

# **Independent Complaints & Grievance Scheme**

**Annual Report  
(July 2019-June 2020)**

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## FOREWORD

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There can be no doubt that Parliament has undergone one of the most extraordinary years in recent history. Major events that have dominated politics have required everyone across the parliamentary estate to adjust dramatically to new ways of working.

In the past 12 months, colleagues in both Houses have demonstrated resilience and agility while working to support essential democratic functions through a series of extraordinary events, including Brexit, a change in Prime Minister, two prorogations, a change in the House of Commons' Speaker, a General Election, and of course, the full and partial lockdowns during the coronavirus pandemic.

The ICGS team have been working hard to ensure that the ICGS continues to support all colleagues in the parliamentary community throughout this time. Since the first ICGS Annual Report was published in November 2019, the ICGS team has continued to work on cases, while undergoing a number of significant changes, including: the ICGS becoming a bicameral, independent team; moving office location; running a procurement exercise for the helpline, recruiting new investigators for non-recent cases and managing the investigations; as well as changing the structure of the ICGS team, all the while adapting to new remote working conditions imposed by the pandemic. I became Director of the scheme in December 2019 and I pay tribute to the hard work and dedication of my team in ensuring that cases have continued to be investigated and progress has been made in the operation of the scheme, despite these changes and within the context of the pandemic.

The setting up of the ICGS was no ordinary feat, bringing together over 15,000 members of the parliamentary community, with over 850 different types of employment relations, into one scheme, regardless of their grade, status or job. There are still significant improvements needed to this new scheme and we are looking forward to the recommendations from Alison Stanley, who recently started work on the 18-month review of the scheme. We see the review as an opportunity, not only to reflect on the current work of the ICGS, but also to share our views about ways in which the ICGS can be improved. I encourage you all to share your views and experiences with Alison, as we move forward.

Whatever the outcome of the review and whatever other new events are in store for us all, we will strive to ensure that the ICGS is there for anyone who has experienced bullying, harassment or sexual misconduct, offering tailored advice and information and helping users to access the support that is right for them.

The ICGS is there for us all. Please use it.

**Josephine Willows**

**Director**

**Independent Complaints and Grievance Scheme**

# 1. Key Developments

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## At a glance

1. This reporting year (July 2019-June 2020), 293 individuals contacted the Independent Complaints and Grievance Scheme (ICGS). They made contact a total of 621 times, receiving information and support in a safe, confidential place and signposting to different available options. There were 69 cases considered by investigators, with 65 progressing to initial assessment and 50 progressing to full assessment. At the end of the reporting period, 46 cases were completed; 21% were upheld and 60% were not upheld.<sup>1</sup>
2. In summary, key developments and milestones of the ICGS over the past reporting year are as follows:
  - A new, single ICGS helpline was launched in July 2020, combining the previous two helplines into one single service. The new helpline provider, Victim Support, provides confidential and immediate support to all callers, who can speak directly with highly-trained experts about bullying, harassment, or sexual misconduct. Victim Support offers a specialist Independent Sexual Misconduct Advisory Service to users contacting the helpline;
  - We have expanded our pool of independent investigators;
  - For the first time, in line with Laura Cox's recommendation, the ICGS became eligible for, and began processing, non-recent cases;
  - This reporting year, there was an increase in the number of disclosures sent from the Helpline for investigation and an increase in the number of investigations completed;
  - Following extensive consultation with all stakeholders, including staff, in July 2020, MPs approved motions to establish an Independent Expert Panel with the power to determine sanctions in cases involving MPs. Recruitment for members of the IEP concluded in November 2020 and the Panel is expected to start hearing cases in early 2021;
  - We produced new user-guides for both complainants and respondents, in an accessible, easy-to-use format;

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<sup>1</sup> The remaining cases might have been completed, but outside of the reporting period, or have been resolved with a different outcome, such as informal resolution. In a few cases, complainants withdrew their complaint or did not engage and so could not be completed.

- As a result of user feedback, we implemented improvements to the user journey, including more frequent communications with complainants and respondents;
- Hundreds of communications were sent to staff across the parliamentary community, targeting our different audiences. Outreach activities included physical events and stalls in Portcullis House, presentations to different user groups, including to non-desk-based staff and virtual engagements during lockdown;
- 38 of the 50 recommendations in the ICGS 6-month review were implemented or are soon to be implemented;
- Valuing Everyone training has been rolled out to over 4,000 members of the parliamentary community, continuing despite the pandemic;
- The ICGS bicameral team is independent, with future funding agreed by both Houses to ensure sufficient resources from both Houses to implement and maintain the scheme; and
- Two upheld cases against Members of the House of Lords, under the new provisions on bullying, harassment and sexual misconduct in the Lords Code of Conduct, were published in October 2019<sup>2</sup> and January 2020.<sup>3</sup>

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<sup>2</sup> [Report from the Commissioner for Standards: the Conduct of Lord Stone of Blackheath](#), 23 October 2020

<sup>3</sup> [Report from the Commissioner for Standards: the Conduct of Lord Lea of Crondall](#), 14 January 2020

## Background

3. The Independent Complaints and Grievance Scheme (ICGS) handles queries and complaints from current and former members of the parliamentary community related to bullying, harassment or sexual misconduct. The bedrock of the scheme is the Behaviour Code, which makes clear the standards of behaviour expected of everyone in the parliamentary community, whatever their grade, status or job.
4. The ICGS was established as a cross-party, bicameral initiative, by resolution of the House of Commons on 19 July 2018. The House of Commons (including MPs and their staff and staff from the House Administration), Parliamentary Digital Services (PDS) and third-party passholders were covered by the scheme, for incidents that happened from June 2017, the start of that Parliament. The House of Lords' Administration staff were included in the scheme in November 2018, with Members of the House of Lords and their staff included from May 2019. While the scheme was open to all members of the parliamentary community to make a complaint from its inception, from July 2019 all members of the parliamentary community could have complaints made against them. In October 2019, the scheme was further extended to complaints dating back to any time before June 2017 and to former members of the parliamentary community who had left Parliament since June 2017.
5. The ICGS consists of:
  - A Behaviour Code;
  - An independent bullying, harassment and sexual misconduct helpline and an independent sexual misconduct advisory (ISMA) service, all provided by Victim Support;
  - The Bullying and Harassment policy;
  - The Sexual Misconduct policy;
  - Provisions in the Codes of Conduct for Lords Members and their staff, which mean that bullying, harassment and sexual misconduct constitute a breach of the Codes;
  - Independent investigators (investigators provided by three investigation service providers and 13 investigators employed on a case-by-case basis), and
  - A Parliament-wide training programme, *Valuing Everyone*, which is delivered by Challenge consultancy

## ICGS bicameral team and Memorandum of Understanding

6. The bicameral ICGS team sits independently of any other team in the House of Commons or House of Lords, following the implementation of Alison Stanley's recommendation (in her 6-month review of the ICGS) that the ICGS team should

become bicameral and independent of HR.<sup>4</sup> A joint ICGS Memorandum of Understanding—setting out the financial, HR and governance arrangements for the bicameral ICGS team—was agreed by the two House administrations in March 2020.<sup>5</sup>

7. The team's core objectives are to oversee and monitor the operation of the ICGS and implement changes to the scheme. While the Director of the scheme reports to the Clerk Assistants of each House, the ICGS Helpline and the investigators carry out their work entirely independently. The ICGS team monitors the overall performance of the investigators but does not have a role in determining individual complaints. Likewise, the ICGS team monitors the overall work of Victim Support, but the Helpline operates independently from Parliament and is the data controller of all data shared with the helpline.

## Financial information

8. The ICGS is a demand-led scheme and there is no reliable means of predicting the demand. Further, there are no limits set on the number or duration of investigations that can be carried out by the ICGS. In line with Alison Stanley's recommendation from the 6-month review, for a strengthened, independent ICGS team, the team has expanded in size and in skillset, with new expertise brought in with experience in HR, casework, inclusion, improvement and innovation. New investigators were brought on board to deal specifically with non-recent cases, a procurement exercise was completed for a new three-year contract for the helpline and work started on a procurement exercise for a new three-year contract for the investigator service providers.<sup>6</sup> Both procurements were advertised across all EU member states allowing maximum open and fair competition.
9. The following explains the total spend for each financial year, which includes external services (the Helpline, independent investigators and Valuing Everyone training) and staffing costs:
  - **Financial Year ending (FYE) 2019/20 (which covers April 2019 to March 2020)**
    - The ICGS's total spend in FYE 19/20 was £1,632,252 and by each House as follows: House of Commons £1,342,002; and House of Lords £290,250.

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<sup>4</sup> [ICGS Annual Report June 2018 to July 2019](#), published November 2019

<sup>5</sup> [See Annex B](#)

<sup>6</sup> Details of the procurement exercise for the investigation service providers will be included in the next ICGS Annual Report.

- **Current Financial Year ending 2020/2021 (which covers April 2020 to March 2021)**
  - The team's total current budget for FYE 20/21 is £1,816,000 and by each House as follows: House of Commons £1,306,000; and the House of Lords £510,000.

## Procurement

10. The previous contract for the helpline service provider came to an end in July 2020.
11. Victim Support was the successful bidder for the Helpline service and took over the operation from 3 July 2020. The single helpline supports users in navigating the two separate policies—the bullying and harassment policy and the sexual misconduct policy. As part of the contract, Victim Support also delivers the Independent Sexual Misconduct Advisor (ISMA) services, which provides face-to-face support for those affected by sexual misconduct, offering specialist support and advice. The procurement process was rigorous, and Victim Support successfully demonstrated to the panel that they had the enhanced specialist experience needed to deliver this organisation-wide service.
12. In July, work commenced on a competitive tendering exercise for the contract for the providers of the independent investigators who carry out investigations of complaints. The procurement did not affect the recently recruited pool of individual independent investigators who were appointed to deal specifically with non-recent and complex cases, following the House of Commons' decision in October 2019 to allow non-recent cases to be eligible. A robust open procurement process was again undertaken, resulting in the September completion of a new framework of specialist providers who can now be called upon to support investigations.<sup>7</sup>

## Laura Cox's second recommendation: non-recent cases

13. Dame Laura Cox's independent report into bullying and harassment of staff in the House of Commons was published in October 2018.<sup>8</sup> The implementation of her second of three main recommendations—to extend the scheme to incidents occurring *before* June 2017—was agreed by the House of Commons in July 2019. At the same time, the House also agreed to extend the scheme to former members of the parliamentary community, as recommended by Gemma White QC's

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<sup>7</sup> Details of the procurement exercise for the investigation service providers will be included in the next ICGS Annual Report.

<sup>8</sup> [The bullying and harassment of House of Commons staff: Independent Inquiry Report](#), 15 October 2018



independent review.<sup>9</sup> In October 2019, non-recent complaints were accepted by the ICGS and complainants could access support from the helplines. In December 2019, independent investigators were recruited to investigate non-recent and some current complex cases, contracted on a case-by-case basis. Since this eligibility change, there have been six ICGS complaints of non-recent allegations of bullying, harassment or sexual misconduct.

## Laura Cox's third recommendation: Independent Expert Panel (IEP)

14. Dame Laura Cox's third recommendation was that "the process for determining complaints of bullying, harassment or sexual harassment brought by House staff against Members of Parliament will be an entirely independent process, in which Members of Parliament will play no part". A staff team, including members of the ICGS team, worked on different options, consulting and engaging widely with stakeholders in the parliamentary community, experts in constitutional, political and HR issues, and with Dame Laura herself. In February 2020, the Commission unanimously agreed its preferred option—to establish an Independent Expert Panel to the Committee on Standards to replace their work on the ICGS, and a subsequent consultation supported this option.
15. On 23 June 2020, MPs approved motions to establish the Independent Expert Panel. The Parliamentary Commissioner for Standards will retain her role in overseeing ICGS investigations and will continue to impose sanctions available to her. The core function of the IEP will be to determine sanctions in ICGS cases referred to it by the PCS, where the PCS does not have the necessary sanctions available to her, and to hear appeals from either complainants or respondents against the PCS's conclusions in ICGS cases involving MPs. The House of Commons will be required to approve a motion (without debate) to impose a sanction that can only be imposed by the House. Recruitment for members of the IEP concluded in November 2020 and the Panel is expected to start hearing cases in early 2021.

