

Plaid Cymru Group Response to the Consultation regarding the Procedure for Dealing with Complaints against Members of the Senedd

Plaid Cymru welcomes the emphasis placed in the consultation document on dealing with complaints against Members of the Senedd promptly and thoroughly. The Code of Conduct rightly highlights the behaviours expected of an elected member, and we welcome any move that would help the Commissioner in investigating complaints if it is clearer when a complaint is made how it relates to a breach of the Code.

We wish to make the following comments in relation to the consultation.

The timescale for complaints admissibility

We support the comments made around complaints ideally being made as soon as possible, and therefore support the proposal to limit the time frame to six months. However, it is important, as stated in the consultation document, that we do maintain that if there is a reasonable reason for a complaint falling beyond the six months, that the Commissioner take this into account such as a pattern of behaviour over a period of time that is in breach of the code. We would appreciate this being made explicit in any guidance, so that those with good reason do not feel discouraged from submitting a complaint because of this change if the six month limit were to come into effect. A few case studies may be helpful in illustrating this, and used as an opportunity to yet again highlight the Code of Conduct.

If introduced, we would ask the Committee to keep this under review and consider if this is stopping some complainants from coming forward and if so, why. This is especially important in light of the fact that a number of other UK legislatures have removed a time limit completely for making complaints in light of concerns arising from dignity and respect considerations.

The information contained within a complaint

We welcome this proposal so that it is much more explicit how the Code has been breached. However, we also agree that the Commissioner should not discount any complaint if he or she believes that other parts of the Code have been breached which differs to the complainant.

The Complainant

We agree that complainants should be better informed throughout the process. The milestones proposed are reasonable in our view.

Bringing a complaint to the end and the right to request a review

We agree that there should be a right of review by the Standards Committee of a decision of the Commissioner to dismiss a complaint on any of these grounds.

Our concern is a complaint not progressing if a victim decides not to proceed, as there may well be a breach of the code but a victim could come under pressure to end proceedings if they are not sufficiently supported in taking a complaint forward. This is unusual when HR procedures are usually applied in other organisations.

Early Rectification Procedure

We support this, but only in relation to issues that are not linked to Dignity at Work or Bullying and Harassment policies.

Appeal Process

We support the removal of the appeal process as set out here, but ask if introduced that this is kept under review by the Committee as to its effectiveness.

Redacting the Commissioner's report

We support this proposal.

Further comments

Whilst we support much of what is proposed, we would like to make the general point that there should be greater HR support and protection in place for staff members who work for members. Currently there are two routes available for them to complain – either via the Standards Commissioner or within Political Party structures. We would welcome further consideration by the Senedd Commission and the Standards Committee on how best to ensure staff are protected and supported as they would be in any other public sector or business setting.