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# Independent Complaints and Grievance Scheme: independent investigations

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## Summary

On 23 June 2020, the House [agreed](#) to the establishment of an Independent Expert Panel to consider cases against MPs raised under the Independent Complaints and Grievance Scheme. It agreed to the functions and responsibilities of the Panel, the method of appointing the Panel and made consequent changes to Standing Orders. The House also agreed an amendment to ensure that any decisions relating to recommendations made by the Panel that needed to be ratified by the House should be decided without debate in the Chamber.

Its functions are:

- a) to determine the appropriate sanction in ICGS cases referred to it by the Parliamentary Commissioner on Standards;
- (b) to hear appeals against the decisions of the Parliamentary Commissioner for Standards in respect of ICGS cases involving Members of this House;
- (c) to hear appeals against a sanction imposed under paragraph (a);
- (d) to report from time to time, through the Clerk of the House, on the operation of the ICGS as it relates to Members of this House

On 25 November 2020, the House [approved](#) the appointment of the first eight members of the Panel, as recommended by the House of Common Commission. In line with the Commission’s recommendations four members were appointed for six years and four members for four years:

Six-year terms:	Four-year terms:
Monica Daley Miss Dale Simon Sir Peter Thornton Dr Matthew Vickers	Mrs Lisa Ball Mrs Johanna Higgins Sir Stephen Irwin (Chair) Professor Clare McGlynn

The Commission’s report [Members of the Independent Expert Panel: Nomination of Candidates](#) was published on 19 November 2020. It outlined the process followed in recruiting and selecting those nominated. It recommended that four candidates should be appointed for the maximum term of six years and that four candidates, including the proposed Chair of the Panel, should be appointed for four years. It provided brief details of the nominated candidates.

In [The Bullying and Harassment of House of Commons Staff – Independent Inquiry Report](#), Dame Laura Cox recommended 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”.

## Recall of MPs and the IEP

The process for a petition under the Recall of MPs Act 2015 is not triggered by a suspension imposed on the recommendation of the IEP. For a recall to be initiated, the sanction must be imposed on the recommendation of the Committee on Standards, or another Committee of the House of Commons concerned with standards of conduct. The IEP is not a Committee of the House of Commons.

At Business Questions on 27 May 2021, the Leader of the House of Commons, Jacob Rees-Mogg, [explained](#) why the decision had been taken that a suspension recommended by the IEP would not trigger a recall petition. Confidential information about the ICGS case could be revealed during the petition process or subsequent by-election and it had been important to ensure the independence of ICGS processes.

However, following a recommendation from the IEP that an MP be suspended for six weeks, calls grew for suspensions under the ICGS to trigger recall elections in the same way as non-ICGS cases would, following recommendations from the Committee on Standards.

The House of Commons Commission considered the matter at its meeting on 12 July 2021. It [agreed](#) that the House should be asked to apply the Recall of MPs Act 2015 to suspensions following determinations by the Independent Expert Panel.

Following the publication of the Commission’s minutes, on 19 July 2021, the Leader of the House tabled [a motion](#) to require the Committee on Standards to recommend a concurrent suspension of the same length when the provisions of the Recall of MPs Act 2015 would have been engaged. Unlike a similar motion tabled previously by the Labour Party (see [Order Paper](#), 7 July 2021), the Leader of the House’s motion does not have retrospective effect. The Labour Party has tabled an amendment to give retrospective effect.

On 20 July 2021, Esther Webber, senior UK correspondent, POLITICOEurope, [tweeted](#) a letter from Sir Stephen Irwin, Chair of the IEP, expressing specific concerns about the proposals to apply recall provisions to IEP recommendations being retrospective.

A fuller background to the ICGS can be found in the Library Briefing Paper, [Independent Complaints and Grievance Scheme](#), CBP 8369.

