

The Labour Party  
**Rule Book 2010**

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## **Section A**

# Summary of NEC rule amendments

The following NEC rule amendments were passed at the 2009 Annual Conference and are implemented from 1 January 2010.

<b>Chapter 4 - Elections of national officers of the party and national committees</b>			
<b>Clause</b>	<b>Title</b>	<b>Rule change</b>	<b>Explanation</b>
Clause B.5.B	<b>Election of Treasurer</b>	delete "The treasurer shall be elected by means of a ballot on a card vote basis as provided in these rules."  Insert at the end of the clause "The affiliates portion of the votes shall be cast by a ballot of affiliated organisations on the same timetable as the CLP members ballot."	Brings the rules for the election of the Treasurer in line with current practice
Clause B.6.A	<b>Election of Auditors</b>	Delete "The CLPs' proportion of the votes cast shall be decided by a ballot among all eligible individual members of the party by means of a national one member one vote postal ballot conducted to guidelines laid down by the NEC."	Brings the rules for the election in line with current practice for functional officers
Clause C.1.D.1.a	<b>Election of National Policy Forum</b>	Amend this following clause as follows "Division I shall consist of 55 members to be nominated and elected by CLPs, and elected by a ballot conducted among all eligible individual members of the Party by means of a regionally based one-member-one-vote postal ballot conducted to guidelines laid down by the NEC."	Allows for the CLP section of the NPF previously elected by delegates at conference to be elected by a postal ballot of all members.

## **Section B**

# The national rules of the Labour Party



# Chapter 1

## Constitutional rules

### Clause I.

#### Name and objects

1. This organisation shall be known as 'The Labour Party' (hereinafter referred to as 'the party'). Its purpose is to organise and maintain in Parliament and in the country a political Labour Party.
2. The party shall give effect, as far as may be practicable, to the principles from time to time approved by party conference.

### Clause II.

#### Party structure and affiliated organisations

1. There shall be a National Executive Committee of the party (the 'NEC') which shall, subject to the control and directions of party conference, be the administrative authority of the party.
2. The party shall be organised on the following basis:
  - A. Where the NEC so determines there shall be established in any Westminster parliamentary constituency a unit of the party, to be known as a 'constituency labour party' or 'CLP'
  - B. Within each CLP, members shall be organised in branches, the number and area covered by such branches to be agreed by the CLP and the NEC
  - C. A women's forum may be established in each CLP, consisting of all individual women members within that CLP. An ethnic minorities forum may be established consisting of all individual Black, Asian, Minority Ethnic (BAME) individual members within that CLP.
  - D. In Scotland, Wales and each of the English regions there shall be established: a Scottish Labour, Wales Labour or regional party office; a Scottish executive, Welsh executive or regional board; and a European constituency labour party. There may also be established a Scottish, Welsh or regional women's committee and a regional BAME members' section.
  - E. Subject to the approval of the appropriate NEC representative, local government committees may be established within areas of directly elected local government above that of parish/community council
  - F. Members on local authorities shall be organised locally in Labour groups and nationally in the Association of Labour Councillors
  - G. All individual members of the party aged between 15 and 26 years inclusive shall be members of Young Labour and may establish

local Young Labour groups throughout England, Scotland and Wales

- H. Student members of the party shall be organised nationally as Labour Students
  - I. A National Trade Union and Labour Party Liaison Organisation shall be established to involve affiliated unions in party organisation, which shall include a National Trade Union and Labour Party Liaison Committee and Regional Liaison Committees in Scotland, Wales and each of the English regions
  - J. Labour Party Properties Limited and Labour Party Nominees Limited shall be maintained as companies holding party assets, either outright or on trust for the benefit of the party.
3. Organisations may, subject to the decision of the NEC, which shall be final and binding, affiliate to the party if they fall within the following categories:
    - A. trade unions affiliated to the Trades Union Congress or are considered by the NEC to be bona fide trade unions
    - B. co-operative societies
    - C. socialist societies
    - D. other organisations which, in the opinion of the NEC, have interests consistent with those of the Labour Party.
  4. Each affiliated organisation must:
    - A. accept the programme, policy and principles of the party
    - B. agree to conform to the constitution and standing orders of the party
    - C. submit its political rules to the NEC.
  5. Other
    - A. Political organisations not affiliated or associated under a national agreement with the party, having their own programme, principles and policy for distinctive and separate propaganda, or possessing branches in the constituencies, or engaged in the promotion of parliamentary or local government candidates, or having allegiance to any political organisation situated abroad, shall be ineligible for affiliation to the party.
    - B. The panel of the NEC responsible for assessing applications from socialist societies to affiliate to the party shall have regard to procedural guidelines determined by the NEC, which are available from the Compliance Unit.
  6. Affiliations Fees
    - A. Trade Unions
      - i. Each affiliated trade union shall pay an affiliation fee per member of £3.00.
      - ii. After consultation with affiliated organisations, the NEC will determine affiliation fees as and when necessary for Annual Conference to approve.
      - iii. Of that affiliation fee, a proportion shall be allocated to the party's national

election fund as provided by clause VIII.3(k) of these rules.

- iv. Affiliation fees shall be payable on a quarterly basis on the first days of January, April, July and October each year and must have been paid in full not later than 31 December of the relevant year.

#### B. Socialist Societies

- i. Each affiliated socialist society or other organisation shall pay an affiliation fee per member of £1.25.
- ii. Of that affiliation fee, 10p shall be allocated to the party's national election fund as provided by clause VIII.3(k) of these rules.
- iii. All affiliation fees shall be paid not later than 31 December of the relevant year.

- C. Affiliation fees and the allocation thereof may be varied by party conference and sub-clauses 6.A.i to 6.B.iii above modified accordingly.

#### 7. Membership fees and insurance

- A. Membership fees for each individual member shall be collected by, or on behalf of, the party's head office and shall be divided between head office, the relevant regional office, or Scottish/ Welsh office as the case may be, and the relevant CLP, as laid down in the membership rules.
- B. The NEC shall arrange on behalf of all CLPs an insurance scheme to cover a by-election premium, public liability, and such other legal risks as the NEC considers appropriate. The estimated cost of such insurance for the following year shall be advised to the annual session of party conference and each CLP shall be notified of its share of the cost which must be paid by 15 April of the following year; wherever possible this shall be deducted from a CLP's share of membership subscriptions during the first quarter of each year.

### Clause III.

#### The party's financial scheme

1. The party shall maintain a financial scheme approved by the Electoral Commission and shall consist of a central organisation with accounting units
2. The following may, subject to the approval of the NEC, be registered as accounting units under the party's financial scheme:
  - A. CLPs
  - B. the Scottish Labour Party
  - C. Wales Labour
  - D. Labour Students
  - E. the Association of Labour Councillors ('ALC')
  - F. the Trade Union and Labour Party Liaison Committee and the National and Regional Trade Union Liaison Committees
  - G. the Parliamentary Labour Party ('PLP')
  - H. local government committees ('LGCs')

- I. such other party units as shall from time to time be agreed by the NEC to be eligible for registration.

3. All accounting units will comply with their legal obligations to provide the national party with all relevant information as requested. Failure to supply such information may lead to the NEC taking disciplinary action against individual members, the suspension of the appropriate party unit or both

### Clause IV.

#### Aims and values

1. The Labour Party is a democratic socialist party. It believes that by the strength of our common endeavour we achieve more than we achieve alone, so as to create for each of us the means to realise our true potential and for all of us a community in which power, wealth and opportunity are in the hands of the many not the few; where the rights we enjoy reflect the duties we owe and where we live together freely, in a spirit of solidarity, tolerance and respect.
2. To these ends we work for:
  - A. A DYNAMIC ECONOMY, serving the public interest, in which the enterprise of the market and the rigour of competition are joined with the forces of partnership and co-operation to produce the wealth the nation needs and the opportunity for all to work and prosper with a thriving private sector and high-quality public services where those undertakings essential to the common good are either owned by the public or accountable to them
  - B. A JUST SOCIETY, which judges its strength by the condition of the weak as much as the strong, provides security against fear, and justice at work; which nurtures families, promotes equality of opportunity, and delivers people from the tyranny of poverty, prejudice and the abuse of power
  - C. AN OPEN DEMOCRACY, in which government is held to account by the people, decisions are taken as far as practicable by the communities they affect and where fundamental human rights are guaranteed
  - D. A HEALTHY ENVIRONMENT, which we protect, enhance and hold in trust for future generations.
3. Labour is committed to the defence and security of the British people and to co-operating in European institutions, the United Nations, the Commonwealth and other international bodies to secure peace, freedom, democracy, economic security and environmental protection for all.
4. Labour shall work in pursuit of these aims with trade unions and co-operative societies and also with voluntary organisations, consumer groups and other representative bodies.
5. On the basis of these principles, Labour seeks the trust of the people to govern.

## Clause V.

### Party programme

1. At all levels the party will ensure that members, elected representatives, affiliated organisations and, where practicable, the wider community are able to participate in the process of policy consideration and formulation.
2. Party Conference shall decide from time to time what specific proposals of legislative, financial or administrative reform shall be included in the party programme. This shall be based on the rolling programme of work of the National Policy Forum and shall be subject to approval by an OMOV ballot of the eligible membership once in each Parliament. No proposal shall be included in the final party programme unless it has been adopted by the conference by a majority of not less than two-thirds of the votes recorded on a card vote.
3. When in Government the NEC, the seven backbench members of the Parliamentary Committee of the Parliamentary Labour Party ('PLP') plus the Chair of the PLP, the Cabinet, the Chair and three vice Chairs of the NPF, two CLP members of the NPF to be elected by CLP delegates to the NPF, and eight Trade Union members of the TULO Contact Group, shall decide which items from the party programme shall be included in the manifesto which shall be issued by the NEC prior to every general election. The joint meeting shall also define the attitude of the party to the principal issues raised by the election which are not covered by the manifesto.

When not in Government the NEC, the Parliamentary Committee of the Parliamentary Labour Party ('PLP') and the Chair and three vice Chairs of the NPF shall decide which items from the party programme shall be included in the manifesto which shall be issued by the NEC prior to every general election. The joint meeting shall also define the attitude of the party to the principal issues raised by the election which are not covered by the manifesto.

4. The NEC shall decide which items from the programme shall be included in the election manifesto for the European Parliament after consultation with the European Parliamentary Labour Party ('EPLP') and with sister parties in the Party of European Socialists.

## Clause VI.

### Labour Party Conference

1. The work of the party shall be under the direction and control of party conference, which shall itself be subject to the constitution and standing orders of the party. Party conference shall meet regularly once in every year and also at such other times as it may be convened by the NEC.
2. The rules for the convening and operation of party conference are contained in chapter 3 of these rules which may be amended by decision of the NEC, subject to ratification by party conference. Party conference and special sessions of party conference in these rules are

referred to as 'party conference' and these rules (except where the context otherwise requires) shall apply thereto.

## Clause VII.

### Party officers and statutory officers

1. Party officers
  - A. Leader and deputy leader
    - i. There shall be a leader and deputy leader of the party who shall, ex-officio, be leader and deputy leader of the PLP.
    - ii. The leader and deputy leader of the party shall be elected or re-elected from among Commons members of the PLP in accordance with procedural rule Chapter 4 B.2 below, at a party conference convened in accordance with clause VI of these rules. In respect to the election of the leader and deputy leader, the standing orders of the PLP shall always automatically be brought into line with these rules.
  - B. Chair and vice-chair
    - i. There shall be a chair and vice-chair of the party elected by the NEC from among its own members in accordance with the provisions set out in procedural rule Chapter 4 B.3 below.
  - C. General Secretary
    - i. There shall be a General Secretary of the party who shall be appointed in accordance with the provisions set out in procedural rule Chapter 4 B.4 below. The General Secretary shall act as secretary to the NEC.
    - ii. For the avoidance of doubt, wherever in this rule book or upon instruction or delegation by the NEC, or a committee or sub-committee thereof, the General Secretary has a function to discharge, she or he may delegate the discharge of such function to such appropriate officer or designated representative of the party as she or he shall see fit. Further, the General Secretary shall be deemed always to have had the power so to delegate.
  - D. Party Treasurer
    - i. There shall be a treasurer of the party who shall be elected by party conference at its regular annual meeting in accordance with the provisions set out in rule Chapter 4 B.5 below.
  - E. Auditors
    - i. Two conference delegates shall be elected in accordance with rule Chapter 4 B.6 below to act as auditors of the party accounts to be submitted to the annual session of party conference in the year following that in which they were elected.
2. Statutory officers

- A. In order to comply with statutory requirements:
  - i. The party shall notify the Electoral Commission of:
    - a. a person to be registered as the party's leader
    - b. a person to be registered as the party's nominating officer
    - c. a person to be registered as the party's treasurer.
  - ii. The party may also notify the Electoral Commission of:
    - a. a person or persons to be registered as the party's deputy treasurer(s)
    - b. a person to be registered as the party's campaigns officer.
  - iii. Each accounting unit shall notify the party of the following appointments, to be notified by the party to the Electoral Commission:
    - a. a person to be registered as the accounting unit's treasurer
    - b. a person to be registered as the accounting unit's deputy treasurer
- B. In the case of 2.A.i.b and 2.A.i.c, and 2.Aii.a and 2.Aii.b above, the registration of a person or persons as statutory officers shall be subject to the approval of the NEC.

and local government to secure the party's objectives. The key functions of the NEC are to:

- A. contribute to policy development
  - B. win elections and maintain the support of voters
  - C. maintain a healthy party at all levels, engaged in the community upholding the highest standards in public life
  - D. ensure a high quality of service through a contract with party members
  - E. fulfil its operational and constitutional responsibilities as defined in this clause
  - F. maintain a balanced partnership between all party stakeholders
  - G. ensure the party meets its legal and financial responsibilities in compliance with the Political Parties, Elections and Referendums Act 2000 and all other legislative requirements.
3. In furtherance of its primary purpose and key functions, the duties and powers of the NEC shall include:
- A. to uphold and enforce the constitution, rules and standing orders of the party and to take any action it deems necessary for such purpose, including disaffiliation, disbanding, suspending or otherwise disciplining any affiliated organisation or party unit; in furtherance of such duties it shall have the power to suspend or take other administrative action against individual members of the party subject to the provisions of the disciplinary rules set out in chapter Chapter 6 below of these rules
  - B. subject to the preceding sub-clause (a) and through its national and regional officers, where the NEC so determines, to ensure the establishment of and to keep in active operation in accordance with the rules laid down by party conference
    - i. a regional board in each region designated by the NEC and, in the case of Scotland and Wales, a Scottish and Welsh executive
    - ii. CLPs in each Westminster parliamentary and European parliamentary constituency area
    - iii. an LGC for each elected level of local authority above parish or community - a Labour group of councillors on local authorities having Labour representation
  - C. to establish and promote Young Labour by encouraging the formation of local Young Labour groups, holding a regular Young Labour Conference and establishing a national committee in accordance with the rules laid down by party conference
  - D. to establish and promote a women's organisation throughout the country by encouraging the formation of women's forums and by holding a regular national women's conference in accordance with the rules laid down by party conference

## Clause VIII.

### The National Executive Committee

#### 1. The NEC shall comprise:

- A. 24 members elected in such proportion and under such conditions as may be set out in rules Chapter 3 C below and Chapter 4 C below.
- B. the leader and deputy leader of the party
- C. the leader of the EPLP
- D. the treasurer of the party
- E. three frontbench Members of Parliament, at least one of whom must be a woman, nominated by the Cabinet (or Shadow Cabinet in opposition)
- F. one youth member elected at the national Young Labour Conference who must be a woman at least every other term.
- G. one member elected by the Labour Party Black Socialist Society at its conference as laid down in the rules of the socialist society. This member to be elected once the individual membership of the socialist society has reached 2,500 and at least one third of eligible trade unions have also affiliated to the socialist society.

#### 2. The primary purpose of the NEC shall be to provide a strategic direction for the party as a whole and to maintain and develop an active party in the country, working in partnership with the party's representatives in Parliament, the European Parliament, devolved administrations

- E. to ensure that party meetings and events shall be conducted in a friendly and orderly manner and organised in such a way as to maximize participation from members and that no member shall be precluded from attendance because they cannot gain access to the meeting place for any reason. Harassment or intimidation of any member is unacceptable as is any form of discrimination on the basis of gender, sexual orientation and gender identity, disability or race. The NEC shall from time to time, issue guidance and instructions on the conduct of meetings and guidance and instructions on the implementation of quotas for women's representation
  - F. to confer with the PLP at the opening of each parliamentary session and to convene at any other time when it or the PLP may desire a conference on any matters relating to the work and progress of the party. When a Labour government is in office, to confer with its representatives prior to the formulation of legislative proposals for the next parliamentary session
  - G. to present to the regular annual meeting of party conference a report covering the work and progress of the party during its period of office, together with a report on the work of the NEC committees, a financial statement and duly audited accounts. This report, financial statement and accounts shall be sent to CLPs and affiliated organisations at least two clear weeks before the opening of party conference
  - H. to propose to party conference such amendments to the constitution, rules and standing orders as may be deemed desirable; also, in accordance with the rules, to submit to the party conference such resolutions and declarations affecting the programme, principles and policies of the party as in its view may be necessitated by political circumstances
  - I. to establish a Joint Policy Committee to oversee the National Policy Forum and the Policy Commissions in producing a rolling programme for submission to party conference and which will be subject to an OMOV ballot of the eligible membership once in each Parliament. The NEC shall also produce guidelines for the establishment and operation of local policy forums.
  - J. to require CLPs to hold ballots of individual members on such matters as they deem to be appropriate; such ballots, where considered necessary by the NEC or where provided for in these rules, shall be conducted by means of a one-member-one-vote ballot on ballot papers provided by, and to a timetable and procedure laid down by, the NEC
  - K. to organise and maintain such fund or funds as may be thought necessary for any or all of the objects for which the party exists, including a fund to finance parliamentary by-elections and a fund established for the purpose of insuring against the forfeiture of returning officers' deposits at any general election. Also to establish a special fund with trustees appointed by the NEC from affiliated trade unions to provide solely for the preparation, organisation and campaigning necessary in a national election, this fund to be known as the Labour Party national election fund
  - L. to secure advances from time to time, or to raise loans either by mortgage or otherwise and on such terms as it may deem expedient; to employ any part of the funds at its disposal in the purchase of any freehold or leasehold building or site and/ or in the building, leasing, holding or rental of any premises, and in the fitting up and maintenance thereof; and to invest any moneys not immediately required in such securities as it may deem proper and to realise or to vary such investments from time to time and to appoint trustees and/ or form a society, association, company or companies in accordance with the provisions of the Friendly Societies Acts or the Companies Acts for any or all of the above purposes and to define the powers of such trustees, society, association, company or companies and the manner in which such powers shall be exercised.
  - M. to issue guidance, give rulings and bring forward rule changes to party conference to ensure continued compliance with the party's legal and financial responsibilities, and to take action on the advice of the General Secretary to protect the party from actions by organisations and individuals who fail to comply with, or fail to co-operate with the party in meeting, such legislative requirements.
  - N. to ensure an equal opportunities procedure is in place which covers the rights of members during all party activities. The NEC will work to deliver a Labour Party that reflects the communities it serves and will therefore ensure policy, practices and procedures enshrine principles of equalities, inclusion and diversity. The NEC confirms the policy of promoting equality, tackling under representation and not unfairly discriminating against anyone including on the basis of gender, race, sexual orientation and gender identity, disability or religious beliefs. The NEC shall provide guidance for all aspects of the Party including selections to Westminster Parliament, European Parliament, Scottish Parliament, Welsh Assembly, Devolved Bodies, Directly Elected Mayors, and Councillors for Principal Authorities. The NEC is responsible for monitoring and developing equalities policy.
4. The NEC shall have the power to adjudicate in disputes that may arise at any level of the party, including between CLPs, affiliated organisations and other party units, and between CLPs, other party units and individuals in those units and in

disputes which occur between individual members or within the party organisation. Where the rules do not meet the particular circumstances, the NEC may have regard to national or local custom and practice as the case may require. The NEC's decisions shall be final and binding on all organisations, units and individuals concerned.

5. All powers of the NEC may be exercised as the NEC deems appropriate through its elected officers, committees, sub-committees, the General Secretary and other national and regional officials and designated representatives appointed by the NEC or the General Secretary. For the avoidance of doubt, it is hereby declared that the NEC shall have the power to delegate its powers to such officers and committees and subcommittees of the NEC and upon such terms as from time to time it shall see fit. Further, it shall be deemed always to have had such power.

#### **Clause IX.**

##### **The National Constitutional Committee**

1. There shall be a National Constitutional Committee of the party ('the NCC') to be elected at party conference in accordance with the procedural rules (rule Chapter 4 C.1.C below). The NCC shall consist of 11 members of the party each of whom has been a member of the party for a continuous period of not less than five years immediately prior to their election.
2. The duties and powers of the NCC shall be:
  - A. to determine by hearing or otherwise such disciplinary matters as are presented to it by CLPs in accordance with the provisions contained in the disciplinary rules (Chapter 6 below).
  - B. to determine by hearing or otherwise such disciplinary matters as are presented to it by the officers of the party on the instructions of the NEC
  - C. where a determination has been made as a result of a case brought under A or B above, to impose such disciplinary measures as it thinks fit whether by way of reprimand or suspension from holding office in the party, or being a delegate to any party body, or withholding or withdrawing endorsement as a candidate or prospective candidate of the party at any level, or expulsion from membership of the party or other penalty. The decisions of the NCC in determining such disciplinary matters brought before it and imposing such disciplinary measures as it sees fit, shall be final.
3.
  - A. The NCC shall elect its chair each year from among its members at its first meeting to be held as soon after each annual session of party conference as practicable.
  - B. The quorum for full meetings of the NCC or hearings in front of the full NCC shall be not less than four members, who shall be present

for the entirety of a hearing involving any individual.

