helpline telephone number: **0808 168 9281**

Text relay: **18001 0808 168 9281**

Email us at **support@ICGShelpline.org.uk**

ICGS Helpline opening hours are **9am – 6pm, Monday to Friday**.

You can remain anonymous when making contact, unless you decide to make a complaint. If you are unable to contact us during our normal opening hours, someone from the helpline can arrange to speak to you in the evening by prior arrangement.

### **Can I talk to the helpline to get some initial advice?**

Yes. There is no obligation to start a formal complaint. The helpline provides information and support to help you to make your own decision.

### **Can I use the helpline if someone has complained about me?**

It can be difficult to be the person who is complained about and it is important that you know that you have access to support and advice. The helpline is available to anyone involved in an ICGS complaint. You can call the helpline from 9am to 6pm Monday to Friday.

### **Can I use the helpline as a witness?**

Yes, if you are asked to be a witness, you can call the helpline for advice. The helpline is open to anyone who wants information about the ICGS.

### **Can I speak to the Helpline anonymously?**

You do not have to give your name when contacting the helpline. It is completely up to you what information you would like to share. Formal complaints for investigation cannot be made anonymously, but it is your decision whether or not you want to make a formal complaint. Our expert advisors are trained and experienced to support you if your complaint covers sexual misconduct.

### **How do I know the helpline is independent?**

The Independent Complaints and Grievance Scheme (ICGS) Helpline is delivered by [Victim Support](#), an independent charity who provide specialist support services to those affected by crime and traumatic events. All advice will be independent and politically impartial.

### **Will you inform line managers or HR if I make a complaint?**

No. Neither the ICGS team nor the person in the decision-making body (DMB) role will inform a Complainant's line manager or HR department of the complaint, unless the line manager or someone in HR is either the respondent or DMB. If you want support and advice from your line manager, you can talk with them in confidence about your complaint.

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## **I want to make a Complaint (Complainant)**

### **Can I complain about a Member of the House of Lords if I work in the House of Commons? (or vice versa)**

Yes.

### **Can I complain if I work in an MP's Westminster office?**

Yes, if your complaint is about another member of the Parliamentary community.

### **Can I complain if I work in an MP's constituency office?**

Yes, if you work for or with Parliament and the complaint is about another member of the Parliamentary community.

### **Can I make a complaint if I work in the headquarters of a political party?**

Yes, if the events relate to Parliamentary activities. The work of the Parliamentary Community is broad and may involve office work, public facing work, travel and social events related to parliamentary business, as well as non-standard working hours. As a result, this ICGS applies to behaviour by members of the Parliamentary Community in any circumstances relating to their Parliamentary work, regardless of location.

### **Can I make a complaint if I work in a Government Department or the Civil Service?**

Yes, if the events relate to Parliamentary activities. The work of the Parliamentary Community is broad and may involve office work, public facing work, travel and social events related to parliamentary business, as well as non-standard working hours. As a result, this ICGS applies to behaviour by members of the Parliamentary Community in any circumstances relating to their Parliamentary work, regardless of location.

### **Can I complain if my complaint is about events that took place outside of a parliamentary location, such as the Westminster estate or a constituency office?**

Yes, if the events relate to Parliamentary activities. The work of the Parliamentary Community is broad and may involve office work, public facing work, travel and social events related to parliamentary business, as

well as non-standard working hours. As a result, this ICGS applies to behaviour by members of the Parliamentary Community in any circumstances relating to their Parliamentary work, regardless of location.

### **What about people who used to work in the parliamentary community?**

You may report and make a complaint about bullying, harassment or sexual misconduct where both you and the respondent were members of the Parliamentary Community at the time when the alleged bullying, harassment or sexual misconduct took place, even if you and/or the respondent are no longer members of the Parliamentary Community at the point when the complaint is made.

### **Is there a time limit for making a complaint under the ICGS?**

Until 28 April 2022 there is no time limit. After that date, for cases involving the House of Commons or PDS you will have one year to make a complaint about bullying or harassment from when the incident takes place. This time limit does not apply to cases involving Members of the House of Lords or those Member's staff. There is no time limit for making a complaint about sexual misconduct.

### **What happens if I want to withdraw my complaint once it has been made?**

The complainant may withdraw the complaint at any point during the investigation up until the point where a formal assessment report has been drafted and shared with the complainant and respondent, for the purpose of factual accuracy checking.