# 1 Introduction

## 1.1 Establishment and appointment of the IEP

On 23 June 2020, the House [agreed](#) to the establishment of an Independent Expert Panel to consider cases against MPs raised under the Independent Complaints and Grievance Scheme. It agreed to the functions and responsibilities of the Panel, the method of appointing the Panel and made consequent changes to Standing Orders. The House also agreed an amendment to ensure that any decisions relating to recommendations made by the Panel that needed to be ratified by the House should be decided without debate in the Chamber.

Its functions are:

- a) to determine the appropriate sanction in ICGS cases referred to it by the Parliamentary Commissioner on Standards;
- (b) to hear appeals against the decisions of the Parliamentary Commissioner for Standards in respect of ICGS cases involving Members of this House;
- (c) to hear appeals against a sanction imposed under paragraph (a);
- (d) to report from time to time, through the Clerk of the House, on the operation of the ICGS as it relates to Members of this House

On 25 November 2020, the House [approved](#) the appointment of the first eight members of the Panel, as recommended by the House of Common Commission. In line with the Commission's recommendations four members were appointed for six years and four members for four years:

Six-year terms:

Monica Daley  
Miss Dale Simon  
Sir Peter Thornton  
Dr Matthew Vickers

Four-year terms:

Mrs Lisa Ball  
Mrs Johanna Higgins  
Sir Stephen Irwin (Chair)  
Professor Clare McGlynn

The Commission's report [Members of the Independent Expert Panel: Nomination of Candidates](#) was published on 19 November 2020. It outlined the process followed in recruiting and selecting those nominated. It recommended that four candidates should be appointed for the maximum term of six years and that four candidates, including the proposed Chair of

the Panel, should be appointed for four years. It provided brief details of the nominated candidates.

## 1.2 Background to the IEP

The Independent Complaints and Grievance Scheme (ICGS) was adopted in July 2018, and gave the Committee on Standards responsibility for carrying out the appeal function under the ICGS. The Committee on Standards has published two reports on how it proposed to take on these responsibilities.<sup>1</sup>

In [The Bullying and Harassment of House of Commons Staff – Independent Inquiry Report](#), Dame Laura Cox recommended 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”.

Following Dame Laura’s report, the Committee on Standards accepted its roles under the ICGS until the full package of reforms was in place.<sup>2</sup>

In the second of these reports, the Committee set out a framework for appeals.<sup>3</sup>

Responsibility for developing an independent process fell to the House of Commons Commission. After work on developing alternatives (see section 6), it consulted on its preferred approach in February 2020 and then agreed an implementation plan at its meeting in April 2020.

Following its appointment in November 2020, the IEP issued its own guidance on its role:

- [Appeals, referrals and sanction: Guidance for the parties](#), February 2021

A fuller background to the ICGS can be found in the Library Briefing Paper, [Independent Complaints and Grievance Scheme](#), CBP 8369.

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<sup>1</sup> Committee on Standards, [Implications of the Dame Laura Cox report for the House’s standards system: Initial proposals](#), 10 December 2018, HC 1726 2017-19; and [The Committee’s role in ICGS appeals](#), 13 March 2019, HC 1976 2017-19

<sup>2</sup> Committee on Standards, [Implications of the Dame Laura Cox report for the House’s standards system: Initial proposals](#), 10 December 2018, HC 1726 2017-19, para 10

<sup>3</sup> Committee on Standards, [The Committee’s role in ICGS appeals](#), 13 March 2019, HC 1976 2017-19, para 13. The Committee modified these arrangements, see: Committee on Standards, [Formal Minutes 2017-19](#), 23 July 2019, p36

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## 2

## Recall of MPs and the IEP

Under the Recall of MPs Act 2015, a sitting MP loses their seat if 10% of eligible voters in the constituency sign a recall petition.