- C. The NCC may, for the better ordering of its business from time to time and as it thinks fit, divide into panels of not less than three members who shall have the full powers of the NCC. Each such panel shall elect a chair as occasion requires it. Each such panel shall include at least one member from each of divisions I and III as provided for in procedural rule Chapter 4 C.1.C below. If a member of such a panel is unable to attend a hearing, the chair of the NCC may appoint another member of the NCC to that panel as a replacement.
  - D. The NCC or any panel thereof shall meet at such time and at such place as it thinks fit having regard to the convenience of the individual concerned, the members of the NCC or panel, any witnesses and the effective and proper conduct of any hearing.
4. The NCC or any panel thereof in hearing and determining charges against an individual shall have regard to procedural guidelines as determined by the NCC. The NCC shall have the power to supplement such guidelines from time to time and to modify its procedures in order to meet the circumstances of any particular case to ensure fairness to both the individual and the party.
  5. The NCC shall have the right to dismiss without full hearing or at any point any case presented to it which it or the panel appointed to hear the case considers by a majority vote to be frivolous, vexatious, an abuse of the processes of the NCC, or where it considers that no case to answer has been established.

#### **Clause X.**

##### **Scope of rules**

1. The general provisions of these rules shall apply to all units of the party and the model rules and standing orders appended to these constitutional rules shall apply to:
  - A. CLPs
  - B. member branches organised within CLPs
  - C. women's forums
  - D. Young Labour and Young Labour groups
  - E. LGCs
  - F. local government Labour groups
  - G. the Scottish executive, Welsh executive and English regional boards, including when acting as European Constituency Labour Parties.
  - H. ethnic minorities forums
2. The NEC shall have the authority to sanction, where the NEC considers local circumstances render it necessary, modifications in the rules laid down by party conference for the various party units. Such modifications shall comply with the spirit and intention of the rules adopted by party conference and may not alter the party objects, the basis or conditions of affiliated and individual membership, vary the procedure for the selection of parliamentary or local government candidates

(except as provided for in the rules) or effect a change in the relationship between CLPs and the party.

3. Party units may adopt additional rules which shall not contravene the provisions contained in the rules adopted by party conference and must be submitted to the NEC for endorsement prior to final adoption and implementation; pending such endorsement or rejection no such additional rule may be invoked.
4. The existing constitution and rules, or any part thereof, may be amended, altered or additions made thereto by resolutions carried on a card vote at party conference in the manner provided for in the procedural rules for party conference which are appended hereto. Notice of resolution embodying any such proposal must be sent to the General Secretary at the head office of the party also in the manner provided for in the procedural rules.
5. For the avoidance of any doubt, any dispute as to the meaning, interpretation or general application of the constitution, standing orders and rules of the party or any unit of the party shall be referred to the NEC for determination, and the decision of the NEC thereupon shall be final and conclusive for all purposes. The decision of the NEC subject to any modification by party conference as to the meaning and effect of any rule or any part of this constitution and rules shall be final.

# Chapter 2

## Membership rules

### A. Conditions of membership

1. There shall be individual members of the Labour Party who shall pay a subscription in accordance with these rules, subject to a minimum as laid down in rule C below.
2. The term 'individual members of the party' shall encompass all grades of membership laid down in rule C below; all such members shall have equivalent rights within all units of the party except as prescribed in these rules.
3. Individual members shall be subjects/residents of The United Kingdom of Great Britain and Northern Ireland or citizens of Eire or other persons resident in The United Kingdom of Great Britain and Northern Ireland for more than one year who:
  - A. are not less than 15 years of age, and
  - B. subscribe to the conditions of membership in this clause, and
  - C. are not members of political parties or organisations ancillary or subsidiary thereto declared by party conference or by the NEC in pursuance of party conference decisions to be ineligible for affiliation to the party.
4. Exclusions
  - A. A member of the party who stands for election, subscribes to a nomination paper of or acts as the election agent to a person standing for election, in opposition to a Labour candidate, shall automatically be ineligible to be or remain a party member, subject to the provisions of part Chapter 6 A.2 below of the disciplinary rules.
  - B. A member of the party who joins and/ or supports a political organisation other than an official Labour group or other unit of the party, or supports any candidate who stands against an official Labour candidate, or publicly declares their intent to stand against a Labour candidate, shall automatically be ineligible to be or remain a party member, subject to the provisions of part Chapter 6 A.2 below of the disciplinary rules.
  - C. A member of the party that is a duly endorsed Labour candidate and stands by their own volition as a candidate under a description other than as a Labour candidate and having given less than 14 days written notice of such to the local party prior to the close of nominations, shall automatically be ineligible to be or remain a party member, subject to the provisions of part Chapter 6 A.2 below of the disciplinary rules.

- D. Where a member has been convicted of a serious criminal offence and has received a prison sentence, the NEC shall have the right to impose the appropriate disciplinary action from the following options:
  - i. Suspension from membership or from holding office and representation of the party for the duration of the prison sentence.
  - ii. Referral of disciplinary case to the NCC
  - iii. Where the NEC determines it is appropriate and based on a conviction for a serious offence, shall automatically be ineligible to be or remain a party member, subject to the provisions of part Chapter 6 A.2 below of the disciplinary rules.

### 5. Resident abroad

- A. Subjects of Great Britain or Northern Ireland or citizens of Eire, the Channel Islands and Isle of Man resident abroad may become individual overseas members of the party, by enrolment with head office and paying the full standard rate subscription, provided they accept the conditions of membership in this clause. Overseas members may establish overseas supporters groups registered with head office.
- B. Subjects of Great Britain or Northern Ireland temporarily resident abroad may retain their existing membership of the party, subject to notifying head office of their address, paying the full standard rate subscription and accepting the conditions of membership in this clause.
- C. The individual members and supporters groups referred to in this clause shall be known as Labour International which shall operate according to regulations approved by the NEC but shall include provision for the representation of Labour International members at party conference, with a voting entitlement as for CLPs in Chapter 3 C.3.A.ii below.

### 6. To be and remain eligible for membership, each individual member must:

- A. accept and conform to the constitution, programme, principles and policy of the party
- B. if applicable, be a member of a trade union affiliated to the Trade Union Congress or considered by the NEC as a bona fide trade union and contribute to the political fund of that union (a person who does not contribute to the political fund of her/his trade union may not be an individual member of the party)
- C. be a member of the CLP (where one exists) for the address where she or he resides and is registered as an elector unless having moved since the registration qualifying date, temporarily resident abroad or otherwise prevented from being registered, in which case she or he must be resident within that constituency.
- D. on becoming elected as a public representative (i.e. member of Westminster,



Scottish or European Parliament, Greater London Assembly, Welsh Assembly or local government body), pay their membership subscriptions by Direct Debit.

7. The NEC may rescind endorsement as a full party member when evidence is provided that the individual concerned neither resides &/or is on the electoral register and is therefore (subject to 5 above) ineligible for membership; or where evidence is provided that the individual concerned has been claiming reduced rate or registered membership when s/he is not entitled to it under C.1 below.
8. No member of the party shall engage in conduct which in the opinion of the NCC is prejudicial, or in any act which in the opinion of the NCC is grossly detrimental to the party. Any dispute as to whether a member is in breach of the provisions of this sub-clause shall be determined by the NCC in accordance with Chapter 1 Clause IX above of the constitutional rules (in chapter Chapter 1 above) and the disciplinary rules and guidelines (in chapter Chapter 6 below). Where appropriate the NCC shall have regard to involvement in financial support for the organisation and/ or the activities of any organisation declared ineligible for affiliation to the party under Clause II.5 of the constitutional rules or 3.C above; or to the candidature of the members in opposition to an officially endorsed Labour Party candidate or the support for such candidature. The NCC shall not have regard to the mere holding or expression of beliefs and opinions.

## **B. Membership procedures**

1. Individual members of the party shall be recruited into membership in accordance with these rules and any applicable NEC guidelines which shall be issued to party units and affiliated organisations from time to time. Members of affiliated organisations not already members who have paid the political levy or political subscriptions to the affiliated organisation for a period of at least 12 months may be recruited into membership of the party via that affiliated organisation as registered members.
2. Without prejudice to any other provision of these rules, and without prejudice to its powers under Clause VIII of the constitutional rules, the NEC shall be empowered to determine any dispute or question which may arise in respect of membership of the party, either by considering the matter itself or by referring the matter to the NEC Disputes Panel for a decision. In such cases the NEC's decision, or the decision of the Disputes Panel as approved by the NEC, shall be final and binding.
3. For the avoidance of doubt and without prejudice to any other provision in this rule book, any breach of any of these procedures, NEC guidelines or the NEC code of conduct shall be liable to be dealt with by the NCC as a disciplinary offence.
4. The NEC shall issue procedural guidelines on issues relating to membership from time to time, including a code of conduct on membership

recruitment. In particular, the NEC wishes to highlight the following areas of potential abuse of membership rules:

- A. It is an abuse of party rules for one individual or faction to 'buy' party membership for other individuals or groups of individuals who would otherwise be unwilling to pay their own subscriptions.
- B. It is an abuse of party rules for an individual or faction to offer reduced-rate membership to people they know to be ineligible for that category of membership.
- C. It is an abuse of party rules for individuals or factions to recruit members who do not live at the claimed addresses in an attempt to manipulate local party meetings or the outcome of party ballots.
- D. It is a requirement of party rules for members, where eligible, to register to vote at the address for which they claim membership. It is an abuse of this rule to allow those who are not willing to register to vote for the party to become members of it.
- E. It shall be regarded as an act grossly detrimental to the party to withhold membership payments collected locally. Party officers and members should be aware that involvement in such abuses shall be considered as behaviour likely to bring the party into disrepute and prima facie evidence of such behaviour may lead to disciplinary action leading to expulsion under the constitutional rules of the party.

## **C. Membership subscriptions**

1. Each individual member of the party shall pay a minimum annual membership subscription. The level of subscription shall be set in accordance with the formula shown below.
  - A. Unwaged persons, pensioners who have retired from work, persons working less than 16 hours a week and persons on government training schemes, shall be allowed individual 'reduced' membership of the party at a reduced minimum annual subscription.
  - B. Members of an affiliated trade union paying the political levy and members of an affiliated socialist society paying a political subscription, who are not already full members of the party, shall be allowed individual 'registered' membership of the party at a reduced minimum annual subscription.
  - C. MPs, MEPs, MSPs, AMs and members of the Labour Group in the House of Lords shall pay a parliamentarians' annual subscription.
  - D. New members under the age of 19 or Labour Students can join for an annual subscription of £1 and can continue on this rate whilst they are in full time education, thereafter reverting to the standard rate. In order to provide all members with a quality membership service and to achieve the objectives of the Labour Party, members are encouraged to pay a

membership fee according to their annual income.

2. That on the 1st January each year the membership fee will increase by the rate of inflation (using the rate of inflation for the previous October). The reduced and registered rate membership fees will be set at 50% of the full rate each year rounded to the nearest 50p. The parliamentarians' rate will be set at twice the standard rate each year. The NEC will retain the power to bring to conference recommendations to set the membership fee increase at a level greater than inflation, if it deems that necessary.
3. In order to develop membership, CLPs may adjust membership subscriptions for specific purposes as agreed in principle by party conference.
4. Eligibility and arrears
  - A. A member may only participate and vote in party meetings if they are endorsed and have paid the appropriate subscription to head office. Any dispute as to eligibility shall be resolved by the regional director or Scottish/Welsh general secretary (or their designated representative) with reference to the records of the national membership system. It is the responsibility of the individual member to produce a valid membership card when required.
  - B. To participate in the selection of candidates at any level, a member must be fully paid up by the notified relevant date. A member shall be deemed to be 'fully paid up' if they are not in arrears, either in whole or in part, with their membership payments.
  - C. A member shall be deemed to be in arrears from the expiry date of their membership until they renew their subscription.
  - D. A member shall be deemed to have lapsed from membership if s/he has been in arrears for six months and has not responded to a request to pay the arrears.
5. NEC guidelines shall be published to deal with the payment of membership arrears and the granting in exceptional circumstances of continuous membership to lapsed members who have paid any outstanding subscriptions owed.

# Chapter 3

## Party Conference

### A. Delegations

#### 1. Party conference shall be constituted as follows:

- A. Delegates duly appointed by each affiliated trade union or other affiliated organisation to the number of one delegate for each 5,000 members or part thereof on whom affiliation fees, by election insurance premiums and any levies due were paid for the year ending 31 December prior to the conference. A requirement is placed on affiliated organisations that their delegation should include women at least in the proportions in which they are represented in that organisation's membership. Where the membership of an affiliated trade union or other organisation is less than 5,000 members, an additional woman delegate may be appointed if the women's membership is 400 or more.
- B. Delegates duly appointed by CLPs to the number of one delegate for the first 749 individual members in the constituency or part thereof paying their membership dues as of 31 December in the previous year, and one further delegate for every additional 250 individual members in the constituency or part thereof. CLPs must also have paid any outstanding insurance premiums and other levies due before their delegation shall be accepted. To increase the representation of women at party conference, at least every second delegate from a CLP shall be a woman; where only one delegate is appointed this must be a woman at least in every other year. In a year where a CLP is required to send a female delegate, following a male delegate in the preceding year, but is unable to find one, they will not be entitled to send a man as delegate. In the following year, permission may be granted to send a male delegate if they demonstrate to the conference arrangements committee that they have made every effort to seek a woman delegate.
- C. Where the individual women's membership in a constituency is 100 or more, an additional woman delegate may be appointed. Where the individual Young Labour membership in a constituency is 30 or more an additional delegate under the age of 27 may be appointed.
- D. Ex-officio members of party conference are as follows:
  - i. members of the NEC
  - ii. members of the PLP

- iii. members of the EPLP
  - iv. parliamentary Labour candidates for Westminster and European elections whose candidatures have been endorsed by the NEC
  - v. the General Secretary of the Labour Party
  - vi. accredited organisers employed by the party
  - vii. the lay members of the NEC committees
  - viii. the chair of the National Committee of Young Labour
  - ix. members of the National Constitutional Committee
  - x. members of the National Policy Forum
  - xi. officers of the Local Government Association Labour group and the convener of the Convention of Scottish Local Authorities Labour group
  - xii. members of the Labour groups of the Scottish Parliament and the National Assembly of Wales.
  - xiii. members of the Association of Labour Councillors Ex-officio members shall have no voting power, except as provided for in the rules for the election of party leader and deputy leader or where they have been notified as being a member of an affiliated organisation's or CLP's delegation.
  - xiv. members of the Executive Committee of the Black Socialist Society.
- E. Any special sessions of party conference shall be called on the same basis of representation as that upon which the preceding annual session of party conference was convened.
2. An affiliated organisation or CLP may appoint a delegate in addition to its entitlement under 3A.1 of this clause if one of its duly appointed delegates is the treasurer, a member of the NEC, a member of the Conference Arrangements Committee, or a member of the National Constitutional Committee due for reelection that year.
  3. The procedural rules of party conference appended to these rules (C below) shall be considered for all purposes as if they form part of the constitution and shall have effect accordingly.
  4. All delegates must qualify for appointment as follows:
    - A. Every delegate must be an individual member of the party as described in the membership rules, except persons who are resident in Northern Ireland who are duly appointed delegates of affiliated trade unions and who individually accept and conform to the constitution, programme, policy and principles of the party.
    - B. Delegates must be bona fide members or paid permanent officials of the organisation appointing them, or, in the case of CLP delegates, reside within the constituency they

have been appointed to represent, except in the case of members of the PLP or duly endorsed parliamentary Labour candidates appointed to represent CLPs in accordance with sub-section C which follows.

- C. Members of the PLP and duly endorsed parliamentary Labour candidates may be appointed as delegates by CLPs responsible for their candidatures; otherwise, delegates appointed by CLPs must either reside or be registered as electors in the constituency they represent.
- D. No person shall act as a delegate for more than one organisation.
- E. Members of Parliament who are not members of the PLP are ineligible to act as delegates.
- F. All delegates must have been individual members of the party for at least 12 months at the closing date set for the receipt of names of delegates (see C.1.E below).

## **B. Conference Arrangements Committee**

- 1. There shall be elected in accordance with the procedural rules Chapter 4 C.1.B below a Conference Arrangements Committee of seven members for the annual session of party conference in the year succeeding its election or for any special session of conference called during the intervening period. A member of staff shall act as secretary to the committee.
- 2. The duties of the Conference Arrangements Committee shall be:
  - A. to arrange the order of the agenda of party conference
  - B. to act as a standing orders committee
  - C. to select scrutineers and tellers as may be required from among the delegates whose names have been received at the head office of the party by the closing date for the appointment of delegates to any conference and submit them for approval to that conference.

## **C. Procedural rules for Party Conference**

- 1. Conference rule 1 - Annual Party Conference
  - A. The NEC shall (whenever practicable) convene an annual session of party conference during September/ October in each year, in accordance with the conditions laid down in the constitution and these rules. It may also convene special sessions of party conference when it deems necessary.
  - B. When a party conference is called at short notice, the secretaries of affiliated organisations and CLPs shall, on receiving the summons, instantly take steps to secure representation of their organisation in accordance with the constitution and these rules.
  - C. Any session of party conference summoned with less than ten days' notice shall confine its business strictly to that relating to the emergency giving rise to the special session.

- D. A delegation fee on each delegate shall be payable by affiliated organisations and CLPs sending delegates to party conference. Ex officio members of party conference in attendance shall also pay a fee. Such fees must be paid to party head office before credentials are issued. The amount of the delegation fee payable for each conference shall be fixed by the NEC and notified to all affiliated organisations and CLPs. For the annual session of party conference this shall be fixed by 31 December of the preceding year.
- E. The timetable for the receipt of names and addresses of delegates appointed by affiliated organisations and CLPs shall be determined by the NEC and submitted to the affiliated organisations and CLPs with the notice convening the conference. In the case of a special conference session called under Clause VI of the constitution, the NEC shall also determine a date by which such names and addresses shall be submitted.
- F. The NEC may make arrangements each year for the pooling of railway fares in respect of delegations to party conference appointed by CLPs.

## **2. Conference rule 2 - Agenda**

- A. The NEC shall present to conference the report of the NEC, including: a summary of its work during the previous year; the work of the NEC committees and proposed programme for the forthcoming year. All such documentation shall be circulated to all affiliated organisations and CLPs by a date to be determined by the NEC.
- B. The NEC shall present to conference the report of the NPF, including: a summary of its work during the previous year; the work of the policy commissions; draft and final documents; options, alternatives or minority reports by the NPF; and proposed programme for the forthcoming year to be circulated to all affiliated organisations and CLPs by a date to be determined by the NEC.
- C. All affiliated organisations and CLPs may submit one contemporary issue which is not substantially addressed by reports of the NEC or NPF to Conference. The CAC shall determine whether the issues meet these criteria and submit all issues received to a priorities ballot at the start of conference. The ballot will be divided into two sections. One section for CLPs and one section for trade unions and other affiliated organisations. At least the four priorities selected by CLPs will be time-tabled for debate, as will at least the first four priorities selected by Trade Unions and other affiliated organisations. Issues must be in writing, on one subject only and in ten words or less and may be supported by an explanation of why the issue should be prioritised. Alternatively, a constitutional amendment on one subject only may be submitted in writing. Contemporary issues and

constitutional amendments must be received by the General Secretary at the offices of the party by the closing date determined by the NEC.

- D. All affiliated organisations and CLPs may submit motions to the NEC on campaigning and organisational issues and to the NPF and its policy commissions on policy issues throughout the year. The NEC and NPF shall consider such motions and report on action taken in their annual report to conference.
  - E. Nominations for leader and deputy leader, the NEC, treasurer, auditors, Conference Arrangements Committee, National Policy Forum and National Constitutional Committee shall be sent in writing on the form provided to the secretary at the offices of the party by the closing date agreed by the NEC. Each affiliated organisation and CLP shall be entitled to make nominations as provided for in these rules and such nominations shall be included in the final agenda.
  - F. Constitutional amendments, contemporary issues, emergency resolutions and nominations shall be accepted only from those affiliated organisations and CLPs who have met their financial obligations to the party, including affiliation fees, by-election and other insurance premiums and any levies due for the preceding year.
  - G. Conference shall consider policy reports and draft reports as part of the rolling programme, the NPF report, the NEC annual report, NEC statements and development strategy, constitutional amendments and contemporary issues or emergency resolutions submitted and accepted. It shall not consider any business unless recommended by the NEC or the CAC. At any special session of party conference, the NEC shall determine the business to be conducted.
  - H. When party conference has made a decision on a constitutional amendment, no resolution to amend that part of the constitution or rules of the party shall appear on the agenda for a period of three years from the time such decision is made, except such resolutions to amend the constitution and rules that are in the opinion of the NEC of immediate importance.
3. Conference rule 3 - Voting
- A. Voting at party conference on resolutions, reports, amendments, proposals and references back shall be by show of hands or, when the conditions laid down by the CAC require it, by card. When a card vote is called, voting shall be in two sections as follows:
    - i. Affiliated organisations shall cast a percentage of the total voting entitlement as laid down in iv below , on the basis of the number of members for whom affiliation fees were paid for the year ending 31 December preceding the conference in accordance with Clause II of the constitution. The vote of each affiliated organisation shall then be divided equally among the registered delegates of that organisation standing appointed at the date determined by the NEC; such votes shall be allocated to each delegate to be cast separately.
    - ii. CLPs shall cast a percentage of the total voting entitlement as laid down in iv below , on the basis of the actual number of fully paid up members in the CLP at 31 December preceding the conference. The vote of the CLP shall then be divided equally among the registered delegates standing appointed at the date determined by the NEC; such votes shall be allocated to each delegate to be cast separately.
    - iii. The votes apportioned as provided for in i above and ii above shall be totalled and the aggregate reported to conference as a percentage for each section.
    - iv. The balance of voting between the two sections shall be: 50 per cent to the affiliated organisations (as in i above), and 50 per cent to the CLPs (as in ii above).
  - B. Voting at any special conference session shall be on the same basis as that upon which voting took place at the preceding annual session of party conference.