### **What if I want to make a complaint about a breach of Parliament's Behaviour Code that is not bullying, harassment or sexual misconduct?**

Those working in both the Lords and Commons Services may use each House's Grievance Process to raise matters that are not covered by the ICGS. Those working for MPs may be able to use any complaints process available within the relevant political party or contract of employment.

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## **I have had a complaint made about me (Respondent)**

### **Can I be accompanied at any meeting with the investigator?**

You can be accompanied to any meeting by a Trade Union representative, other representative or a workplace colleague. If those are not options for you, you can ask the investigator, who will be able to advise you on alternatives.

### **If I work for an MP, will they be informed if a complaint is made about me?**

Yes, if you work for an MP they would usually be the relevant decision-making body (DMB) and would routinely be informed.

### **What will happen if the complaint is found to be vexatious?**

If an investigator concludes that a complaint is 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.

### **What will happen if there is more than one complaint about me?**

You will be informed if there are multiple complaints against you. If possible and where appropriate, they will be dealt with through one investigation and by one investigator.

### **Can I refuse to participate in the process?**

Individuals who refuse to engage in the process will deprive themselves of the opportunity to present their version of events to the investigator. The investigator will nonetheless continue the investigations and draw conclusions based on the information they have available to them. MPs are required, under paragraph 20 of the Code of Conduct for Members, to cooperate at all stages with the Commissioner's investigations. Members of the House of Lords are required, under paragraph 24 of the Code of Conduct, to co-operate at all stages with any investigation into their conduct.

### **What happens if the complaint is withdrawn before the investigation is completed?**

The complainant may withdraw the complaint at any point during the investigation up until the point where a formal assessment report has been drafted and shared with the complainant and respondent for the purpose of factual accuracy checking. There is, however, one exception where a safety or welfare concern has been identified, such as risk of harm to an individual. In this circumstance, agencies such as the Police or health services and specified individuals within Parliament may need to be notified.

### **How long does it take for a complaint to be concluded using the ICGS?**

Every complaint is different and progress will depend on the availability of all those involved and the complexity of the investigation. For a complaint to be concluded in a timely manner, all parties should aim to meet the deadlines set by the investigators for production of documents, attendance at meetings etc.

### **Will I be updated during the process?**

Yes, both the person making the complaint, and the person who the complaint is about will be updated on progress on a regular basis.

## Confidentiality

### Who sees details about my complaint?

Information about any complaint is restricted to those directly involved in investigating and resolving a case. This will normally include:

- the independent ICGS helpline (Victim Support)
- the independent external investigator
- members of the ICGS team
- the decision-making body
- Witnesses directly involved in the case
- an independent Sexual Misconduct Advisor (in cases of sexual misconduct)

*– these individuals can differ depending on who the respondent is (cases involving MPs may include the Parliamentary Commissioner for Standards (PCS), and her colleagues if a case goes to full investigation; and the Independent Expert Panel if there is an appeal or referral to it).*

There is however an exception, if one of the bodies involved in investigating or resolving a case identifies safety or welfare concerns, such as risk of harm to an individual, they may need to notify agencies such as the Police or health services and specified individuals within Parliament.

### Who can I talk to about a complaint?

It is important that you get the support and advice that you need and can talk to the appropriate people who can discuss any actions to support you during and after an investigation.

You may discuss the complaint with:

- Staff / trade union representative / MAPSA
- A trusted person – friend / colleague / family member
- Your party whip (if you are an MP)
- Your line manager, or someone else in your management line.
- Relevant professional advisers, such as legal and medical, at your own discretion.

All parties to a complaint are required to treat the matter as strictly confidential. Think carefully about:

- who you speak to;
- where you speak to them; and
- how they keep it confidential

If you are in doubt about who you can discuss the complaint with, you can ask the investigator, relevant decision-making body or the ICGS Team, who will be able to advise you.

The ICGS Helpline is also always there to offer support and advice.

ICGS helpline - **0808 168 9281 (Text relay: 18001 0808 168 9281)**

Email - [support@ICGShelpline.org.uk](mailto:support@ICGShelpline.org.uk)

ICGS Helpline opening hours are 9am – 6pm, Monday to Friday.

*If you are unable to contact us during our normal opening hours we can arrange to speak to you in the evening by prior arrangement.*

### **Is anyone told if I call the Helpline?**

No. You may remain anonymous when contacting the helpline, and only when making a formal complaint will you need to provide your name. Our expert advisors are trained and experienced to support you with complaints about sexual misconduct.

