

**Elin Jones AC, Llywydd**

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**Elin Jones AM, Presiding Officer**

National Assembly for Wales

Jayne Bryant AM  
Chair, Standards of Conduct Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

Our ref: EJ/CS

07 May 2019

Dear Jayne

### **Update on Dignity and Respect**

On 1 April, the Assembly Commission considered a range of updates on the Assembly's Dignity and Respect work. In previous correspondence, we said that we would update the Committee on progress.

I am pleased to attach two reports for the Committee to note:

- The report on the mystery shopper exercise conducted at the end of 2018 in response to recommendation 8 of your report, Creating the Right Culture.
- An update table on the recommendations accepted by the Assembly Commission in response to your report.

I hope you will find that both reports provide assurance that a great deal of work to embed a culture of dignity and respect within the Assembly has been undertaken. You will note that further work is planned in the coming months – in particular the annual survey which will measure specifically whether individuals have experienced or observed inappropriate behaviour since we last surveyed them. Following that, we are planning a campaign which will update and re-circulate information posters and raise further awareness as recommended by the Committee.

The Commission has noted the report of the mystery shopper exercise which again gave us assurance that the revised website pages introduced in May 2018

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are user friendly and accessible – something we appreciate the Committee wanted us to test.

As you are aware, since November we now have gender parity in the support provided to the independent Standards Commissioner. In addition to this we are pleased that we have been able to provide external expertise in relation to support and complaints about sexual harassment or sexually inappropriate behaviour. The Dignity and Respect guidance is being updated to reflect this provision and to guide potential complainants to the specialist support available. This additional support is being provided by the Survivor's Trust following a competitive tendering exercise.

In my letter of 30 October, I stated that we would consider the recommendation of the Committee on the potential for an anonymous reporting tool. We have explored this in further detail at the Commission meeting on 1 April following a visit to Cardiff University undertaken by officials in December 2018. Clearly there have been benefits to the University's cohort of some 31,000 students and they have devised a system that works for that institution.

Much of the service provided in that setting is provided at the Assembly by our Contact Officers. Conversations are confidential in nature and the report-back procedure to the Head of Human Resources who has a specific role to spot emerging patterns, is done anonymously. Formal complaints cannot be undertaken anonymously in either institution so that it is fair to all parties concerned.

The Commission has considered the most recent statistics relating to approaches to our Contact Officers since they were appointed in May 2018. We are pleased that this enhanced service is bedding down well and is clearly becoming a trusted service which imparts user-focused advice, guidance and emotional support.

However, we do not feel in a position to make a formal decision on the Committee's recommendation on anonymous reporting at this stage. The Commission has agreed to look again at this issue once the outcomes of the annual dignity and respect survey are known. We would also like to take account of any further work on party complaint procedures being undertaken by the



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Standards Commissioner and any impact from the Committee's ongoing work on the code of conduct in coming to decisions about future reporting processes.

Once these areas of work are concluded, we aim to review all our policies and enhanced services to ensure that they remain fit for purpose and help us build the institutional culture that we have a shared interest in achieving.

Yours sincerely,

Elin Jones AM

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## **Mystery Shopper Survey**

In its report, *Creating the Right Culture*, the Committee on Standards of Conduct recommended to the Assembly Commission that it should undertake a mystery shopper exercise:

*Recommendation 8. The Committee recommends that the Assembly Commission undertake a “mystery shopping” exercise on the existing material on how to make a complaint to ensure the available information is accessible and user friendly by end of 2018.*

The Commission accepted that recommendation and a mystery shopping exercise was conducted between the 14 and 30 November. Based on the Committee’s concerns we asked participants to navigate from the Assembly’s home page to our Dignity and Respect pages, answer a number of scenarios to test the clarity of the information and asked for an assessment on terminology, accessibility and any other improvements we should think about for the future.

