



## Dignity and Respect Policy Review

### Purpose and summary

1. This purpose of this report is (i) to inform Commissioners of the outcome of the dignity and respect review and (ii) to seek views on the findings and recommendations ahead of sharing them with the Standards Commissioner, the Standards of Conduct Committee, the Remuneration Board and the Political Contact Group.

### Recommendations

2. Commissioners are invited to:
  - Note the findings of the dignity and respect policy review;
  - Agree its recommendations and next steps;
  - Share the review findings and recommendations with the Standards Commissioner, the Senedd Standards of Conduct Committee and the Remuneration Board.
  - Agree the draft joint over-arching declaration for consideration by Standards Committee.

### Background

3. In May 2018, the Llywydd, the chair of the Standards of Conduct Committee and party leaders made a joint commitment, agreed in Plenary<sup>1</sup>, to ensure the Senedd is an inclusive organisation free from intimidation and harassment. A tri-partite<sup>2</sup> dignity and respect policy, with accompanying guidance and processes, was put in place. It was agreed that the policy would be reviewed at least every three years.
4. The first review was commenced in September 2021, in recognition of the new Members' Code of Conduct and the number of new Members elected to the Sixth Senedd. A task and finish group of Senedd Commission officials was established to lead the review process and, following initial conversations with key internal stakeholders, conducted a wider survey consultation exercise

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<sup>1</sup> The [motion](#) was [agreed in Plenary on 16 May 2018](#).

<sup>2</sup> i.e. applying to Members, Member support staff and Commission

with Members, Member support staff and Commission staff. The Remuneration Board, Standards Commissioner and the Standards Committee were kept informed.

### **Activity undertaken since 2018**

5. The Commission has undertaken a number of activities since 2018. These include:

- Dignity and respect training was delivered to Members, Member support staff and Commission staff in the Fifth Senedd. This now forms part of the Commission's ongoing professional development programme.
- Contact officers have been appointed to guide potential complainants and to provide confidential support.
- Emotional support is available to potential complainants, and to those who have allegations made against them through the Employee Assistance Programme and the occupational health nurse.
- Enhanced support was provided to the Standards Commissioner's office to facilitate an improved and gender-balanced service from his office. In the Sixth Senedd, the Commissioner has reported fewer cases and this additional support has not been required. However, a protocol has been agreed between the Commissioner and the Senedd Commission. Among other things, this will enable a review of staff resources, on request, by the Commissioner, which will help to ensure a gender balanced investigation whenever required.
- Website improvements and a 'mystery shopper' exercise were conducted to test whether the information, search tools and language were clear and accessible.
- Specialist independent and confidential support is now available through the Standards Commissioner's office to support those who wish to complain about alleged instances of inappropriate behaviour by Members. This dedicated, confidential service is provided by the independent charity, Victim Support.
- Specific training has been arranged for key individuals on sexual harassment and violence, including senior officials and contact officers.
- Surveys have been conducted on dignity and respect for Members of the Senedd, Member support staff and Commission staff.

### **Key findings of the review**

6. The policy was implemented and promoted effectively. The activities conducted by the Senedd Commission in pursuit of a culture of dignity and respect have been extensive. In the year following its inception and roll out (2019), 81.3% of survey respondents reported that they knew how to raise a

concern, up from 55.3% the previous year. This rose to 84% in 2021 and to over 90% in 2022.

