

## **CULTURE OF RESPECT – NEXT STEPS**

### **Executive summary**

1. This paper seeks the SPCB's approval of the proposed next steps on the Culture of Respect and on related bullying and harassment policies and procedures.

### **Issues and Options**

#### Sexual harassment and sexist behavior

2. The report from Joint Working Group (JWG) on Sexual Harassment and Sexist Behaviour was endorsed by the SPCB in December 2018. There was a short consultation on the draft policy and the JWG recommendations in relation to complaints against Members were referred to the Standards, Procedures and Public Appointment (SPPA) Committee.

3. The Sexual Harassment Policy and associated procedures were launched in March 2019 and an independent support service providing a helpline and advocacy services was set up.

4. We committed to reviewing the policy after the first 12 months of operation. We also committed to reporting data to the SPCB on the number of calls to the helpline and on the number of informal and formal cases after the first 6 months of operation and annually thereafter. The SPCB is invited to note that there have been no contacts with our external provider and no formal complaints have been raised.

5. A key part of the review is to find out whether there has been cultural and behavioral change as a result of the work that has already been done. Therefore, we will need to consider how best to evaluate this change. The intention is to begin this review at the beginning of April.

#### Bullying and Harassment

6. As set out in the Joint Working Group's report, we dealt with sexual harassment separately as it is directly related to gender and requires specific definitions and interventions. However, it was always intended that current bullying and harassment policies would be reviewed and, as noted in the JWG report, it was likely that we would follow the same procedures as we have for sexual harassment.

7. On that basis, the JWG recommended that the SPPA Committee should consider 'future-proofing' the Members' Code of Conduct by incorporating bullying and harassment into any changes they made to the Code.

8. The SPPA committee's final report and proposed changes to the Code of Conduct are likely to be published in November. In their consultation they proposed including bullying, harassment (including sexual harassment) or any other inappropriate behaviour by having an over-arching section in the Code on 'the Treatment of Others'.

9. While we do not know at this point what the final committee report will say, we need to take forward work on revising current bullying and harassment policies. It is suggested that we—

- Review our current arrangements that deal with bullying and harassment based on the principles that underpin the sexual harassment policy and procedures, including that they apply to everyone who works in or for the Parliament.
- Revise procedures so they include independent investigation of formal complaints
- Expand the sexual harassment helpline to include bullying and other types of harassment

10. Given the consultations that were carried out around sexual harassment, it is suggested that there be a consultation on the policy before it is implemented.

### **Resource Implications**

11. The activities highlighted above will be taken forward by Human Resources and HR staff time to progress the policy development work is in place. The paper considered by the SPCB in December 2018 estimated that the cost of the Independent Support Service would be in the region of £40,000 and the cost of an independent investigator would be in the region of £4,000 for each investigation. Given the experience of the first 6 months, we are assuming that the estimated overall costs will not increase as a result of including bullying and other types of harassment.

### **Governance issues**

12. The SPCB sets the model contract of employment for MSPs' staff under 3.1.7. of the Reimbursement of Members' Expenses Scheme. Therefore, we also need formal SPCB approval to incorporate the revised policies and procedures into the minimum terms and conditions under the Scheme.

13. We will also continue to report to the SPCB the numbers of calls to the helpline and number of informal complaints in relation to sexual harassment on an annual basis. If the proposals regarding other forms of harassment and bullying are agreed to, we will include these figures in future annual returns.

### **Publication Scheme**

14. This paper can be published.

## **Decision**

15. The SPCB is invited to agree the proposals on the next steps in relation to the Culture of Respect and to other forms of harassment and bullying on the basis outlined in this paper and to agree that the revised policies and procedures are incorporated into the model contract of employment for Members' staff.

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