MPs can be recalled only under certain circumstances:

- If they are convicted in the UK of an offence and sentenced or ordered to be imprisoned or detained and all appeals have been exhausted (and the sentence does not lead to automatic disqualification from being an MP);
- If they are suspended from the House following report and recommended sanction from the Committee on Standards for a specified period (at least 10 sitting days, or at least 14 days if sitting days are not specified);
- If they are convicted of an offence under section 10 of the Parliamentary Standards Act 2009 (making false or misleading Parliamentary allowances claims)

Once a petition is open it is available for signing for six weeks and is administered by the local returning officer for the constituency.

If the 10% threshold is reached the petition officer informs the Speaker of the House of Commons that the recall petition has been successful. On the giving of that notice the seat becomes vacant. A by-election is then required and the recalled MP may stand as a candidate. The timing of a UK Parliamentary by-election is determined by custom of the House of Commons: the party that previously held the seat will usually decide when to trigger the by-election.<sup>4</sup>

Recommendations from the IEP cannot trigger the process for a petition under the Recall of MPs Act 2015. For a recall to be initiated, the sanction must be imposed on the recommendation of the Committee on Standards, or another Committee of the House of Commons concerned with standards of conduct. The IEP is not a Committee of the House of Commons.<sup>5</sup>

At Business Questions on 27 May 2021, the Leader of the House of Commons, Jacob Rees-Mogg, explained why the decision had been taken that a suspension recommended by the IEP would not trigger a recall petition. He said that confidential information about the ICGS case could be revealed during the petition process or subsequent by-election and it had been important to ensure the independence of ICGS processes. Mr Rees-Mogg also told the House that he had asked the Chair of the IEP for his views on whether

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<sup>4</sup> For further information on recall procedures, see the Library briefing [Recall elections](#) (SN05089)

<sup>5</sup> The Independent Expert Panel, [The Conduct of Mr Rob Roberts MP](#), 25 May 2021, HC 245 2021-22, para 1.11

changes should be made to the current process to enable recall to be triggered.<sup>6</sup>

However, following the suspension of Rob Roberts, following a recommendation from the IEP that he be suspended for six weeks, calls grew for suspensions under the ICGS to trigger recall elections in the same way as non-ICGS cases would, following recommendations from the Committee on Standards.

The House of Commons Commission considered the matter at its meeting on 12 July 2021. Its minutes recorded that:

Application of the Recall of MPs Act 2015 following determinations by the Independent Expert Panel: options

**The Commission agreed that the Leader of the House would be asked to bring forward proposed changes to Standing Orders for consideration by the House to apply the Recall of MPs Act 2015 to suspensions following determinations by the Independent Expert Panel.**<sup>7</sup>

The Labour Party tabled a motion to create a Standing Order that required the Committee on Standards to issue a report recommending a concurrent suspension if a recommended sanction from the IEP would have triggered the provisions of the Recall of MPs Act 2015, if the recommendation had been made by the Committee on Standards. The Labour Party motion would have had retrospective effect. The motion first appeared on the Order Paper on 7 July 2021.<sup>8</sup>

Following the publication of the Commission's minutes, on 19 July 2021, the Leader of the House tabled a motion to require the Committee on Standards to recommend a concurrent suspension of the same length when the provisions of the Recall of MPs Act 2015 would have been engaged. If the House agrees to this proposal suspensions recommended by the IEP would also be recommended by the Committee on Standards and therefore, if agreed by the House, trigger a recall petition.

The Leader of the House's motion does not have retrospective effect. The Labour Party has tabled an amendment to give retrospective effect.<sup>9</sup>

On 20 July 2021, Esther Webber, senior UK correspondent, POLITICOEurope, [tweeted](#) a letter from Sir Stephen Irwin, Chair of the IEP, expressing specific concerns about the proposals to apply recall provisions to IEP recommendations being retrospective. Commenting on the original Labour Party motion, Sir Stephen said that it offended against the principle that a sanction properly determined by the IEP should be final; and against the

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<sup>6</sup> [HC Deb 27 May 2021 cc563-564](#)

<sup>7</sup> House of Commons Commission, [Decisions](#), 12 July 2021, Item 4

<sup>8</sup> House of Commons, [Order Paper](#), 7 July 2021, Remaining Orders and Notices: B, Item 37

<sup>9</sup> House of Commons, [Order Paper](#), 20 July 2021, Business Today, Item 11

principle that there should be no retrospective imposition of a sanction which was not available when the case was determined. He expressed concern that this would be an additional and retrospective penalty and that would be a decision of the House directly affecting a sanction determined by the IEP, contrary to the independence of the system at the heart of Dame Laura Cox's recommendations.