12 individuals were approached to take part and a total of 7 responses were received broken down as follows:

- 3 x external to the Assembly and based elsewhere in the UK
- 1 x Assembly Commission staff (Tŷ Hywel)
- 3 x Staff employed by Assembly Members (Tŷ Hywel and constituency offices)

Each of the questions are provided below together with a summary of the responses received and any action identified.

1. We wanted to test whether individuals could navigate from the Assembly’s home page to our complaints pages.

***On the Assembly’s website [www.assembly.wales](http://www.assembly.wales) we would like you to test whether, if you wished to make a complaint about inappropriate behaviour, you are able to navigate with relative ease to information on how to make such a complaint. Please provide any comments here:***

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## Summary of responses

Three people said that it was easy to navigate from the Assembly's home page to our Dignity and Respect pages by using the 'complaints' tab at the bottom of the front page.

Four participants said that it took time, it was difficult to spot the 'complaints' tab or that our own 'search' function did not provide a clear route to the correct page.

**Analysis:** Searches inside our website for 'Dignity and Respect' provide accurate results but a search results for 'complaint' and 'Member complaint' are poor. Google searches for 'Assembly complaints', 'Assembly Member complaint' and 'complaints about Assembly Members' are reasonably accurate.

**Action:** We have made technical improvements to point searches on our website to the correct pages. Improvements to the architecture and search functions are already requirements for the website project and we will take the findings of the mystery shopper exercise into account.

2. As there are different complaints processes for the different groups of people who work here, and we heard feedback in 2017 stating that people wouldn't know how to complain or who to complain to, we wanted to test whether we had achieved our ambition to guide potential complainants to the relevant procedure in a relatively straightforward way. We also set a number of scenarios to test whether complainants understood the information provided.

***Have we succeeded in making a fairly complex set of arrangements easy to access and follow? Please provide any comments you may have on whether these arrangements are easy to access.***

**Summary:** Six participants said Yes and one said No. The majority stated that they were clear, easy to understand and presented in a straightforward way through using our drop-down guides. Suggestions for improvements included

- (i) provision of links to connect an individual to whoever they are going to make a complaint to



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- (ii) a concern that the guidance in Welsh was text heavy and could be provided in bullet form.

**Action:** We have already committed to providing hyperlinks to political party complaint procedures once the Standards Commissioner has reviewed complaint procedures. In doing that, we will provide contact points. We plan to review our guidance later in the year and we will note the comment about the Welsh language version.

**We set a number of scenarios to test whether we were providing clear, understandable information to guide individuals to the correct procedure:**

*If you were a media reporter and you had a complaint against an Assembly Member, describe the complaint route options available to you.*

**Answer:** Report to the Assembly's Standards Commissioner, or to the political party's own complaint procedures.

All participants answered correctly.

*If you are working at the Assembly fixing electric circuit boards under contract to the Assembly Commission and you decide to make a complaint about a member of staff who manages your contract for using racist language, who can you complain to?*

**Answer:** Report to the Assembly's Human Resources Department or the Chief Executive and Clerk.

All participants answered correctly.

*If you are employed by an Assembly Member and you wish to make a complaint against someone who works for another political group at the Assembly, what are the options available to you?*

**Answer:** Report to the Members' Business Support Team who will raise this with the employing Member, or report to the political party's own procedures if that is your preference.

All participants answered correctly.



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*You do not work here, but in passing our estate a builder carrying out work on the Senedd building, makes sexist remarks at you, is it clear how you can make a formal complaint against them?*

**Answer:** Report to the Head of Procurement or the Chief Executive and Clerk.

All participants answered correctly.

*You are employed by an Assembly Member who you believe is subjecting you to bullying, and you wish to make a complaint. What are the options available to you and what support can you access?*

**Answer:** Report directly to the Assembly's Standards Commissioner or report to the political party's own procedures.

All but one of the participants answered this correctly. One member of staff employed by an Assembly Member said that they would approach MBS or their trade union representative. However, even if initially the incorrect route was followed, we know that MBS or trade union colleagues would be able to signpost an individual to the correct route.