## Alison Stanley's 6-month review

16. The Resolution of the House that approved the ICGS in the Commons in July 2018 stipulated that two reviews of the scheme would take place, at six and 18 months.<sup>10</sup> The reviews provide an independent assessment of the work of the ICGS to deliver a fair, thorough, and consistent process and, in the process, gaining the confidence of the parliamentary community.

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<sup>9</sup> [Bullying and harassment of MPs' parliamentary staff: Independent Inquiry Report](#), 11 July 2019, HC 2206 2017-19

<sup>10</sup> Delivery Report, section 8, p 34

17. Alison Stanley CBE FCIPD undertook the 6-month review of the ICGS and published her report on 12 June 2019.<sup>11</sup> There were 50 recommendations in the report. To date, 38 have been implemented or are in the process of being implemented.<sup>12</sup> However, implementing some of the recommendations has proved difficult. This is due to the nature of the Scheme, which covers all members of the parliamentary community, which have different governance bodies. Such agreements need to be agreed and implemented, recognising the different constitutional rights of the two Houses and the employers who engage staff differently across Parliament. Any changes require a coordinated approach to stakeholder consultation. Some changes are also likely to require agreement on the floor of both Houses.

## The Parliamentary Community

18. A breakdown of the main constituent parts of the parliamentary community is set out in the table below. These numbers should be borne in mind when considering the statistics presented throughout this Annual Report. For example, when it is shown that House of Commons staff are the largest known group who made contact with the helplines, this is in the context that this group forms the second largest constituent part of the parliamentary community. As a result, this cannot necessarily be taken as an indication that there are issues within this group that are disproportionate to its size.

<b>Group</b>	<b>Total Headcount at 30 June 2020</b>
House of Commons Staff	2,628
House of Lords Staff	659
Parliamentary Digital Service Staff	441
MPs	650
MPs' Staff	Approx 3,500
Members of the House of Lords	790
Lords Members' Staff	Approx 520
Others	Unknown*

\*This figure is variable and includes visitors, contractors and members of the public. This reporting year, because of lockdowns, access to the Estate has been restricted.

<sup>11</sup> [Independent 6-month Review: UK Parliament Independent Complaints and Grievance Scheme](#), Alison Stanley CBE FCIPD

<sup>12</sup> [6-month review implementation table](#)

## Diversity & Inclusion

19. Inclusion is extremely important to the aims of the ICGS and it is vital that the ICGS is a fair and equitable process, regardless of a user's age, disability, gender identity, marriage or civil partnership status, pregnancy or maternity, race or ethnicity, religion or belief, sex, sexual orientation and any other significant characteristic. In July 2020, in preparation for the 18-month review, the ICGS team carried out an Equality Analysis, which was reviewed by the D&I/I&D teams in both Houses, as well as Parliament's Workplace Equality Networks (WENs). From this, an Equality Action plan was created and shared with the reviewer, with guidance to ensure that the 18-month review is conducted in as inclusive manner as possible. In addition to this, the Terms of Reference for the 18-month review specifically request the reviewer to consider "the extent to which diversity and inclusion is embedded in the scheme".

## Communications and outreach work

20. The ICGS team, in partnership with Central Communications, has created a communications plan to ensure the sequencing of communications, sharing ICGS's progress and current work. Members of the parliamentary community received communications through a diverse range of channels including;

- All-staff e-mails
- Digital screens placed across the Estate
- Physical stalls in Portcullis House
- Newsletters
- Posters, leaflets and cards displayed in prominent positions
- The Parliamentary intranet and SharePoint site
- Parliament's external website
- All-staff town halls
- Training sessions
- Workplace Equality Networks

21. The team has produced Respondent and Complainant guides, profiled the ICGS on the Culture SharePoint hub, supported the transition to the single Helpline, coordinating messaging. They also produced leaflets and contact cards, which were updated and redistributed both around the estate and to constituency offices. The media team provides press releases, corrections and statements in relation to the ICGS. The amount varies from month to month. For example, 23 pieces of coverage accompanied the press release for the implementation of Dame Laura Cox's third recommendation, issued in June 2020.

22. During this reporting year, the ICGS team has given presentations and talks about the ICGS to a variety of internal and external stakeholders. These are invaluable opportunities to raise the profile of the ICGS and to hear comments from our

stakeholders about the scheme, in addition to the regular work carried out in the ICGS Stakeholder group.

## Improving the ICGS service

23. The ICGS team has identified, monitored and taken action on several strategic areas to improve implementation in both Houses:

Stakeholders	In order to ensure that the ICGS team has the appropriate influence to administer the Scheme within both Houses, the team has scheduled regular update meetings with senior stakeholders including the two Clerk Assistants, the Commons Executive Board, the Lords Management Board, the Commons Commission, the Lords Commission, the Parliamentary Commissioner, the Lords Commissioner, the Lords Conduct Committee, the House of Commons Standards Committee and the Clerk of the Parliaments. Other ICGS stakeholders, including managers, representatives from teams across both Houses, representatives from Decision-Making Bodies and the Trade Union Side, meet on a scheduled monthly basis.
Resource	The six-month review recommended that the ICGS be supported by a strengthened, independent, bicameral team. Both Houses have identified this as a priority and future funding for the ICGS has been agreed, to ensure that the team has sufficient resources from both Houses to implement and maintain the Scheme.
Procurement	The ICGS engages external suppliers to provide the helpline and investigation services, and the ICGS team have implemented processes to ensure that we receive a high quality of service. In 2020, when procuring the new helplines, the contract requirements for the new provider were developed in collaboration with ICGS stakeholders from both Houses. Performance is monitored in formal contract meetings, feedback forms and monthly meetings. Feedback on services is encouraged and actioned to improve services.
Data	The ICGS team has developed key controls to ensure that we process data in compliance with data security arrangements and maintain a strict level of confidentiality, including the development of information management procedures and contract controls in place for all external providers.
Engagement	Communications plans are developed to raise awareness of the ICGS, ensuring that the parliamentary community knows about and understands the roles and parameters of the Scheme. Data related to the number of helpline contacts and investigations taken forward are published on a regular basis on the Parliamentary website. Communications give consistent messaging and aim to reach all members of the parliamentary community, including non-desk based staff.

## 2. The ICGS Helplines

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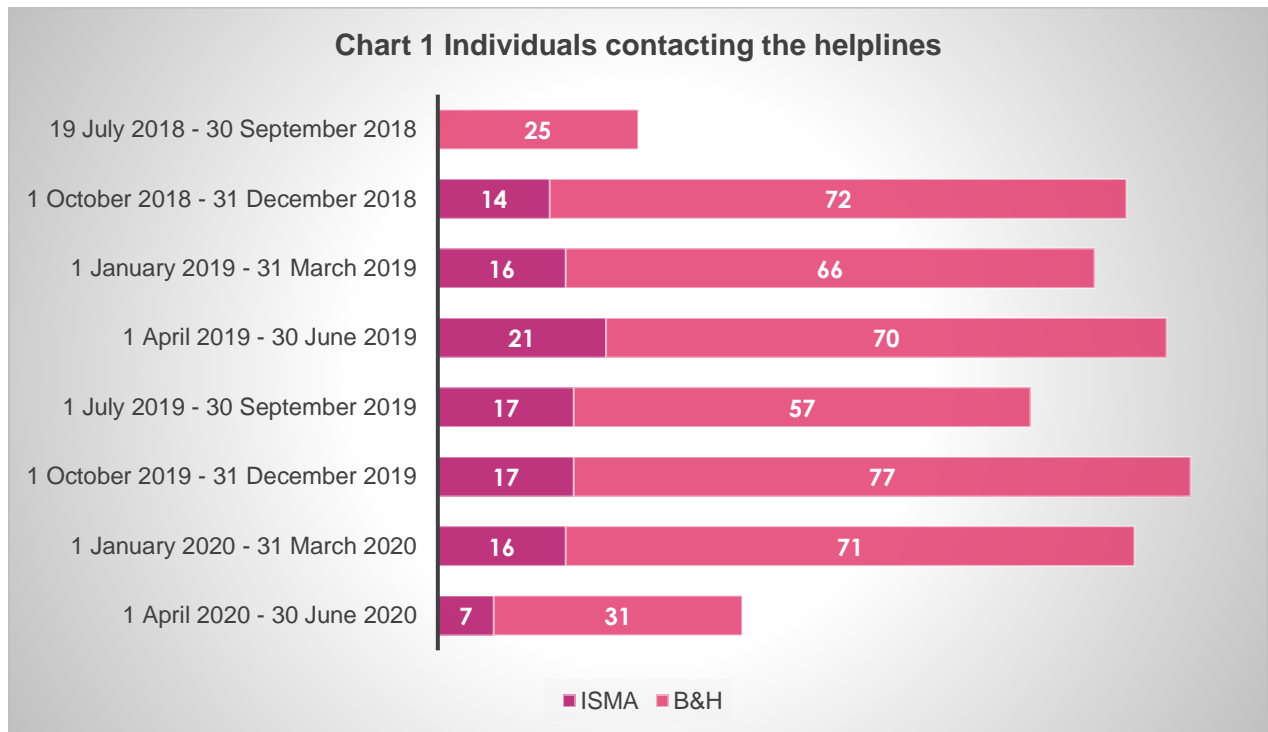
24. During this 2019-20 reporting year, two independent ICGS Helplines delivered the helpline services. Between the start of the scheme in July 2018 to 2 July 2020, the Bullying and Harassment Helpline was provided by Health Assured and the Independent Sexual Misconduct Advisory (ISMA) service was provided by Solace. These providers delivered helpline and associated support services from the date that the ICGS was first established in July 2018. With their contracts ending in June 2020, a competitive tendering exercise was held to procure a provider for helpline services for the next three years of the ICGS. A single new provider, Victim Support, was successful, taking over both helplines and integrating them into one service from 3 July 2020. Past and present members of the parliamentary community can call the helpline on 0808 168 9281 from 9am to 6pm, Monday to Friday or can send an e-mail to [support@ICGShelpline.org.uk](mailto:support@ICGShelpline.org.uk). The contribution of Health Assured and Solace, helping Parliament to break new ground in delivering support services across the parliamentary community, over the first two years of the ICGS, has laid a firm foundation on which the new provider is building. We thank the providers for their ground-breaking work in establishing and running the independent helplines for the first two years of the scheme.

### Contacting the Helpline

25. While the helpline is a channel for making an official complaint, one of its primary roles is to be a source of support and guidance. The helplines play a key role in providing assurance and empathy in a safe place, independent from Parliament. All callers contacting the helpline speak directly with a highly trained expert and are often seeking advice or signposting to our other support functions, including counselling through our Employee Assistance Programme, which is also advertised on the intranet.