He is not against recall being triggered by IEP recommendations. He wrote:

As will be clear from earlier exchanges, I fully understand that there is an anomaly in respect of recall arising from the exclusion from the 205 Act of suspensions determined by the IEP. Provided the independence of the IEP is fully maintained, I would be glad to see the anomaly abolished for the future. But that is a very different matter from giving any such abolition retrospective effect, so that the outcome in the case of an individual MP is altered.

## 3

## Independent Expert Panel: implementation

At its meeting on 27 April 2020, the Commission confirmed the implementation plan for its preferred option, including the following aspects:

- The House would be asked to consider whether or not there should be a time-limited debate led by a member of the House of Commons Commission in the very rare circumstances where it is asked to implement a sanction of suspension or expulsion of a Member following a panel determination;
- The Independent Expert Panel would not include a former Member;
- The Independent Expert Panel would adopt the Committee on Standards appeals framework;
- The recruitment process would select a Chair for the panel; [The motions before the House on 23 June 2020 state that “The Panel may elect its own Chair.”]
- The Independent Expert Panel would use the confidentiality processes established by the Committee on Standards; and
- The Commons Executive Board, in conjunction with the Commission, would finalise the person specification and conduct the recruitment process.<sup>10</sup>

A separate statement on the independent complaints process also confirmed that if the proposals were approved by the House, an Independent Chair and seven expert panel members would be recruited. It repeated that neither the Chair nor any members of the panel would be MPs.<sup>11</sup>

## 3.1

### Proposals

The House of Commons Commission had described its preferred option in a February 2020 consultation document:

The preferred option is to establish an independent expert panel to replace the Committee on Standards in considering ICGS cases.

<sup>10</sup> House of Commons Commission, *Decisions – 27 April 2020*, Item 2

<sup>11</sup> *House of Commons news*, [Commission statement: Independent complaints process, 29 April 2020](#) [intranet link]

As now, the Parliamentary Commissioner for Standards (PCS) would retain the power to determine cases and impose sanctions up to a certain level of severity. The new independent expert panel would consider cases where more serious sanctions were considered appropriate and also hear appeals by either party against the PCS's conclusions.

The Commission then launched a consultation on its preferred option. It also sought views on how sanctions should be considered on the floor of the House and whether the panel should include a Member.<sup>12</sup>

## 3.2 Feedback from the consultation

Feedback from the consultation was released in response to a freedom of information request. HouseLive reported on responses that the Commission received on 19 June 2020:

...Overwhelmingly, the Commission was warned against allowing MPs a debate on sanctions, citing areas around fairness, procedural justice and confidentiality. Many felt it would undermine the independence of the new system

[...]

An ex-clerk said: "Any procedure on the floor, debate or no debate, gives a member an opportunity to reopen a complaint investigation and attempt to politicise it."

[...]

A joint contribution from Parliament's own Cultural Transformation Group said: "A debate would wholly undermine fair trial principles, both for complainants and respondents, potentially breaching Article 6 of the Human Rights Act, and could contribute to further harm and a complainant being revictimised."

[...]

The Commission also received a submission from the 1922 committee of backbench Conservative MPs. In its conclusion, the '22 argued: "Whatever the composition of the panel tasked with a finding of fact, the Committee believes that following the publication of that determination, the appropriate body to determine sanction should be the Committee on Standards and Privileges.