*If you are unsure how to make a complaint, who should you get in touch with?*

**Answer:** A Contact Officer or the helpline number 0800 020 9550.

All participants answered correctly.

3. We wanted to test whether we were using the correct language to ensure the use-friendliness of our information.

*Terminology is important. However, it can get in the way when we describe subjects we are familiar with. Though we have endeavoured to present our web-pages and information in an accessible and user-friendly way, did you have any observations on whether we have achieved our objective?*

**Summary:** Participants found the information and language clear and easy to understand. One commented that it may be over-simplistic for employees.



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4. We invited additional comments so that when we review our Dignity and Respect policy and guidance (most probably after the Committee on Standards of Conduct next reports), we could include further improvements.

*At present, our Dignity and Respect policy and guidance are bedding down. The Standards of Conduct Committee is also continuing its work and will report again in the future. We will therefore need to review both the policy, guidance and any changes in practice later in 2019. We would therefore appreciate any other general observations you have that may not be caught by the specific questions above which we could take into account during that review.*

**Summary:** Most of our participants did not comment further. However, a couple of useful suggestions were made for our further consideration:

- With so many options [to complain] it may be useful to have one document that captures all the information so that a person can print and read.
- There is no guidance on how to make a complaint about a Minister on the website or how that process is different to making a complaint against an AM
- Specific information for constituency offices would be useful – especially when the employing Member is independent.

**Action:** We will consider these in the Dignity and Respect Working Group. These are all useful comments which could provide greater clarity for individuals before a formal review of the policy and guidance takes place later in 2019.

End





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## Update on Standards of Conduct Committee's recommendations to the Assembly Commission

### Standards Commissioner's office

Recommendation	Progress
13. The Committee recommends that the Assembly Commission work with the Standards Commissioner to develop a proposal for an advice and support function to sit alongside the Commissioner's office by spring 2019.	<p>Contract awarded in February 2019 to the Survivor's Trust following a competitive tendering exercise. Contact details are being provided in our dignity and respect guidance document (with our Contact Officer details).</p> <p>Two secondees appointed to the Commissioner's office (November 2018). Staff will assist Commissioner with fact-finding, investigative work and drafting, potentially shortening timeline for investigations. Gender balance achieved.</p>

### Survey

Recommendation	Progress
1. The Committee recommends that the Assembly Commission issue an annual dignity and respect survey of AMs, AMSS and Commission staff and present the findings and an accompanying action plan to the Standards of Conduct Committee.	Annual Dignity and Respect Survey is being prepared and will commence in May 2019. It is taking into account all three of the Committee's recommendations which have been accepted.

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Recommendation	Progress
2. The Committee recommends that the Assembly Commission evaluates the dignity and respect survey of AMs, AMSS and Commission staff and develops it to identify types of inappropriate behaviour.	
10 . The Committee recommends that the annual dignity and respect survey and/or staff surveys include a series of questions around awareness of the Complaints procedure and processes.	

### Strengthening arrangements for contracts, leases and events

Recommendation	Progress
3. The Committee recommends that the Assembly Commission include in leases and contracts for the use of the Assembly estate the condition that organisations must have a/or abide by the Assembly's dignity and respect policy.	We have met with all of our on-site contractors, provided a copy of the policy and confirmed that they and their staff will need to comply and abide with the policy. They all confirmed agreement and said they would be briefing staff as part of their regular team meetings.  GVA, as our Estates Advisers for sub-tenants have written to BBC and ITV to advise that we will include the requirement to comply with the Dignity



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Recommendation	Progress
	<p>and Respect policy in any future subleases. In the meantime, we have provided copies of the policy and confirmed our expectation that their employees based and working on our estate should comply with the policy and we highlighted the following extract for cascade and communication together with the policy:</p> <p><i>The policy states that the Assembly Commission expects anyone who uses our premises to respect those who work here and to uphold the high standards of conduct set out in this policy. If there are complaints about the conduct of anyone undertaking work at, or visiting, the National Assembly, constituency offices or wherever we are conducting business, the National Assembly will investigate and where appropriate, take these issues up with their employer. Where appropriate the Commission will report the matter to the police.</i></p>
4. The Committee recommends that an agreement to abide by the	Action completed. This is now built in to terms and conditions documentation.