# Chapter 4

## Elections of national officers of the party and national committees

### A. General principles

1. Internal party elections for officer posts and the membership of national committees shall be conducted in a fair, open and transparent manner, in accordance with the constitutional rules of the party and any appropriate NEC guidelines.

### B. Procedural rules for elections for national officers of the party

#### 1. General

- A. The following procedures provide a rules framework which, unless varied by the consent of the NEC, shall be followed when conducting elections for party officers. The NEC will also issue procedural guidelines on nominations, timetable, codes of conduct for candidates and other matters relating to the conduct of these elections.

#### 2. Election of leader and deputy leader

- A. The leader and deputy leader shall be elected separately in accordance with rule C below, unless rule E below applies.
- B. Nomination
  - i. In the case of a vacancy for leader or deputy leader, each nomination must be supported by 12.5 per cent of the Commons members of the PLP. Nominations not attaining this threshold shall be null and void.
  - ii. Where there is no vacancy, nominations shall be sought each year prior to the annual session of party conference. In this case any nomination must be supported by 20 per cent of the Commons members of the PLP. Nominations not attaining this threshold shall be null and void.
  - iii. Affiliated organisations, CLPs and Labour Members of the European Parliament may also nominate for each of the offices of leader and deputy leader. All nominees must be Commons members of the PLP.
  - iv. Nominees shall inform the General Secretary in writing of the acceptance or otherwise of their nomination at least two clear weeks before the commencement of the procedures for voting laid out in rule C below. Unless

written consent to nomination is received, nominations shall be rendered null and void.

- v. Valid nominations shall be printed in the final agenda for party conference, together with the names of the nominating organisations and Commons members of the PLP supporting the nominations. In the case of a vacancy under E below this information shall be included with the documentation circulated with any ballot.
- vi. Nominees who do not attend the relevant party conference shall be deemed to have withdrawn their nominations, unless they send to the secretary - on or before the day on which the conference opens - an explanation in writing of their absence satisfactory to the CAC.

### C. Voting

- i. Voting in the election of leader and deputy leader shall take place so that the results are declared at an annual session of party conference; except in the case of a vacancy occurring under E below of this rule when the timetable for the ballot shall be as determined by the NEC.
- ii. Voting shall take place consecutively in three sections as follows:
  - a. Section 1 shall consist of Commons members of the PLP and members of the European PLP. Each such member shall be entitled to one vote in each ballot held under this section of the rules.
  - b. Section 2 shall consist of a vote of all eligible individual members of the party on the basis of one member one vote. This ballot shall take place on a national basis and shall be counted and recorded as an aggregate vote broken down by CLP. Eligible members shall be those currently on the national membership list who are endorsed and have not lapsed from membership.
  - c. Section 3 shall consist of those members of affiliated organisations who have indicated their support for the Labour Party and that they are not members or supporters of any other party or otherwise ineligible to be members of the Labour Party. Voting shall take place under the procedures of each affiliated organisation, but on a one-person-one-vote basis recorded by affiliated organisations and aggregated for a national total. The ballot paper shall provide for the declaration of support and eligibility required under this rule if no prior declaration has been made.

- iii. The votes of each nominee in each section shall be calculated as a percentage of the total votes cast in that section and shall then be apportioned as follows:
    - a. Section 1 (members of the Commons and European PLPs) - one third
    - b. Section 2 (individual members of the Labour Party) - one third
    - c. Section 3 (members of affiliated organisations) - one third.
  - iv. The votes apportioned as provided in iii above shall be totalled and the candidate receiving more than half of the votes so apportioned shall be declared elected. If no candidate reaches this total on the first ballot, further ballots shall be held on an elimination basis. The redistribution of votes shall be according to preferences indicated on the ballot paper.
  - v. The votes cast for each nominee in each section shall be recorded and published in a form to be determined by the NEC as soon as possible following any election.
- D. Timing of an election
- i. When the PLP is in opposition in the House of Commons, the election of the leader and deputy leader shall take place at each annual session of party conference.
  - ii. When the PLP is in government and the leader and/ or deputy leader are prime minister and/ or in Cabinet, an election shall proceed only if requested by a majority of party conference on a card vote.
  - iii. In any other circumstances an election shall only be held when a vacancy occurs, subject to E below.
- E. Procedure in a vacancy
- i. When the party is in government and the party leader is prime minister and the party leader, for whatever reason, becomes permanently unavailable, the Cabinet shall, in consultation with the NEC, appoint one of its members to serve as party leader until a ballot under these rules can be carried out.
  - ii. When the party is in government and the deputy leader becomes party leader under i above of this rule, the Cabinet may, in consultation with the NEC, appoint one of its members to serve as deputy leader until the next party conference. The Cabinet may alternatively, in consultation with the NEC, leave the post vacant until the next party conference.
  - iii. When the party is in government and the deputy leader, for whatever reason, becomes permanently unavailable, the Cabinet may, in consultation with the NEC, appoint one of its members to serve as deputy leader until the next party conference. The Cabinet may alternatively, in consultation with the NEC, leave the post vacant until the next party conference.
  - iv. When the party is in opposition and the party leader, for whatever reason, becomes permanently unavailable, the deputy leader shall automatically become party leader on a pro-tem basis. The NEC shall decide whether to hold an immediate ballot as provided under E above or to elect a new leader at the next annual session of party conference.
  - v. When the party is in opposition and the leader and deputy leader, for whatever reason, both become permanently unavailable, the NEC shall order a postal ballot as provided under E above. In consultation with the Shadow Cabinet they may choose to appoint a member of the Shadow Cabinet to serve as party leader until the outcome of that ballot.
3. Election of chair and vice-chair
- A. The NEC shall elect its own chair and vice-chair at its first meeting each year. Those elected to these positions shall act in that capacity throughout the year and also act as chair and vice-chair of the subsequent annual session of party conference and any special sessions of party conference during the course of the year.
  - B. The NEC shall also elect during the course of the year a panel of three assistant chairs who, together with the vice-chair, shall assist the chair in the conduct of party conference. These assistant chairs shall be elected by the whole of the NEC with one each coming from the representatives on the NEC from Divisions I and II, Division III, and Divisions IV and V, by selection from each division of the NEC of the senior member who has yet to be chair or vicechair. The decision as to who shall chair particular sessions of the conference shall be taken by the chair of the NEC after consultation with the members of the panel.
4. Election of General Secretary
- A. The General Secretary shall be elected by party conference on the recommendation of the NEC and shall be an ex-officio member of party conference. S/he shall devote her or his whole time to the work of the party and shall not be eligible to act as a parliamentary candidate. S/he shall remain in office so long as her/ his work gives satisfaction to the NEC and party conference. Should a vacancy in the office occur, for whatever reason, between party conferences, the NEC shall have full power to fill the vacancy subject to the approval of party conference.
5. Election of party treasurer

- A. Every affiliated organisation and CLP may nominate a person for party treasurer who is an eligible member of the party.
  - B. The CLPs' portion of the votes shall be cast by a ballot among all eligible individual members of the party by means of a national one-member-one-vote postal ballot conducted to guidelines laid down by the NEC. The affiliates portion of the votes shall be cast by a ballot of affiliated organisations on the same timetable as the CLP members ballot.
  - C. The term of office of the party treasurer shall be for two years.
6. Election of auditors
- A. Two auditors shall be elected by means of a ballot on a card vote basis as provided in these rules.
  - B. Every affiliated organisation and CLP may nominate a person for auditor who is an eligible member of the party.
  - C. In the event of an auditor being unable to fulfil the duties, the same procedure shall be followed to fill the vacancy as in the case of the CAC in C.1.B.iii below.
7. Election of leaders of the Labour groups in the Scottish Parliament and the Welsh Assembly
- A. The leader of the Labour group in the Scottish Parliament and the leader of the Welsh Assembly shall be elected according to the rules framework for the leader and deputy leader of the party set out in Chapter 4 B.2 above, subject to any guidelines issued by the NEC from time to time.

### C. Procedural rules for elections for national committees

1. The following procedures provide a rules framework to be followed when conducting elections for places on the party's national decision-making committees. The NEC will also issue procedural guidelines on nominations, timetable, codes of conduct for candidates and other matters relating to the conduct of these elections.
- A. Election of the National Executive Committee
- i. No elected member of the House of Commons, European Parliament, Scottish Parliament, Welsh Assembly or a member of the House of Lords shall be eligible to stand in Divisions I, II, III, or IV of the NEC. Any member of Divisions I, II, III or IV shall cease to be a member of the NEC if they are elected to the House of Commons, European Parliament, Scottish Parliament, Welsh Assembly or are appointed to the House of Lords. The resulting vacancy shall be filled according to the provision of Clause iv below. For the purpose of nomination and election the NEC shall be divided into five divisions:
    - a. Division I (trade unions) shall consist of 12 members, at least six of whom shall be women, to be nominated by

- trade unions and elected by their delegations at party conference.
  - b. Division II (socialist and co-operative societies) shall consist of one member to be nominated by socialist, co-operative and other organisations and elected by their delegations at party conference.
  - c. Division III (CLPs) shall consist of six members, at least three of whom shall be women, to be nominated by their own CLP and at least two other CLPs. The ballot for these places shall be conducted among all eligible individual members of the party by means of a national one-member-one-vote postal ballot conducted to guidelines laid down by the NEC.
  - d. Division IV (local government) shall consist of two members of the Association of Labour Councillors ('ALC'), at least one of whom shall be a woman, duly nominated by Labour groups. The ballot for these places shall be conducted among all individual ALC members by means of a national one-member-one-vote postal ballot conducted to guidelines laid down by the NEC.
  - e. Division V (PLP) shall consist of three Commons members of the PLP or members of the EPLP, at least one of whom shall be a woman. They shall be nominated from among backbench Labour MPs and all MEPs (except the leader of the EPLP) and elected by all Labour MPs and MEPs. The ballot shall be conducted to guidelines laid down by the NEC.
- ii. The votes cast for each nominee by all affiliated organisations and CLPs shall be recorded and published following each conference.
  - iii. Nominations for the NEC shall be made in accordance with the following conditions:
    - a. Nominees must be bona fide paying members of the affiliated organisations/CLPs submitting their nominations (other than supporting nominations).
    - b. A nominee of a CLP must be registered as an elector in the area of the CLP submitting the nomination (unless ineligible for such registration in which case s/he must be resident in that area), unless the CLP is making a supporting nomination for a member of another CLP.
    - c. Commons members of the PLP and members of the EPLP shall be ineligible for nomination to Divisions I, II, III and IV of the NEC.



- d. Members of the General Council of the Trades Union Congress are not eligible for nomination to the NEC.
  - e. Persons nominated shall inform the General Secretary in writing of the acceptance or otherwise of that nomination in accordance with the timetable determined by the NEC. If written consent to nomination is not received by the date specified in the NEC timetable the nomination shall be rendered null and void.
  - f. Each affiliated organisation may make one nomination from among its duly appointed delegates for its appropriate division of the NEC. Where a Trade Union pays fees on 500,000 members or more it may make an additional nomination for Division I.
  - g. Any vacancy which occurs among members of the NEC between annual sessions of party conference shall be filled by the NEC co-opting the highest placed unsuccessful nominee in the Division concerned for the election declared at the annual session of conference immediately preceding the vacancy.
  - iv. Any vacancy which occurs among members of the NEC between annual sessions of party conference shall be filled by the NEC co-opting the highest unsuccessful nominee in the division concerned (subject to the rules on maintaining at least 50% representation for women) as shown in the results of the election for the NEC declared at the annual session of party conference immediately preceding the vacancy.
  - v. The term of office in each of the five NEC divisions shall be two years.
- B. Election of Conference Arrangements Committee**
- i. The CAC shall consist of seven members, at least three of whom shall be women.
    - a. Five members, at least two of whom shall be women, nominated by affiliated organisations or CLPs shall be elected by party conference by means of a ballot on a card vote basis as provided in these rules.
    - b. The other two members, at least one of whom shall be a woman, nominated by CLPs shall be elected by means of a ballot among delegates from CLPs at party conference on a card vote basis as provided in these rules Chapter 3 C.3.A above.
  - ii. Every affiliated organisation and CLP may nominate an eligible member of the party for a seat on the CAC.
  - iii. Any vacancy which occurs between party conferences among members of the CAC shall be filled by the CAC co-opting the delegate or ex-officio member who received the highest total of votes among those not elected in the appropriate section of the ballot for the CAC at the previous conference (and not already a member of the CAC). Should the voting list be exhausted the affiliated organisation or CLP which nominated the member originally elected to the vacant seat shall nominate a substitute to serve the rest of the term.
  - iv. The term of office for CAC members shall be two years.
- C. Election of National Constitutional Committee**
- i. For the purposes only of nomination and election, the NCC shall be divided into three divisions as follows:
    - a. Division I shall consist of six members, at least three of whom shall be women, to be nominated by affiliated trade unions and elected by their delegations at party conference on a card vote basis.
    - b. Division II shall consist of one member to be nominated by socialist, co-operative and other organisations and elected by their delegations at party conference on a card vote basis.
    - c. Division III shall consist of four members, at least two of whom shall be women, to be nominated by CLPs and elected by their delegations at party conference on a card vote basis.
  - ii. The votes cast for each nominee by all affiliated organisations and CLPs shall be recorded and published following each conference.
  - iii. Nominations for the NCC shall be made in accordance with the following conditions:
    - a. Nominees must be bona fide paying members of the affiliated organisations or CLPs submitting their nominations.
    - b. No member of the NEC, MP, MEP, employee of the party, or any member with less than five years continuous membership of the party is eligible for nomination.
    - c. Persons nominated shall inform the General Secretary in writing of the acceptance or otherwise of that nomination 12 clear weeks before the opening of the conference. Unless such written consent to nomination is received the nomination shall be deemed null and void.
    - d. Each affiliated organisation/ CLP may make one nomination for its appropriate division (I, II or III) of the NCC.

- iv. Members of the NCC shall be elected at an annual session of party conference for a period of three years and be subject to reelection on a rota to be determined by the NEC.
  - v. Any vacancy which occurs among members of the NCC during a period of office shall be filled by election at the next party conference after the vacancy arises. The period of office of any person elected to fill such a vacancy shall run to the end of the original term of the member who gave rise to the vacancy and the new member shall be subject to re-election at that party conference. Such elections shall be held in accordance with the provisions of C above.
- D. Election of National Policy Forum
- i. For the purpose of election, the NPF shall be divided into eight divisions as follows:
    - a. Division I shall consist of 55 members to be nominated by CLPs and elected by a ballot conducted among all eligible individual members of the Party by means of a regionally based one-member-one-vote postal ballot conducted to guidelines laid down by the NEC. Five each shall be elected from Scotland, Wales and the English regions, of which one place shall be reserved for a Young Labour representative and at least two of the four other places shall be reserved for women. The Young Labour representative must be a woman at least every other election.
    - b. Division II shall consist of 30 members, at least 15 of whom shall be women, to be nominated and elected by affiliated trade unions.
    - c. Division III shall consist of 22 representatives from the Scottish, Welsh and English regional conferences or regional policy forums. Two, at least one of whom shall be a woman, shall be elected from Scotland, Wales and each English region.
    - d. Division IV shall consist of nine Labour local government representatives. Four each to be elected by the Local Government Association Labour group and the Association of Labour Councillors, at least two each of whom shall be women; and one representative of the Convention of Scottish Local Authorities Labour group.
    - e. Division V shall consist of three members, at least one of whom shall be a woman, to be nominated and elected by affiliated socialist societies.
  - ii. Additionally the four officers of the Welsh Policy Forum and the four officers of the Scottish Policy Forum shall be members of the National Policy Forum.
  - iii. Additionally the Cabinet or Shadow Cabinet in opposition shall appoint eight frontbench representatives, at least three of whom shall be women and the Co-operative Party shall be entitled to appoint two representatives, at least one of whom shall be a woman, as well as the General Secretary of the Co-operative Party who shall be ex-officio.
  - iv. Elections to all divisions of the NPF shall be conducted to guidelines laid down by the NEC. The term of office shall be for two years. Members of the NEC shall be ex-officio members of the NPF.
  - v. No member shall be eligible for nomination to more than one position to be filled by election at party conference in respect of the NEC, CAC, NCC, Treasurer, and Auditors, nor serve on more than one of these bodies at any given time. In the event of any member being nominated for more than one such position, the member shall be requested to select the position for which she or he desires to remain nominated. After the selection has been made the member's name shall be omitted from the nominations for all other positions. Should no selection of position be made six clear weeks before the opening of the conference, all nominations made on behalf of the member concerned shall be deemed null and void.
- f. Division VI shall consist of four representatives of the Labour Party Black Socialist Society, at least two of whom shall be women.
  - g. Division VII shall consist of nine representatives of Commons members of the PLP, at least four of whom shall be women.
  - h. Division VIII shall consist of six members of the EPLP, at least three of whom shall be women.
  - i. Division IX shall consist of one member to be nominated and elected by members of Labour Students
  - j. Division X shall consist of two Labour members from the House of Lords to be nominated and elected by Labour peers.

# Chapter 5

## Selections for elected public office

A right of Labour Party membership includes the opportunity to select candidates for public office in an area where the NEC determines that a CLP shall be established, at every level - local, regional, national and European. Core principles shall apply to these selections that will enable members to select Labour party candidates representative of our society who can uphold the highest standards of probity and integrity in public life.

### A. General rules for selections for public office

1. The following rules shall be observed in the selections of all prospective elected representatives:
  - A. Rights of members participating in the selection process
    - i. All individual eligible members of the Labour Party with continuous membership of at least six months within the relevant party body (who reside in the electoral area concerned) are entitled to participate in selections meetings. Any exceptions to this must be approved by the NEC.
  - B. Nominating criteria of members standing for public office
    - i. In addition to fulfilling any statutory requirements for the relevant public office, persons wishing to stand as a Labour candidate must have continuous membership of the party of at least 12 months. They should also be a member of a trade union affiliated to the TUC or considered by the NEC as a bona fide trade union and contribute to the political fund of that union. Any exceptions to these conditions must be approved by the NEC or by officer authorised by the NEC.
  - C. Rights of nominees in the selection process
    - i. Nominees will be given a code of conduct which will indicate the rights a potential candidate has in a selection, based on the principle that all eligible members shall have a fair and equal opportunity to seek selection.
  - D. Accountability of candidates to party
    - i. All nominees shall undertake in writing, in a form stipulated by the NEC, if selected, to abide by Labour party rules and standing orders.
  - E. Candidates representative of our society

- i. The party will take action in all selections to encourage a greater level of representation and participation of groups of people in our society who are underrepresented in our democratic institutions. In particular, the party will take positive action to ensure that considerably more women and ethnic minority candidates are selected.
      - F. High quality candidates
        - i. Labour candidates must meet minimum standards as determined from time to time by the NEC. Support will be made available to candidates to ensure these standards are achieved and sustained.
      - G. Inclusive processes
        - i. Selection processes must enable the inclusion and involvement of all members on an equal basis and take into account the barriers to participation which underrepresented groups may face. One member one vote (OMOV) shall be adopted in all selections where reasonably practicable including those when an electoral college is used.
      - H. Transparency in procedures
        - i. Procedural rules and guidelines for these selections shall endeavour to be clear, simple and easy to administer by party units. Support shall be provided to those administering the selections process.
  2. Party units shall act in accordance with guidance that shall be issued by the NEC in the application of these rules. The NEC has the authority to modify these rules and any procedural rules and guidelines as required to meet particular circumstances or to further the stated objectives and principles of these rules. Further the NEC has the power to impose candidates where it deems this is required by the circumstances.

### B. Selection of local government candidates

1. The NEC shall issue procedural rules and guidelines for the selection of local government candidates. Local government committees, established in accordance with Chapter 12 of these rules, shall be responsible for implementing these guidelines in line with the rules detailed in A above and below. Local Government Committees shall agree their procedures with the appropriate regional director or other designated officer approved by the NEC.
2. All nominees must fulfil the criteria to stand as a prospective local government candidate detailed in A.1.B above. In addition, no person who is disqualified as a parliamentary candidate under the constitutional rules of the party, or under the decision of party conference, shall be nominated or selected as a candidate for any local government election.
3. All nominees shall undertake, in writing, in a form stipulated by the NEC, if elected, to accept and comply with the standing orders of the appropriate Labour party and to become a

member of the national Association of Labour Councillors.