7. Contact officers have reported a decreasing number of concerns raised during the Sixth Senedd, however, they have not disappeared altogether. Although robust data about current case numbers is difficult to establish – due to the highly sensitive and personal nature of cases – we can be reasonably confident that there are very few cases. However, as highlighted again in recent reports, there remains a risk that some cases will go unreported.
8. A revised Code of Conduct for Members of the Senedd was adopted for the Sixth Senedd which included the addition of a 'respect' principle. It is suggested that the Senedd Commission staff code should be updated to reflect the Code of Conduct for Members in relation to dignity and respect (see recommendation 4). Member support staff do not have a separate code of conduct but adherence to dignity and respect is a requirement of their contract of employment.
9. The consultation indicated the current tri-partite nature of the approach can be complicated and a source of duplication with other relevant policies and processes. The task and finish group recommended replacing the policy with a joint overarching 'Declaration on Dignity and Respect', to support policies and processes such as the codes of conduct and the Member support staff handbook.
10. The majority of respondents indicated that they were aware of the policy, and how to access it, but the review found that signposting to the help and support available is not sufficient. Amongst Member support staff, 61.7% of respondees said that they would feel comfortable raising concerns using the existing process. This compares to 71.2% amongst Commission staff and to 81% amongst Members. Contact officers reported that the nature of their conversations are often about navigating the dignity and respect 'system'. Changes are therefore proposed to make the support mechanisms and information easier to access and to use.
11. A concern was expressed by some that the current formal mechanism provided by the Senedd to raise an issue involving a Member of the Senedd (to the Standards Commissioner) could be viewed as too consequential a

process. Some Member support staff suggested that it would help to have clearer reporting mechanisms and support for staff who raise concerns. Several suggested that the system for reporting concerns about dignity and respect should be administered and run by an independent body<sup>3</sup>.

### **Other considerations**

12. Member support staff are employed by each Member (or the Group Leader for party group staff). There are therefore inherent limitations on the extent to which it is possible for the Commission to ensure support staff are encompassed by Commission wide policies. However, the Members' Code of Conduct requires that "Members must take reasonable measures to ensure that their staff, when acting on their behalf, also uphold and act in accordance with these Rules and the Overarching Principles." which would include the 'respect' principle.
13. Members are provided with a Support staff handbook which comprises a range of template human resources policies designed for employing Members to adopt. Of these, the grievance and disciplinary policies have been mandated through the Remuneration Board. The Remuneration Board also provides a mandatory contract of employment to Members which references the template anti-harassment and bullying policy. The staff handbook is not, in its entirety, a mandatory requirement. The Commission may therefore wish to share the findings of the review with the Remuneration Board, to enable them to consider the impact on such mandated policies (see Recommendation 6).
14. In May 2023, Plaid Cymru published Prosiect Pawb: Key Findings and Summary of Recommendations<sup>4</sup> related to its own internal inquiry into dignity and respect-related issues. The report makes many recommendations. These include an independent external investigator and independent support for, and provision to, protect the confidentiality and anonymity and of complainants. These recommendations could be relevant to any further work conducted by the Standards Committee as set out in recommendation 5.

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<sup>3</sup> In addition, political parties have their own mechanisms which may provide an alternative route for complainants. These are referenced on the Commission's website: [Employees of Members of the Senedd](#).

<sup>4</sup> Prosiect Pawb: [Key Findings and Summary of Recommendations](#).

15. Commissioners are invited to note Appendix B which sets out information about the policies and procedures which operate in comparable institutions.

## **Recommendations**

The following recommendations have been developed to address the key findings set out above. The Commission is invited to:

16. **Recommendation 1:** Restate its commitment to supporting and developing a culture of dignity and respect across the Senedd. This should recognise the progress that has been made and the importance of everyone committing to ongoing conversations about the approach taken and continual improvement to the services provided and the culture of the institution.
17. **Recommendation 2:** Invite the Standards of Conduct Committee to consider that the Senedd should replace the current tri-partite policy with a joint overarching 'Declaration on Dignity and Respect'. This will restate the commitment to uphold dignity and respect for Members, Member support staff, Commission staff and all other visitors. It is intended to link to the relevant policies and procedures in each case. It is proposed that this be made by the Llywydd and party leaders and approved by the Senedd in Plenary. Commissioners are asked to approve the draft statement set out in Appendix A as a starting point for consideration by the Standards Committee.
18. **Recommendation 3:** Note that lead responsibility for the coordination of dignity and respect rests with a specific director with oversight of the overarching declaration on dignity and respect.
19. **Recommendation 4:** Agree that the Senedd Commission's Human Resources service should undertake the following activities:
- Update and amend the Senedd Commission Staff Code of Conduct to align with the Code of Conduct for Members around dignity and respect.
  - Review existing Senedd Commission HR policies to ensure they are consistent with the recent changes to the Members and Member support staff handbook and policies and simplified procedures.
  - Simplify all information about dignity and respect policies, procedures and sources of support available both internally and externally.
  - Introduce a simple technological solution to enable reporting of issues.