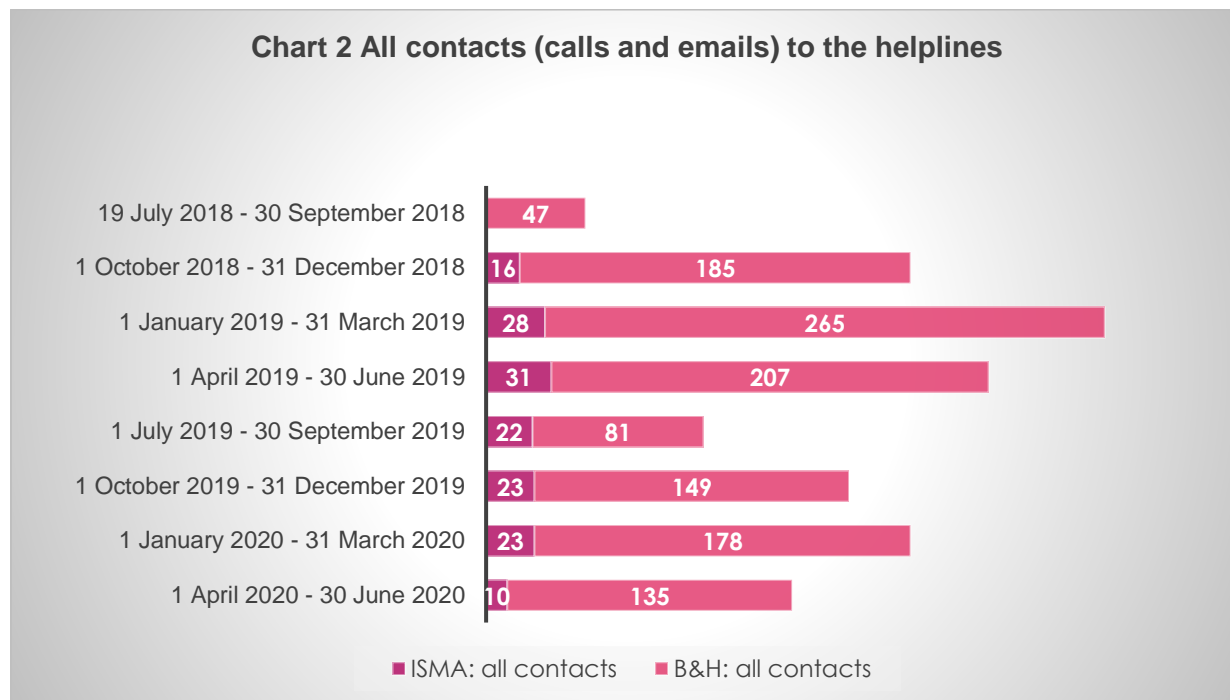
26. Quarterly statistics on the use of the helplines are proactively published on the [parliamentary website](#). Charts 1 and 2 (below) provide information for the first two years of the ICGS, with values separated for the two independent helplines, rather than the total figures that appear on the website. It should be noted that these figures are based on data owned and reported to us by the independent providers.

## Number of individuals contacting the helplines



27. In the 2019/20 reporting year, 293 individuals (unique callers) contacted the helplines. On average, each person contacting the helplines did so at least twice (see Chart 2 below which sets out all inbound calls or emails to the helplines). Looking at the first two years of the Scheme's operation, the number of unique individuals contacting the helplines appears to have been relatively consistent, with the exception of the very first quarter (July to September 2018), and the very last (April to June 2020). The scheme's first quarter coincided with the typically quiet period of the summer recess, and was at this stage a new scheme. There were slightly lower numbers during the July to September 2019 quarter, which included the period of the 2019 summer recess. The April to June 2020 quarter appears to have seen fewer individuals contacting the helplines. This period coincided with some of the restrictions and home-working arrangements put in place due to the coronavirus lockdown and, as already noted, the relationship between these changes to ways of working, and incidence of bullying, harassment or sexual misconduct is hard to determine. As noted below, the Bullying and Harassment Helpline observed that, during this period, they received more contacts from a smaller group of individuals.

## Volume of contacts to the helplines (since the scheme began)

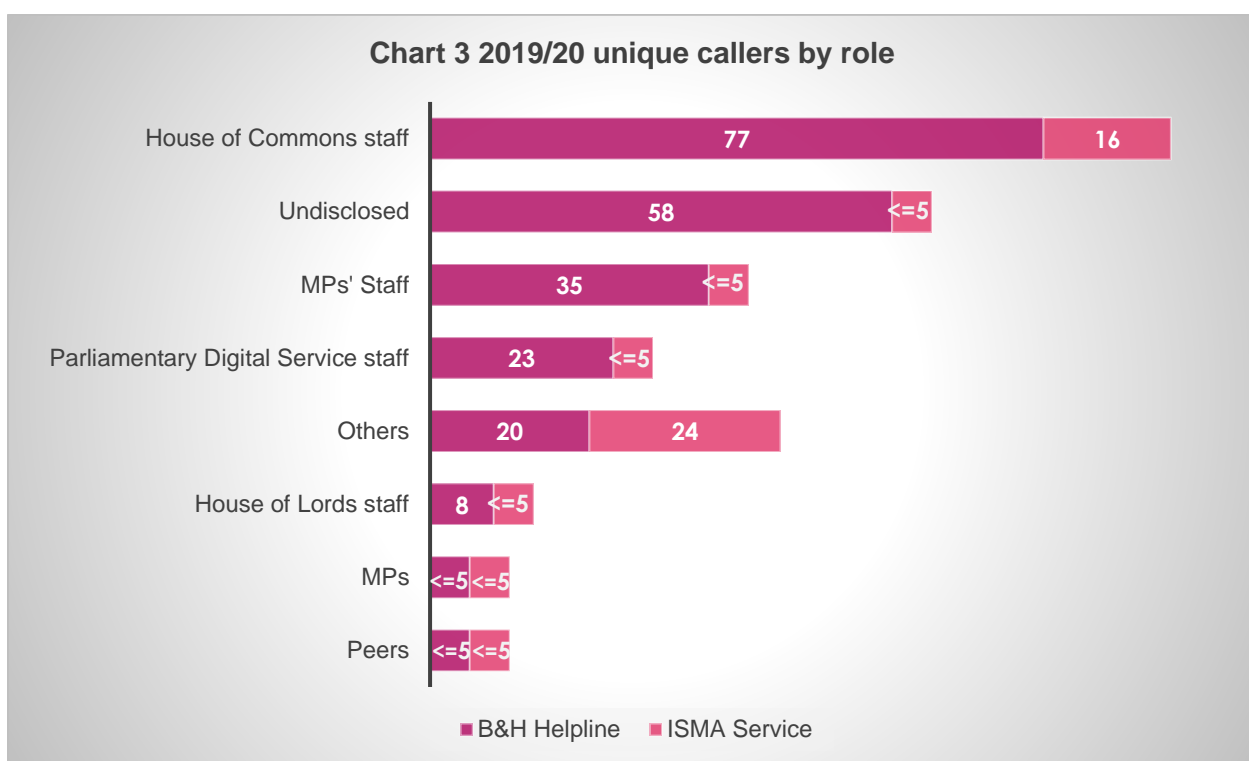


28. In the reporting year 2019/20, there was a total of 621 inbound contacts (whether by telephone or email) to the two helplines. Across the two-year period since the ICGS was established, there was a peak in the period from January to March 2019, which was the third complete quarter of the scheme's operation. At this stage, there had been a range of communications about the scheme, so that the scheme was better known and understood by members of the parliamentary community as a new mechanism for addressing issues of bullying, harassment and sexual misconduct. The scheme had also been extended in the Autumn of 2018 to cover staff of the House of Lords Administration, so that by this point a greater proportion of the parliamentary community was eligible to access to the scheme.

29. In this two-year period, there are two quarters that appear lower than the others in terms of volume of contacts to the helplines: July to September 2018, which was the scheme's first three months of operation; and the July to September 2019 quarter. Both of these periods coincide with the summer recess period, when typically many staff and members spend time away from Westminster. This may explain some of the low volumes seen in these periods. However, there are some groups within the parliamentary community who tend not to take leave during these periods, and in fact whose activities step up during what might otherwise be a quieter period for parliamentary activity.

30. Despite changes as a result of the coronavirus pandemic, the former helpline providers and Victim Support continued to deliver a comprehensive service. Throughout the core lockdown period in March to May 2020, contacts to the Bullying and Harassment helpline continued, with a drop in unique callers between April and June 2020. However, the Bullying and Harassment Helpline did observe an increase in contacts from the same individuals during this period (that is, a smaller group of individuals contacting the service more regularly for information, support or to add information to an existing case). The ISMA service reported that no conclusions can be drawn about either the incidences of sexual misconduct or the likelihood of individuals contacting the service for advice or support.
31. Both Charts 1 and 2 above exclude 93 contacts from 93 separate individuals who contacted the Bullying and Harassment Helpline in the period April – June 2020 in near identical terms, in response to an exchange involving a parliamentarian on social media.<sup>13</sup> Given the nature of this contact with the Helpline, it is appropriate to exclude these contacts from these charts as they would otherwise skew the figures.

### Which groups are contacting the helplines?



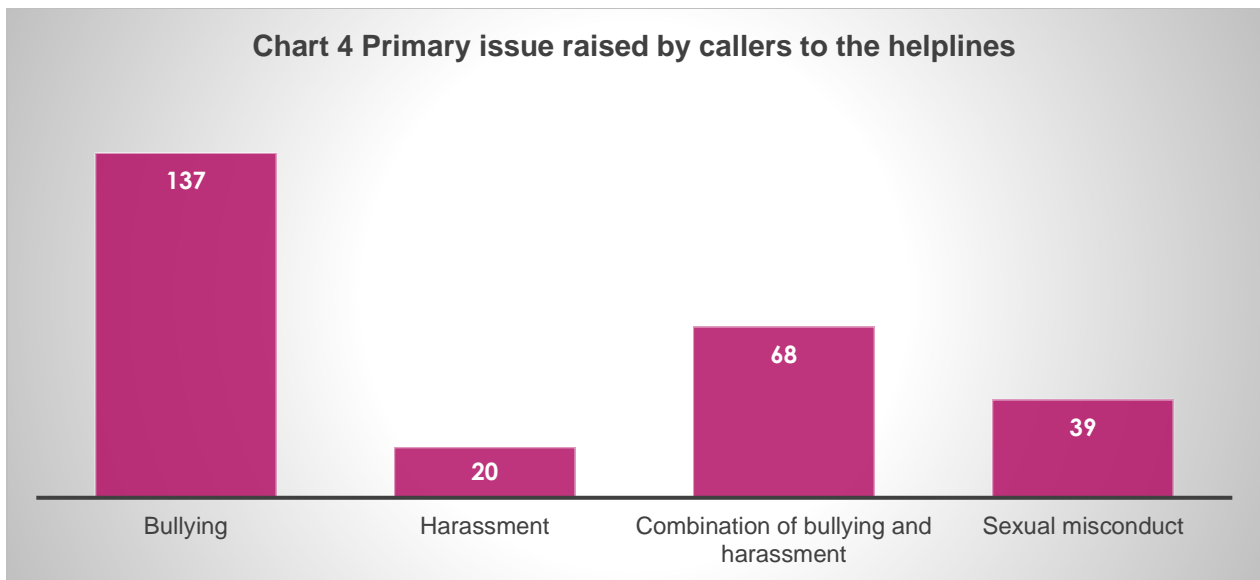
32. In the reporting year, staff of the House of Commons form the largest group of those making contact with the helplines (33% of all callers), with smaller but notable

<sup>13</sup> The 93 complaints could not be taken forward under the Lords' Code of Conduct rules.



numbers from MPs' staff (13%), the Parliamentary Digital Service (10%) and the House of Lords Administration (4%). However, the 'undisclosed' category is the second largest group in Chart 3 (22% of all callers), an indication that some of those who contact the helplines are unwilling to state where they work. The category of 'Others' includes visitors and contractors working within the parliamentary estate. As noted above, these groups are by no means the same size, and House of Commons staff and MPs' staff form two of the largest of the parts of the parliamentary community.

