



**Independent  
Complaints  
and Grievance  
Scheme**

Lucy Powell  
Lord President of the Council and Leader of the House of Commons  
House of Commons  
London  
SW1A 0AA

9 June 2025

Dear Lucy,

Thank you for your letter of the 3 June 2025 informing me of the motion you have tabled to implement the ICGS Policy Framework and formalise the Assurance Board. I am grateful for this approach.

In response to your request, I have set out the below examples detailing the difference between ICGS Policies, which will continue to be amended only by a vote in the House, and the practical Procedures, which the new proposals delegate to the Assurance Board.

### **The independent review of the ICGS**

The Independent Complaints and Grievance Scheme currently consists of:

- [Behaviour Code](#)
- [Bullying and Harassment policy](#)
- [Bullying and Harassment Procedure](#)
- [Sexual Misconduct Policy](#)
- [Sexual Misconduct Procedure](#)

These all work together to provide a framework to create a respectful working environment and to respond to any complaints of unacceptable behaviour promptly, fairly and effectively.

The [independent review of the ICGS](#), conducted by Paul Kernaghan CBE QPM in 2024, recommended reviewing the four ICGS policy and procedure documents to create two documents: the ICGS Policy Framework and the ICGS Procedures document [recommendation 1].

The review recommended that the ICGS Procedures document should be owned by a permanent ICGS Assurance Board, which could make changes to the Procedures—for example, to make improvements or reflect operational needs—in a more agile way [recommendation 2]. Changes to the ICGS Policy Framework would continue to be approved by top tier governance bodies in both Houses, and ultimately on the floor of the House of Commons.

### **Policy**

The ICGS policies set out the definitions, parameters, obligations, and key rights and permissions in the Scheme. The Policy Framework as drafted therefore sets out:

- the definitions of bullying, harassment and sexual misconduct that apply to the parliamentary community (section 2-4, *Policy Framework*) and the standard of proof required to uphold investigations (16.2, *Policy Framework*);
- factors which, if identified in a report, may be taken into account by the decision-making body as aggravating factors (18.6, *Policy Framework*);
- the parameters and scope of the Scheme including the eligibility criteria which apply with respect to time limits (sections 5, *Policy Framework*); scope (section 6, *Policy Framework*), dual reporting (section 9, *Policy Framework*) and initial assessments (section 14, *Policy Framework*);
- the obligations on service users and witnesses including expectations around engagement (17.2-17.4, *Policy Framework*), confidentiality (section 11, *Policy Framework*), providing accurate information (section 10, *Policy Framework*), and not engaging in any form of victimisation (17.5, *Policy Framework*);
- the right for parties to be accompanied (17.1, *Policy Framework*), to request a review of an initial assessment (14.3, *Policy Framework*), to receive a draft full assessment report (16.5, *Policy Framework*), to make collective complaints (7.1, *Policy Framework*) and to make reports under the 'facilitating multiple complaints process' (8.1, *Policy Framework*);
- the right of decision-making bodies to reject reports (18.5, *Policy Framework*), seek confirmation or clarification (18.4, *Policy Framework*), or take management action in response to a report (18.7, *Policy Framework*).

## Procedure

The procedures are operational documents which outline, in detail, the possible processes to follow at each stage in an ICGS investigation. The ICGS Procedures document contains detailed provisions on how investigations are conducted. This includes:

- what happens when an individual contacts the Helpline and the options available them (to make a report or seek advice; seek informal resolution or make a formal complaint);
- the processes which take place during initial and full assessment including the arrangements for interviews including who may accompany the parties or witnesses;
- how the ICGS will manage an investigation where someone makes a complaint against several people, or where several people make a complaint collectively about one or more people;
- the process for a draft report to be reviewed by the parties before it is sent to the decision-making body for a decision on the outcome;
- the limited conditions when it might be appropriate to continue an investigation if the same or substantially the same allegations have been investigated in a forum outside Parliament and the conditions when it would not be eligible for investigation under the Scheme;
- when the ICGS team may pause and unpause an investigation;
- the limited conditions when the ICGS team may escalate issues that come to light during an investigation;
- what confidentiality looks like in practice.

Where the Procedures document supplements the policy framework in a substantive way, there is an explicit delegation in the Policy Framework. This includes:

- the extent of confidentiality (11.3, *Policy Framework*; 46–55, *Procedures*)

- escalation (11.1, 11.2, *Policy Framework*; 6–8, 56, *Procedures*)
- pauses (17.8, *Policy Framework*; 36, *Procedures*)
- the right to be accompanied (17.1, *Policy Framework*; 42–45, *Procedures*)
- criteria for assessing dual reporting in respect of external investigations (9.3, *Policy Framework*; 30–31, *Procedures*)
- the process for reviews of initial assessments (14.3, *Policy Framework*; 23–29, *Procedures*)
- the process for factual accuracy check (16.5, *Policy Framework*; 37–38, *Procedures*)

### **Applied Examples**

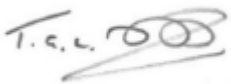
The intention behind the recommendations made by Paul Kernaghan is that the ICGS Procedure document could not make changes to or override anything set out in the ICGS Policy Framework and could not introduce new obligations for individuals' conduct. The ICGS Procedure document may define what the existing obligations might look like in practice.

For example, the draft Policy Framework sets out the obligation that all complaints be treated confidentially and that all parties must maintain confidentiality in relation to a complaint. The draft ICGS Procedures document sets out the step which allows parties to share the fact that they are involved in a complaint, and details of the investigation, with a limited number of trusted supporters but that complainants and respondents are accountable for breaches of confidentiality on their behalf, for example, by trusted supporters.

Similarly, the draft Policy Framework sets out the complainant's right to request a review of the decision if the initial assessment determines a complaint is ineligible to progress to full assessment. The draft ICGS Procedures document sets out that complainants must write to the ICGS Director within 10 working days of receiving the Initial Assessment Report, setting out their reasons for requesting a review. The ICGS Procedures document also outlines who the review is conducted by, the grounds on which a complainant can request a review, how a complainant is notified if the review is not upheld, and that if the review is upheld the ICGS Director may instruct another Independent Investigator who has had no previous involvement in the case to reassess the complaint, in whole or in part.

I would be happy to provide any further information required to assist the House in its consideration of this matter.

Yours sincerely,



Thea Walton

Director, Independent Complaints and Grievance Scheme