

Statement to Parliament: Independent Complaints and Grievance Scheme

Madam Deputy Speaker, today gives us a new start.

Westminster has been rocked by allegations of bullying and harassment since last November, but today we can demonstrate our determination to put our house in order – and ensure that in the future, everyone will be treated with dignity and respect.

This debate and vote come as a result of the tireless work and dedication of the Programme Team who have driven the implementation of the Working Group's proposals.

The Programme Team were overseen by a cross-party steering group made up of staff representatives and members of both Houses. To everyone who has been involved with this process and who have supported and provided advice, I am extremely grateful.

And most importantly, we probably wouldn't be having this debate at all if it wasn't for the bravery and spirit of those women and men who have chosen to speak out about their personal experiences. We thank them for taking that step on behalf of everyone who has been treated wrongly.

The motion on the Order Paper today asks the House to endorse specific changes that were identified in the Working Group's report, which was published and agreed by the House in February. The principles of that report will today become reality.

Today's motion will approve the Independent Complaints and Grievance Scheme Delivery Report, and in doing so it will:

- Ask the House to endorse a new Behaviour Code that makes it clear to all of us who come here – whether an MP, a member of staff, a Peer, contractor or visitor – the standard expected of everyone in Parliament
- Ask the House to eliminate the threat of exposure which prevents many from coming forward, by ensuring that all investigations are managed confidentially
- Provide the Parliamentary Commissioner for Standards (PCS) with a broader set of powers, and makes changes to the Committee on Standards, including to the voting role of lay members
- Propose that a further independent inquiry will be established in similar terms to the Dame Laura Cox inquiry, to hear historic allegations about Members, peers and their staff
- Make provision for a full review of these arrangements at six and 18 months

In addition to the measures in today's motion, the Steering Group has established:

- Two independent helplines, one to deal with bullying and one to deal with sexual misconduct
- Independent HR advice for staff
- An aspiration to improve the general culture of Parliament; including through a new programme of training

I would like Members, staff and the public to rest assured that this Independent Complaints and Grievance Policy (ICGP) puts the complainant at the heart of the process, whilst also upholding the principles of 'innocent until proven guilty'.

The ICGP will be fair, transparent, and I believe, will win the confidence of everyone.

What Have We Done?

Today, Madam Deputy Speaker following an intensive period of implementation, is the final Parliamentary hurdle to getting this much-needed new scheme up and running. This is the first step, not the final step, towards the culture change we all want to see.

That's why we have built in a 6 and an 18-month review of the scheme to ensure it achieves exactly what we set out to do.

Importantly, the 6-month review will take careful account of the findings of the independent inquiry by Dame Laura Cox QC, and the further independent inquiry we are establishing today.

So, turning to the key elements of today's motion.

Behaviour Code

First, the new behaviour code will apply to everyone on the Parliamentary estate.

It has been drawn up following extensive consultation with Trade Unions, staff associations and the public, who were asked for their views on what behavioural expectations we should have of those working for and within Parliament.

It seeks to ensure that:

- Everyone in Parliament is respected and valued;
- We take a zero-tolerance approach to bullying, harassment and sexual misconduct;
- Unacceptable behaviour will be dealt with seriously, and with effective sanctions.

Changes to the Commissioner for Standards and Standards Committee

Today's motion will also make changes to Standing Orders for the Parliamentary Commissioner for Standards, and to the Committee on Standards on confidential investigations.

Firstly, we are proposing that the Commissioners of both Houses keep their investigations entirely confidential, until such time as there is a finding.

This is crucial if individuals are to place their trust in the new system. There is clearly a balance to be struck between the public interest in transparency, and putting the complainant at the heart of the process by protecting their identity – that is absolutely vital. So in deciding to publish any finding, the Parliamentary Commissioner on Standards will put the complainant's wishes at the heart of the decision.

In thanking the Rt Hon. Gentleman for Rother Valley (Sir Kevin John Barron MP) for the extremely thoughtful and collaborative way he and his committee have come to today's position – I must point out to Members that we have had to respectfully disagree on one issue, and that confidentiality should also be observed in cases prior to the introduction of non-ICGP cases.