4. The Local Government Committee shall determine and endorse a panel of prospective local government candidates in accordance with the procedural guidelines approved by the NEC. The Local Government Committee shall make the panel details available to the branches covering electoral areas where selections are due to take place.
5. Individual paid-up members of the Labour Party, resident in the electoral area where the selection is taking place and a member for at least six months at a date determined by the Local Government Committee, will be invited to participate in the process of shortlisting and selection of their local government candidate(s).
6. The shortlisting and selection of candidates shall consist of a vote, by eliminating ballot, of all eligible individual members of the electoral ward/division on the basis of one member one vote.
7. Any disputes arising out of the non endorsement of nominees onto the panel of prospective local government candidates shall be referred to the appropriate regional appeals board. Disputes arising over the shortlisting or selection meeting shall be submitted to the appropriate Local Government Committee. The NEC shall issue guidelines to the relevant party units and any appellant for dealing with any disputed matter.
8. Any exceptions to rules 1-7 above can only be made with the approval of the NEC or an officer exercising the powers given to them by the NEC.

### **C. Selection of Westminster parliamentary candidates**

1. The NEC shall issue procedural rules and guidelines and the timetable for the selection of candidates for Westminster Parliament elections. CLPs shall be responsible for implementing these guidelines in line with the rules detailed in A.1 above and following. CLPs must agree their procedures and timetable with the appropriate regional director or other designated officer approved by the NEC.
2. All nominees must fulfil the criteria to stand as a parliamentary candidate detailed in A.1.B above. In addition, no person who has been disqualified as a local government candidate under the rules of the party or by the decision of party conference shall be eligible for nomination or selection as a parliamentary candidate. Members of the European Parliament, Members of the Scottish parliament and Members of the National Assembly for Wales may seek nomination as Labour candidates for the Westminster Parliament but only with the express permission of the NEC whose decision shall be final.
3. All nominees shall undertake, if elected, to accept and comply with the standing orders of the PLP.
4. The NEC shall establish a national parliamentary panel of candidates. Training will be made available to interested nominees and targeted action will be taken to increase the

representation of women, ethnic minority and disabled members and those from manual and clerical backgrounds on the national panel. Those members who achieve the minimum standards for accreditation as determined by the NEC through an assessment process will be included on the parliamentary panel. Candidates recommended by nationally affiliated organisations through their own processes shall automatically be included on the parliamentary panel subject to agreement between the NEC and the affiliate that their process sets similar criteria for accreditation. Nominees do not have to be members of the national parliamentary panel to seek selection.

5. If a CLP is represented in Parliament by a member of the PLP:
  - A. If the sitting MP wishes to stand for reelection, a trigger ballot will be carried out through party units and affiliates according to NEC guidelines. If the MP wins the trigger ballot he/ she will, subject to NEC endorsement, be selected as the CLP's prospective parliamentary candidate.
  - B. If the MP fails to win the trigger ballot, he/ she shall be eligible for nomination for selection as the prospective parliamentary candidate, and s/he shall be included in the shortlist of candidates from whom the selection shall be made.
  - C. If the said MP is not selected as the prospective parliamentary candidate s/he shall have the right of appeal to the NEC. The appeal can only be made on the grounds that the procedures laid down in the rules and the general provisions of the constitution, rules and standing orders have not been properly carried out. The appeal must be received by the NEC by the date on which they consider endorsement of the parliamentary candidate for the constituency.
  - D. When there is a formal announcement of a royal proclamation to dissolve Parliament before the trigger ballot or the constituency selection meeting(s) have been held, the provisions of this clause (other than this paragraph) shall be suspended and the said MP shall be reselected as the prospective parliamentary candidate, subject to NEC endorsement.
  - E. If the MP has intimated her or his intention to retire, the provisions of this clause shall not apply.
6. In all circumstances (ie where there is no MP, where the MP has announced s/he is retiring or where the MP is putting themselves forward for re-selection but has failed to win the trigger ballot) the CLP Shortlisting Committee shall draw up a shortlist of interested candidates to present to all members of the CLP who are eligible to vote in accordance with rule A.1.A above.
7. The selection of candidates shall consist of a vote, by eliminating ballot, of all eligible individual members of the constituency on the basis of one member one vote.

## 8. NEC Endorsement

- A. The selection of a parliamentary candidate shall not be regarded as completed until the name of the member selected has been placed before a meeting of the NEC and her or his selection has been endorsed. Until such endorsement has been received the member shall not be introduced to the public as a prospective candidate. Where successful candidates are not members of the national recommended panel or if in the case of a sitting MP a referral from the Whips office is received, there should, however, be an endorsement interview in each case before a recommendation is made to the NEC.
- B. If the NEC is satisfied that there is prima facie evidence of a breach of rules by an individual, the NEC shall have the right after such investigations and interviews with the individual as the NEC shall consider reasonably practicable and appropriate to decline to endorse or, where already endorsed, rescind endorsement of such individual as a prospective parliamentary candidate.

9. A CLP, having completed the selection of its prospective parliamentary candidate according to these rules, shall accept responsibility for the election expenses of the candidate so selected. Acceptance of such financial responsibility shall become binding on the CLP concerned upon NEC endorsement of the candidature.

10. The normal procedure may be dispensed with by the NEC where no valid nominations are received, or when an emergency arises, or when the NEC are of the opinion that the interests of the party would be best served by the suspension of the procedures issued by the NEC.

11. Disputes arising out of the selection procedure shall be considered by an officer appointed by the NEC who shall report to them. The NEC's decision on that report shall be final and binding on all parties for all purposes.

12. Any exceptions to rules 1-11 above can only be made with the approval of the NEC or an officer exercising the powers given to them by the NEC.

## D. Selection of European parliamentary candidates

1. The NEC shall issue procedural guidelines and the timetable for the selection of candidates for European elections. Regional boards and Scottish and Welsh executives shall be responsible for implementing these guidelines in line with the rules detailed in A.1. above and below. Regional/ national bodies must agree their procedures and timetable with a designated officer approved by the NEC.

2. All nominees must fulfil the criteria to stand as a European parliamentary candidate detailed in A.1.B above. In addition, no person who has been disqualified as a local government candidate or Westminster parliamentary candidate under the rules of the party or by the decision of party

conference be eligible for nomination or selection as a parliamentary candidate.

3. All nominees shall undertake, if elected, to accept and comply with the standing orders of the EPLP.

4. The NEC shall establish a European parliamentary panel of candidates. Training will be made available to interested nominees and targeted action will be taken to increase the representation of women, ethnic minority and disabled members and those from manual and clerical backgrounds on the national panel. Those members who achieve the minimum standards for accreditation as determined by the NEC through an assessment process will be included on the parliamentary panel. Candidates recommended by nationally affiliated organisations through their own processes shall automatically be included on the parliamentary panel subject to agreement between the NEC and the affiliate that their process sets similar criteria for accreditation.

5. The regional boards/ national executives shall appoint a selections board representative of local CLPs and affiliated organisations as determined by the NEC. This selections board will administer the processes for the reselection of Members of European Parliament (MEPs) by means of a ballot of affiliated organisations and CLPs. MEPs who receive the support of at least 50% of the affiliated organisations/ CLPs casting votes in such a ballot will comprise the shortlist of re-selected MEPs. Any MEPs who fail to receive 50% support will have the same rights to nomination as other members. The selections board will subsequently seek nominations and determine a panel of new candidates for the vacant seats in the region (or Scotland and Wales) in accordance with the procedural guidelines approved by the NEC.

6. The selections board shall present the shortlist of re-selected MEPs and the shortlist of interested new candidates for the vacant seats to present to all members in the regional/ national electoral area who are eligible to vote in accordance with rule A.1.A above.

7. All eligible individual members will determine by a postal ballot (by simple preference voting), the ranking of the candidates. This would establish the order for each of the lists.

8. The selection of a European parliamentary candidate shall not be regarded as completed until the name of the member selected has been placed before a meeting of the NEC and her or his selection has been endorsed. Until such endorsement has been received the member shall not be introduced to the public as a prospective candidate.

9. A region (or Scotland and Wales), having completed the selection of its prospective European parliamentary candidate according to these rules, shall accept responsibility for the election expenses of the candidate so selected. Acceptance of such financial responsibility shall become binding on the region/ nation concerned upon NEC endorsement of the candidature.

10. The normal procedure may be dispensed with by the NEC where no valid nominations are received, or when an emergency arises, or when the NEC are of the opinion that the interests of the party would be best served by the suspension of the procedures issued by the NEC.
11. Disputes arising out of the selection procedure shall be considered by an officer appointed by the NEC who shall report to them. The NEC's decision on that report shall be final and binding on all parties for all purposes.
12. Any exceptions to rules 1-11 above can only be made with the approval of the NEC or an officer exercising the powers given to them by the NEC.
13. CLPs will pay £25 per month between European elections to cover the costs of these elections. The money will be paid by direct debit or taken directly from the membership income collected by the national party. After the 2014 European Elections and subsequent elections, the NEC has the power to raise this amount to take account of inflation.

#### **E. Selection of candidates for devolved institutions**

1. With respect to selections for candidates for the Scottish Parliament or Welsh Assembly, the NEC shall draw up a detailed procedural document in consultation with the Scottish or Welsh Executive Committee as appropriate, based on principles detailed in A above and C above.
2. The NEC shall also draw up detailed procedural guidance with respect to selections for the Greater London Authority or other such regional body in England, based on principles detailed in A above. Regional selections boards, representative of the given area and reflecting a balance of CLPs and affiliates will administer the process. Regional/ national bodies must agree their procedures and timetable with a designated officer approved by the NEC.
3. The NEC shall also draw up detailed procedural guidance with respect to selections for directly elected leaders of regional administrations and local authorities based on principles detailed in A above. Regional (or Scottish or Welsh) selections board, representative of the given area and reflecting a balance of CLPs and affiliates, will also administer these processes.
4. Any exceptions to rules 1-3 above can only be made with the approval of the NEC or an officer exercising the powers given to them by the NEC.

# Chapter 6

## Disciplinary rules

### A. National action by the party

1. The NEC shall take such disciplinary measures as it feels necessary to ensure that all party members and officers conform to the constitution, rules and standing orders of the party.  
Such powers shall include:
  - A. In relation to any alleged breach of the constitution, rules or standing orders of the party by an individual member or members of the party, the NEC may, pending the final outcome of any investigation and charges (if any), suspend that individual or individuals from office or representation of the party notwithstanding the fact that the individual concerned has been or may be eligible to be selected as a candidate in any election or by-election. The General Secretary or other national officer shall investigate and report to the NEC on such investigation. Upon such report being submitted, the NEC may instruct the General Secretary or other national officer to formulate charges against the individual or individuals concerned and present such charges to the National Constitutional Committee for determination in accordance with their rules.
  - B. In relation to any alleged breach of Labour group rules and standing orders by a group member or members, the NEC may, pending the final outcome of any investigation and charges (if any), suspend that individual or individuals from the group in question. The General Secretary or other national officer shall investigate and report to the NEC on such investigation. Upon such report being submitted, the NEC may instruct the General Secretary or other national officer to formulate charges against the individual or individuals concerned and present such charges to the National Constitutional Committee for determination in accordance with their rules.
  - C. Where in the opinion of the NEC there are circumstances which might warrant the use of its powers under sub-clauses A above and B above, the NEC may issue written warnings to any individual member of the party drawing attention to the conduct which in the opinion of the NEC is either incompatible with continued membership of the party or may be in, or may lead to, a breach of the constitution, rules or standing orders of the party. The issue of any written warning under this sub-clause shall not prevent the conduct that is

the subject of such warning being called into question following any subsequent exercise by the NEC of its powers under sub-clauses A above and B above, and both the fact of the issue of such warning and the conduct that is the subject of the warning may be used in the evidence referred to the National Constitutional Committee.

2. When a person applies for re-admission to the party following an expulsion by the NCC on whatever basis or by automatic exclusion under Chapter 2 A.4 above of the membership rules, the application shall be submitted to the NEC for consideration and decision. Such applications shall not normally be considered by the NEC until a minimum of five years has elapsed. The decision of the NEC shall be binding on the individual concerned and on the CLP relevant to the application.
3. A 'suspension' of a member whether by the NEC in pursuance of 1 above or by the NCC in imposing a disciplinary penalty, unless otherwise defined by that decision, shall require the membership rights of the individual member concerned to be confined to participation in their own branch meetings and activities as an ordinary member only and in ballots of all individual members where applicable. A suspended member shall not be eligible to seek any office in the party, nor shall s/he be eligible for nomination to any panel of prospective candidates nor to represent the party in any position at any level. The member concerned will not be eligible to attend any CLP meeting other than to fulfil the requirement to participate in ballots.

### B. Action by CLPs

1. It shall be the duty of the General Committee/All Member Meeting of a CLP to take all necessary steps to enforce the constitution, standing orders and rules of the Labour Party within its constituency and to safeguard the programme, policy and principles of the party within its constituency. A CLP shall take such action as it deems necessary for such purposes in accordance with the following provisions:
  - A. Any complaint or allegation made of breach of the constitution, rules or standing orders of the party shall be made in writing to the secretary of the CLP either by a party branch, or by an organisation affiliated to that party, or by a member of the CLP. Such complaint or allegation shall state that the complainant wishes disciplinary action to be considered.
  - B. Where there is not an Executive Committee in place within the CLP, the matter shall be referred direct to the General Committee or All Member Meeting which shall decide by resolution whether the complaint calls for investigation.
  - C. Upon such complaint being made, the secretary shall refer it to the Executive Committee, General Committee or All Member Meeting as the case may be of the CLP who

- shall decide by resolution whether the complaint calls for investigation.
- D. The secretary shall immediately following the decision of the Executive Committee contact the regional office of the party to ensure the correct implementation of the disciplinary procedures at all stages, including the formulation of any charges.
  - E. The Executive Committee resolution shall be reported to the General Committee/All Member Meeting which shall decide whether to authorize the recommended investigation.
  - F. Any person proposed to be the subject of such an investigation shall reside or be registered as an elector within the constituency or shall have been resident or registered as an elector within the constituency at the time of the actions subject to complaint. If that person is a member of the General or Executive Committees s/he shall have full rights to participate and vote in the meetings of the committee of which s/he is a member when this matter is considered.
  - G. Where the General Committee/All Member Meeting so authorises an investigation the Executive Committee shall appoint three of its members to act as 'investigators'. The investigators may be agreed by the original Executive Committee meeting, subject to subsequent endorsement by the General Committee/All Member Meeting. None of these investigators shall be a party to or a subject of the original complaint.
  - H. The 'investigators' shall conduct their investigation of the complaint(s) or allegation(s) in such a matter as they see fit, including the receipt of written evidence from the complainant(s), those complained against and from other party members.
  - I. The 'investigators' shall decide whether or not a prima facie case can be made out and, if so, shall formulate a charge or charges and shall report to the General Committee/All Member Meeting. Their report to the General Committee/All Member Meeting shall be limited to whether they have found a prima facie case and, if so, the proposed charge or charges. The charge must specify which rule(s) of the party have been breached. The General Committee/All Member Meeting shall decide at this stage which of the proposed charges, if any, are to be preferred.
  - J. None of the investigators shall participate in or vote at the General Committee/All Member Meeting at this stage, except that one member of the investigating team only shall present the report of the investigators and answer questions thereupon but still not vote.
  - K. If the General Committee/All Member Meeting decides that a charge or charges should be preferred, it shall instruct the investigators to prefer these charges and accompanying evidence together with, if so decided, a recommendation for disciplinary action. The investigators shall appoint one of their number to act as 'the presenter' of the case which shall be preferred to the national constitutional committee of the party for determination. All the evidence and documentation to be relied on in presenting the case must accompany the charges to be preferred.
  - L. The charges shall be forwarded to the secretary of the National Constitutional Committee at the head office of the party who shall liaise with the presenter and the chair of the committee to arrange for the case to be brought before the committee or a panel thereof and for dates and venues for a hearing if appropriate. The National Constitutional Committee of the party shall determine the charges, by hearing or otherwise and having regard to their procedural guidelines. The decision of the National Constitutional Committee as to whether in its opinion there is a case to answer, or whether in its opinion the charges are proved or not proved, and any disciplinary action to be imposed shall be final.
  - M. Procedural guidelines in disciplinary cases brought before the NCC" is appendix VI at the rear of the Party's rule book, or can be obtained from the Compliance Unit at Head Office. The investigation team should familiarise itself with the content of the document before commencing their investigation.





## **Section C**

# Rules for units of party organisation

# Chapter 7

## Rules for CLPs

### Clause I. Name

The { } Constituency Labour Party, hereinafter named 'this CLP'

### Clause II. Aims and values

1. National
  - A. The aims and values of the Labour Party as outlined in Chapter 1 Clause IV above of the national constitutional rules shall apply to this CLP.
2. Constituency
  - A. To unite the forces of Labour within the constituency and to ensure the establishment of, and to keep in active operation, branches throughout the constituency and to co-ordinate their activities.
  - B. To secure the return of Labour representatives to Parliament and local government bodies, by promoting the policies and principles of the Labour Party throughout the constituency with a view to increasing the party's influence within the local community and securing support and membership from it.
  - C. To promote the policies of the Labour Party within the constituency by formulating a development action plan for the party in the area and to ensure its adoption and implementation by all party units.
  - D. To provide the opportunity for all individual members of the party within the constituency to contribute to the development of the aims and policies by ensuring that a full range of party activities are available to them, including local policy forums, and that they may participate fully in discussion to broaden the political education of members of the party and to increase their influence over the formulation of the party programme.
  - E. To establish local policy forums, possibly in co-operation with neighbouring CLPs, as authorised by and with the support of the appropriate regional director operating to guidelines produced by the NEC. The constitution of the party places an obligation on CLPs to work in pursuit of our aims with trade unions, co-operative societies and other affiliated organisations, and it must consult its members, elected representatives, affiliated organisations, and, where practicable, the wider community in which it is based on policy making initiatives which are to be forwarded

to the National Policy Forum for inclusion in the party programme.

### Clause III. Affiliated organisations

1. Organisations may affiliate to the party at constituency level if they fall within the following categories:
  - A. trade unions or branches thereof affiliated to the Trade Union Congress or considered by the NEC to be bona fide trade unions affiliated to the party nationally. Where provided by the structure of an affiliated organisation, sub-sections of branches may affiliate separately at the discretion of the regional director of the party in agreement with the appropriate authority of the affiliated trade union
  - B. co-operative societies, branches of the Co-operative Party and other co-operative organisations
  - C. branches of those socialist societies affiliated to the Labour Party nationally
  - D. other organisations or branches thereof which in the opinion of the NEC are deemed eligible for affiliation.
2. Each affiliated organisation must: accept the programme, principles and policy of the party; agree to conform to the constitution, rules and standing orders of the party; have members who are registered as electors within the constituency.

### Clause IV. Affiliation fees

1. Affiliation fees and contributions payable to this CLP shall be:
  - A. trade unions, branches of trade unions, branches of socialist societies and other organisations; 6p per annum per member resident or registered as an elector within the constituency, with a minimum payment of £6 per branch
  - B. co-operative societies and other cooperative organisations on the basis agreed between this CLP and the respective co-operative organisation, though as a minimum on the same basis as other affiliated organisations
  - C. the Co-operative Party in accordance with the agreement between the Labour Party and the Co-operative Union Limited currently in force
  - D. all affiliation fees shall be paid not later than 31 December of the relevant year.

### Clause V. Individual membership

1. The conditions of membership for, method of enrolment of, and level of subscription payable by individual members of the party within this constituency shall be as laid down in the membership rules of the party in Chapter 2 .
2. The constitutional rights of individual members of the party within this constituency shall operate only in the branch in which they are registered as electors and reside or, exceptionally if they are

not eligible to be registered to vote, in which they reside only.

3. Women members in this CLP shall, if they so desire, be organised into a women's forum acting in accordance with regulations sanctioned by the NEC and on boundaries approved by the regional director.
4. Individual members of the party between 15 years and 26 years of age inclusive shall, if they so desire, be organised in branches of Young Labour acting in accordance with regulations sanctioned by the NEC and on boundaries approved by the regional director.

## **Clause VI.**

### **Method of organisation**

1. General
  - A. There shall be established throughout the constituency branches on such basis as decided by the General Committee/All Member Meeting and approved by the National Executive Committee. Branch boundaries shall as far as possible follow local government boundaries.
  - B. A branch established in accordance with this rule shall consist only of those individual members of the party within this CLP who reside or are registered as electors within the area covered by the branch.
  - C. Branches shall operate in accordance with the rules for Labour Party branches and any other regulations approved by the NEC. In particular, a branch shall maintain the necessary machinery for elections within its area. A branch may undertake other activities to promote the party in its area and the involvement of its individual members in line with the development action plan agreed for this constituency. The public activities of a branch shall be approved by the Executive Committee of this CLP.
  - D. Where the General Committee/All Member Meeting considers it desirable there may be established a coordinating organisation covering more than one branch subject to the approval of the regional office.
  - E. The General Committee/All Member Meeting may seek approval from the NEC to pilot new methods of organisation to meet its objectives as part of an agreed development plan that continues to meet this party's constitutional obligations. The NEC encourages requests by a CLP for all member meetings as its method of organisation.
2. There may be established a women's forum to co-ordinate work among women members, acting in accordance with the rules for women's forums and any other regulations approved by the NEC.
3. There may be established workplace branches covering one or more CLPs, acting in accordance with rules sanctioned by the NEC.
4. There may be established an ethnic minorities forum to co-ordinate work among Black, Asian, Minority Ethnic (BAME) members, acting in

accordance with the rules for ethnic minorities forums and any other regulations approved by the NEC.