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<sup>12</sup> House of Commons Commission, *Decisions – 10 February 2020*, Item 2; House of Commons, [Cox III: Consultation Paper](#), undated

“The existence of a public finding of serious misconduct against a Member would place an expectation on the Committee on Standards and Privileges to recommend a serious sanction to the House. Experience suggests that once a sanction has been recommended in this way, the House normally accepts that recommendation.”<sup>13</sup>

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<sup>13</sup> Sebastian Whale and Max Jeffrey, “[Revealed: The warnings to the House of Commons Commission on new plans to tackle Westminster bullying and harassment](#)”, *The HouseLive*, 19 June 2020

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## 4

# The debate on establishing the IEP

Jacob Rees-Mogg, the Leader of the House, tabled [three motions](#) relating to the Independent Expert Panel, which were debated on 23 June 2020.

**The first motion**, entitled “Independent Determination of Complaints of Bullying and Harassment”:

- Reaffirms the House’s commitment to the ICGS;
- Accepts Dame Laura Cox’s recommendation on independence of process;
- Agrees to the Commission’s proposal for an Independent Expert Panel;
- Agrees to its establishment; and
- “expects Members of this House to cooperate with the Panel’s work and comply with its findings”.

**The second motion** makes amendments to Standing Orders and to the Code of Conduct, to establish the Independent Expert Panel and sets out how the House will consider any sanctions against Members determined by the Panel. This motion provides that a sanction against an MP could be debated for up to an hour.

**The third motion** sets out rules that may be applied in the conduct in any such debate:

That, subject to the discretion of the Chair, the House shall apply the following rules in proceedings on matters raised by the Independent Expert Panel or its sub-panels:

(a) The name of any complainant may not be referred to in any motion, debate or question.

(b) Details of any investigation or specific matters considered by a sub-panel of the Independent Expert Panel shall not be referred to in any motion, debate or question.

(c) The findings and determination of sanctions of a sub-panel of the Independent Expert Panel may not be called into question.<sup>14</sup>

The Leader of the House issued a [press release](#) on the motions on 19 June 2020.

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<sup>14</sup> House of Commons, [Order of Business, Future Business A for 23 June](#), 22 June 2020

The first motion was agreed to but an amendment, to the second motion, to prevent any reports from the IEP being debated was agreed. Consequently, the third motion was not moved.

In the debate, Jacob Rees-Mogg confirmed that the change to make the process independent of MPs was “a really important constitutional change”.<sup>15</sup> He set out the approach that would be followed once the Panel had proposed sanctions. It would report directly to the House. He said that it was “constitutionally proper” that decisions about the expulsion or suspension of a Member should be taken by the House. He did not think that “MPs an opportunity to delve into the personal details of a case and try it effectively a second time”. But rather than say categorically that such motions should not be debated, he proposed that “we establish a convention that the Commission member moving the motion will do so formally”.<sup>16</sup>

Jacob Rees-Mogg said that he was “not entirely unsympathetic” to the view that there should be no debate but thought it important that the House take that decision, it was not for ministers to rule out debate.

During the course of the debate, Members stressed the importance of everyone involved in the complaints process being able to have a fair hearing and that appropriate people were appointed to the Independent Expert Panel. Some concern was expressed that if cases could be debated on the floor of the Houses, complainants would be deterred from making their complaint.

The House voted on whether to accept the amendment put questions on motions arising from IEP reports without debate. The amendment was agreed by 243 votes to 238.<sup>17</sup>

## 4.1

### Is this an independent process?

A report on the proposals, in the original motions, in *The Times* questioned whether allowing Members to debate the recommendations of the Independent Expert Panel compromised the independence of the process – it was headlined “MPs could gain right to debate complaints despite calls for independent process”. It quoted Dr Hannah White, deputy director of the Institute for Government, who said:

Giving a voice to the perpetrator by allowing a debate in which the victim will be unable to participate will undermine the whole system. It will discourage staff from reporting bullying rather than risk seeing their experience discussed by MPs on the floor of the House.