I would be the last person to want to avoid transparency, but I do think it's vital that we achieve consistency. The amendment by the Standards Committee would effectively mean that there was one process for ICGP cases and a different one for non-ICGP. As I am sure Members will appreciate, such a difference in the process will be lost on those who would observe it and will inevitably lead to confusion. Right from the beginning, this scheme has sought to put the complainant at the heart of the process and all the evidence we have taken demonstrates that confidentiality is a key factor that will encourage victims to come forward.

I can't emphasise this enough – if we don't protect the confidentiality of victims, then the evidence shows that they will not come forward. So, if we are serious about changing the culture in this place, confidentiality and consistency are vital elements.

So again, in thanking the Rt Hon. Gentleman for his careful consideration, I must urge members to vote against his amendment.

This motion will also significantly extend the scope of the independent Parliamentary Commissioner for Standards to consider complaints arising from the Scheme. The Commissioner will be given access to a wider range of sanctions, enabling her to deal more effectively with many cases through apologies, training, behaviour agreements, and so on; as well as ensuring independent oversight of investigations.

The motion also sets out changes to the procedures of the Standards Committee, who will receive both appeals and the most serious cases for their consideration. Their voting system will be changed at their request so that all members, including all lay members, will have a vote.

How Will the New System Work?

Should the House accept these changes, detailed guidance will be available online. But I do want to briefly outline how the new scheme will work.

For anyone with a complaint the first step is to contact a confidential

helpline, where their issue can be considered and triaged.

Where individuals decide to pursue a formal complaint, they will be supported to access one of two independent services – one dealing with bullying and harassment and a separate one to deal with sexual misconduct.

Should a complaint have criminal implications, the Steering Group has agreed to establish an Information Sharing Protocol with the Metropolitan Police to make them aware, in the interests of safeguarding and ensuring the Scheme does not prejudice a criminal investigation, when such a complaint has been made. The protocol will maintain the confidentiality of complainants, who will decide for themselves whether or not to take their complaint to the police.

For each complaint the telephone helpline and investigatory service will seek mediation and informal resolutions, wherever these are possible or appropriate. Where that is not the case, an independent investigation will be opened.

Complainants of sexual harassment or assault will have access to an Independent Sexual Misconduct Advisory Service – which is a specialist service that can provide confidential, independent, specialist and trained support in relation to sexual misconduct.

In the case of complaints against Members of Parliament, the Parliamentary Commissioner for Standards will oversee the independent investigation and she will apply sanctions as appropriate, or in more serious cases she will refer it to the Standards Committee. The Standards Committee can, of course, apply sanctions right up to a lengthy suspension triggering The Recall of MPs Act 2015.

Following a decision on any case, there is an opportunity for appeal.

Madam Deputy Speaker, when the Working Group report was published, there were two outstanding issues that I am pleased to be able to provide clarity on today.

Firstly, when the Working Group started taking evidence last November, we were advised that House staff had access to the Respect policy, which was considered to be entirely adequate for their needs.

Since then it has come to light that there have been difficulties with the Respect policy, and so the Steering Group has been clear about its desire to give all staff access to the new ICGP Scheme.

I am pleased that the House Commission has now agreed that staff of the House of Commons and the Parliamentary Digital Service should be able to access the ICGP from day one.

Secondly, whilst anyone can call the new helplines with a complaint, investigations under the new scheme can only go back as far as the beginning of this Parliament.

The Steering Group are, however, determined that we should be able to help all of those with complaints no matter how long ago they occurred.

Today's motion will therefore also establish an independent 6-month long inquiry into historical allegations, using similar terms of reference to the Dame Laura Cox inquiry. The findings of both inquiries will be taken into careful account when we undertake the review of the ICGP after six months of operation.

Conclusion

I want to conclude by making clear that this is the beginning, not the end of our efforts to change the culture of Parliament.

With our new behaviour code, complaints scheme, and sanctions – this is an excellent step in the right direction.

Our ultimate ambition is for a culture where people can work and visit Parliament, and take part in our democracy, free from unacceptable behaviour, free from bullying or harassment, and where individuals are free to thrive and make a difference.

This is a once in a generation opportunity for Parliament. We want to be a role model for legislatures around the world, in our determination to tackle our challenges head-on.

Many millions across the world look to Westminster as a beacon for democracy and freedom and I hope today will be seen as Parliament leading by example in our determination to treat everyone with dignity and respect.

I commend this motion to the House.