5. There shall be established a Campaign Committee to co-ordinate the public activity of this CLP.
  - A. The Campaign Committee, which shall be a working committee, shall comprise campaign organisers from the party branches and other members as appropriate. The chair and treasurer of this CLP and the Member of Parliament where appropriate and/ or the parliamentary candidate when selected and her/ his agent when appointed, shall be ex-officio members of the Campaign Committee.
  - B. The Campaign Committee shall elect a campaign co-ordinator who, as a functional officer of this CLP, shall: co-ordinate constituency-wide campaigns; liaise with head office and either Scottish Labour, Wales Labour or their English regional office, as the case may be, in the promotion of the party's campaigns; and liaise with other election agents as appropriate over the election campaign strategy at local council, devolved institutions, Westminster and European Parliament level.
  - C. Where the campaign co-ordinator is not the election agent, the Campaign Committee shall ensure that an election agent is appointed to be responsible for all local elections within the area of the CLP. Where the CLP covers only part of the council area, the agent shall liaise with other agents within that council area in order to ensure a unified and co-ordinated campaign. For Westminster parliamentary elections and elections to the Scottish Parliament or Welsh Assembly, the committee should seek to appoint an election agent at the earliest opportunity in consultation with the prospective candidate and appropriate regional director and this appointment shall be subject to the approval of the NEC.

## **Clause VII.**

### **Management**

1. The management of this CLP shall be in the hands of an Executive Committee which shall be appointed by and report to a General Committee/All Member Meeting consisting of delegates elected by:
  - A. affiliated organisations, in accordance with Clause III of these rules. Each affiliated organisation may have a maximum of five delegates to this CLP, except that the Scottish General Secretary, Welsh General Secretary or English regional director with the approval of the NEC may vary this limit in agreement with the affiliated organisation where it has more than 1,000 members resident in the constituency
  - B. branches established in accordance with Clause VI of these rules together with the secretaries who shall be ex-officio members with voting power. Branch parties with three or more members under the age of 23 may

- elect from among them an additional youth delegate
  - C. women’s forum where established
  - D. workplace branches where established.
  - E. ethnic minorities forum where established.
2. The basis of representation on the General Committee/All Member Meeting shall be as follows: {here insert the basis of representation to the General Committee/All Member Meeting as approved by the NEC} provided that:
- A. only a member in respect of whom an affiliation fee or a membership fee for the full year or period of membership as the case may be has been paid to this CLP for the previous year or part thereof to 31 December may be counted in calculating the number of delegates
  - B. a party unit with fewer than ten members shall be represented by not more than one delegate whether the secretary or any other member
  - C. members in arrears shall not be counted when establishing the number of delegates from party branches to the General Committee/All Member Meeting
  - D. an organisation during the year in which it is affiliated or a party unit during the year in which it is established shall be entitled to appoint delegates to attend and participate in meetings of the General Committee/All Member Meeting subsequent to the annual meeting, the number of delegates being calculated on the basis of the affiliation fee or membership fees paid in the said year.
3. This CLP adopts the rules for CLPs and branches and such amendments thereto as may be agreed by party conference or made by the NEC in accordance with the powers conferred upon it under Chapter 1 Clause X of the constitutional rules. This CLP shall have power to make alterations, amendments or deletions in these rules, subject to the approval in writing of the NEC and providing that such changes do not contravene the spirit and intention of the rules as adopted by party conference or alter the party objects, basis or condition of affiliated and individual membership, or vary the procedure for the selection of parliamentary candidates (other than as provided for in the rules) or effect a change in the relationship of this CLP with the national party.
4. The General Committee/All Member Meeting shall, but only with the specific prior approval in writing of the NEC, have the power to enter into property-related transactions on behalf of the party. Such power may also be exercised by the Executive Committee, or by officers of the General Committee/All Member Meeting, if so authorised by the General Committee/All Member Meeting.
- i. NEC approval will be conditional in all cases upon legal title to the property being vested in Labour Party Nominees Limited as Trustee for the relevant Constituency Labour Party or in such other Trustee for the relevant Constituency Labour Party as the NEC may appoint.
  - ii. The General Committee/All Member Meeting and the Executive Committee shall procure that all legal title to property leasehold and freehold presently held for the CLP shall forthwith be transferred to Labour Party Nominees Limited to be held by it as Trustee for the relevant Constituency Labour Party upon the standard terms of Trust from time to time approved by the NEC.
5. The General Committee/All Member Meeting shall, but only with the specific prior approval in writing of the NEC and on such terms and conditions as shall be approved by the NEC, have the power to employ staff on behalf of the party. Such power may also be exercised by the Executive Committee or by officers of the General Committee/All Member Meeting if so authorised by the General Committee/All Member Meeting. In all such circumstances, the primary responsibility for meeting financial and other obligations in respect of such employees shall be borne by the CLP.

**Clause VIII.  
Conditions for appointment of delegates to this CLP**

1. Every delegate must be an individual member of the Labour Party in this CLP as described in the membership rules.
2. Delegates from branches must reside within the branch appointing them. Delegates from affiliated organisations must be bona fide members or paid permanent officials of the organisation appointing them.
3. No person shall act as a delegate for more than one organisation/ party unit.
4. Delegates must either reside or be registered as electors in the constituency.
5. Members of Parliament may be appointed as delegates to the General Committee/All Member Meeting in the constituency they represent, provided they fulfil the criteria above. They may not be elected to or serve on the Executive Committee, or hold any office within such CLP. MPs shall have the right to receive notice of, and to attend Executive and General Committee/All Member Meeting meetings of, the CLP they represent and report on their work.
6. The term of office of a delegate shall commence with the opening of the annual meeting of this CLP following their appointment or the date of their appointment if after the annual meeting. Unless terminated by their resignation, death or for any other reason by the affiliated organisation or party unit which appointed them, the term of office of a delegate shall extend to the conclusion of the next following annual meeting of this CLP but they shall not be entitled to attend except as members of the Executive Committee of this CLP to tender reports to that meeting but not to vote

unless reappointed as delegates for the appropriate year. All delegates who qualify under these conditions may be re-appointed. It shall be the duty of the secretary of this CLP to invite affiliated organisations and party units to elect their delegates prior to and in time to be called to the annual meeting and to assist this the Executive Committee may set a reasonable deadline for the appointment of delegates for that meeting.

#### **Clause IX. Officers**

1. The officers of this CLP, the Executive Committee, functional officers and two auditors shall be elected at the annual meeting of the General Committee/All Member Meeting and shall continue in office until replaced or re-appointed. Officers, auditors, functional officers and members of the Executive Committee must be duly appointed delegates to the General Committee/All Member Meeting.
2. The officers of this CLP shall be; chair, vice-chair, vice-chair/ membership, secretary, treasurer, women's officer, youth/ student officer and ethnic minorities officer. The women's officer and at least three more of the other full officers of this CLP shall be women. The team of officers shall provide a strategic lead for the development of the party in the constituency, along with the prospective parliamentary candidate (see Clause XIV below) who shall, when endorsed by the National Executive Committee, have the right to attend meetings of the General and Executive Committees and branches in this CLP to report on her/ his work.
3. In addition there may be appointed functional officers, including a campaign co-ordinator, a political education and training officer, an information technology officer, a disability officer, a trade union liaison officer and a fundraising officer who may attend meetings of the Executive Committee without voting power. The agent for the parliamentary candidate may also attend Executive Committee meetings without voting power.
4. The Executive Committee shall consist of the officers and { } members upon such proportionate basis of the whole membership as this CLP may decide, subject to the approval of the NEC. Where a constituency plan agreement has been entered into by this CLP and an organisation affiliated to the party nationally and approved by the NEC, the affiliated organisation concerned may appoint a member of this CLP to the Executive Committee to represent their interest: this member shall be an ex-officio member with voting powers of both executive and General Committee/All Member Meetings. The Executive Committee shall comprise {insert here the make-up as approved by the NEC}.
5. The Executive Committee shall meet as required and be responsible for reviewing the implementation of the development action plan and supervising the work of the branches and other party units in the constituency. The

Executive Committee shall also deal with as much of the routine business of this CLP as possible to ensure that the General Committee/All Member Meeting can devote its time to the discussion of policy and party objectives for the constituency.

6. The treasurer shall be responsible for ensuring the CLP meets its legal and financial responsibilities under the Political Parties, Elections and Referendums Act 2000 in respect of donation reporting, the filing of accounts and, if applicable, the auditing of accounts, and shall be the registered treasurer of the accounting unit, as notified by party head office to the Electoral Commission.
7. The CLP shall also nominate one of its officers - which should, unless there are exceptional circumstances, be the CLP Chair - to be the registered deputy treasurer of the accounting unit, as notified by party head office to the Electoral Commission.
8. The CLP Secretary shall notify party head office immediately in the event of the resignation or replacement of the treasurer or the deputy treasurer, so that the party can meet its statutory responsibility to inform the Electoral Commission of any such changes.

#### **Clause X. Meetings of the General Committee/All Member Meeting**

1. Ordinary Meetings
  - A. The annual meeting of the General Committee/All Member Meeting shall be held in { } of each year or, in the event of such meeting not being held in that month for any reason, as soon thereafter as possible.
  - B. Affiliation fees due to this party for the previous year ended 31 December must have been paid to this party a clear 35 days before the date of the annual meeting.
  - C. Twenty eight days' notice of an annual meeting shall be given to all affiliated organisations and party units entitled to appoint delegates to the General Committee/All Member Meeting of this CLP.
  - D. Seven days' notice of an annual meeting shall be given to delegates appointed in due time.
2. Special Meetings
  - A. Special meetings of the General Committee/All Member Meeting may be called at the discretion of the Executive Committee and shall be called on the written request of at least one third of the affiliated organisations and party units entitled to send delegates to this CLP.
  - B. Seven days' notice of a special meeting shall be given to delegates except in cases of emergency, when only business of immediate importance shall be transacted.
3. Ordinary meetings of the General Committee/All Member Meeting shall be held at such intervals as laid down in the standing orders of this CLP or as

may be determined by resolution of the General Committee/All Member Meeting.

4. Seven days' notice of General Committee/All Member Meeting meetings shall be given to delegates.
5. A notice calling an annual, special or ordinary meeting of the General Committee/All Member Meeting shall state as far as possible the business to be transacted.
6. Any notice required to be given under these rules shall be in writing to be delivered by post or by hand to the last address notified in writing to the secretary of this CLP. Notices to be sent to affiliated organisations and party units shall be addressed to the secretary thereof.
7. Membership and finance
  - A. Following any meeting at which new members are endorsed, the membership secretary shall submit on request a list of such members to the head or regional office of the party.
  - B. Following each annual meeting of this CLP the secretary shall forward a copy of the constituency annual report accompanied by details of this CLP's constituency and branch accounts and such other information as may be requested by the NEC in the format required by head office and in compliance with the CLP's legal and financial responsibilities under the Political Parties, Elections and Referendums Act 2000.

#### **Clause XI.**

##### **The Party Conference**

1. Subject to the conditions laid down in the rules of party conference and the constitutional rules of the party, this CLP may appoint to any party conference convened under clause VI of the national rules of the party, one delegate for the first 749 eligible members, or part thereof, and a further delegate for each additional 250 eligible members, or part thereof. Eligible members shall be as defined in Clause VII.2.A above of these rules.
2. When appointing their delegate(s) this CLP shall seek to increase the representation of women at conference, by ensuring that at least every second delegate shall be a woman; where only one delegate is appointed this must be a woman at least in every other year.
3. Where the individual women's membership within this CLP is 100 or more, an additional woman delegate may be appointed.
4. Where the individual Young Labour membership within this CLP is 30 or more, an additional delegate under the age of 27 may be appointed.
5. This CLP may appoint a delegate in addition to its above entitlement if one of its duly appointed delegates is the national treasurer, a member of the National Executive Committee, member of the Conference Arrangements Committee, or a member of the National Constitutional Committee due for re-election that year.

#### **Clause XII.**

##### **Duties of the General Committee/All Member Meeting**

1. The general provisions of the constitution, rules and standing orders of the Labour Party shall apply to this CLP and the General Committee/All Member Meeting has a duty to act within and uphold such provisions.
2. The General Committee/All Member Meeting shall be responsible for establishing objectives for the party in the constituency through political debate and policy discussion, setting targets for development of party organisation and campaigning in the area and promoting links with the wider community.
3. It shall be the duty of the General Committee/All Member Meeting of this CLP to ensure that at least 50 per cent of their delegates to other party bodies (where delegate entitlement is more than one) shall be women.
4. This CLP and units of this CLP shall not enter into affiliation with or give support, financially or otherwise, to any political party or organisation (or ancillary or subsidiary body thereto) declared by party conference or by the NEC in pursuance of conference decisions to be ineligible for affiliation to the party. Nor shall they give any such support to individuals ineligible for membership of the party.
5. This CLP shall co-operate with the NEC of the party in conducting a ballot of all eligible individual members for the selection of parliamentary candidates, the election of the leader and deputy leader of the Labour Party, the national treasurer and auditors, and the appropriate sections of the National Executive, and National Constitutional Committees. Such ballots to be conducted in accordance with guidelines laid down by the NEC and subject to the provisions of the procedural rules in chapter 4 of the national rules.
6. In the event of this CLP being dissolved or ceasing to exist for any reason, its assets (after payment of outstanding liabilities) shall be transferred to the NEC of the party.
7. This CLP shall co-operate fully with the NEC in respect of its legal and financial obligations under the Political Parties, Elections and Referendums Act 2000. Should this CLP fail to co-operate with the national party with regard to its obligations under the act, the NEC will not hesitate to take appropriate disciplinary action against individual members and/or suspend this CLP.

#### **Clause XIII.**

##### **Disciplinary**

It shall be the duty of the General Committee/All Member Meeting of this CLP to take all necessary steps to enforce the constitution, standing orders and rules of the Labour Party within this constituency and to safeguard the programme, policy and principles of the party within this constituency. This CLP shall take such action as it deems necessary for such purposes in accordance with

the provisions laid out in the disciplinary rules, contained in Chapter 6 above of the national rules.

**Clause XIV.**

**Parliamentary candidates**

The Labour Party's parliamentary candidate for this constituency shall be selected in accordance with the rules for selection of parliamentary candidates laid down in Chapter 5 of the national rules and in the selection guidelines appended thereto, along with any other regulations approved by the NEC.

**Clause XV.**

**Local government candidates**

Local government candidates shall be selected in accordance with the rules for selection of local government candidates laid down in Chapter 5 of the national rules and in the selection guidelines appended thereto along with any other regulations approved by the NEC.

**Clause XVI.**

**Amendment to rules**

These rules, or any part thereof, may be amended, altered or additions made thereto by resolution carried at an annual meeting of the General Committee/All Member Meeting by a vote of two thirds of delegates present, subject to the approval of the NEC Clause VII.3 above. The provisions of the model procedural rules for party meetings shall apply to this CLP with such local additions and modifications as may be approved by, as applicable, the Scottish General Secretary, Welsh General Secretary or regional director of the party on behalf of the NEC.



# Chapter 7a

## Amendments to CLP rules where constituency and district/ county borough boundaries are coterminous

### **Clause I** **Aims and values**

Add new subsection:

II.3 To ensure the establishment of a Labour group on the council in accordance with the standing orders for Labour groups laid down in Chapter 13 of the national rules of the party.

### **Clause VII** **Management**

Add at end of subsection VII.1:

(e) together with the leader and secretary of the Labour group who shall be ex-officio members of the General Committee/All Member Meeting with voting powers.

### **Clause IX** **Officers**

Add after 'officers' in line 2 of subsection IX.4:  
the leader and secretary of the Labour group,

### **Clause XII** **Duties of the General Committee/All Member Meeting**

Add new subsection:

XII.8 The electoral policy and programme for the {appropriate local authority} elections shall be determined by the General Committee/All Member Meeting of this party in consultation with the Labour group.

# Chapter 8

## Rules for branches

### Clause I.

#### Name

The { } Branch of the { } Constituency Labour Party (this branch)

### Clause II.

#### Objects

1. The objects of this branch shall be to provide an opportunity for members to participate in the activities of the Labour Party within its area; to maintain the necessary machinery for elections; to undertake propaganda and other activities with the approval of the Executive Committee of the CLP and in line with its agreed development action plan.
2. This branch shall cover such area as may be decided by the CLP and approved by the NEC in accordance with Chapter 7 Clause VI.1 above of the CLP's rules.

### Clause III.

#### Membership

1. Membership shall consist only of those individual members of the Labour Party who are registered as electors in the area covered by this branch with exceptionally those individual members who are not eligible to be registered to vote but who reside in the area.
2. The conditions of membership for, method of enrolment of, and level of subscription payable by individual members in this branch shall be as laid down in the membership rules of the Labour Party (Chapter 2 ).
3. A proportion of members' subscriptions may be allocated to this branch as determined by the CLP General Committee/All Member Meeting, or by the Executive Committee if given such delegated authority by the General Committee/All Member Meeting.

### Clause IV.

#### Officers and Executive Committee

1. The officers of this branch shall be chair, vice chair, secretary and treasurer. At least two of the officers shall be women. The branch shall appoint two auditors and other functional officers as required.
2. The branch executive shall consist of the officers and, if required, not more than four other members.
3. Elections for these posts shall be held at the annual meeting.

### Clause V.

#### Meetings

1. The annual meeting of this branch shall be held in {January} of each year. In the event of the annual meeting not being held in that month for any reason it shall be held as soon thereafter as possible.
2. Fourteen days' notice of the annual meeting shall be given to the CLP and to all individual members in this branch.
3. This branch shall raise and hold funds to support activities within the objects of this branch. The financial year of this branch shall end on 31 December each year. A copy of the audited financial statement and the annual report of this branch shall be forwarded to the CLP prior to its annual general meeting.
4. Delegates to the General Committee of the CLP shall be elected at the annual meeting, but may be changed as necessary at subsequent ordinary meetings. A minimum quota of 50 per cent women shall apply to these elected delegates. Unless otherwise decided, the term of a General Committee delegate elected at the annual meeting shall commence at the annual general meeting of the CLP.
5. Where there are three or more members under the age of 23, this branch may appoint one of them as an additional Young Labour delegate to the CLP's General Committee.
6. Ordinary meetings shall be held at such intervals and on such notice as may be laid down in the standing orders, or as determined by this branch from time to time. Special meetings may be called at the discretion of the branch executive or at the written request of 20 per cent of the members.
7. Notice of ordinary and special meetings shall be sent to all members a minimum of seven days in advance.

### Clause VI.

#### Local government candidates

Local government candidates shall be selected in accordance with the rules for selection of local government candidates laid down in the national rules of the party and in the selection guidelines appended thereto along with any other regulations approved by the NEC (Chapter 5 ).

### Clause VII.

#### Miscellaneous

1. The general provisions of the constitution and rules of the Labour Party shall apply to this branch.
2. This branch shall not enter into affiliation or give support financially or otherwise to any political party or organisation ancillary or subsidiary thereto declared ineligible for affiliation to the party by the annual party conference or by the National Executive Committee.
3. It shall be the duty of this branch to take all necessary steps to safeguard the constitution, programme and principles of the Labour Party within its area. Any decision taken under this

clause proposing the expulsion or exclusion of any individual from membership shall be in the form of a recommendation to the CLP which shall determine the matter in accordance with the disciplinary procedures laid out in the national rules of the Labour Party (see Chapter 6 ).

4. For the avoidance of doubt, the Labour Party Financial Scheme recognises the assets of this branch as the assets of { } CLP, of which they are a constituent part. It shall be the duty of this branch to co-operate with the CLP regarding the CLP's obligations under the Political Parties, Elections and Referendums Act 2000. Should this branch fail to co-operate with the CLP, the NEC will not hesitate to take appropriate disciplinary action against individual members &/or suspend this branch. The Officers of the Branch shall use all reasonable endeavours to procure that legal title to any leasehold and freehold property presently held by or in trust for the Branch by individual Trustees shall be transferred forthwith to Labour Party Nominees Limited to be held by it as Trustee for the relevant Constituency Labour Party upon the standard terms of Trust from time to time approved by the NEC.
5. This branch shall not have the power to enter into property-related transactions or to employ staff
6. Should this branch be dissolved or cease to exist for any reason its assets, after the payment of any outstanding liabilities, shall be transferred to the CLP.
7. This branch shall adopt standing orders and may make such changes in the procedural rules and these rules as may be agreed by the CLP and, as applicable, the Scottish General Secretary, Welsh General Secretary or regional director of the party. Such changes shall not contravene the spirit or intention of the model rules as accepted by party conference or the NEC.

# Chapter 9

## Rules for Regional Boards and European party units

1. The rules for English regional boards and the Scottish and Welsh executives, including procedural rules for meetings and for the election of members of the board or executive, standing orders committee and auditors, shall be determined by the regional board/Scottish or Welsh executive and approved by the NEC.
2. Full copies of the rules and standing orders that have been approved for each of the regional boards in England and for the Scottish and Wales Labour Parties are available from the respective regional director or General Secretary listed in the information section at Chapter 16 . Such rules may not conflict with the model rules approved by conference. Where any matters are not covered by procedural rules approved by the NEC reference should be made to the appropriate national guidelines (such as those for conference in Chapter 3 ).
3. The regional board/Scottish or Welsh executive will undertake the role of European Constituency Labour Party and should organise at least one European Forum per year in accordance with procedural guidelines issued by the NEC.
4. The regional board/Scottish or Welsh executive will undertake appeals against the withdrawal of the whip by a Labour group, and appeals against exclusion from the panel of local government candidates. The regional board/Scottish or Welsh executive will keep in place an appeals panel, which may include members who are not elected members of the regional board/Scottish or Welsh executive.
5. Where there are regional/Scottish/Welsh women's committees or a regional BAME members' section the regional board, Scottish or Welsh executive will be responsible for overseeing their operation, and drawing up their rules and standing orders, which shall be approved by the NEC.