## What type of behaviour is raised with the helplines?



33. As seen already, the volume of contact to and the number of individuals contacting the Bullying and Harassment Helpline have tended to be higher than those to the ISMA Service.<sup>14</sup> Chart 4 above illustrates the primary issue raised by those contacting the helplines during the 2019/20 reporting year. Bullying was the most commonly raised behaviour (52% of all callers), followed by a combination of bullying and harassment (26%). 39 callers (15%) indicated that they had experienced one of the several forms of sexual misconduct; and 20 callers (8%) raised harassment as a primary issue. Note that these numbers in total (264) do not match the total number of unique individuals contacting the helplines during the year (293), as some will not have disclosed what sort of behaviour they had experienced, or indeed may not have directly experienced behaviour falling into one of these categories. The figures should perhaps be treated with some caution, as there are likely to be some cases where elements of more than one type of behaviour has been experienced, and it may not be completely clear what type of behaviour it should be classified as until it is more fully investigated.

<sup>14</sup> A similar distribution is also seen at the investigations stage of the ICGS process.

## Changes to the way statistics are collected and presented

34. Quarterly statistics on the use of the helplines are proactively published on the [parliamentary website](#). With the change of provider taking effect from early July 2020, when a wider range of statistics are being collected, we shall be changing the way in which this data is presented on the site.<sup>15</sup> The intention is to present a wider range of data, in a more intuitive format allowing for easier comparison across each reporting period. Victim Support will also provide greater information on the diversity of those contacting the helpline, based on the protected characteristics following the definitions set out in the Equality Act 2010. This information will be shared, so far as possible and consistent with the need to ensure that there is no risk that individuals could be identified.

## Insights from service users

35. The helplines have provided feedback about their services from users, including praise for the advice given, the available support, the prompt response and the fact that the service continued during the pandemic, including praise for the ISMA service offering support during a difficult time, with ISVAs (Independent Sexual Violence Advisors) navigating the process with ICGS users.

36. We welcome this, but also note and highlight the fact that a small number of service users have raised issues with their experience of accessing the helplines, either directly with the helplines, with the ICGS team or through comments in the media. The ICGS team takes this feedback seriously, whether it reaches the team via the helpline or directly and, currently, users can submit their views to Alison Stanley CBE FCIPD, the independent reviewer who conducted the 6-month of the ICGS and is currently conducting the 18-month review of the ICGS.

## Insights from our providers

### Confidentiality and independence

37. The ISMA Service reported to the ICGS team that obtaining demographic data remained challenging, as some individuals expressed concerns about confidentiality. Moreover, the Service reported that some callers were wary of reporting incidents to the helpline, fearful of losing their jobs or of jeopardising their careers that they had worked hard to attain. For this reason, many callers wished to remain anonymous.

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<sup>15</sup> This change will take effect in Autumn 2020.

38. The Bullying and Harassment Helpline noted that the number of unique callers was slightly lower than the previous year, despite extensions of the scheme when Lords' Members and their staff were brought within the scheme, shortly before the start of the current reporting year and non-recent Commons cases being eligible from Autumn 2019. The Helpline provider believed that any initial backlogs or influxes of complaints had passed and that call volumes would likely trend downward until a yet unknown base level had been reached. In contrast to the ISMA Service, the Bullying and Harassment Helpline detected more confidence from complainants raising concerns without delay and being less fearful of repercussions.

### Extending the scheme to cover non-recent complaints

39. The Bullying and Harassment Helpline reported that feedback so far has been positive of the widening of the scheme to cover complaints relating to events that took place prior to June 2017 (the scheme's original start point). The ICGS received six disclosures from the Helplines relating to non-recent cases and investigators recruited by the ICGS were chosen to investigate. The receipt of non-recent disclosures dropped significantly after the first six months of the change in eligibility.

### 3. INVESTIGATING COMPLAINTS

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#### Investigation Arrangements

40. For the period covering this annual report, the ICGS held contracts with two organisations for the provision of independent investigators: Andrea Adams Consultancy (AAC) and Conflict Management Plus Solutions (CMP). As with the Helpline Providers, both organisations have been supplying investigative services from September 2018 and both have experience of workplace investigations into bullying and harassment and sexual misconduct. As a result of non-recent cases being eligible under the scheme, 13 Independent Investigators with experience from the commercial, public and law enforcement sectors were recruited, in December 2019. These investigators are independent and are commissioned on a case-by-case basis to investigate non-recent cases and current complex cases.
41. During the initial stages of the pandemic and the lockdown, the ICGS decided to pause casework relating to staff of both Houses and the Parliamentary Digital Service, due to concerns about the need to safeguard employees' wellbeing while working remotely. This decision came into effect from 6th April 2020 and was subsequently reversed, with casework restarting again on 4th May 2020, as members of the parliamentary community became more used to working remotely and additional resources to support them were put into place. Decision-Making Bodies (DMBs) from the Commons and Lords authorities undertook risk assessments at this time, for cases involving staff of both Houses. Both AAC and CMP, as well as the Independent Investigators, responded quickly and efficiently to new ways of working. Investigators adapted to using online video-calling services to conduct interviews and keep in touch with the ICGS team. A small number of face-to-face meetings have taken place, in line with COVID-19 safety guidance. While every effort has been made to progress investigations, there have been delays in completing cases as investigators have worked to introduce the measures necessary to do so safely.
42. This reporting year has seen developments to the operation of the scheme and an extension to its scope to include non-recent cases and cases brought by people who are no longer members of the parliamentary community. These changes, and possibly an improved awareness of the scheme, has seen an increase in formal complaints.<sup>16</sup> As a result, the ICGS team has had additional staffing resources this year. The ICGS team has developed a handbook for investigators to ensure continuous improvement in the quality and consistency of the work. New procedures, including the management of evidence and the tracing of witnesses, have also been introduced.

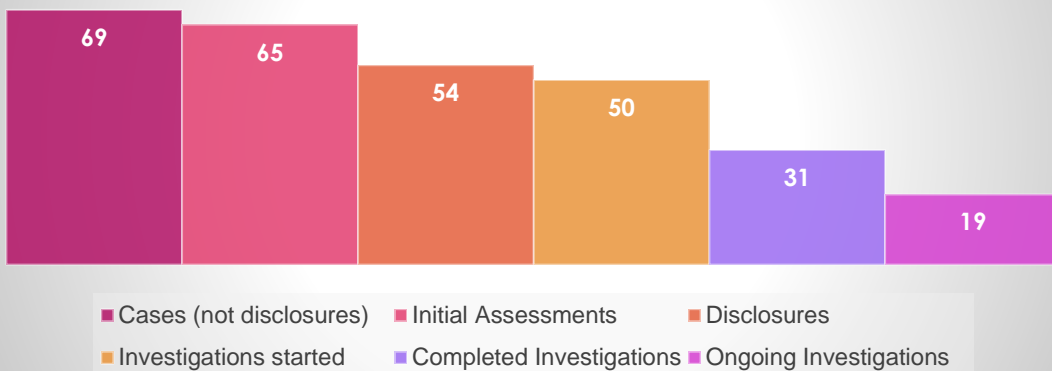
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<sup>16</sup> See Chart 6 below.

## Data and Analysis

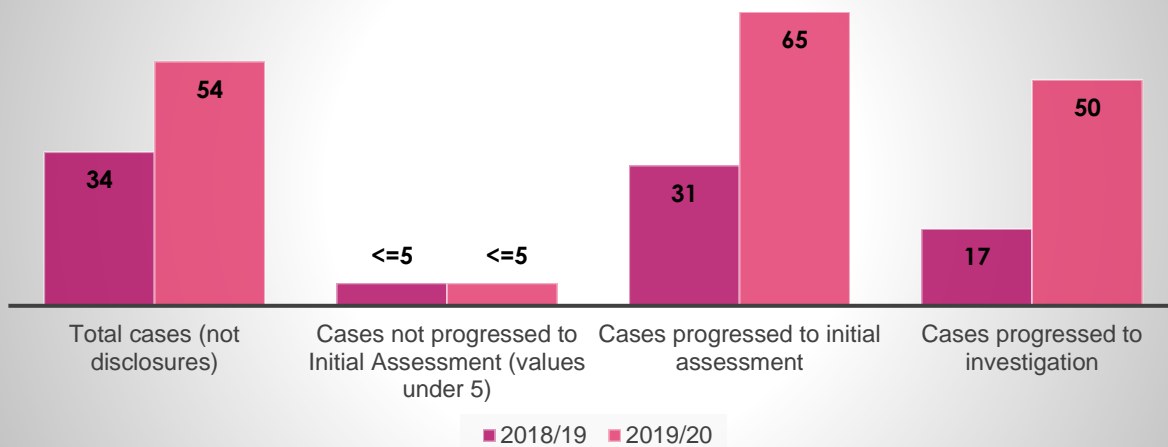
43. While 293 individuals contacted the helplines during this reporting period, not all contacts progressed to a disclosure being passed onto the ICGS Investigation team, which is the first step towards investigation. Reasons for this could include the complainant's desire not to progress, their wish to seek an alternative remedy or alternative support, or to seek confidential advice, information and support.
44. During the reporting period, the ICGS Investigations team received 54 disclosures from the Helplines. A disclosure form is completed when a service user decides that they wish to record a formal complaint of Bullying and Harassment or Sexual Misconduct. Following this assessment, the Independent Investigator will decide if the case meets the ICGS threshold and can therefore be progressed to full investigation.
45. The eligibility criteria for investigation under the scheme are set out in the Delivery Report and require complainants to be members of the parliamentary community. Once received by the ICGS, all disclosures are given a unique reference number and then allocated to an Independent Investigator to complete an "initial assessment". Cases may not progress because, for example, the matter is not a complaint of bullying and harassment or sexual misconduct or the complainant decides to withdraw. Last year, 15 disclosures did not proceed to formal investigation. An initial assessment was completed on 11 of these disclosures which determined either that the matters complained about did not meet eligibility criteria or the complaint was withdrawn. The four remaining cases may not have progressed for a number of reasons, for example, if the matter was not a complaint of bullying and harassment or sexual misconduct or if the complainant decided to withdraw.
46. If the independent investigator has found that the complaint does meet the eligibility criteria to progress to full investigation, the person or persons about whom the complaint has been made will be advised of the complaint by their relevant Decision-Making Body. If there is more than one person named in the complaint, unique reference numbers are allocated to each to enable confidential and individual investigations. This process will sometimes result in there being more cases than disclosures in any given period, as highlighted this year, and shown in chart 5 below which provides a summary of the investigation service activity this reporting period.

**Chart 5 Investigation Service Activity Summary**



47. This year, the numbers of disclosures and the disclosures progressing to full investigation are both over double the number received last year, as chart 6 below details:

**Chart 6 Casework Volume over two reporting years**



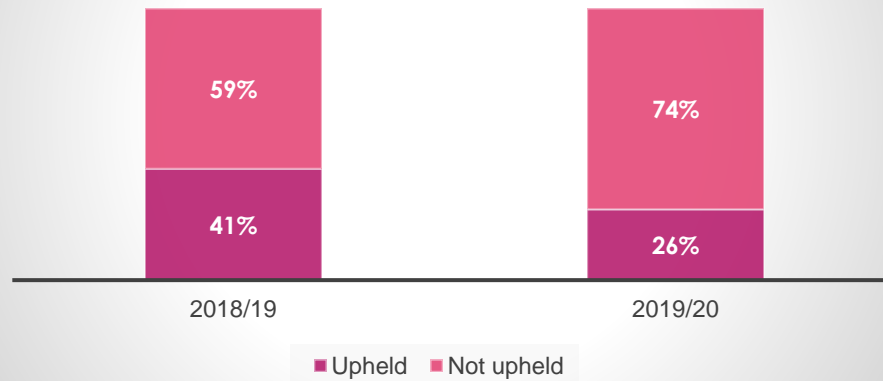
48. In the 2018/19 reporting year, independent investigators decided that just over half of the cases investigated (55%) were eligible to progress from initial assessment to full investigation. In this 2019/20 reporting year, they decided that 77% of cases were eligible to progress from initial assessment to full investigation. This could indicate improved accuracy at the helpline stage, ensuring that service users are correctly signposted to a range of services including the ICGS, resulting in fewer non-eligible cases progressing to initial assessment. It should also be noted that the numbers of complaints not proceeding to investigations will include the variable of eligible cases that are withdrawn by the complainant, however these are relatively low numbers (five in this period) when compared to the overall sample of disclosures that proceeded to initial assessment.