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<b>Recommendation</b>	<b>Progress</b>
dignity and respect policy is included in any event booking.	

## Professional Development

<b>Recommendation</b>	<b>Progress</b>
5. The Committee recommends that training on Dignity and Respect in the workplace is included as part of the induction process, and offered periodically throughout the course of an Assembly.	Completed. This is now built into our programmes.  The ACAS training is being offered to AMSS at different locations across Wales. E-learning is also available.
6. The Committee recommends that the Assembly Commission offers specific training around sexual harassment and responding to disclosures of sexual violence/harassment, and that this is required training for identified individuals.	Contract awarded to The Survivor's Trust in February 2019 after a competitive tendering exercise. Initial training for identified individuals arranged for spring/summer 2019.
7. The Committee recommends that the Assembly Commission provides specific training for AMs on managing a small office.	Completed. A package of training is available and is being taken up.  We are developing this as a bilingual e-learning package over the coming months.



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### Accessibility and user-friendliness of info

Recommendation	Progress
8. The Committee recommends that the Assembly Commission undertake a “mystery shopping” exercise on the existing material on how to make a complaint to ensure the available information is accessible and user friendly by end of 2018.	Mystery shopper survey issued 14 November 2018. Positive results as shown in summary report.
11. The Committee recommends that each Party’s policy is made available on the Complaints page of the Assembly website, once the processes have been finalised.	We committed to do this as part of the consultation process on the Dignity and Respect policy. Once the Standards Commissioner has completed his review on political party complaint procedures we will add them.
14. The Committee recommends that the Assembly Commission develops an online reporting tool which allows people to report incidents of inappropriate behaviour either anonymously or through a named disclosure by summer 2019.	Commission will consider position after the annual Dignity and Respect survey.



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## Promotion

Recommendation	Notes
<p>9. The Committee recommends that the Assembly Commission produce a suite of information by spring 2019 relating to dignity and respect including leaflets, posters and online content. This information must be readily available for people to access and should be informed by the findings of the mystery shopping exercise.</p>	<p>Ongoing promotion has been taking place throughout the year. Information is provided during induction and specific dignity and respect awareness training including packs of information provided to delegates. In addition to posters in Tŷ Hywel, they have been sent to constituency offices. A new intranet video has been posted and further publicity will be rolled out for our bystanders campaign in May and June.</p>
<p>20. The Committee recommends that an active bystander campaign relating to inappropriate behaviour is run on the Assembly estate, and that all Assembly Members are encouraged to sign up to.</p>	<p>The campaign is planned for May and June 2019 with AM and staff involvement in the weeks following the annual dignity and respect survey.</p>



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## AMSS

Recommendation	Notes
15. The Committee recommends that the Assembly Commission put in place a method for notifying AMSS staff representatives about new starters in the Political group by October 2018.	Completed by deadline. As a matter of course members of the AMSS representative group are notified of new starters in their political groups.
16. The Committee recommends that the Assembly Commission work with the Remuneration Board to bring forward a proposal by December 2018, on the support that can be offered to AMSS working for independent AMs.	Completed. The Remuneration Board has agreed that a staff member, to represent staff employed by independent AMs, should join the AMSS Reference Group and a nomination has been sought. The AMSS Operational Group membership now includes staff from independent offices. In line with the principle behind this recommendation, Members' Business Support has formalised the support network to assist AM offices with the transition to becoming independent from a political group.