# Chapter 10

## Rules for women's forums

### Clause I. Name

{ } Constituency Labour Party women's forum

### Clause II. Aims and values

1. National
  - A. The aims and values of the Labour Party as outlined in Chapter 1 Clause IV above of the national constitutional rules shall apply to this women's forum.
2. Constituency
  - A. The aims of this women's forum shall be:
    - i. to encourage and support women members to play a full and active part in all the party's activities, particularly through facilitating training, networking and mentoring, and encouraging women to run for elected office
    - ii. to build links with women in the community, through contact with community organisations and individual women, consultation, campaigning and joint working
    - iii. to encourage women to join the party and to ensure that new women members are welcomed
    - iv. to ensure that women's voices are heard in the party, through monitoring women's involvement in activities, and feeding women's concerns to the party and to policy makers
    - v. to work jointly with Labour women in neighbouring constituencies in the delivery of the above aims.

### Clause III. Membership

1. The membership of the women's forum shall consist of all individual women members in { } Constituency Labour Party. The women's officer should be provided with contact details for women members in the constituency by the constituency secretary. All women members shall be mailed at least annually to inform them about the activity of the women's officer and/ or forum.

### Clause IV. Management

1. The women's officer shall be responsible for coordinating a women's forum in the constituency

to aid her in delivering the aims of the organisation. She will be, ex-officio, the chair/ co-ordinator of this group.

2. The women's officer and forum shall draw up an annual plan and a programme of activities. This plan shall be agreed by the GC/ EC of the constituency. The plan shall be prepared bearing in mind:
  - A. the aims of the local women's organisation
  - B. the particular interests and needs of local women, as identified through surveying women members
  - C. the guidelines and priorities circulated from time to time by party head office or, as appropriate, the Scottish, Welsh or regional office.
3. The women's forum may appoint other officers to help carry out its work.
4. The women's officer shall build targets for the year into her plans, which can then be monitored and reviewed to help planning for future years.
5. The women's forum shall register with the appropriate regional director (or General Secretary in Scotland or Wales), and re-register on an annual basis.

### Clause V. Meetings

1. A meeting of the women's forum shall only have formal status if all women members in the constituency have been given 14 days written notice of the meeting, and the business to be discussed, and at least ten eligible women members attend.
2. At a formal meeting the women's forum may, if it wishes, make nominations to the CLP for posts open to nomination from branches (ie CLP officers, parliamentary/ European parliamentary candidate, members of the NEC, National Policy Forum, etc) and elect two delegates to the constituency General Committee. A formal meeting may also agree motions to be sent to the General Committee/All Member Meeting.
3. The women's forum may hold whatever informal meetings or gatherings it sees fit to work towards meeting its aims.

### Clause VI. Activities

1. The women's forum shall prioritise work which aims to support women members of the party to play an active part in all the party's activities - in particular, training, mentoring and networking among women to encourage women to:
  - A. hold elected office within the party (eg as branch or constituency chair, political education officer, etc)
  - B. stand as councillors, MPs, MEPs and other forms of elected representative for the party
  - C. become involved in the community, for example, as school governors/ board members, on committees of local

- organisations, as magistrates, members of community health councils, etc
- D. take part in all forms of party activities - in particular campaigns, recruitment activity, party committees, meetings and policy forums.
2. The women's forum shall also seek to build links with women in the community through, for example:
    - A. building relationships with organisations, such as women's voluntary organisations, tenants' groups, trade unions and other organisations in which women are active, through information exchange, personal contact, joint meetings, events and campaigns
    - B. working with the party and Labour councillors and MPs to consult women in the community about their views and concerns, using consultation meetings, policy forums, surveys, listening campaigns and other techniques
    - C. targeted campaigning and recruitment activity with women, including campaigns on issues of particular interest to women such as women's health, childcare and violence against women.
  3. The women's forum shall seek to ensure that women's voices are properly heard in the party, through the above activities and through, for example:
    - A. feeding women's views on policy into local and national policy forums and to the constituency's General Committee/All Member Meeting
    - B. encouraging women to play an active role in these and other bodies, monitoring women's involvement and working with the rest of the party to develop arrangements which maximise this involvement
    - C. bringing any problems regarding women's involvement, including through the filling of quotas, to the attention of the constituency secretary, other officers or the regional party office
    - D. holding local policy forums for women.

#### **Clause VII. Finances**

1. The funds of the women's forum shall consist of donations, collections, profits from sales, and receipts from activities undertaken by the forum. In the event of the dissolution of the women's forum its assets shall belong to the { } Constituency Labour Party.
2. The Constituency Labour Party shall, by agreement, make resources available to the women's forum (if operating successfully), to enable it to function effectively. The Labour Party's financial scheme recognises the assets and financial transactions of this women's forum as the assets and financial transactions of { } Constituency Labour Party, of which it is a constituent part. It shall be the duty of this women's forum to co-operate with the CLP, and in particular the CLP treasurer, in respect of the CLP's obligations under the Political Parties,

Elections and Referendums Act 2000. Should this women's forum fail to co-operate with the CLP, the NEC will take appropriate disciplinary action against individual members, suspend this women's forum or both.

#### **Clause VIII. General**

1. The general provisions of the constitution and rules of the Labour Party shall apply to the women's forum.
2. The women's forum shall not enter into affiliation or give support financially or otherwise to any political party or organisation ancillary or subsidiary thereto declared ineligible for affiliation to the party by the annual party conference or by the National Executive Committee.
3. This women's forum shall not have the power to enter into property-related transactions or to employ staff
4. This women's forum shall adopt standing orders and procedural rules as may be agreed by the appropriate regional director.

#### **Clause IX. Alteration to rules**

Any alteration or addition to these rules may only be made at the annual general meeting of the { } Constituency Labour Party women's forum but must be submitted to the appropriate regional director for approval before being put into operation. Such changes shall not contravene the spirit or intention of the model rules as accepted by party conference or the NEC.

# Chapter 11

## Rules for Young Labour

### Clause I.

#### Name

{ } Young Labour

### Clause II.

#### Aims and values

1. To help young Labour Party members play a full and active part within the Labour Party.
2. To train and politically educate young Labour Party members.
3. To help young Labour Party members organize social activities.
4. To change the culture, particularly the meeting culture, of the Labour Party at branch and constituency level and to organise more social activities at every level.
5. To advise the Labour Party on issues that particularly concern young people in Britain and issues that concern young members of the party.
6. To recruit and retain many more young people into Labour Party membership.
7. To campaign against all forms of discrimination and prejudice, especially those based upon race, colour, religion, disability, gender, gender identity or sexual orientation.
8. To persuade more young people to vote Labour at all elections.
9. To reverse the declining numbers of young people who are registered to vote.
10. To maximise the number of postal votes from young people.
11. To maintain good relations with the youth organisations of sister parties and with the International Union of Socialist Youth and the European Community Organisation of Socialist Youth.

### Clause III.

#### Membership

All individual members of the Labour Party aged between 15 and 26 years inclusive shall automatically be members of Young Labour.

### Clause IV.

#### Structure

1. There shall be a National Committee and an Executive Committee to ensure the effective administration and organisation of Young Labour.
2. Young Labour members shall be able to establish local Young Labour groups throughout England, Scotland and Wales.

3. Young Labour shall ensure at every level close cooperation and liaison with Labour Students and young trade unionists.

### Clause V.

#### Regional Committees

1. The regional director (or General Secretary in Scotland and Wales) may convene a regional or Scottish or Welsh committee to assist in the co-ordination and work of Young Labour groups in their area. Where these Scottish, Welsh and regional committees are in existence, they shall produce regular reports on their work and progress to the National Committee of Young Labour and to the National Executive's Youth Committee.

# Chapter 11A

## Young Labour groups

### Clause I. Name

{ } Young Labour

### Clause II. Aims and values

1. To help young Labour Party members play a full and active role within the Labour Party.
2. To organise local social activities for young Labour Party members and for young people within the community.
3. To train and politically educate young Labour Party members.
4. To change the culture, particularly the meeting culture, of the Labour Party at branch and constituency level and to organise more social activities.
5. To persuade more young people to vote Labour at all elections.
6. To recruit and retain many more young people into Labour Party membership.
7. To campaign against all forms of discrimination and prejudice, especially those based upon race, colour, religion, disability, gender, gender identity or sexual orientation.
8. To reverse the declining numbers of young people who are registered to vote.
9. To maximise the number of postal votes from young people.

### Clause III. Membership

1. All individual members of the Labour Party aged between 15 and 26 years inclusive, who live within the geographical boundary of the Young Labour group, shall automatically be members of the group.

### Clause IV. Establishing a group

1. Young Labour Party members may set up a Young Labour group by applying to the regional director (or Scottish or Welsh General Secretary) giving details as to the geographical boundaries - the Labour Party branches or constituencies - that the group will cover. The member(s) shall also contact the CLP secretary(ies) covered by the proposed Young Labour group, informing them of the intention to set up a local group. The member(s) shall also notify the Young Labour office at Labour Party head office of the intention to set up a local group.

2. The appropriate regional director or General Secretary may then agree that a group be set up and registered.
3. A Young Labour group is considered to be a bona fide group when the appropriate regional director (or General Secretary) informs Labour Party head office that a local group has been registered.

### Clause V. Geographical boundaries

1. The geographical boundaries of Young Labour groups shall be decided by the regional director (or Scottish or Welsh General Secretary).
2. The regional director (or Scottish or Welsh General Secretary) shall have the authority to change the geographical boundaries of a Young Labour group.
3. The Young Labour group shall notify Labour Party head office of their geographical boundary or any changes to their geographical boundary.

### Clause VI. Meetings

1. Young Labour groups should avoid bureaucracy at their meetings. Only the activities planned, the division of duties and responsibilities between members of the group, or a programme of action need be officially recorded.
2. Political education discussions, speakers, campaigns and elections, social activities should be the main items on the agenda of meetings with any other of the objectives and aims of Young Labour.
3. Guidelines on running Young Labour group meetings may be issued by the national committee of Young Labour from time to time.
4. All individual members of the Labour Party between the ages of 15 and 26 inclusive (identified as such on the national membership system) and that live in the area covered by the Young Labour group should be invited to meetings of the group.
5. The Young Labour office at Labour Party head office shall be given at least seven days written notice of any meeting at which it is intended to elect officers of the Young Labour group.

### Clause VII. Officers

1. An annual meeting of the Young Labour group shall be held which shall elect a chair, a secretary, a membership and campaigns officer, and a women's officer. These shall form the formal officer group. Other 'functional' officers may be appointed at the annual meeting. The names and addresses of the officers of the Young Labour group and any subsequent changes shall be notified to Labour Party head office.

### Clause VIII. Finance

1. The Young Labour group may raise and spend its own funds if the expenditure is to further the objectives of Young Labour as determined in these rules and by the National Executive



Committee. The secretary of the Young Labour group shall be responsible for the finances of the group.

2. The Young Labour group shall submit its accounts to the appropriate regional director, or Scottish or Welsh General Secretary or on request to the Young Labour office at Labour Party head office.
3. An arrangement may be made between the Young Labour group and appropriate CLPs for a proportion of young Labour Party members' subscriptions to be paid to the group.
4. In the event of the dissolution of a Young Labour group all funds and properties shall belong to the National Committee of Young Labour.
5. The Labour Party's financial scheme recognises the assets and financial transactions of this Young Labour group as the assets and financial transactions of the Labour Party region or nation in which it is organised. It shall be the duty of this Young Labour Group to co-operate with the regional or national office in respect of its obligations under the Political Parties, Elections and Referendums Act 2000. Should this Young Labour group fail to co-operate with the regional or national office, the NEC will take appropriate disciplinary action against individual members, suspend this Young Labour Group or both.

decision to the National Executive Youth Committee. The NEC's decision shall be final and binding.

#### **Clause IX.**

##### **Relationship with constituency parties**

1. Young Labour groups shall maintain good relations with CLPs within their geographical boundary. In particular, the Young Labour group shall inform the CLPs within their geographical boundary of any campaigns, activities or events they are running, organising or assisting with. Young Labour groups shall also receive the co-operation, encouragement and assistance of branches and CLPs and their officers.

#### **Clause X.**

##### **General relations**

1. The Young Labour group shall set up links with local young trade unionists and other single-issue groups whose aims and objectives are compatible with those of the Labour Party as decided by the Labour Party National Executive Committee. The NEC's decision in such matters shall be final and binding.
2. Young Labour groups shall give reports at least quarterly on their activities and any problems and difficulties they are experiencing to the National Committee of Young Labour through the Young Labour office at Labour Party head office.

#### **Clause XI.**

##### **Dissolution**

1. The regional director (or Scottish or Welsh General Secretary) shall have the authority to dissolve, reconstitute or change the geographical boundary of Young Labour groups.
2. A Young Labour member whose group is to be dissolved or reconstituted by a regional director or General Secretary may appeal against the

# Chapter 11B

## Young Labour National Committee

### Clause I.

#### Aims and values

1. To advise the NEC on the administration and organisation of Young Labour; advise on all matters affecting young people; advise on any matters at the request of the NEC.
2. To establish relations with British youth organisations whose purpose and activities are not incompatible with membership of the Labour Party.
3. To maintain association with overseas socialist youth movements through affiliation to the International Union of Socialist Youth and the European Community Organisation of Socialist Youth.
4. To present an annual report on its work to any Young Labour national conference.
5. To receive reports from Young Labour groups and give guidance to Young Labour groups so that they are run effectively and efficiently.
6. To organise regional teams of people who shall help, assist and provide information for local Young Labour groups.
7. To organise teams of young members to help fight by-elections and other campaigns and help organise regional recruitment teams of young members.

### Clause II.

#### Membership

1. The National Committee of Young Labour shall comprise:
  - A. ONE representative from each of the Labour Party English regions and the Scottish and Welsh Labour parties
  - B. FIVE representatives from trade unions affiliated to the Labour Party
  - C. THREE representatives from Labour Students
  - D. ONE representative of the Young Fabians
  - E. the young members' representative on the NEC
  - F. the young members' representatives on the National Policy Forum a national officer of the Labour Party, appointed by the NEC, shall be the permanent secretary and ex-officio member of the National Committee.
  - G. G. FOUR equality officers (women's, LGBT, BAME, disability) who shall be elected at

Youth Conference by self-defining members of those groups.

### Clause III.

#### Chair

1. Young Labour delegates at Youth Conference shall elect a Chair who must be a woman at least every other term.
2. To be eligible for Chair, candidates must be a member of Young Labour National Committee.

### Clause IV.

#### Executive

1. The National Committee shall elect other members of the executive (at least one of whom shall be a woman) which shall comprise:
  - A. vice-chair campaigns
  - B. vice-chair policy
  - C. assistant secretary.
2. The permanent secretary and young members representative on the NEC shall also be members of the executive. In addition, the National Committee shall, if it so wishes, appoint two others to the executive. All members of the executive shall also be members of the National Committee unless this requirement is waived by the NEC.

### Clause V.

#### National Policy Forum Representatives

1. The Young member's representatives on the National Policy Forum shall convene a committee to promote healthy policy debate in the youth movement this committee shall elect ONE representative to be Vice Chair (policy) on the Young Labour National Committee.

### Clause VI.

#### Meetings

1. The National Committee of Young Labour shall meet at least quarterly. The executive of Young Labour shall meet as often as necessary. The permanent secretary shall convene all meetings of the National and Executive Committees. An annual meeting of the National Committee shall be held to elect the officers and executive of Young Labour.

### Clause VII.

#### Finance

1. The National Committee may raise and spend its own funds, as long as expenditure is to achieve the objectives of Young Labour as determined in these rules and, from time to time, by the Labour Party NEC. The permanent secretary of the National Committee shall act as treasurer of the National Committee. The National Committee shall submit its accounts to the NEC Youth Committee annually.

### Clause VIII.

#### Conference

1. Young Labour conference shall be held from time to time as determined by the NEC under rules approved by party conference.

# Chapter 12

## Rules for Labour Party local government committees

Note: These rules apply to all local government committees (throughout England, Scotland and Wales, operating for levels of directly elected local government above that of parish/ community council. Where there are Labour groups on parish or community councils these should have a similar relationship to the branches and/ or CLPs covering their area as outlined in these rules. Where formal arrangements are in operation these must be sanctioned by the CLP concerned with the approval of the appropriate regional director (General Secretary in Scotland and Wales) on behalf of the NEC.

### Clause I. Name

The { } borough/ district/ Scottish or Welsh unitary/ district/ county borough/ county Labour Party Local Government Committee (LGC).

### Clause II. Objects

1. To co-ordinate the activities of CLPs and branches within the area for the purpose of securing the return of Labour representatives to the borough/ district/ unitary/ county borough/ county council ('the council').
2. To undertake, in co-operation with CLPs within the area, propaganda, educational and other activities related to local government.
3. To formulate an electoral programme and to compile a panel of candidates in accordance with the provisions of chapter 5 of the national rules of the party.
4. To ensure the establishment of a Labour group on the council in accordance with the rules for such groups contained in Chapter 13 of the party rules.
5. County LGCs in England only shall also establish a machinery for the purpose of providing liaison between the county council Labour group and other local authority Labour groups within the county council's area of operation.

### Clause III. Management

1. The management of this LGC shall be in the hands of a Management Committee consisting of delegates appointed by:
  - A. [Shire counties in England only:]
    - i. CLPs, { } delegates from each, which shall include representatives from trade

unions and, where appropriate, other organisations affiliated to that constituency. The delegates shall be appointed by the CLP General Committee/All Member Meeting and a 50 per cent quota for women delegates shall apply

- ii. two delegates appointed by the women's forum in each constituency concerned
  - iii. two delegates appointed by the Co-operative Party.
- B. [Districts in England and unitary/ county boroughs in Scotland, England and Wales only:]
- i. organisations approved by the NEC. Except with the specific agreement of the NEC such delegates to be elected through the CLPs concerned, including representatives of branches (which may be nominated direct) and other organisations represented on the General Committee/All Member Meetings of the CLPs concerned. Where a Co-operative Party council exists for the area concerned and they sponsor candidates in local elections they shall be entitled to appoint two delegates to the Management Committee. Delegates shall be registered as electors in the local government area concerned and a 50 per cent quota for women's representation shall apply
  - ii. where a district forms part only of a constituency, the Management Committee may consist of those delegates appointed to the CLP General Committee/All Member Meeting who are registered as electors in the area covered by the LGC, otherwise the basis of representation as approved by the NEC shall be as follows: {insert}.
- C. [London borough local government committees only:]
- i. the CLPs concerned, pro-rata to the electorate of the borough contained in their areas and including representatives from party units and affiliated organisations represented on their General Committee/All Member Meetings. Each delegation shall include the chair and secretary of any CLP concerned (who shall be ex-officio without voting power if not registered as electors in the borough). Delegates shall be registered as electors in the local government area concerned and a 50 per cent quota for women's representation shall apply
  - ii. the basis of representation as approved by the NEC shall be as follows: {insert}.
- D. Delegates must be individual members of the Labour Party.
2. The leader and secretary of the Labour group on the council shall be ex-officio members of the Management Committee with voting power.

3. Accredited party organisers within the area shall be ex-officio members of the Management Committee without voting power unless appointed as accredited delegates.

#### **Clause IV.**

##### **Officers and Executive Committee**

1. The officers and Executive Committee shall be elected at the annual meeting of the Management Committee.
2. The officers shall consist of a chair, vice-chair, secretary and treasurer. At least two of the officers shall be women.
3. The Executive Committee shall consist of the officers, the leader and secretary of the Labour group on the council and { } members elected on a basis to be approved by the NEC. Accredited party organisers within the area may attend Executive Committee meetings without voting power.
4. Officers and members of the Executive Committee must be duly appointed delegates to the Management Committee.

#### **Clause V.**

##### **Meetings**

1. The annual meeting shall be held in {month} each year, or if such a meeting is not held, as soon as possible afterwards.
2. The Management Committee shall hold at least { } and no more than { } meetings in any year.
3. The Executive Committee shall meet as required.
4. Meetings should be conducted in a comradely fashion, in such a way as to maximize participation from delegates and councillors, who should be encouraged to attend. {Other observers are not permitted at business sessions of this LGC.} No one entitled to attend shall be precluded because they cannot gain access to the meeting room for any reason. Harassment or intimidation of members on the basis of gender, sexual orientation and gender identity, disability or race is unacceptable.

#### **Clause VI.**

##### **Finance**

1. The administrative expenses of this LGC shall be met from contributions subscribed by the CLPs concerned in agreed proportions.
2. The CLPs shall be responsible for the expenses incurred in contesting elections and by elections within their area. They shall also meet a proportionate share of any expenses which the CLPs agree shall be incurred by this LGC in contesting such elections.
3. In LGCs covering only part of a constituency, administrative and election expenses may alternatively be met by the branches within the area concerned.

#### **Clause VII.**

##### **General**

1. The electoral policy and programme for the appropriate elections shall be decided by this LGC

in consultation with representatives of the council Labour group.

2. The Executive Committee of this LGC shall seek to contest all seats in each electoral area in consultation with the CLP concerned.

#### **Clause VIII.**

##### **Candidates**

1. Candidates for the appropriate elections shall be selected in accordance with the rules for the selection of local government candidates laid down in Chapter 5 of the national rules of the party and in the selection guidelines appended thereto along with any other regulations approved by the NEC.
2. In the event of a by-election arising the Executive Committee shall consult with the executive committees of the CLP and branches concerned to ensure that a candidate is selected as far as possible following the procedure referred to above. In the case of an emergency, it shall take whatever action that may be necessary to meet the situation and to ensure that the vacancy is contested by the party.