49. The majority of disclosures (91%) received by the ICGS team from the helpline this year were complaints under the bullying and harassment policy and 9% were complaints under the sexual misconduct policy. The percentage split between the two policies remains consistent with the percentage of cases that progressed to investigation, which for this year was 93% and 7% respectively. As there is currently limited year-on-year data for the ICGS, it would be difficult to draw too many conclusions about the experiences of the parliamentary community from this data. However, there was a similar percentage split in disclosures between the two policies last year.
50. At the end of this reporting period, of the 65 cases that had an initial assessment, 46 were recorded as closed and 19 remained open and under active investigation. Of the 46 closed cases 26 (56%) were recorded as being not upheld, while 9 (20%) were upheld. This year more than half of cases that proceeded to investigation (and completed within the reporting period) were recorded with a not upheld outcome, which is an increase from last year.
51. Of the 46 cases, 11 (24%) were not progressed to full investigation as they were found to be not eligible under the scheme, an alternative (informal) resolution was found (for example mediation) or the complainant withdrew.<sup>17</sup> Of this number, the majority of cases were withdrawn and low numbers of complaints were recorded as not eligible or were dealt with through an alternative resolution.
52. If the upheld and not upheld data from this year and last is isolated, it is evident from chart 7 below that we have seen an increase of 15 % in “not upheld” cases, between the two reporting years. While this appears a large increase, the year-on-year variants, including the introduction of non-recent and the sample sizes, makes it difficult to draw definitive conclusions. The ICGS team has also received feedback from some investigators that they would welcome greater discretion in outcomes as the ability to uphold or not uphold cases only, rather than having the option to ‘uphold in part’ or ‘partially uphold’ causes difficulties when reflecting the circumstances and conclusions in some cases. Such a change would need agreement from the House of Commons, the Lords’ Conduct Committee and the Clerk of the Parliaments (as employer of staff in the House of Lords), and may be considered under the 18-month review.

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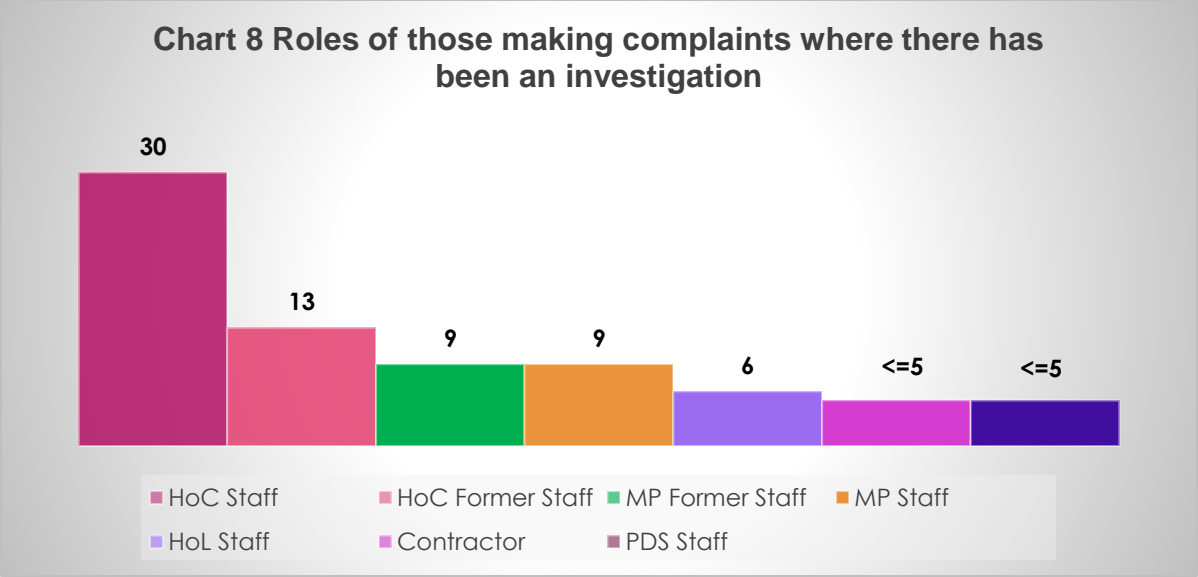
<sup>17</sup> Complainants are entitled to withdraw complaints at any time during the complaint process.

**Chart 7 Investigations over the past two years looking at complaints with recorded outcomes only**

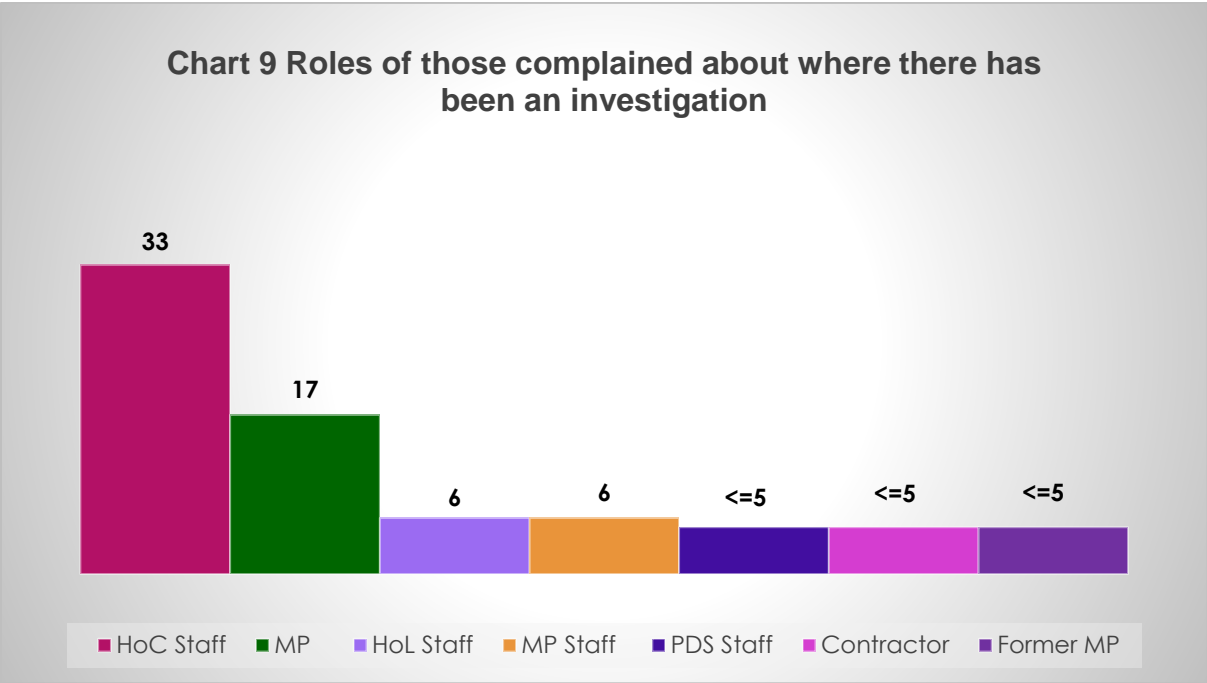


53. It is difficult to infer much from this information as the data set is still small, given the short period of time that the scheme has been running. However, it is worth noting that cases progress in accordance with the relevant policy and there is no ability to 'gatekeep' complaints. For example, a complaint that has been previously investigated under another internal process and has not been upheld, can be considered under the ICGS. Equally, the scheme does not (nor should not) test or filter out cases on merit or on the likely outcome. Given this context, it is difficult to draw conclusions based on outcomes alone. Service users are not able to complain about matters outside these policies or outside the scope of the ICGS itself.
54. Chart 8 below details the role of those making complaints under the scheme. House of Commons staff were the group that made most complaints. This is to be viewed in the context of the number of House of Commons staff compared with the number of people in other groups, as detailed on page 10 of this report. Former staff were also unable to access the scheme until part way through this reporting period, which may also contribute to the data presenting as it is.



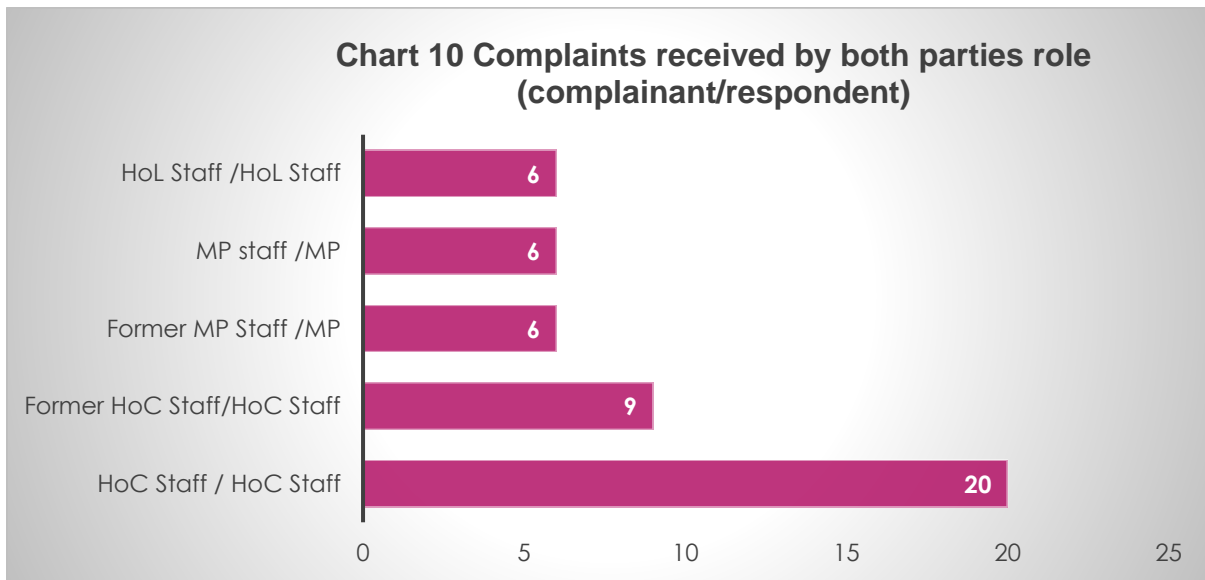


55. Chart 9 below provides information of those complained about within this reporting year. House of Commons staff and MPs are the two largest groups in this category. There were no complaints made by MPs in this reporting year.



