



Conduct Committee

Minutes of the meeting on Wednesday 22 January at 4.30pm

Present:

Baroness Anelay of St Johns
Lord Brown of Eaton-under-Heywood
Cindy Butts
Mark Castle
Andrea Coomber

Vanessa Davies
Baroness Donaghy
Baroness Hussein-Ece
Lord Mance (Chair)

with the Clerk of the Parliaments.

Sections of these minutes have been redacted

1. Minutes of the meeting of 5 November 2019

The Minutes of the meeting held on 5 November 2019 were *agreed*.

2. Update on Ellenbogen Steering Group for Change

Baroness Donaghy introduced the paper about the Steering Group for Change, of which she had been appointed Chair. She noted that the staff were in a majority on the group, which had not been done before. The group would report to the Management Board and the House of Lords Commission. Baroness Donaghy was conscious that she needed to handle any possible conflict between her chairmanship of the group and her membership of the Conduct Committee.

Baroness Donaghy reported that she had recently spoken at two management seminars for Lords staff and had been faced with some probing questions. She suggested that it might be useful for the Committee to have a standing agenda item on the group so that she could provide updates.

The Committee *took note*.

3. ICGS: investigating complains of bullying, harassment or sexual misconduct against a Lords Member relating to the time when they were an MP

The Clerk introduced the paper which was agreed in principle.

It was emphasised that the proposal only applied to bullying, harassment and sexual misconduct – the definitions of which were the same across Parliament – and not to other Code breaches. The Committee *agreed* to consider a further paper at the next meeting, and *agreed* with the proposal in paragraph 12 that the scheme should also apply to Lords members relating to their time in any position in the parliamentary community (i.e. not just conduct as an MP).

4. Valuing Everyone training

The Lords ICGS Implementation Lead introduced the paper, noting that approximately 70 Lords members had attended the training and another 50 were booked in. This was about 15 per cent of the House. Given the disruptions in the autumn, this was thought to represent reasonable progress. He also reported that additional material had been produced in response to feedback that the training focused too much on members as employers rather than as service users.

One member said that she had been told that the training would be attended only by Lords members, but in the event there had been MPs present which she had found beneficial. She also



suggested that it was particularly important for select committee members to attend the training, all the more so if they were going on visits. Committee chairs could be useful advocates.

The Committee *agreed* to write to the Lord Speaker in the terms set out in paragraph 8 of the paper. The proposed target of 50 per cent of members attending by the summer was thought to be appropriate, provided it was clear that all would need to attend in due course – otherwise further consideration would need to be given to making the training mandatory.

5. Treatment of imprisoned members

The Standards and Registry Clerk introduced the paper, which expanded on the paper considered in November. The Committee *agreed* to propose the Code of Conduct amendments in paragraph 22.

6. Cluster and third-party reporting

The Clerk introduced the paper, and the Chair noted that the options in paragraph 14 were not mutually exclusive.

The Committee *agreed* to options 14(a) and 14(c), with 14(d) as a back-up. Accordingly, the Clerk of the Parliaments would continue with his current practice of gathering confidential reports of inappropriate behaviour where the member of staff does not wish to complain and, with their agreement, raise the behaviour with the member and/or their whip. He would also develop a consent-based policy for putting people in touch where they have reported mistreatment by the same member, helping to build confidence. Finally, a policy should be developed to allow the Clerk of the Parliaments to alert the Commissioner to clusters of complaints without the need for a complaint; she could then use her existing power to investigate in the absence of a complaint if she felt it appropriate to do so.

7. The Code of Conduct, the ICGS and freedom of speech

The Registrar of Lords' Interest introduced the paper. He noted that while the issue of privilege did not arise as the Commissioner was not a person or place outside of Parliament, the introduction of the provisions on bullying, harassment and sexual misconduct had made the potential for a case to arise in which the Commissioner would need to balance those provisions against the right of members to freedom of speech in proceedings.

The Committee *agreed* to consider a further paper on the issue on the basis of specific proposed text changes to the Code.

8. Offensive language used in the Commissioner's report on the conduct of Lord Stone

The Standards and Registry Clerk introduced the paper. The Committee *took note*.

9. Any other business

Kate Lawrence & Chloe Mawson
Clerks to the Conduct Committee