#### **Clause IX.**

##### **Relations with the Labour group**

1. For the purpose of maintaining contact between the group and the appropriate Local Government Committee, not more than six representatives of the latter ('group observers') may attend group meetings with the right to speak on all matters coming before the group (subject to Chapter 13 Clause IX below and Chapter 13 Clause XIII below of the group rules) but not to propose or second motions or amendments or to vote. Where a Labour group has less than 16 members the number of group observers shall not exceed one third of the membership of the group.
2. All members of the appropriate Labour group may usually attend meetings of the Management Committee. The group leader and committee chairs or spokespeople shall attend to report to, and consult with, the LGC on the work of the group or their council committee.

#### **Clause X.**

##### **Miscellaneous**

1. The general provisions of the constitution and rules of the party shall apply to this Local Government Committee.
2. Where this LGC is an accounting unit of the party with regard to the Political Parties, Elections and Referendums Act 2000, it shall co-operate fully with regard to its legal and financial obligations. Where this LGC is not an accounting unit of the party with regard to the Political Parties Elections and Referendums Act 2000, it shall liaise with and cooperate with the Regional Office to ensure that the CLPs which have a geographical interest in the LGC are able to meet their legal and financial obligations. Should this LGC fail to co-operate with the national party with regard to its obligations under the act, the NEC will not hesitate to take appropriate disciplinary action

against individual members and/or suspend this LGC.

3. Any insertions or proposed changes to these rules for local government committees are subject to the approval of the NEC.
4. The NEC shall have the authority to determine how these rules shall be applied in particular circumstances and make any adaptations necessary to suit different or new levels of local government as they arise.

# Chapter 13

## Rules for local government Labour groups on principal authorities

### Clause I.

#### General rules and provisions for Labour groups on local authorities

1. Note: These rules apply to all local government Labour groups throughout England, Scotland and Wales, operating for levels of directly elected local government above that of parish/ community council. Where there are Labour groups on parish or community councils these should have a similar relationship to the branch and/ or CLPs covering their area as that of a Labour group with a local government committee. Where formal arrangements are in operation these must be sanctioned by the CLP concerned with the approval of the appropriate regional director (General Secretary in Scotland and Wales) on behalf of the NEC. The following rules apply to all Labour groups. However, recognising that different forms of governance may apply in different local authorities, the Labour Party's standing orders and guidance for Labour groups on local authorities vary accordingly. Labour groups shall adopt the appropriate set of model standing orders approved from time to time by the NEC, according to local governance arrangements. Labour groups shall act in accordance with guidance that shall be issued from time to time by the NEC in the application of these rules.

### Clause II.

#### Aims and Values

1. Labour Groups
  - A. To work constructively in their local authority for real and sustainable improvements in the economic, social and environmental well-being of the communities and local people they represent.
    - i. Labour Groups shall campaign for measures that will secure stronger and safer communities for local people, a high quality of life and effective and responsive delivery of services, and that will provide community leadership.
  - B. To operate at all times as a Group in an effective and comradely fashion.
    - i. Labour groups shall conduct their business in a comradely fashion, in such a

way as to maximise participation from all members and to facilitate debate on key policy and political matters. Attendance at group meetings by all members is important to ensure all points of view are heard and a full internal discussion is possible. The content of internal discussion is not for communication outside the party, and internal disputes that are aired in the public domain will be subject to disciplinary action.

- C. To ensure every Group member is enabled fully to contribute.
  - i. All members and liaison members shall be able to gain access to the room and attend all group meetings (unless suspended from the whip). Harassment or intimidation of members for any reason, or on the basis of gender, sexual orientation and gender identity, race, religion or disability is unacceptable conduct and subject to disciplinary action.
- D. To engage with the local party and wider community.
  - i. Labour groups shall engage in and encourage active and constructive debate and policy development with local party members on local government matters. Labour groups should be outward-looking and active in their local communities, working in partnership with community groups, tenants' and residents' associations, business groups, trades unions and all other relevant interests, and support consultative mechanisms in their local authority.
2. Individual members of Labour groups and group observers
  - A. To uphold the highest standards of probity and integrity.
    - i. The Labour Party requires its representatives to uphold the highest standards of probity and integrity and they shall be guided in those standards by advice from the NEC.
    - ii. The onus of responsibility for upholding those standards rests with the individual councillor and group observer. Specifically, it shall be the responsibility of the group whip to establish a register of interests in the form prescribed by the NEC, detailing for each member of the group and group observer his/her employment, financial interests in companies, membership of trade unions and other societies or organisations.
    - iii. Labour councillors and members must at all times avoid not only wrong-doing but also the perception of wrong-doing. Therefore if there is any uncertainty regarding whether a declaration of interest is appropriate, Labour councillors and members must take the most open

- course of action and declare an interest or disclose all relevant circumstances, taking advice if necessary.
- iv. The statutory provisions relating to the declaration of personal and prejudicial interests shall apply to full group meetings and other meetings of all or part of the Labour group (eg pre meetings). Councillors and group observers are required to take the appropriate actions in all those meetings in respect of any interest (eg an individual with a prejudicial interest in the item under discussion must declare that interest and leave the meeting while that item is under consideration).
- B. To comply fully with the statutory ethical framework.
    - i. Members of the Labour group must sign and abide by any codes of conduct as may be agreed by the local authority from time to time. All members must sign up to the local code within two months of it being adopted, or they cease to be a member of the council. Members of the Labour group must sign any other legal requirements relating to acceptance of office. Members must refer any wrongdoing by other members to the Group Whip and to the Standards Board for England, Local Government Ombudsman in Wales or Standards Commission in Scotland, and/or local Standards Committee and the Group Whip should immediately consider appropriate action if any Labour councillor is referred to a standards body.
    - ii. The group whip should be suspended with immediate effect on the findings of a standards body against a member, and an investigation be established to decide on the appropriate internal sanction.
  - C. To accept the rules and standing orders of the Labour group.
    - i. Members of the Labour group must register as members of the Labour group under the provisions of the Local Government (Committees & Political Groups) regulations 1990. Failure to do so within 14 days of a written request from an officer of the group shall automatically render that person outside the group for all purposes and ineligible to be or remain a party member (subject to the provisions of Chapter 6 A.2 above of the party's disciplinary rules).
    - ii. Members of the Labour group shall agree in writing to abide by the rules and standing orders of the Labour group, as agreed at the annual meeting of the group. The general provisions of the constitution and rules of the party shall apply to this group.
  - D. To seek to the best of their ability to be effective and influential councillors.
    - i. The Labour Party expects its councillors to have at least minimum competencies in carrying out their public duties, and will intervene where political management leads to a failure in public service and performance of the authority, and where there is a lack of commitment displayed by leading members in the improvement agenda.
    - ii. Members of the Labour group also shall commit themselves to certain minimum duties and activities as councillors, as set out in guidance that shall be issued from time to time by the NEC. This shall include attendance at council meetings and other meetings of which you are a member, the holding of advice surgeries, attendance at consultative meetings in the ward, and regular communications with local residents.
    - iii. Members of the Labour group shall have a responsibility to take up such opportunities of training and development that may be provided by the council or the group or party, in order better to carry out their activities as effective and influential councillors. Through their council duties and activities in the community, members of the Labour group should seek to promote Labour Party policies and to represent and empower local people and communities, and act in a way that does not bring the party into disrepute.

### **Clause III. Membership of the group**

1. Members of the Labour group must be individual members of the Labour Party with the subscriptions paid by continuous authority and must have been elected to and be eligible for membership of the local authority.
2. Members of the Labour group must be individual members of the party's national Association of Labour Councillors (ALC), having paid the appropriate annual subscription, as required by the party rules. The ALC subscription shall be paid through a group contribution, and paid to the ALC by a continuous payment method from group funds, the deduction being the figure notified to the party by the group treasurer or secretary by 30 September each year and taken in November of each year.
3. Members of the Labour group who fail to maintain their memberships under 1 above and 2 above according to the rules of the party and the ALC shall automatically be suspended from membership of the Labour group and from office or representation of the Labour group until their membership of the party and/or the ALC is reinstated.
4. Members of the Labour group shall pay an annual contribution to the Labour group to cover their ALC subscription, group administration, communications and other appropriate activity,

the amount and budget to be agreed by the group at its AGM and paid within 30 days of such agreement or on an equal monthly basis. Subject to the motion to be agreed at the AGM, members of the Labour group shall give the requisite authority to their council for payment of their due amounts through the council's pay roll system if the council affords this facility

5. For the purpose of maintaining contact between the Labour group and the appropriate party Local Government Committee, not more than six representatives of the latter ('group observers') may attend group meetings; where a Labour group has fewer than 16 members the number of group observers shall not exceed one third of the membership of the group. Observers will have the right to speak on all matters coming before the group (subject to clause Clause II.1.B.i above) but shall not propose or second motions or amendments or vote. Where a Labour group has fewer than sixteen members, the group may determine not to appoint a group executive. Group observers shall have access to all information under consideration by the group subject to any statutory or other conditions imposed on the council and individual councillors.
6. Accredited party organisers within the area shall be ex-officio members of the group without voting power unless eligible under 1 above.
7. Attendance at group meetings shall be restricted to members of the party referred to in these rules except at the special invitation of the group.
8. All those attending Labour group meetings shall abide by the ethical behaviour requirements as set out in Clause II.1.B above.

#### **Clause IV.**

##### **Group meetings**

1. Ordinary meetings of the Labour group shall be held at an agreed time between the publication of the council agenda and the full meeting of the council, and on such other dates as may be agreed at the annual meeting.
2. The annual meeting of the group for the election of officers and other appointments shall be held, on date/s to be determined, prior to the statutory annual meeting of the council.
3. Groups of more than ten members shall hold their annual meetings in two parts, the first part to elect group officers and the second part to make nominations to civic office, council leadership, executive and scrutiny positions, chair and vice chair of committees and to allocate members to committees. All groups shall follow NEC guidance on good practice in running annual group meetings (see the AGM Toolkit).

#### **Clause V.**

##### **Group officers**

1. The Labour group shall appoint group officers at the annual meeting in accordance with the group standing orders, and in a manner that ensures equality of opportunity and encourages under-represented groups to come forward. As a minimum, the gender balance of the officer group

will reflect the gender balance of the Labour group as a whole. Any deviation from this will require consent from your regional director.

#### **Clause VI.**

##### **Group executive**

1. Where the Labour group chooses to appoint a group executive, the group shall do so at its annual meeting in accordance with the group standing orders, and in a manner that ensures equality of opportunity and encourages under-represented groups to come forward. As a minimum, the gender balance of the Labour group executive will reflect the gender balance of the Labour group as a whole. Any deviation from this will require consent from your regional director.

#### **Clause VII.**

##### **Casual vacancies**

1. Casual vacancies among the group officers or in the executive shall be filled at an ordinary or other meeting of the group. Appropriate notice of an election shall be given.

#### **Clause VIII.**

##### **Determination of group policy and action**

1. The local government election campaign strategy shall be determined by the local party, normally the local government committee, in accordance with the terms of its constitution as approved by the NEC. The group shall co-operate with, and participate in, the formulation of election policy (including strategy and manifesto) in the manner prescribed in the rules of the appropriate party local government committee.
2. Labour group standing orders shall specify the matters on which it shall be the responsibility of the group to take decisions. The group and the local party shall arrange a rolling programme of policy discussion and development during the year, where progress with the implementation of policy or any new developments that have arisen since the election manifesto was produced shall be discussed. The form of such a programme shall be jointly agreed by the Labour group and local party in accordance with their rules and standing orders.
3. The policy of the Labour group shall be determined by the group meeting on the recommendation of the executive or otherwise. In cases of emergency, where action is required by motion or otherwise, such action may be taken by the executive that shall report its action for approval to the next group meeting. In cases of still greater urgency, which do not admit of delay, the leader of the group (or in the absence of the leader, a deputy), in consultation wherever possible with other officers, shall have power to act; such action to be reported to the next meeting of the group or group executive for approval.



## **Clause IX.**

### **Selection of nominations for civic offices, council leadership and other council appointments**

1. The selection of nominations for civic offices, council leadership, chair and vice-chair of any committees and allocation of members to committees shall be made in accordance with the group standing orders, and in a manner that ensures equality of opportunity and encourages under-represented groups to come forward. The Labour Party expects Labour cabinets to reflect the diversity of the area represented by the local authority as far as possible, and to discuss any failure to do so with the regional director. Where a vote for a nomination is necessary it shall be by secret ballot. The appropriate local government committee of the party shall have the right and opportunity to submit names for consideration, but formal nomination and selection shall be as specified in the group standing orders.

## **Clause X.**

### **Arrangements with other parties**

1. Where no one party has an overall majority on the council, the group shall operate under guidance issued from time to time by the NEC. Labour groups must not enter into any arrangements with other parties, to determine the political control and management of the local authority, which do not comply with the NEC's approved options, and without the specific prior approval of the NEC. Groups and members must stand down from multi-party arrangements on the instruction of the regional office, after discussion with the NEC.

## **Clause XI.**

### **Action by individual members**

1. Action by individual members of the Labour group shall conform to the group standing orders. Labour recognises that individual members, to fulfil their representative duties, may without consultation speak and ask questions in meetings of the council on behalf of their constituents or other community interests. Where the tendency of such interventions is likely to be in conflict with the policy of the group, it is the responsibility of the individual member to ensure that the relevant lead member of the group is consulted.
2. Individual members of the group are bound by Labour Party policy and values, and should be committed to comradely behaviour. They should not issue publications, or maintain web sites, or speak to the press in a way which opposes party policy or attacks other members of their group or members of groups in neighbouring or other tier authorities.
3. Where matters of conscience arise (eg religion, temperance) individual members of the group may abstain from voting provided they first raise the matter at a group meeting in order to ascertain the feeling of the group.
4. In matters where the council or its committees or sub-committees are acting in a quasi-judicial

capacity (eg licensing of pubs, theatres and cinemas or the consideration of planning applications) or in the scrutiny process each member shall form his or her own judgement according to the evidence, and not be bound by a group whip. However, the member should have regard to their membership of the Labour Party and seek to act in keeping with Labour Party policy and values.

5. The demands of modern local government requires the party to have regard to competency in considering the performance of its councillors, especially those in a leadership position, and may take action through the NEC's Local Governance Advisory Panel to intervene to ensure effective political management and leadership, and a commitment to the improvement agenda.

## **Clause XII.**

### **Groups on committees**

1. The group standing orders shall specify how these rules may be applicable to Labour groups on, and members of, committees and sub-committees of the council including any co-opted members.

## **Clause XIII.**

### **Breach of rule**

1. Acceptance of these rules (as approved by the NEC) is a condition of membership of the Labour group on the council.
2. Where allegations of a breach of rule by a Labour councillor are made, action shall be taken in accordance with guidance provided from time to time by the NEC. The chief whip shall be responsible for the implementation of such guidance locally.
3. If, following any initial investigation, the group whip finds a serious breach of rule, it shall be competent for the group whip to be withdrawn for a specified period up to a maximum of six months or for an indefinite period, from any member who is in breach of these rules, such action to be initiated by the group whip who shall:
  - A. report to the officers of the group and the appropriate party local government committee who shall ensure that there is no party discussion on the proposed action outside the procedure provided for in this rule until this procedure has been completed.
  - B. convene a joint meeting of the Labour group and the executive of the appropriate party local government committee at which upon due notice the matter shall be determined with the chair from the Labour Group and evidence taken in writing, from the defendant, and from witnesses as necessary).
4. Where the NEC determine there are exceptional circumstances, the NEC Disputes Panel shall be charged with the responsibility to undertake procedures relating to a breach of these rules, thus in such instant relieving the Labour group and local government committee executive of such powers.
5. Withdrawal of whip

- A. A decision to withdraw the whip shall take immediate effect but is subject to appeal within 14 days to the appeal panel of the Regional Executive Committee who shall hear the appeal within 14 days of receipt and whose decision shall be final.
  - B. Where a decision to withdraw the whip has been made by a panel of the NEC, an appeal may be made to the General Secretary of the Labour Party within 14 days. The appeal shall be heard by a panel of not less than three members drawn from the National Constitutional Committee, who shall hear the appeal, within 28 days and whose decision shall be final.
6. Any member of the group who has had the group whip withdrawn shall at the time of such withdrawal be informed of their right to appeal. Once such appeal procedure, if any, has upheld a decision to withdraw the whip without a time limit being determined, the member concerned shall be ineligible to be or to be nominated as a Labour candidate or as a public representative at any level of election as long as s/he is not in receipt of that whip (this shall not apply when the suspension is for a fixed period). A member who has had the group whip withdrawn must remain registered as a member of the Labour group in accordance with Clause II.2.C above.
  7. Any member who has had the whip withdrawn without a time limit being determined shall after six months be eligible to apply to the Labour group for re-admission. In such cases, the Labour group shall be responsible for restoration of the whip. Where the whip has been withdrawn by the NEC, application for restoration of the whip after six months shall be made to the NEC.
  8. Where a member of the Labour group is alleged to have breached any element of the statutory ethical framework, the chief whip shall follow the guidance issued from time to time by the NEC in determining what action, if any, needs to be taken by the Labour group.

#### **Clause XIV.**

##### **Reporting to and consulting with the party**

1. Members of the Labour group are entitled and encouraged to attend meetings of the appropriate party Local Government Committee. The group standing orders shall specify how the group and council leadership shall report to and consult with the appropriate local party on a regular basis; the leader and secretary of the Labour Group are ex officio members of the LGC and its Executive Committee for reporting and liaison respectively. The party expects the group leadership to give a minimum of reports and hold a number of policy consultations within the year, to keep the party informed of budgetary and service delivery issues, and other policy areas.
2. The provisions for consultation between party and group set out in these rules and the model standing orders are the minimum arrangements required. Parties and groups are encouraged to secure the greatest possible degree of

cooperation and consultation on all matters concerning local governance in their area.

#### **Clause XV.**

##### **Group standing orders**

1. Labour groups, in consultation with the Party's Local Government Unit, shall adopt and follow the relevant model rules and standing orders issued from time to time by the NEC, according to the political management arrangements in operation in their local authority. These standing orders may be varied from time to time by the NEC.
2. Any insertions or proposed changes to Labour group rules or standing orders are subject to the prior approval of the NEC.

#### **Clause XVI.**

##### **Compliance with PPERA**

1. Labour groups are members associations for the purposes of the Political Parties, Elections and Referendums Act 2000 (PPERA). They do not form part of the central organisation of the Party or any of its accounting units, including any local government committee, for those purposes. Group members shall ensure that they comply with their individual obligations, and that the group complies with its collective obligations, under PPERA, in particular in respect of political spending and donation reporting. Group members shall co-operate with the officers of other party units to enable them to comply with their obligations under PPERA, in particular in respect of financial transfers between the group and/or group members and those other units. Should the group or any of its members fail to cooperate with any relevant party unit in respect of any of its or their PPERA obligations, the NEC will take appropriate disciplinary action against individual members, suspend the group or both.

#### **Clause XVII.**

##### **Miscellaneous**

1. Labour groups on joint boards, committees, on regional bodies and on local government associations shall adopt appropriate rules and standing orders in consultation with the Party's Local Government Unit and with the prior approval of the NEC.
2. The rules contained in Chapter 13 are minimum requirements for the operation of Labour groups and the conduct of Labour councillors. Due account must be taken of the resources for member development and the guidance approved by the NEC and of such advice as may be issued from time to time by the NEC.
3. Model standing orders for Labour groups
  - A. The NEC has approved a single set of model standing orders for Labour groups, which will encompass the different sets of standing orders previously available in sections 13B to 13F. The model standing orders can be obtained via a number of different routes:
    - i. on the ALC pages of the Labour Party website

- ii. by contacting the Local Government Unit at Labour Party head office, telephone 020 7783 1356 or email [councillors@new.labour.org.uk](mailto:councillors@new.labour.org.uk)
- iii. by contacting the Compliance Unit at Labour Party head office, telephone 020 7783 1498 or email [renee\\_finan@new.labour.org.uk](mailto:renee_finan@new.labour.org.uk)
- iv. They are also contained within the Labour Group AGM Toolkit, issued annually to group secretaries

# Chapter 14

## Rules for Ethnic Minorities Forums

### Clause I. Name

{ } Constituency Labour Party ethnic minorities forum.

### Clause II. Aims and values

1. National
  - A. The aims and values of the Labour Party as outlined in Chapter 1 Clause IV of the national constitutional rules shall apply to this ethnic minorities forum.
2. Constituency
  - A. The aims of this ethnic minorities forum shall be:
    - i. to encourage and support Black, Asian, Minority Ethnic (BAME) members to play a full and active part in all the party's activities, particularly through facilitating training, networking and mentoring, and encouraging BAME members to run for elected office.
    - ii. to build links with BAME voters in the community, through contact with community organisations and individual BAME voters, consultation, campaigning and joint working.
    - iii. to encourage BAME voters to join the party and to ensure that new BAME members are welcomed.
    - iv. to ensure that BAME members' voices are heard in the party, through monitoring BAME's involvement in activities, and feeding BAME's concerns to the party and to policy makers.
    - v. to work jointly with Labour BAME members in neighbouring constituencies in the delivery of the above aims.

### Clause III. Membership

1. The membership of the ethnic minorities forum shall consist of all individual BAME members in { } Constituency Labour Party. The ethnic minorities officer should be provided with contact details for BAME members in the constituency by the constituency secretary. All BAME members shall be mailed at least annually to inform them about the activity of the ethnic minorities officer and/ or forum.