56. As charts 8 and 9 demonstrate, staff of the House of Commons are recorded as both the largest group complaining and being complained about. As described above, this group is the second largest group within the parliamentary community, which

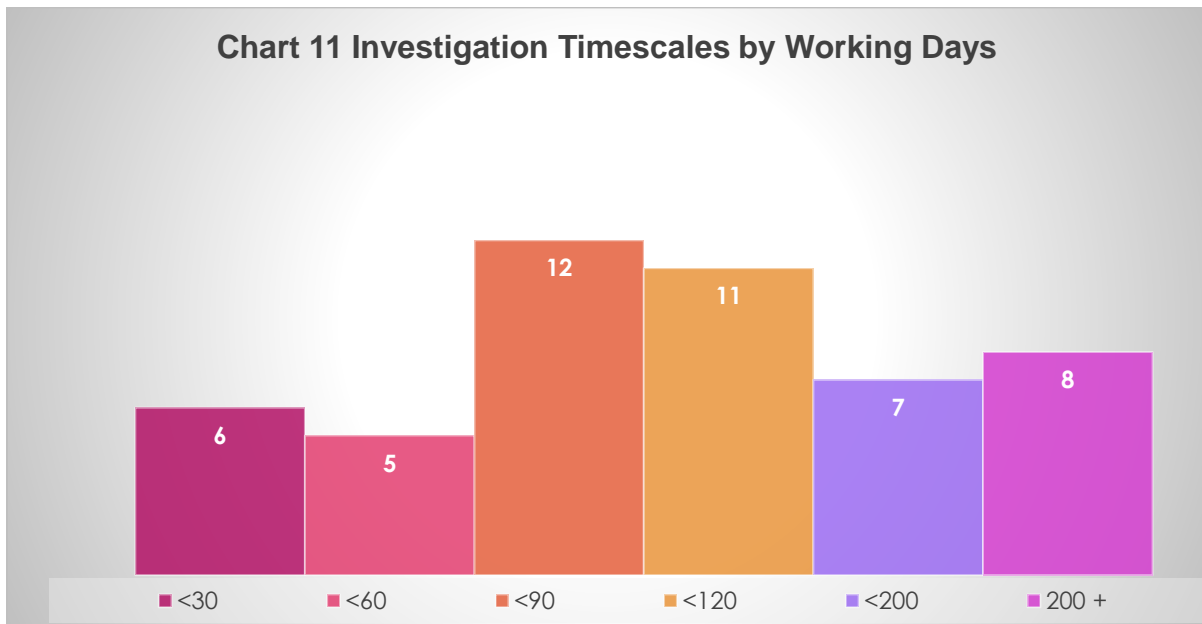
could account for this. Furthermore, there have been strong communication campaigns targeted specifically at House of Commons staff. As the numbers are still small at this early stage of the scheme, presenting the complaints as a percentage of each group should be viewed with caution. The second largest group, as shown in chart 10 below, was former House of Commons staff complaining about current House of Commons staff. Only groups that returned a sample of over five have been reported below.



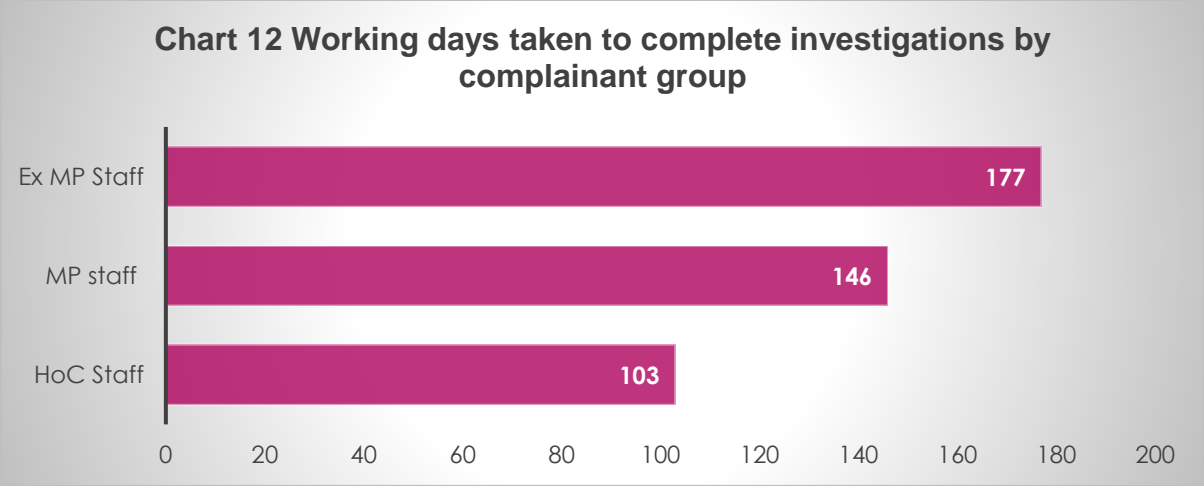
57. It is important to all involved in the scheme to understand how long it might take for complaints to be investigated. The ICGS, like any investigation process, can have its timescales impacted by external factors. This year, ICGS investigation timescales have been affected by the introduction of non-recent cases—bringing with them more complex requirements, such as additional time needed to trace individuals—and by the pandemic, requiring the need for different working practices. Factors relating to the parties involved can also affect the timely delivery of investigations. For example, the investigation will be paused: if either party is unwell or signed off sick; if a DMB requests a pause (usually for wellbeing reasons); the availability of witnesses; or the time taken to obtain requested information.

58. During this reporting period, the average time to complete an investigation, from the date the disclosure is received by the ICGS Investigation Liaison Team to the date that the final report is sent to both parties by the Investigator (or in cases where the PCS has oversight, to the PCS,) was 111 working days (22 working weeks). Chart 11 (below) provides a further breakdown of timescales and shows that 69% of cases were completed in 120 or fewer days.

59. This timescale is from the date the complaint is received by the ICGS team as a disclosure to the date the investigator sends their report to the complainant and respondent. This year the ICGS have introduced an expected timescale for investigations of 8 weeks from the time the respondent is informed the complaint is being investigated and will be able to report on this performance data next year. It is hard to draw conclusions from overall timescales this year, due to the external factors described above. However, the ICGS Team is in the process of introducing a clear set of Key Performance Indicators (KPIs) for Investigations to help support the work. Performance against these KPIs will be included in next year's Annual Report.



60. Chart 12 (below) shows working days to complete investigations by complainant group within the reporting period. As the chart indicates, investigations where evidence is likely to be more difficult to obtain will take longer. For example, investigations involving current staff are likely to be completed more quickly than those requiring evidence gathering from outside the organisation.



**Summary**

61. In this reporting year, the ICGS team has seen an increase in the number of disclosures sent from the helpline for investigation and an increase in the number of investigations completed. There has been an increase in the percentage of cases meeting the criteria at initial assessment and then progressing to full investigation. The ICGS has also managed the first non-recent cases. In the coming year and, pending the recommendations from the 18-month review, the ICGS will prioritise work on: understanding barriers to access the ICGS for different groups; developing Key Performance Indicators and data recording to understand and improve investigation timescales; understanding and building on the experience of users of the scheme; clarity on alternative, informal resolution; improved resources for the investigators, building on the handbook and offering other resources; and utilising a greater mix of skills offered by the investigators.

62. Cases overseen by the Parliamentary Commissioner for Standards are included in the statistics above. The PCS's Annual Report includes details about the Commissioner's role in ICGS cases.<sup>18</sup>

<sup>18</sup> [The Parliamentary Commissioner for Standards Annual Report 2019-20](#), HC 616, published 15 July 2020.

## Investigations by the House of Lords Commissioner for Standards

63. On 30 April 2019, the House of Lords agreed to the incorporation of the ICGS into the Code of Conduct for Members, the Guide to the Code and the Code of Conduct for Members' Staff.<sup>19</sup> This meant that the Codes now contains explicit provisions against bullying, harassment and sexual misconduct, in line with the definitions set out in the ICGS Delivery Report. This change also represented an extension of the ICGS so that from this point on it covered complaints against all of the key groups that together constitute the parliamentary community. The Code allows for complaints of bullying, harassment or sexual misconduct against Lords members, or their staff, to be investigated by the independent House of Lords Commissioner for Standards, assisted by the independent investigators contracted by Parliament to investigate all ICGS cases.
64. As a result of procedural differences in investigating complaints into the behaviour of Lords members or their staff, the figures and analysis in the section above exclude cases investigated by the Lords Commissioner for Standards.
65. During the reporting year covered by this annual report, the Lords Commissioner has completed and published the findings of two sets of complaints into the conduct of members under these new provisions.<sup>20</sup> While these were serious and difficult cases for all those involved, they demonstrate that the new provisions in the Codes can be used effectively, and that the arrangements for working with independent investigators have been successful.

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<sup>19</sup> [The Code of Conduct for Members of the House of Lords, Guide to the Code of Conduct, Code of Conduct for House of Lords Members' Staff](#), July 2020.

<sup>20</sup> [The Conduct of Lord Stone of Blackheath](#), October 2019, and [The Conduct of Lord Lea of Crondall](#), January 2020. Subsequent reports into members' conduct under the new provisions have been published: [The Conduct of Lord Stone of Blackheath](#), July 2020; [The Conduct of Lord Lea of Crondall](#), August 2020; and [The Conduct of Lord Ahmed](#), November 2020. Further information on the work of the Lords Commissioner for Standards can be found in her [Annual Report 2019-20](#).

## 4. Valuing Everyone Training

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66. The Valuing Everyone training module was procured by the House of Commons Learning and Organisational Development Team in December 2018 and has been delivered by Challenge Consultancy throughout that time. It is a mandatory requirement for staff of both Houses to participate and is offered widely to all members of the parliamentary community.
67. The training has continued to be a core part of the ICGS. It has been designed to help Members, Members' staff and staff of both Houses to understand, recognise and prevent bullying, harassment and sexual misconduct and to give them the tools to question such behaviour. The training also shares the range of services and support available to attendees. A course booklet has been designed to accompany the training.
68. Over 4,000 people have attended Valuing Everyone training in approximately eighteen months, since the training was rolled out in 2019. Attendees know that everyone attending the Valuing Everyone training is being shown the same material and given the same messages, with the only variation being the case studies discussed, which are contextualised according to whether the audience comprises Members, Members' staff, staff of the two Houses, or managers with responsibility for employing staff. From June 2019 to March 2020, the training was offered as a face-to-face workshop, for up to 14 participants. Since 30 March 2020, with the introduction of remote working and restrictions as a result of COVID-19, the training has been offered online, with between one and 20 participants attending.
69. For the face-to-face workshops, over 97% of participants completed evaluation forms. For the online workshops, the completion rate is above 88%. These completion rates are a positive sign of participants' willingness to engage with the training, and together provide evidence that the training is meeting its objectives.
70. Headline findings from the evaluation forms include:
- Q. How effective was the course in increasing your ability to recognise unacceptable behaviour
- 92.83% who attended on-site stated very good or good
  - 93.13% who attended online stated very good or good
- Q. Did the Participant report an increase in confidence in calling out unacceptable behaviour

- 79.21% who attended on-site indicated yes<sup>21</sup>
- 93.22% who attended online indicated yes

Q. How effective was the course in signposting support services and sources of help available

- 96.17% who attended onsite said very good or good
- 96.04% who attended online said very good or good

Q. Would you recommend the course to others?

- 99.63% who attended onsite stated yes
- 98.33% who attended online stated yes

71. From the open questions on the evaluation forms, as well as through informal feedback with the providers, many themes and insights have emerged. These have included:

- The ideal size and mix of participants of each training session
- The training methods, and content of the training, including whether the scenarios and case studies discussed are appropriate
- Whether the training should be voluntary or mandatory for different groups of participants, and whether refresher sessions should be offered
- Feedback for the ICGS itself, with the training proving to be an invaluable forum for suggesting improvements to the way the scheme is operated and communicated

72. The trainers themselves have also provided useful insights for the ICGS team and those working on related culture change work. The table below gives the number of participants who had completed or booked to take part in the training as of 30 June 2020. It should be noted that at present the training is mandatory for some groups within the parliamentary community, and voluntary for others; and that the training has been offered to some groups before others, which explains for example the lower completion rates by Lords members and their staff, compared with their Commons counterparts.

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<sup>21</sup> It is not clear why there is a notable difference between those attending face-to-face workshops and those participating online in reporting increased confidence in calling out unacceptable behaviour. However, this was something that the course providers increasingly emphasised, following initial feedback, so later sessions may have provided participants with a different experience of the training. The audiences have also changed over time, with Administration staff forming a larger part of the earlier face-to-face training, and members and members' staff forming a larger part of the later online training. It might be that the different perspectives and experiences of these different audiences explain some of this difference.