There is, however, one exception where a safety or welfare concern has been identified, such as risk of harm to an individual. In this circumstance, agencies such as the Police or health services and specified individuals within Parliament may need to be notified.

### **Will you inform line managers or HR if I make a complaint?**

No. Neither the ICGS team nor the person in the decision-making body (DMB) role will inform a Complainant's line manager or HR department of the complaint unless the line manager or someone in HR is either the respondent or DMB. If you want support and advice from your line manager, you can talk with them in confidence about your complaint.

### **Are Party Whips informed of complaints about Members of the Commons?**

Party whips will not, as a matter of course, be informed that a complaint has been made and is under investigation.

### **Are Party Whips informed of complaints about Members of the Lords?**

No. ICGS cases are considered confidential until they have been closed. However, if the Commissioners think that the complaint raises concerns about the safety/wellbeing of the parliamentary community, they can impose temporary access restrictions on the complainant during the investigation.

### **What happens if I do not want to be identified to the person I am making the complaint against?**

You can call the helpline for confidential support and advice at any time. No information about those calls is shared with the person complained about (unless and until a formal investigation is launched). However, if a formal complaint is made, it cannot be investigated without informing the respondent of the details of the complaint, including the name of the person who made it.

## **If I work for an MP or a Member of the House of Lords, will they be informed if a complaint is made about me?**

If you work for an MP, they would usually be the relevant decision making body, and would be informed if a complaint has been made about you. If you work for a member of the House of Lords, the complaint would be dealt with by the Lords Commissioner for Standards, under the Code of Conduct for Lords Members' Staff.

## **What is published by the Parliamentary Commissioner for Standards (House of Commons)?**

The Commissioner does not publish information about current individual ICGS complaints.

## **Are the details of cases against MPs or former MPs published?**

Reports on cases involving MPs and former Members can be published. The PCS will publish reports on cases where she has the power to impose certain sanctions. The Independent Expert Panel (IEP) will publish reports on cases that require a sanction to be imposed by the House or where an apology is required to be made in the House. It will also normally publish a report in other cases where a complaint has been upheld, and where a complaint has not been upheld but the allegations have already been given publicity.

The IEP will limit the information in their reports to that which is necessary to explain the context of their decision. The identity of complainants and witness will remain confidential unless they agree to be named. Any information not contained in a report remains confidential.

For further information on confidentiality and reporting please visit the [IEP's own guidance](#) .

## **What is published by the House of Lords Commissioners for Standards?**

In all reports published by the Commissioners for Standards and the Conduct Committee, the complainant and witnesses are anonymised unless they wish to be identified. The Commissioners always publish a report where they dismiss an ICGS complaint against a Member of the Lords after investigation, though they have the discretion not to include the name of the Member. Where cases are settled through remedial action, a report is always published where the respondent is a Member; where the respondent is somebody who works for a Member, the Commissioners have discretion over publication. Any case referred or appealed to the Conduct Committee concludes with a published report, except for cases concerning Members' Staff where the Committee has discretion not to publish one.

## **Can information or details of complaints be released under Freedom of Information requests?**

Information about individual complaints is not released in response to Freedom of Information requests. Both Houses are committed to releasing statistical data about the use of the ICGS. This is published quarterly on Parliament's website and Annual Report. Great care is taken when collating this information to ensure that no data that could identify an individual is released.

## **How do the confidentiality arrangements apply to witnesses?**

Witnesses are not informed of the outcome of any ICGS case or informed directly when a report concerning a Member of either House is to be published (though they can of course read the published report).



In cases put before the IEP any witnesses involved in the investigation will be contacted in advance of a report being published if there is any risk of their being identified in the report.

### **What happens if there is a breach of confidentiality?**

A breach of confidentiality is when data or private information is disclosed to a third party without the data owner's consent.

If there's a breach of confidentiality before the process has concluded, that could be taken into account in the investigator's report and in determining the sanction to be imposed.

If there's a breach after the process has concluded, then what happens will very much depend on the circumstances/position of the person responsible for that breach.

In respect of complaints against Lords members or Lords members' staff, these are governed by the Lords Code of conduct ([see para 144 of the guide to the code](#))

### **What do I do if the press finds out?**

All parties to a complaint are required to observe strict confidentiality and not to comment publicly. Both Houses would respond to media enquiries that they can neither confirm nor deny that an ICGS complaint had been made.