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<sup>15</sup> [HC Deb 23 June 2020 c1248](#)

<sup>16</sup> [HC Deb 23 June 2020 cc1249-1250](#)

<sup>17</sup> [HC Deb 23 June 2020 cc1267-1270](#)

The report also noted the Conservative 1922 Committee submission to the Commission's consultation which argued that excluding MPs from the process completely "flies in the face of all normal laws of natural justice".<sup>18</sup>

In March 2020, the House of Lords agreed that its Conduct Committee, which has oversight over the ICGS should determine appeals. However, "the full Conduct Committee need not, and probably should not, be involved in appeals" – a panel of three peers and two lay members would suffice.<sup>19</sup> The Conduct Committee had also recommended a change to the Code of Conduct to ensure that its recommendations were not be debated on the floor of the House. The Code of Conduct now includes:

When the Conduct Committee reports to the House on an individual case, the report and any resolution relating to sanction are decided without debate.<sup>20</sup>

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<sup>18</sup> Esther Webber, "[MPs could gain right to debate complaints despite calls for independent process](#)", *Times*, 18 June 2020 [online, paywall]

<sup>19</sup> [HL Deb 16 March 2020 cc1280-1281](#)

<sup>20</sup> Conduct Committee, *Progress report and amendments to the rules of conduct*, 5 March 2020, HL Paper 34 2019-21, Appendix 2 {amendments to the Code of Conduct} para 161

## 5

## The debate on appointing the first members IEP

On 25 November 2020, the House approved the appointment of the first eight members of the Panel, as recommended by the House of Common Commission. Although Standing Order No 150A provides for the Panel to choose its own Chair, the House also appointed the Chair. In line with the Commission's recommendations four members were appointed for six years and four members for four years:

Six-year terms:

Monica Daley  
Miss Dale Simon  
Sir Peter Thornton  
Dr Matthew Vickers

Four-year terms:

Mrs Lisa Ball  
Mrs Johanna Higgins  
Sir Stephen Irwin (Chair)  
Professor Clare McGlynn<sup>21</sup>

During the course of the debate, questions were raised about the remuneration of the members of the IEP and whether the panel should have contained people with human resources backgrounds. Andrea Leadsom suggested that the Panel should consider “unresolved issue that, if it recommends that a Member of Parliament be expelled from this place, that disenfranchises the Member’s constituency for a period”.<sup>22</sup>

The remuneration of members of the IEP was set out in the debate and in response to a question to the House of Commons Commission. They will receive “a fee of £350 (excluding VAT) for each half-day spent by the Panel member in the provision of their services”. They will be paid monthly, in arrears.<sup>23</sup> The members of the IEP are not part of a pension scheme.<sup>24</sup>

<sup>21</sup> [HC Deb 25 November 2020 cc875-887](#)

<sup>22</sup> HC Deb 25 November 2020 c880

<sup>23</sup> [PQ 119164](#), 26 November 2020

<sup>24</sup> [HC Deb 25 November 2020 c877](#)

## 6 Independent Inquiry into bullying and harassment of House of Commons Staff by Dame Laura Cox

In March 2018, whilst the ICGS was being developed, complaints about the behaviour of Members towards staff of the House were reported in the press and television.

The House of Commons Commission, the employer of House staff, [agreed](#) that an inquiry into the bullying and harassment of House staff should be initiated immediately. Its non-executive members were [asked](#) to appoint an independent expert to lead the inquiry and to develop terms of reference.

Dame Laura Cox QC was appointed to lead the Inquiry. Her appointment and terms of reference were announced, in a [press release](#), on 23 April 2018.

*[The Bullying and Harassment of House of Commons Staff – Independent Inquiry Report](#)*, by Dame Laura Cox was published on 15 October 2018.