<b>Participants</b>	<b>Completed</b>	<b>Booked</b>	<b>Total</b>	<b>Total in group</b>	<b>Percentage who have attended/booked on the training</b>
House of Commons staff	2,300	3	2,303	2,628	88%
House of Lords staff	390	0	390	657	59%
Parliamentary Digital Service staff	434	0	434	441	98%
MPs	390	66	456	650	70%
MPs' staff	337	46	383	Approx. 3,200	12%
Members of the House of Lords	320	20	340	790	42%
Lords Members' staff	8	2	10	Approx. 520	2%

*As at 30 June 2020*

73. Significant steps were taken in the months following the 2019/20 reporting year to increase attendance among key audiences on Valuing Everyone. Newer figures were made public and we have included the latest dataset to avoid confusion over these figures:



<b>Participants</b>	<b>Completed</b>	<b>Booked</b>	<b>Total</b>	<b>Total in group</b>	<b>Percentage who have attended/booked on the training</b>
House of Commons staff	2,390	31	2,421	2,657	91%
House of Lords staff	405	46	451	663	68%
Parliamentary Digital Service staff	435	3	438	454	96%
MPs	560	23	583	650	90%
MPs' staff	531	59	590	Approx. 3,200	18%
Members of the House of Lords	401	40	441	798	55%
Lords Members' staff	6	0	6	Approx. 520	1%

*As at 30 October 2020*

## 5. Looking forward

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73. The year ahead will provide opportunities for the ICGS to improve its vital work supporting colleagues across the parliamentary community. Our priority is the 18-month review of the scheme, which will run through the final months of 2020 and into Spring 2021.

### The 18-month review

74. Although the majority of preparation for the 18-month review happened outside the reporting year of this Annual Report, it is important to note the work being done in preparation for the 18-month review. The Leaders of both Houses circulated the Terms of Reference in the Summer of 2020 with accompanying consultation with relevant stakeholders in both Houses, including the ICGS team. The final version of the Terms of Reference was agreed by the House of Commons' and House of Lords' Commissions in early October 2020. The Commissions of both Houses appointed Alison Stanley to conduct the 18-month review of the ICGS.<sup>22</sup> The review is likely to last for four months.

75. Over the next few months, and following the publication of this report, Alison Stanley will be engaging directly with all staff, meeting with the ICGS team and key stakeholders, and inviting feedback from those who have used the scheme. We hope that everyone across the parliamentary community has the opportunity to engage with the review and the reviewer. A communications package has been created to raise awareness of the 18-month review with different audiences through every available channel in both Houses. It is anticipated that, having completed this work, Alison Stanley will publish a report with recommendations in Spring 2021 and will present her findings and recommendations to both Commissions.

76. Alison Stanley is likely to consider the implementation and incorporation of the recommendations of the 6-month review, any outstanding recommendations from that review, or any recommendations specific to the Cox inquiry and the Ellenbogen and White reviews. The Terms of Reference include a review of the following:

- The operation of the ICGS;
- The time taken to complete investigations;
- The effectiveness of provisions to allow alternative, informal resolution, and the rules around confidentiality;
- Awareness of the ICGS across different groups within the parliamentary community and its impact on them;
- The rights to review or appeal ICGS findings at different stages;
- Cluster or third-party reporting under the scheme;

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<sup>22</sup> <https://www.parliament.uk/globalassets/final-icgs-tor-.pdf>

- Re-consideration of the replacement of the initial assessment with an eligibility test; and
- The date at which non-recent cases are no longer included in the ICGS.

77. Significant work has been done by the ICGS team in preparation for the 18-month review including the following:

- In May 2020 a Project Manager role within the ICGS team was created to support the 18-month review;
- In July, an Equality Analysis was completed for the 18-month review, in consultation with the D&I teams of both Houses and the Workplace Equality Networks (WENs). An Equality Analysis Action Plan was created and is being implemented;
- Throughout August and September 2020, the ICGS team ran a series of workshops to agree final communications plans, data sets, programme and action plans; and
- A welcome briefing pack was completed for the reviewer, containing important resources, datasets and contact information.

78. Agreed recommendations and outcomes of the review will be implemented as soon as possible, which in turn will improve the ICGS and the support it provides to all members of the parliamentary community.

## ANNEX A: Key developments in the ICGS

Date	Milestone
<b>2017</b>	
<b>01/11/17</b>	Allegations and accounts in the Press of inappropriate behaviour and a culture of bullying, harassment and sexual misconduct at Westminster led to the establishment of a cross party working group on an independent complaints and grievance policy.
<b>2018</b>	
<b>08/02/18</b>	Cross-party, bicameral Working Group on an Independent Complaints and Grievance Policy published its report.
<b>28/02/18</b>	Resolution passed in the House of Commons to develop a Parliament-wide behaviour code and an Independent Complaints and Grievance Scheme (ICGS)
<b>01/03/18</b>	Following a Newsnight report on alleged inappropriate behaviour by MPs towards staff, the House of Commons Commission agree to establish an independent inquiry into bullying of staff in the House of Commons, appointing Dame Laura Cox QC.
<b>18/03/18</b>	House of Lords Commission agree with recommendations to deliver the recommendations of the Cross-Party Working Group on an Independent Complaints and Grievance Policy (ICGS).
<b>04/07/18</b>	House of Lords Commission endorsed the Behaviour Code; referred it to the Sub-Committee on Lords' Conduct.
<b>13/07/18</b>	The Commons Committee on Standards report published
<b>17/07/18</b>	ICGS Programme Team delivery report is published
<b>19/07/18</b>	House of Commons endorses the behaviour code and policies and procedures related to bullying and harassment and sexual misconduct as laid out in the ICGS Delivery Report

<b>01/08/18</b>	Updated version of the House of Lords' Code of Conduct is published, incorporating the new behaviour code and the rule that Members must treat their staff and all those visiting or working for or with Parliament with dignity, courtesy and respect
<b>15/10/18</b>	Dame Laura Cox QC's report into bullying and harassment of House of Commons staff is published
<b>24/10/18</b>	House of Commons Commission meet to consider Cox report and agreed to three fundamental recommendations highlighted in that report: <ul style="list-style-type: none"> <li>• Terminate the valuing others policy and suspend operation of the respect policy recommending that the house terminate it as soon as possible</li> <li>• Amend ICGS to ensure house employees with complaints involving non recent allegations can now access the scheme.</li> <li>• Ensure the process for determining complaints brought forward by house staff against members will be entirely an independent process in which members of parliament will play no part.</li> </ul>
<b>24/10/18</b>	House of Commons Commission confirmed that the Valuing Others and Respect Policies had been terminated.
<b>05/11/18</b>	General debate held in House of Commons chamber on Dame Laura Cox's report
<b>10/12/18</b>	Committee on Standards published a report into the implications of the Cox report for the House's standards system
<b>2019</b>	
<b>07/01/19</b>	House of Commons agreed lay members of the committee on standards could move motions and amendments including reports and be able to vote
<b>07/01/19</b>	Committee on Standards' report is debated and agreed by the House
<b>28/01/19</b>	Alison Stanley appointed by the House of Commons Commission to review of the first six months of the operation of the ICGS

<b>25/02/19</b>	HoC Commission agreed the membership of an Advisory Review Panel
<b>13/03/19</b>	Committee on Standards set out its role in ICGS appeals. Deciding to delegate decision-making on appeals to an Appeals Sub-Committee. The Sub-Committee will also deal with cases escalated to the Committee by the Commissioner
<b>18/03/19</b>	Advisory review panel ratify Alison Stanley's appointment and agreed her Terms of Reference
<b>04/04/19</b>	House of Lords' Committee for Privileges and Conduct's report on changes to the Code of Conduct published
<b>30/04/19</b>	House of Lords agreed to the Committee for Privileges and Conduct's report
<b>03/05/19</b>	Committee on Standards launch inquiry into possible reforms to system of sanctions for breaches of the rules set out in the code of conduct for MPs
<b>03/05/19</b>	Committee on Standards launched inquiry into possible reforms to the system of sanctions for breaches of the rules set out in the Code of Conduct for MPs
<b>09/05/19</b>	House of Lords agreed the members who would serve on the Conduct Committee
<b>21/05/19</b>	Consultation on extending the ICGS to non-recent cases launched
<b>12/06/19</b>	Alison Stanley's 6-month review of the ICGS report published
<b>14/06/19</b>	Consultation on extending the ICGS to non-recent cases closed
<b>24/06/19</b>	House of Commons Commission agreed (subject to approval from the House) to extend the ICGS to non-recent cases

<b>24/06/19</b>	Alison Stanley report presented to House of Commons Commission
<b>10/07/19</b>	Naomi Ellenbogen QC's report into bullying and harassment in the House of Lords published
<b>11/07/19</b>	Gemma White QC's report into bullying and harassment of MPs' staff published
<b>17/07/19</b>	House of Commons agreed to extend the ICGS to cover non-recent cases and to be open to all former members of the parliamentary community
<b>21/10/19</b>	ICGS made available to any current or former member of the parliamentary community wanting to raise concerns, seek advice or make a complaint about bullying, harassment or sexual misconduct by MPs, MPs' staff or House of Commons staff, that occurred at any point.
<b>2020</b>	
<b>05/03/20</b>	House of Lords Conduct Committee agreed its Report, <i>Progress report and amendments to the rules of conduct</i>
<b>16/03/20</b>	House of Lords Conduct Committee agreed arrangements for the investigation of non-recent cases in the House of Lords under the ICGS
<b>16/03/20</b>	House of Lords approved the Conduct Committee's Report, <i>Progress report and amendments to the rules of conduct</i>
<b>27/04/20</b>	House of Commons Commission confirmed its preferred option of a new independent panel of experts (that does not include current or former MPs) with the power to determine ICGS cases and decide on sanctions that should be implemented, subject to agreement from the House.
<b>27/04/20</b>	House of Commons Commission agrees proposals for an independent system
<b>23/06/20</b>	MPs approved motions to establish the Independent Expert Panel whose function will be to determine sanctions in ICGS cases referred to

	it by the PCS where the PCS does not have the necessary sanctions and to hear appeals from either complainants or respondents against the PCS's conclusions in ICGS cases involving MPs. The House of Commons will be required to approve a motion (without debate) to impose such determined sanctions
<b>09/10/20</b>	Alison Stanley started work on the 18-month review of the ICGS



## ANNEX B: Memorandum of Understanding (agreed March 2020)

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### ICGS TEAM: MEMORANDUM OF UNDERSTANDING

<b>Party A</b>	
Organisation	IGCS
Contact name	Jo Willows, ICGS Director

<b>Party B</b>	
Organisation	House of Lords
Contact name	Simon Burton, Clerk Assistant House of Lords

<b>Party C</b>	
Organisation	House of Commons
Contact name	Sarah Davies

Document Version & Approval and Review History			
Version	Date	Author	Key changes
0.1	Jan 2020		First draft
1	Feb 2020		Approved version
	Apr 2021	Clerk Assistants	First formal review

1. This Memorandum of Understanding sets out the financial, HR, and governance arrangements for the bicameral ICGS team. It has been approved by the Clerk Assistant in the House of Lords and Clerk Assistant in the House of Commons and the Accounting Officers.
2. The Commons Executive Board and Lords Management Board will be asked to consider this MoU.

#### Overarching Principles

3. The ICGS team's core objectives are to oversee and monitor the operation of the ICGS and implement changes to the scheme. In doing so it supports the strategic objectives of each House.
4. The ICGS team is an autonomous bicameral team. The team reports to the Clerk Assistants of each House who have responsibility for the ICGS at Board level.

5. Notwithstanding this, the investigations into individual complaints are conducted entirely independently from the management and HR function of either House, and are carried out by independent investigators. The ICGS team monitors the overall performance of these investigators, but does not have any role in determining individual complaints. It follows that the HR functions and the management of each House do not and cannot influence this process.

### **Corporate Governance<sup>23</sup> and reporting**

6. The team is bicameral and serves both Houses. Each House has corporate governance requirements. It is usual for teams in this position to use the processes of one House and for the other House to have input.
7. The ICGS team will follow the House of Lords processes for assurance<sup>24</sup>, delegation, and business and financial planning and challenge. The House of Commons will be invited to participate in these processes. The ICGS team will be an autonomous team and neither House Administration will have the ability to influence day-to-day working of the scheme or the investigation of individual complaints.
8. The team will prepare a business plan each year setting out its proposed work for the planning period. The business plan will be approved by the Clerk Assistants of each House and subject to the usual challenge processes.
9. The team will prepare an annual report each year. The annual report will be approved by the Clerk Assistants of each House.
10. The team will prepare a financial plan each year that will be approved by the Clerk Assistants and subject to the usual challenge processes.