If you are contacted by a member of the Press at any point throughout the process, you should not make any comment. You should contact the investigator or decision-making body involved in your case and let them know about the Press interest. The investigator will contact the ICGS team who will take any necessary action.

If you are not able to contact the investigator, you can contact the ICGS team at [ICGS@parliament.uk](mailto:ICGS@parliament.uk)

In the House of Lords, you should always contact the Commissioners for Standards ([lordsstandards@parliament.uk](mailto:lordsstandards@parliament.uk) or tel: 0207 219 7152). In exceptional circumstances, the Commissioners may publicly confirm or correct information in the public domain concerning a complaint or preliminary assessment, though they will always consult the parties before doing so.

For those working for a Member, should you need support if a complaint becomes public, we recommend contacting one of the other support services, such as your Trade Union, or the Employee Assistance Programme.

For those working for either House, if you are not able to make contact with the investigator, the ICGS team or the House of Lords Commissioner for Standards, you can contact the House of Commons media relations team; 020 7219 0696 (Monday – Friday, 9am – 6pm), 020 7219 7395 (at all other times), or email [hocmediacorporate@parliament.uk](mailto:hocmediacorporate@parliament.uk). Contact details for the House of Lords media team are: 0207 219 8550 (Monday - Friday, 9am-6pm) (diverted to an out-of-hours number at all other times) or email [lordspressoffice@parliament.uk](mailto:lordspressoffice@parliament.uk). If the matter is urgent, please leave a voicemail or send an email and the media team will get back to you as soon as possible (both during/outside of office hours).

## Roles and responsibilities

### What are the decision making bodies (DMB)?

The policies use the term “decision making bodies” (DMB). These are the organisations within the parliamentary community which have responsibility for the complainant or respondent. Different people within the parliamentary community have different decision-making bodies. See the following table:

<b>Respondent according to parliamentary group</b>	<b>Decision Maker (Decision-Making Body or DMB) / Employer</b>	<b>Role of DMB/Employer</b>
Commons, Lords Staff and Parliamentary Digital Services staff	The designated person in the relevant HR Team.	Takes any management or disciplinary action that is warranted by the case.
Member of Parliament	Parliamentary Commissioner for Standards	Oversight of the investigation; application of lower-level sanctions; referral to Independent Expert Panel for higher level sanctions
Members’ staff	Member of Parliament	Takes any management or disciplinary action that is warranted by the case
Members of the Lords	Lords Commissioner for Standards	Oversight and management of all complaints, investigations and recommending sanctions
Lords members’ staff	Lords Commissioner for Standards	Oversight and management of all complaints, investigations and recommending sanctions
Other members of the parliamentary community	Relevant employer	Takes any management or disciplinary action that is warranted by the case

### What is the role of the Parliamentary Commissioner for Standards in ICGS?

The Parliamentary Commissioner for Standards is responsible for the independent and impartial investigation of alleged breaches of the House of Commons' Code of Conduct for Members. This includes:

- overseeing the investigation of complaints from the parliamentary community about harassment, bullying or sexual harassment by MPs and deciding whether such complaints should be upheld, and imposing sanctions in less serious cases; and
- responsibility for keeping the MPs' Code of Conduct under review.

### **What is the Independent Expert Panel (IEP)?**

The IEP is appointed by the House of Commons to hear appeals against decisions made by the Parliamentary Commissioner for Standards (the Commissioner) involving MPs or former MPs. The IEP also determines sanctions in more serious ICGS cases involving MPs and former MPs referred to it by the Commissioner. The Panel is entirely independent of MPs and the House Service.

### **What is the role of the House of Lords Commissioners for Standards?**

The House of Lords Commissioners for Standards are responsible for the independent and impartial investigation of alleged breaches of the House of Lords Codes of Conduct for Members and Members' Staff, including investigating breaches of the rules on: Members' financial support; use of parliamentary facilities; and treatment of those with whom they come into contact in the course of their parliamentary duties and activities, including alleged breaches of the provisions on bullying, harassment and sexual misconduct.

### **What is the House of Lords Conduct Committee?**

The role of the Conduct Committee is to keep the Code of Conduct, the Guide to the Code and the Code of Conduct for Members' Staff under review, and to oversee the operation of the Codes of Conduct. The Committee receives reports from the Commissioners for Standards on some complaints made under the Codes. The Committee considers appeals, and reports certain cases to the House, including, in cases where a complaint is upheld, recommending an appropriate sanction. The Committee comprises nine members, with five members of the House, and four lay members.