

**Senedd Cymru**  
**Y Pwyllgor Safonau Ymddygiad**  
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**DR06**  
**Ymateb gan: Llafur Cymru**

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**Welsh Parliament**  
**Standards of Conduct Committee**  
**[Dignity and Respect Inquiry](#)**  
**DR06**  
**Evidence from: Welsh Labour**

# **Standards of Conduct Committee inquiry into Dignity & Respect**

## **Welsh Labour Group response**

**January 2024**

The Welsh Labour Group welcomes the opportunity to provide feedback as part of the Standards of Conduct Committee's inquiry into Dignity and Respect.

We are very much committed to playing our part in strengthening the culture of dignity and respect across the Senedd and want to see a complaints system which is responsive, robust and fair.

Please find below the Group's views on the key issues covered by the consultation document.

We have also commented on a number of related issues which we wanted to draw to the attention of the Committee.

**"It is therefore suggested to replace the current policy with an overarching declaration restating the commitment to uphold dignity and respect for Members, Member support staff, Commission staff and all other visitors."**

Members of the Group agree with this proposal - we believe it would help to simplify the complaints system and ensure a consistency of approach.

**Suggestion that the system for reporting concerns about dignity and respect should be administered and run by an independent body.**

The Group believes there would be real merit in establishing a fully independent body to administer and run the complaints process in place of the current system.

We believe that a move in this direction would help to address many of the key concerns which exist about the current system.

The Group would welcome further work by the Committee to look at how such a body could operate, including an assessment of how complaints systems

work in other legislatures and the lessons we can learn from their relative advantages and disadvantages.

It is also important, in the Group's view, that such a body is provided with a sufficient level of resourcing, including the staffing and expertise required to carry out its functions effectively and within a timely manner.

Further consideration and consultation would also be required with regards to the remit of such a body.

In particular, the Welsh Labour Group would like to see further discussion around whether such a body should deal with all complaints against Members or should only deal with matters relating to Dignity and Respect, with complaints regarding the use of Senedd resources, for example, being dealt with elsewhere.

We believe there are some strong advantages to creating an independent body to look at all complaints - including a consistency of approach and the simplicity of having a unified process.

However there may also be disadvantages, including the impact of such a workload on the ability to prioritise and deal with serious complaints regarding dignity and respect in a timely manner.

In recognition of the power dynamics which exist in the Senedd, as in all legislatures, we strongly believe that any new system should have the full confidence of staff.

Support staff, Commission staff and other stakeholders should be fully involved in the design and implementation of any new system.

We also believe there would be merit in appointing independent members to such a body to ensure that different perspectives are represented. The group would encourage the Committee to examine best practice from other legislatures.

### **Importance of expertise**

The Group strongly believes that greater use should be made of external expertise, whether the current system continues or an independent body is

created. We believe this is particularly crucial for complaints involving alleged breaches of dignity and respect, such as sexual harassment.

In our view, arrangements would be greatly strengthened by the appointment of an agreed panel of expert advisors who the Commissioner / Independent body could draw upon when dealing with complaints.

We believe that the greater use of expert advisors would greatly enhance the quality of the complaints process for all involved and ensure that important perspectives are reflected during considerations.

Being able to draw on expert advisors would also help to increase the capacity of the complaints system to respond in a timely manner.

### **Time taken to deal with complaints**

The Welsh Labour Group believes that further action needs to be taken to improve the time within which complaints are investigated and reported on.

The current situation, where some complaints can take a year or more, is not fair on complainants or those who are subject to complaints.

These delays can lead to significant distress for those involved and risk bringing the whole process into disrepute.

The Group believes that a timetable should be identified at the start of a complaints process and clearly communicated to the complainant and Member who is subject of the complaint.

We understand that complex complaints or unforeseen circumstances might mean that some cases take longer than others, but clear timetables from the outset would help to maintain confidence in the system.

They would also, in our view, help to deter attempts to 'game the system' by creating unnecessary delays at key phases.

Alongside this, we believe that the appeals process should be reviewed to ensure it that it remains robust and responsive.

### **Complaints regarding Member use of social media**

The Group has serious concerns about the way in which complaints concerning Members' social media responses have been dealt with.

Members have a right to respond robustly to online abuse and we feel that the way in which recent cases have been dealt with risks undermining Members' ability to deal with this concerning and growing issue.

We do not believe that robust responses on Social media should be dealt with in the same way as the serious behavioural issues which are the main focus of the current Code of Conduct and Dignity & Respect policy.

These complaints should also be dealt with far more promptly than has been the case in recent years.

We believe that any complaints involving comments by Members which contain discriminatory language, hate speech or threatening language should be dealt with robustly under the Code of Conduct and Dignity and Respect Policy.

### **Non-Disclosure Agreements**

The Group would also welcome a further discussion on the use of Non-Disclosure Agreements by Members and the Commission, particularly where complaints involving dignity and respect issues have been upheld.

We believe there are important issues of transparency, standards of conduct and safeguarding which should be examined with relation to NDAs.

Considerations should include an examination of the best practice which exists elsewhere, such as the conciliation processes operated by Trade Unions in Wales and the UK.

We also recognise that further work in this area would require the participation of the Senedd Commission, particularly in terms of employment arrangements.