- Implement the comprehensively updated programme of mandatory dignity and respect training and awareness raising for all Commission staff.  
<sup>5</sup> This is also offered to Members and Member support staff, via the Member Learning and Engagement Team.
  - Identify and train additional Commission officials as dignity and respect contact officers with a particular focus on ensuring the needs of diverse groups are met.
  - Continue to work with the workplace equalities networks to ensure they are aware of the relevant mechanisms relating to dignity and respect and are able to signpost staff to the appropriate support.
20. **Recommendation 5:** Invite the Standards of Conduct Committee to consider the findings of the Commission's review, and whether it wishes to identify any further actions or mechanisms in relation to creating a culture within the Senedd which supports the dignity and respect policy framework and whether there is merit in exploring alternative avenues of complaint in particular where the complainant does not wish to report the matter to the Standards Commissioner (or to a political party).
21. **Recommendation 6:** Agree to share the findings of the review with the Remuneration Board, to enable them to consider the impact on its own policies.
22. **Recommendation 7:** Agree to share the findings with the Senedd Political Contact Group and the Operations Group and explore with them what further support, if any, should be facilitated by the Commission.
23. **Recommendation 8:** Consider advocating to their groups or independent members that the dignity and respect training offered by the Commission is taken up by all Members and their staff without exception.

## Governance

24. A corporate risk is in place (HR-R-129 Dignity & Respect - Commission). The risk is defined as 'loss of confidence' in the Commission's effectiveness with regards to dignity and respect. This is currently owned by the Director of

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<sup>5</sup> Executive Board has already agreed to mandatory dignity & respect training. This forms part of the recently procured Learning and Development framework for Diversity & Inclusion.

Senedd Resources and managed by Human Resources. The risk was last reviewed in April 2023 and is currently rated as 'low' overall.

25. The specific circumstances which led to the introduction of the original tri-partite dignity and respect policy and its associated processes attracted significant media attention. Further media interest may arise when changes are taken forward. Statements for the media will be prepared as necessary. There are no immediate financial or resource implications. This will be kept under review.

## **APPENDIX A: Declaration on Dignity and Respect**

The Senedd, is committed to providing an inclusive culture that is free from harassment.

We expect that those who work with, or come in to contact with, Members of the Senedd, the staff they employ or Senedd Commission employees, are treated with dignity and respect.

We aim to ensure that:

- everyone working in and engaging with the Senedd feels safe, respected and comfortable;
- the culture of the Senedd is a diverse and inclusive one that reflects the people of Wales;
- behaviour that adversely affects the dignity of others has no place;
- complaints are dealt with confidentially and fairly to all those involved;
- the options and procedures for reporting breaches are clear.

### **Application**

This declaration applies to the complaints and grievance procedures concerning dignity and respect matters involving the following groups of individuals.

#### **Members of the Senedd and their support staff**

##### *Members*

The [Code of Conduct for Members of the Senedd](#) governs Members' behaviour at all times, in all places and in all contexts.

The Code incorporates the "Seven Principles of Public Life" with the addition of a "Respect" principle which states:

*"Members must not behave in ways that reduce equality of opportunity, must always respect the dignity of other persons and must not engage in discriminatory or unwanted behaviour."*

##### *Member Support Staff*



The support staff employment handbook includes procedures for grievance and disciplinary matters. It also includes a model anti-harassment and bullying policy for adoption by each Member.

