



Independent
Complaints
and Grievance
Scheme

A guide for Informal Resolution

This guide is to provide information about informal resolution, which is referred to as Pathway 2 in complaints of sexual misconduct.

parliament.uk

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This is guide is for you if you have made a complaint, or thinking about making a complaint, or had a complaint made about you.

The ICGS is Parliament's independent mechanism for handling complaints of bullying, harassment, or sexual misconduct.

What is informal resolution?

Informal resolution can be a way of resolving a complaint, without having to go through a full investigation. Informal resolution, if successful, may help to resolve an issue for both parties whilst supporting a positive working relationship.

What is Pathway 2?

Pathway 2 is the informal resolution for complaints of sexual misconduct. At any time after contacting the ICGS helpline, whether an individual has made a complaint or not, you can choose to take action through informal resolution. Should you wish to pursue 'Pathway 2', this will be referred to one of our independent investigators who is suitably qualified in informal resolution. This will not involve an investigation, unless you wish to proceed with a formal complaint. You are encouraged to receive support from an Independent Sexual Misconduct Advisor (ISMA) throughout this process.

Why should I choose informal resolution?

Going through an investigation can be challenging for all parties involved. A fair and thorough investigation process can take time. Often, the person making the complaint (the complainant) would like for the person being complained about (the respondent) to understand and acknowledge the impact their behaviour has had and to take steps to rectify this so they can have a productive, professional working relationship. This can be where informal resolution may be more beneficial than a full investigation. While Informal Resolution may not be appropriate in all cases there are a number of benefits to using it, including:

- **Timing:** informal resolution can commence and conclude quickly.
- **Flexibility:** if anyone involved in the informal resolution process is dissatisfied with it, they can still choose to continue the complaint process and may be eligible for a full investigation.
- **Control:** choosing informal resolution can give complainants, and respondents more of a sense of control due to having a say in what the resolution looks like, which is not the case through an investigation. Equally, in an investigation, the complainant will not find out the sanction imposed on the respondent, if applicable, (other than in complaints against MP's and Members of the House of Lords).
- **Outcomes:** successful informal resolution can create a better working relationship and working environment. There is a higher chance of receiving an outcome through informal resolution that brings both parties closure.

What are the different options in informal resolution?

Informal resolution can take different forms, depending on the complaint, what outcome the complainant is looking for and what the respondent agrees to. This can include:

- A conversation facilitated by the investigator which may result in:
 - The complainant explaining the impact of the respondents behaviour
 - acknowledgement of the behaviour by the respondent
 - an agreed 'behaviour contract', as a way of working together
- A letter of apology
- Attending training
- Mediation

What is the process for using informal resolution?

Once an individual has made a complaint, it is passed to an ICGS investigator. The investigator assigned will speak with the complainant and conduct an Initial Assessment. This is to determine whether the complaint is eligible to progress to the Full Assessment stage, where a full investigation takes place. ICGS investigators have experience with resolving complaints informally; when they speak with a complainant they will outline options for informal resolution to resolve the complaint.

If the complaint is eligible and meets the threshold to be investigated, the respondent will then be informed. The investigator will contact the respondent and ask if they would be open to resolving the complaint informally and inform the respondent about what the complainant would like. Only if both parties agree to informal resolution, can it go ahead.

The investigator is responsible for conducting the informal resolution process, but if the ICGS deems it necessary, a mediator may be appointed to handle the process instead.

What if informal resolution doesn't work?

If you decide you would like to explore informal resolution but then change your mind, the process can stop. Following that, provided that the investigator has determined the complaint is eligible and meets the threshold to be investigated, it can be progressed to the Full Assessment stage where a full investigation will take place. You can read more about the stages [here](#).

Is this option available for complaints about Members of the House of Lords and their staff?

Complaints about Members of the House of Lords and their staff are investigated by the Lords Commissioners for Standards and their team, who may be assisted by an ICGS investigator. An equivalent option of 'agreed resolution' is available in these cases under the Lords Code of Conduct. At any time during an investigation, and before any findings are made, the Commissioner can agree a way to resolve the complaint with the complainant and the respondent which can bring the investigation to an end. More information about the process followed in these cases can be found in the [House of Lords Code of Conduct](#).

Further information

If you have any further questions about this process, please contact the ICGS Helpline on 0808 168 9281 or support@ICGSHelpline.org.uk.

ICGS Commonly Used Terms

We have created an aid to provide an explanation for words and terms we frequently use, in the link below.

[Commonly used ICGS terms](#)
([sharepoint.com](#))