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<sup>23</sup> [The Guide to Corporate Governance in Central Government Departments](#) states that corporate governance for an organisation is *"the way in which organisations are directed, controlled and led. It defines relationships and the distribution of rights and responsibilities among those who work with and in the organisation, determines the rules and procedures through which the organisation's objectives are set, and provides the means of attaining those objectives and monitoring performance. Importantly, it defines where accountability lies throughout the organisation."* For the purpose of this MoU Corporate Governance is the processes relating to assurance, budgeting, business plans and financial reporting.

<sup>24</sup> Assurance is the process by which each Board member submits an annual letter of assurance, setting out how they have ensured the effective and efficient management of the responsibilities delegated to them and their Offices.

## Finance

11. For budgetary purposes the ICGS is a bicameral team with the costs shared between both Houses, based on the costs sharing ratios in the table below. The team will have its own cost centre in the House of Lords and a specific ICGS budget within the House of Commons.
12. Save where agreed otherwise, the costs of the team will be split 70:30 between the House of Commons and House of Lords.

<b>Cost</b>	<b>Arrangements</b>
Direct staffing costs	70:30 split of all posts. The direct costs are met by the House employing the member of staff and recharged to the other House.
Training	House of Commons will pay and recharge the House of Lords for the training costs for all staff.
Marketing and other publicity	House of Commons will pay and recharge the House of Lords.
IT	Each House provides IT for their staff. No recharge applied.
Other equipment	House of Commons will pay and recharge the House of Lords.

## The team: HR and staffing

13. The team will consist of the following posts (an organogram is set out in Annex 1):
  - a. ICGS Director (SCS1);
  - b. House of Lords Implementation Lead (HL8);
  - c. House of Commons Implementation Lead (A2);
  - d. Contracts Manager (A2);
  - e. Case Liaison Lead (A1);
  - f. House of Lords Case Liaison Officer (HL6);
  - g. House of Commons Case Liaison Officer (B2); and
  - h. Operations Manager (B2).
14. The ICGS Director will be managed by the House of Lords Clerk Assistant and countersigned by the House of Commons Clerk Assistant. The ICGS Director will manage the remaining team members. To preserve confidentiality the A1 Case Liaison Lead will oversee and direct the work of the two Case Liaison Officers.
15. All members of the team will continue to be employed by their originating House. This means that they would remain subject to the terms and conditions of that House. A memorandum of understanding detailing how this will operate in practice is set out at Annex 2.
16. The team will be based on the second floor of Millbank House.

## Contracts

17. The team will manage the following contracts:

<b>Contact</b>	<b>Currently management/budget</b>	<b>New arrangements</b>	<b>Renewal date</b>
<b>Health Assured</b> Confidential reporting service mainly concentrated around harassment and bullying.	House of Commons HR recharge to HoL HR	Transfer budget and management to ICGS team. Split 70:30 HoC: HoL.	July 2020
<b>Solace</b> Confidential phone line service mainly concentrating on sexual harassment and assault.	House of Commons HR recharge to House of Lords HR	Transfer budget and management to ICGS team. Split 70:30 HoC: HoL.	July 2020
<b>Investigation casework [2 suppliers]</b> Investigator for cases of bullying and harassment and sexual harassment.	House of Commons HR recharge to House of Lords HR	Transfer budget and management to ICGS team. Split 70:30 HoC: HoL.	September 2020
<b>Non-recent cases investigators.</b> Specialist investigators for historic cases. Contracts are with individuals.	Appointed in December 2019	Budget and management by the ICGS team. Split 70:30 HoC: HoL.	N/A

18. When these contracts are renewed, they will be joint House of Commons and House of Lords contracts and subject to the usual approvals processes in each House.

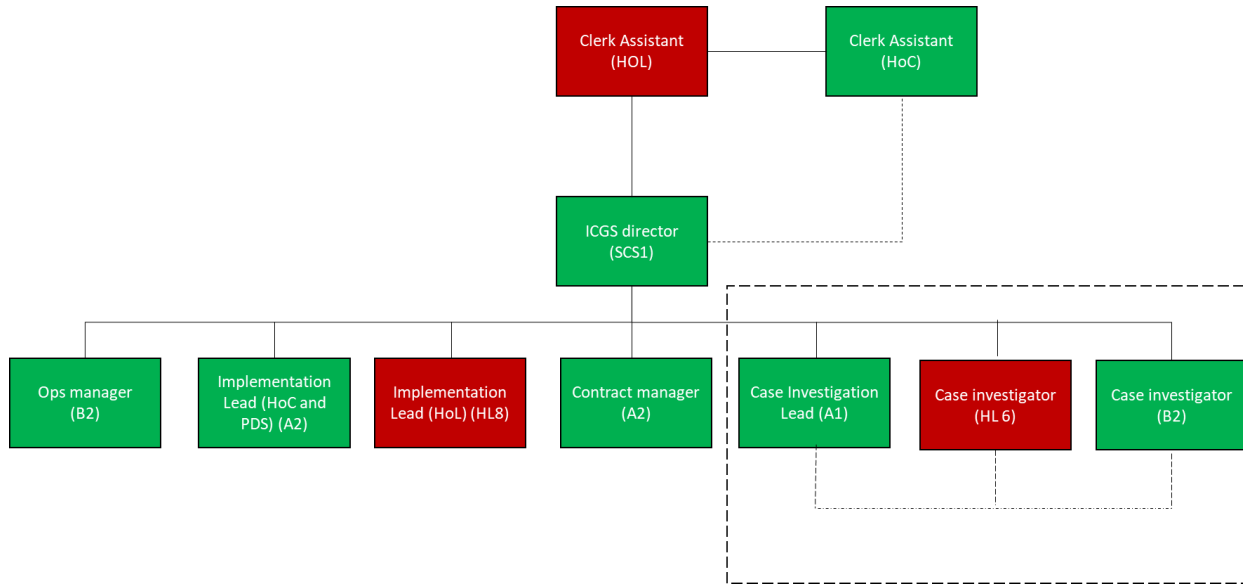
19. In addition, the arrangements for the following contracts will be reviewed in due course:

- a. Tavistock, for remedial training for members and staff. This contract is managed by the House of Commons L&OD team. The costs are split 70:30 HoC: HoL.
- b. Valuing Everyone training for members, members' staff, and staff. This contract is managed by the House of Commons L&OD team. The budget will transfer to the ICGS team from the next financial year and by recharged on a 70:30 split. Operational delivery will remain within House of Commons L&D and House of Lords HR.

## **Review**

20. These arrangements will be reviewed by the Clerk Assistants in April 2021. The Clerk Assistants will consult the ICGS Director, the House of Lords and House of Commons Finance and HR business partners, the governance teams of each House, and other stakeholders. Any changes must be agreed by both Clerks Assistant.

## Annex 1: Organogram



## Annex 2: HR arrangements

1. This MoU sets out the HR arrangements for members of the ICGS bicameral team.

### The Team

Post	Grade	Employing House	Management chain
ICGS Director	(SCS1)	House of Commons	Line-Manager: Clerk Assistant (HL) Counter signer: Clerk Assistant (HC)
HoL Implementation Lead	(HL8)	House of Lords	Line-Manager: ICGS Director C/S: Clerk Assistant (HL)
HoC Implementation Lead	(A2)	House of Commons	Line-Manager: ICGS Director C/S: Clerk Assistant (HL)
Contracts Manager	(A2)	House of Commons	Line-Manager: ICGS Director C/S: Clerk Assistant (HL)
Investigation Liaison Lead	(A1)	House of Commons	Line-Manager: ICGS Director C/S: Clerk Assistant (HL)
HoL Investigation Liaison Officer [*]	(HL6)	House of Lords	Line-Manager: ICGS Director C/S: Clerk Assistant (HL)
HoC Investigation Liaison Officer [*]	(B2);	House of Commons	Line-Manager: ICGS Director C/S: Clerk Assistant (HL)
Operations Manager	(B2).	House of Commons	Line-Manager: ICGS Director C/S: Clerk Assistant (HL)

[\*] To preserve confidentiality the A1 Investigation Liaison Lead will oversee and task manage the work of the two Investigation Liaison Officers.

### Employment status

2. House of Lords Implementation Lead and Investigation Liaison Officer (ICGS): Will be employed by the House of Lords and subject to the terms and conditions in the House of Lords Staff handbook.
3. HoC Implementation Lead, Contracts Manager, Case Liaison Lead, HoC Case Liaison Officer, Operations Manager: Will be employed by the House of Commons and subject to the conditions in the House of Commons staff handbook.
4. ICGS Director: will be employed by their originating House. Currently the ICGS director is an employee of the House of Commons and subject to the conditions in the House of Commons staff handbook.

### Disciplinary and Grievance procedures

5. If any disciplinary issue should arise relating to a member of the team, these will be dealt with under the relevant House procedures, supported by the relevant HR team, subject to the following:
  - a. If the Lords ICGS Implementation Lead or Case Liaison Officer raises a grievance or is the subject of a complaint, the HL Human Resources Office (HRO) and the ICGS director will notify each other and discuss the best approach to handling the matter which may include use of a House of Lords' procedure or a House of Commons procedure or some combination. In default of agreement, the HL procedure will be followed, and any disciplinary sanctions against a House of Lords employee will be for the House of Lords to determine.
  - b. If an employee of the House of Commons raises a grievance or is the subject of a complaint, the HC HR and Diversity team and the ICGS director will notify each other and discuss the best approach to handling the matter which may include use of a House of Lords' procedure or a House of Commons procedure or some combination. In default of agreement, the HC procedure will be followed, and any disciplinary sanctions against a House of Commons employee will be for the House of Commons to determine.

### **Practical arrangements**

6. The two HL employees will be managed by the ICGS director, who is employed by the House of Commons. The five HC employees will be managed by the ICGS director, who is employed by the House of Commons.
7. The House of Lords Human Resources Office (HL HRO) will carry out all normal HR functions in connection with the Lords ICGS Implementation Lead and Case Liaison Officer and employment subject to the following points at (a) – (d) below:
8. Annual leave: if the HL employees wish to take annual leave, the ICGS Director may approve their request on behalf of HL HRO in accordance with HL annual leave policies. The ICGS Director will keep a record of annual leave taken and, if asked, will provide HL HRO with details of days taken as annual leave.
9. Sickness absence: HL HRO will continue to meet entitlements to Statutory Sick Pay. Unless, and to the extent that HL HRO notify otherwise, the ICGS for the posts will ensure that absence records (including any self-certificates and fit notes) relating to the HL employees are completed and returned to the House of Lords HR Office. If asked, the ICGS Director will provide us with any further information gathered on health-related issues. If sickness absence is prolonged or repeated, HL HRO and the ICGS Director will discuss how matters should be handled.
10. Appraisal: the ICGS Director will appraise the Lords ICGS Implementation Lead and Implementation Lead Officer annually but applying HL performance appraisal system, and using such forms as the LR HRO may provide. Following each annual appraisal meeting, the ICGS Director will give HL HRO a copy of the completed form together with such other information as may be relevant.
11. Training: the ICGS Director will provide training appropriate for roles during the period of the contract together with such personal development training as may be

appropriate to the individuals. The ICGS Director will permit the individuals to attend any appropriate in-house training that may be organised for staff in either House/PDS.

12. If any significant concern or matter arises relating to the Lords ICGS Implementation Lead/Case Liaison Officer, the HL HRO and ICGS Director will inform each other, discuss how the concern or matter should be handled and co-operate in taking appropriate action. The ICGS Director will provide HL HRO with such information and documents may be reasonably requested.