### **Senedd Commission Staff and all other visitors**

#### *Senedd Commission staff*

Senedd Commission employees are bound by a Staff Code of Conduct and an associated dignity and respect policy. This also applies to interns, secondees, agency workers and those on work experience.

#### *All other visitors*

The aims of the declaration will be applied contractually to contractors, including external advisers, and their staff and sub-contractors providing services to the Senedd, while they are on the Senedd estate or providing services to the Senedd. This declaration will also be applied to officeholders appointed by the Senedd and all other visitors.

We expect everyone using our premises to respect those who work here and to uphold this declaration. If there are complaints about the conduct of anyone undertaking work at the Senedd, constituency offices or wherever we are conducting business, this will be investigated under the relevant procedure and, where appropriate, we will raise these issues with their employer. We will remove from the Senedd estate visitors who do not respect the declaration and, where appropriate, we will report the matter to the police.

## **Appendix B: Overview of the approach taken to complaints about Members in other institutions.**

26. In Westminster, the Independent Complaints and Grievance Scheme (ICGS) was established in 2018 to address concerns around misconduct of Members of Parliament. It investigates complaints about inappropriate behaviour, such as bullying, harassment or sexual misconduct, and provides advice to complainants.
27. The ICGS applies to everyone working on or visiting the parliamentary estate. The ICGS set up a behaviour code by which MPs, visitors or employees in parliament must abide. It also runs a helpline for people to seek advice.
28. Complaints to the helpline are assessed by an external independent investigator. If the complaint meets the criteria under the scheme, an external independent investigator will carry out a full investigation. Complaints against MPs or MPs' staff are investigated by external independent investigators.
29. The scheme operates under the oversight of the Parliamentary Commissioner for Standards who is the decision-maker in cases involving MPs. If the Commissioner decides that a respondent should be sanctioned, they refer the case to an Independent Expert Panel<sup>6</sup> to determine the sanction.
30. The behaviour code applies equally to members of the House of Lords. The independent House of Lords Commissioners for Standards investigates complaints against Lords and their staff.
31. In the Scottish Parliament, a complaint can be made to the Scottish Ethical Standards Commissioner<sup>7</sup> if someone believes a Member of the Scottish Parliament has not followed the Code of Conduct for MSPs<sup>8</sup>.
32. The Code of Conduct requires that MSPs "must not behave in a manner towards ...any individuals they are in contact with in their capacity as MSPs that involves bullying, harassment (including sexual harassment), or any other inappropriate behaviour."

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<sup>6</sup> The Panel was established in 2020, replacing the Committee on Standards in this role. It determines the appropriate sanction for MPs in cases involving bullying, harassment or sexual misconduct referred to it by the Parliamentary Commissioner for Standards.

<sup>7</sup> <https://www.ethicalstandards.org.uk>

<sup>8</sup> <https://www.parliament.scot/msps/code-of-conduct/section-7-msps-general-conduct#topOfNav>

33. The Ethical Standards Commissioner can only investigate an MSP's conduct if it relates to 'their Parliamentary duties as an MSP'. The Parliament can ask the Commissioner to investigate any other concern about an MSP's conduct.
34. The Commissioner will prepare a confidential report describing their investigation and giving their opinion on whether the MSP breached the Code. The Commissioner will send the report to the Standards, Procedures and Public Appointments Committee of the Scottish Parliament. The Committee may then recommend a penalty to the Scottish Parliament. Similarly, in the Northern Ireland Assembly, an independent Commissioner for Standards is appointed by the Assembly. Her role is to carry out thorough, fair and transparent investigations into complaints about the behaviour of Members of the Legislative Assembly (MLAs) in relation to the code of conduct and to encourage and promote high ethical standards in public life.
35. The MLA Code of Conduct sets out the ethical standards required of Members when acting in their capacity as a Member of the Legislative Assembly.