Dame Laura did not provide an Executive Summary. However, in a statement at the beginning of her report, she suggested that “those looking to see if changes are being made over the coming weeks” should “look for progress as regards the following fundamental recommendations”:

- The "Valuing Others Policy" and the "Revised Respect Policy" should both be abandoned as soon as possible, and members of House staff wishing to complain about bullying, harassment or sexual harassment should no longer be required to use them.
- The new Independent Complaints and Grievance Scheme should be amended, so as to ensure that those House employees with complaints involving historical allegations can access the new Scheme.
- Steps should be taken, in consultation with the Parliamentary Commissioner for Standards and others, to consider the most effective way to ensure 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.

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## 7 Developing an independent process

### 7.1 Acceptance of the recommendations

At its meeting on 24 October 2018, the Commission discussed [Dame Laura Cox's report](#). Following its meeting, the Commission issued a statement, in which it acknowledged that “The scale of the problem and depth of hurt caused is beyond dispute”. It expressed its determination to rectify past mistakes and agreed to “the three fundamental recommendations highlighted by Dame Laura”:

1. We are terminating the Valuing Others Policy, and have suspended operation of the Respect Policy recommending that the House terminate it as soon as possible;
2. We recommend that the House amend the new Independent Complaints and Grievance Scheme to ensure that those House employees with complaints involving historical allegations can access the new Scheme;
3. We recommend that the House consider the most effective way to ensure 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.

It is now up to the House to take forward these recommendations to which we are fully committed. We would expect to see them progressed as quickly as possible.<sup>25</sup>

### 7.2 Development of proposals for an independent process

At its meeting on 17 December 2018, the Commission agreed that:

... a small informal working group should be established to examine and report on the third key recommendation made by Dame Laura Cox in relation to the independence of the process for determining

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<sup>25</sup> House of Commons, [Statement from the House of Commons Commission on the Dame Laura Cox Report](#), 24 October 2018

complaints of bullying, harassment or sexual harassment brought by House staff against Members of Parliament.<sup>26</sup>

At its meeting on 25 February 2019, the Commission “made progress on agreeing the membership of the informal working group on the determination of complaints without MP involvement, which will comprise a balance between MPs and independent members”. It expected to be able to confirm and announce the membership “shortly”.<sup>27</sup>

At its meeting on 29 April 2019, the Commission reviewed the prospective membership for the working group on determination without Member involvement and agreed it would be finalised by correspondence.<sup>28</sup>

On 10 June 2019, a House of Commons news item announced “The creation of a staff team to lead on producing options on implementation for the Commission” on entirely independent process for determining complaints. The press notice continued that:

This team will include members with procedural and legal knowledge, as well as expertise in the operation of the Independent Complaints and Grievances scheme - as well as any other resource that may be required. They will also work closely with the Parliamentary Commissioner for Standards, and may draw on other resources as required.

[...]

These options will be presented to the Commission, who will select their preferred option and then open it for public consultation.<sup>29</sup>

## 7.3 The Commission’s preferred option

The Commission received a number of options from the staff team. At its meeting on 10 February 2020, it agreed its preferred option for implementing the recommendation, which would involve the setting up of a new independent panel of experts with the power to determine ICGS cases and decide on sanctions; and agreed that formal consultation on the selected preferred option be undertaken.<sup>30</sup>

<sup>26</sup> House of Commons Commission, *Decisions – 17 December 2018*, Item 1

<sup>27</sup> House of Commons Commission, *Decisions – 25 February 2019*, Item 3

<sup>28</sup> House of Commons Commission, *Decisions – 29 April 2019*, Item 1a

<sup>29</sup> House of Commons news, *Progress on Dame Laura Cox recommendations – Commission update*, 10 June 2019. In the debate on 18 June 2019, Valerie Vaz outlined the background to the change of approach [[HC Deb 18 June 2019 c199](#)]

<sup>30</sup> House of Commons Commission, *Decisions – 10 February 2020*, Item 2; House of Commons, *Cox III: Consultation Paper*, undated

As noted above, in section 2, at its meeting on 27 April 2020, the Commission confirmed the implementation plan for its preferred option

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