### Clause IV. Management

1. The ethnic minorities officer shall be responsible for co-ordinating an ethnic minorities forum in the constituency to aid them in delivering the aims of the organisation. She/he will be, ex-officio, the chair/ co-ordinator of this group.
2. The ethnic minorities officer and forum shall draw up an annual plan and a programme of activities. This plan shall be agreed by the GC/ EC of the constituency. The plan shall be prepared bearing in mind:
  - A. the aims of the local ethnic minorities forum.
  - B. the particular interests and needs of local BAME members, as identified through surveying BAME members.
  - C. the guidelines and priorities circulated from time to time by party head office or, as appropriate, the Scottish, Welsh or regional office.
3. The ethnic minorities forum may appoint other officers to help carry out its work.
4. The ethnic minorities officer shall build targets for the year into their plans, which can then be monitored and reviewed to help planning for future years.
5. The ethnic minorities forum shall register with the appropriate regional director (or General Secretary in Scotland or Wales), and re-register on an annual basis.

### Clause V. Meetings

1. A meeting of the ethnic minorities forum shall only have formal status if all BAME members in the constituency have been given 14 days written notice of the meeting, and the business to be discussed, and at least ten eligible BAME members attend.
2. At a formal meeting the ethnic minorities forum may, if it wishes, make nominations to the CLP for posts open to nomination from branches (ie CLP officers, parliamentary/ European parliamentary candidate, members of the NEC, National Policy Forum, etc) and elect two delegates to the constituency General Committee, at least one of which must be a woman. A formal meeting may also agree motions to be sent to the General Committee/All Member Meeting.
3. The ethnic minorities forum may hold whatever informal meetings or gatherings it sees fit to work towards meeting its aims.

### Clause VI. Activities

1. The ethnic minorities forum shall prioritise work which aims to support BAME members of the party to play an active part in all the party's activities - in particular, training, mentoring and networking among BAME members to encourage them to:

- A. hold elected office within the party (eg as branch or constituency chair, political education officer, etc).
  - B. stand as councillors, MPs, MEPs and other forms of elected representative for the party.
  - C. become involved in the community, for example, as school governors/ board members, on committees of local organisations, as magistrates, members of community health councils, etc.
  - D. take part in all forms of party activities - in particular campaigns, recruitment activity, party committees, meetings and policy forums.
2. The ethnic minorities forum shall also seek to build links with BAME voters in the community through, for example:
- A. building relationships with organisations, such as BAME voluntary organisations, tenants' groups, trade unions and other organisations in which BAME voters are active, through information exchange, personal contact, joint meetings, events and campaigns.
  - B. working with the party and Labour councillors and MPs to consult BAME voters in the community about their views and concerns, using consultation meetings, policy forums, surveys, listening campaigns and other techniques.
  - C. targeted campaigning and recruitment activity with BAME voters, including campaigns on issues of particular interest to BAME voters.
  - D. The ethnic minorities forum shall seek to ensure that BAME members' voices are properly heard in the party, through the above activities and through, for example:
    - i. feeding BAME members' views on policy into local and national policy forums and to the constituency's General Committee/All Member Meeting.
    - ii. encouraging BAME members to play an active role in these and other bodies, monitoring BAME members involvement and working with the rest of the party to develop arrangements which maximise this involvement.
    - iii. bringing any problems regarding BAME involvement to the attention of the constituency secretary, other officers or the regional party office.
    - iv. holding local policy forums for BAME members and members of the community.

make resources available to the ethnic minorities forum (if operating successfully), to enable it to function effectively. The Labour Party's financial scheme recognises the assets and financial transactions of this ethnic minorities forum as the assets and financial transactions of { } Constituency Labour Party, of which it is a constituent part. It shall be the duty of this ethnic minorities forum to co-operate with the CLP, and in particular the CLP treasurer, in respect of the CLP's obligations under the Political Parties, Elections and Referendums Act 2000. Should this ethnic minorities forum fail to co-operate with the CLP, the NEC will take appropriate disciplinary action against individual members, suspend this ethnic minorities forum or both.

## **Clause VIII.**

### **General**

1. The general provisions of the constitution and rules of the Labour Party shall apply to the ethnic minorities forum.
2. The ethnic minorities forum shall not enter into affiliation or give support financially or otherwise to any political party or organisation ancillary or subsidiary thereto declared ineligible for affiliation to the party by the annual party conference or by the National Executive Committee.
3. This ethnic minorities forum shall not have the power to enter into property-related transactions or to employ staff.
4. This ethnic minorities forum shall adopt standing orders and procedural rules as may be agreed by the appropriate regional director.

## **Clause IX.**

### **Alteration to rules**

Any alteration or addition to these rules may only be made at the annual general meeting of the { } Constituency Labour Party ethnic minorities forum but must be submitted to the appropriate regional director for approval before being put into operation. Such changes shall not contravene the spirit or intention of the model rules as accepted by party conference or the NEC.

## **Clause VII.**

### **Finances**

1. The funds of the ethnic minorities forum shall consist of donations, collections, profits from sales, and receipts from activities undertaken by the forum. In the event of the dissolution of the ethnic minorities forum its assets shall belong to the { } Constituency Labour Party. The Constituency Labour Party shall, by agreement,

## **Section D**

# Procedural rules

# Chapter 15

## Model procedural rules

### A. Model Standing Orders for Party Units

1. These model procedural rules are designed to provide a framework for well-ordered party meetings. Party units will want to adopt local standing orders to reflect their specific method of operation; however, local arrangements must not conflict with the provisions of these model rules which have the full authority of the NEC and form part of the rule book.
2. Throughout these rules alternative 'A' is for party units which have a delegate structure (e.g. CLPs, Local Government Committees, ); alternative 'B' is for meetings of individual members (eg branches, women's forums, Young Labour).

### B. Annual General Meetings

1. The Annual General Meeting of {this body} shall be held each year in the month of { }.
2. [Alt A:] A formal notice of the annual meeting shall be sent by the secretary to all party units and organisations entitled to be represented at least 28 days prior to the meeting. A notice detailing the business of the annual meeting shall be sent to all duly appointed delegates at least seven days prior to the meeting.

[Alt B:] A formal notice of the annual meeting shall be sent by the secretary to all party members entitled to attend at least 14 days prior to the meeting.

### C. Ordinary meetings

1. Ordinary meetings shall be held on the following regular basis { }. There shall be no meetings to transact ordinary business during the period of a national election campaign.
2. Formal notice of all meetings shall be sent out by the secretary to all those entitled to attend at least seven days prior to the meeting. Such notice shall as far as possible include an indication of the business to be transacted at the meeting.
3. A record of attendance at meetings shall be kept and those attending may be required to show a credential and/ or proof of membership card to gain entry to the meeting room.

### D. Meeting times

1. Meetings shall commence at { }. Business meetings shall not be held if a quorum is not present within 30 minutes of the appointed time; always provided that in special circumstances members present may agree to transact pressing business subject to the ratification of the proceedings by the next quorate meeting. Meetings shall close two hours from the notified

starting time, except that a particular meeting may be temporarily extended for a specified period with the support of two-thirds of the members present.

### E. Quorum

1. The quorum for business meetings of (this body) shall be 25 per cent of those members entitled to vote in attendance {or a fixed number to be agreed with the regional office of the party}.
2. The proceedings and resolutions of any quorate meeting shall not be held to be invalid simply through the accidental failure to give notice of the meeting to, or the non receipt of such notice by, any person entitled to attend.

### F. Entitlement to attend

1. [Alt A:] All delegates must be current endorsed individual members of the Labour Party residing or registered as electors within the area covered by this party unit. Delegates whose details have been duly notified by their organisations to the secretary of this party unit shall be entitled to attend meetings and to vote. Only those duly appointed delegates who have been elected to it may attend and vote at meetings of the Executive Committee.

[Alt B:] All members must be fully paid up individual members of the Labour Party residing or registered as electors within the area covered by this party unit. Only those members who have been notified to the secretary as having been endorsed by the CLP shall be entitled to attend meetings and to vote. Other members, including provisional members, may attend but shall not vote. Only those members who have been elected to it may attend and vote at meetings of the Executive Committee.

[Both:] When an annual or special meeting is not held for any reason or is abandoned without completing the business on the agenda, such meeting must be reconvened in order for any necessary outstanding business to be transacted. Only those eligible to participate in the meeting as first convened, whether or not held, shall be entitled to participate in any further reconvened meeting.

### G. Chair

1. The elected chair of this body shall preside at all meetings, except where otherwise provided for in the rules of the party unit.
2. In the absence of the chair the vice-chair shall preside and in the absence of both the secretary or other officer shall call on those present to elect a member to take the chair of the meeting. Should the office holder arrive once a member has been elected to preside in her or his place then she or he may claim, if they wish, the right to preside at the meeting once the current item of business has been disposed of.
3. At the annual meeting the chair shall preside until a successor is elected, except where the chair is not a duly appointed delegate to the meeting; in

which case the election of chair shall be taken as the first item on the agenda. The new chair shall take over the conduct of the meeting forthwith and proceed to the election of other officers and further business.

## H. Party business

1. The prime function of party meetings is to provide delegates and members with the opportunity to participate in party activities through social contact, political debate and policy discussion; and to establish objectives for the party in the area for campaigning, the development of party organisation and the promotion of links with sympathetic individuals and bodies within the wider community.
2. The agenda of all party meetings shall be drawn up to give due priority to the endorsement and introduction of new members and/ or delegates, the discussion of resolutions, party policy items and other matters of interest to party members and the receipt of reports from public representatives.
3. Nominations for delegates and representatives to other bodies should be sought as widely from among party members as possible. Wherever practicable, any vacancies to be filled shall be advertised to all members as they arise and any party member who has indicated willingness to accept nomination shall be considered for any post, unless otherwise stated in the rules.
4. Party business shall in general have precedence at all business meetings of this body. As far as possible the officers and/ or Executive Committees should deal with routine items of correspondence, finance and reports from other party bodies or functional officers, provided that the general meeting shall have the opportunity to question, amend and/ or ratify any recommendations put to them.

## I. Notice of motion

1. [Alt A:] Original motions for the general meeting of this body shall be accepted only from party units and organisations entitled to appoint delegates to it and must be received by the secretary in writing not less than 14 days prior to the meeting for which they are intended.

[Alt B:] Original motions for the general meeting of this body shall be accepted only from members entitled to attend and participate in the meeting and must be received by the secretary in writing not less than 14 days prior to the meeting for which they are intended.

[Both:] Motions for discussion shall be made available to those entitled to attend with the notice and agenda of the relevant meeting, except for emergency motions which must be sent in writing to the secretary as soon as the nature of the emergency allows before the commencement of the meeting. Emergency business may be accepted by the majority of the meeting on the recommendation of the chair who

shall interpret the term 'emergency' in a bona fide manner.

## J. Discussion of motion

1. No motion shall be discussed at a meeting until it has been moved and seconded. Where a motion has been submitted by a party unit or organisation it must be moved by a delegate from that party unit or organisation.
2. Speakers shall address the chair and shall only speak once on any motion except by permission of the chair, providing that the mover of a motion or an amendment may reply to the discussion without introducing new matter for debate; such reply shall close the discussion. No speaker shall be allowed more than five minutes, unless agreed by the meeting to be 'further heard' for a specified period.
3. Amendments to any motion may be moved and seconded from the floor of the meeting but shall be handed to the secretary in writing. Amendments shall be taken in order with one amendment being disposed of before another is moved. If an amendment is carried, the amended resolution becomes a motion to which further amendments may be moved.

## K. Procedural motions

1. A motion of 'next business' shall not be taken until the mover and seconder of a motion have been heard. Any motion 'of next business', 'that the vote be taken', 'to adjourn', 'of no-confidence in the chair' shall be moved, seconded and put to the vote without discussion; after such a vote the chair need not accept a further procedural motion for a period of 20 minutes.

## L. Motion to rescind resolution

1. No motion to rescind a resolution of this body shall be valid within three months from the date on which the resolution was carried. Notice of rescinding motion must be given in writing and made available to those entitled to attend the relevant meeting in line with rule H above above.

## M. Voting on motions

1. Voting shall be by show of hands except where the constitution of the party provides for a ballot vote or where this body decides otherwise. In the event of there being an equality of votes on any matter decided by a show of hands, the chair may give a casting vote provided that s/he has not used an ordinary vote. If the chair does not wish to give a casting vote, the motion is not carried.

## N. Ballot votes

1. The election of officers and/ or representatives of this body shall be by secret paper eliminating ballot in rounds or by preferential vote. The election of Executive Committee members or large delegations may be by secret paper ballot using a multiple vote where members may not cast more votes than the number of positions to be filled. Any quotas for women laid down in the party constitution which apply to this body shall



be incorporated in the arrangements for the secret ballot.

2. Ballot votes shall be held at meetings to select candidates and where otherwise provided for in the party constitution; and where requested by any member supported by at least two others.
3. In the event of a tie on a secret paper ballot the chair shall not have a casting vote. Where appropriate, the ballot shall be retaken and in the event of a continual tie lots may be drawn. In a preferential ballot the tie shall be broken by establishing which candidate had the highest number of first preference votes or took the earliest lead on transfers.

appropriate officer of the National Executive Committee of the Labour Party.

#### **O. Chair's ruling**

1. Any breach of or question to the rules or standing orders may be raised by a member rising to a point of order. The chair's ruling on any point arising from the rules or standing orders is final unless challenged by not less than four members; such a challenge shall be put to the meeting without discussion and shall only be carried with the support of two-thirds of the members present.

#### **P. Miscellaneous**

1. Party meetings and events shall be conducted in a friendly and orderly manner and organised in such a way as to maximise participation from members. No member shall be precluded from attendance because they cannot gain access to the meeting place for any reason. Harassment or intimidation of any member is unacceptable as is any form of discrimination on the basis of gender, sexual orientation and gender identity, disability or race. Smoking is not permitted at any Labour Party meeting.
2. Any member acting in an unruly or disruptive manner, in contravention of the standing orders, may be removed from the meeting by action of the chair. The chair shall put such a motion to the meeting, which to be carried shall require the support of two-thirds of those present and voting. Any member who has been removed from two meetings during a 12-month period shall, with the approval of the appropriate Regional Director, be ineligible to attend meetings of this body for the next 12 months.
3. This party unit accepts the principle of minimum quotas for women at all levels of representation within the party and shall take steps to ensure that 50 per cent of any delegation shall be women and, where only one delegate is appointed, a woman shall hold the position at least every other year.
4. The general provisions of the constitution and rules of the Labour Party shall apply to this body. No alterations shall be made to the rules and standing orders of this organisation except at an annual or special meeting called for this purpose and carried with the support of two-thirds of the members present. No alteration shall be effective until it has received the approval of the

## **Section E**

# Contacts and glossary

# Chapter 16

## Party contacts and glossary

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# Glossary

ALC	Association of Labour Councillors
Branch	Members' branch in a CLP
CLP	Constituency Labour Party
CAC	Conference Arrangements Committee (see also 'SOC')
EC	Executive Committee
EPLP	European Parliamentary Labour Party
GC	General Committee (formerly known as 'GMC')
GLLP	Greater London Labour Party
Group	Labour group of councillors on a local authority
GS	General Secretary
LGC	Local Government Committee
LGU	Local Government Unit
MC	Management Committee (usually of an LGC)
MEP	Member of the European Parliament
MP	Member of Parliament
NCC	National Constitutional Committee
NCO	National Constitutional Officer
NEC	National Executive Committee
Panel	Panel of prospective candidates for local or other elections
PEO	Political education organiser
PLP	Parliamentary Labour Party
PPC	Prospective Parliamentary Candidate
SLP	Scottish Labour Party
SOC	Standing Orders Committee (known as CAC prior to Conference)
TUC	Trades Union Congress
TULO	Trade union liaison officer
YL	Young Labour
YCC	Youth campaigns committee
WLP	Welsh Labour Party



# Section F

# Appendices

# Chapter 17

## Appendix I

### NEC statement on the importance of our members

Labour is a democratic socialist party which believes that social change comes from a combination of progressive government at the centre and community action. We do not believe that social change can be delivered solely by a top-down approach.

That means that we value the role of our members and our affiliated members as progressive campaigners, community activists and social entrepreneurs who forge positive change in their own neighbourhoods as well as shaping and promoting national policy.

It is our members who can inspire and engage local people and communities.

Together our members and affiliates can create a party that is truly reflective of the communities we serve; a party able to turn outwards and find innovative and flexible ways to encourage contact and support from local communities, drawing in those who share Labour's values, and therefore bringing a range of skills and experience into its work. Our members and our affiliated members are invaluable as Labour activists in building our electoral support, arguing our case, in ensuring a local Labour presence in every constituency, and in being an agent for change locally, nationally, and internationally.

Members enjoy the formal democratic rights of party membership as stated within the rules. Party members have the right to participate in the formal process of the party, vote at party meetings, stand for party office and elected office as stated within the rules.

Many Labour supporters are also progressive campaigners, community activists and social entrepreneurs who forge positive change in their own neighbourhoods. We value this contribution and should embrace their activism. We need dialogue and to work in partnership with our Labour supporters. The party's organisation needs to match the way people live and reach out beyond its membership to our Labour supporters. Staying permanently in touch with our supporters, our local communities and the voters we seek to serve will mean we stay in government and are always a contender for government.

Our members will therefore ensure we have strong local parties who will:

- reach out into our communities beyond our existing membership base
- engage with local trade unions and community groups to reach out to supporters and potential new members
- empower local leadership as the key to leading change
- be seen as the engines of change in our communities
- work in a way that is open and welcoming for members and supporters
- work in a way that better reflects the priorities of the communities in which we are based
- ensure Labour is a focal point for local campaigns and community activism
- ensure there is a Labour presence in every locality
- embrace the community activism that exists across the country
- inform and encourage support for progressive politics and policies
- actively engage with those who share our values and who are working for improvements
- be seen by local people as somewhere that local concerns can be addressed, and where people can go to help them achieve change.

Labour supporters will enjoy informal involvement and participation: the ability to be informed, to join with us at election times to promote Labour candidates, to be invited to local and national events, to hear speakers and question government ministers, to engage at appropriate points with our policy-making processes. Labour Supporters will be encouraged to join the Labour Party as full members.

# Chapter 18

## Appendix II

### NEC procedural guidelines on membership recruitment and retention

Addendum to Chapter 2 Labour Party rulebook 2007 (amendment as agreed by NEC July 2006)

This Code of Conduct covers the recruitment and retention of members of the Labour Party, and the procedures and practices to be followed. These guidelines are to be read in conjunction with the Labour Party rules on Membership in Chapter 2 of the Labour Party Rule Book.

#### A. General

1. Individual members of the party shall be recruited into membership in accordance with these guidelines either by the appropriate branch, constituency, national or regional party, or by personal application.
2. All recruitment to the party shall be in accordance with these guidelines on membership recruitment which shall be issued to party and affiliated organisations from time to time, and need to be read in conjunction with section two of the Labour Party rules on Membership.
3. The Labour Party is anxious to encourage the recruitment of new members and to ensure that new members are properly welcomed into the party and opportunities offered to enable their full participation in all aspects of party life.
4. The party is, however, concerned that no individual or faction should recruit members improperly in order to seek to manipulate our democratic procedures.
5. The health and democracy of the party depends on the efforts and genuine participation of individuals who support the aims of the Labour Party, wish to join the party and get involved with our activities. The recruitment of large numbers of 'paper members', who have no wish to participate except at the behest of others in an attempt to manipulate party processes,

undermines our internal democracy and is unacceptable to the party as a whole.

#### B. Enrolment procedures

The following enrolment procedures shall apply to applications for membership:

1. An application to become an individual member:
  - A. may be submitted on a membership application form by the individual, by the appropriate CLP, or by (in the case of an application for registered membership) an affiliated organisation.
  - B. may be made by telephone or through the Labour Party web site.
2. Membership application forms must be signed where required by the applicant and sent to the General Secretary at the head office of the party together with the membership fee. Where membership forms do not require a signature, or where an application is made by telephone or through the Labour Party web site, the applicant shall be deemed to have agreed to abide by the rules and standing orders of the Labour Party.
3. The payment must be submitted in a form acceptable to the NEC. The general secretary shall arrange for the applicant's details to be recorded on the national membership list as a provisional member.
4. Applications for registered membership may be checked with the affiliated organisation concerned to confirm that the political levy or subscription has been in payment for at least 12 months.
5. If an application is received without a membership fee, or the payment is in a form unacceptable to the NEC, the applicant shall be immediately informed of the requirement to pay a fee before the application can be processed.
6. An applicant shall be issued with an acknowledgement of provisional membership and the details of the constituency in which s/he resides and any available information about the local party secretaries.
7. Provisional membership rights commence from the date of production of the acknowledgement following the receipt of the application and the appropriate membership subscription. A provisional member shall only have the right to attend branch meetings in a non-voting capacity.
8. The constituency party concerned shall be informed by the general secretary of the application for membership. Any objection to any application for membership may be made by the constituency party to the general secretary within eight weeks of this notification. Such objection may only be made by the General Committee/All Member Meeting or Executive Committee of the CLP concerned, though such objection may initially be made on a provisional basis by a party officer, pending further enquiries. Where there is a provisional objection within eight weeks of notification, a further four weeks



may be allowed for an objection to be made, and in such circumstances the applicant will be written to by the national party informing them of the extension to the period of objection.

9. Subject to sub paragraph (h) below, if no objection is received by the general secretary within eight weeks of the notification in (f) above, and the membership fee has been received by the general secretary the applicant shall be deemed to be a full party member.
10. At any time before the individual is accepted as a full member of the party, the general secretary may rule that the individual application for membership be rejected for any reason which s/he sees fit.
11. In the absence of any notice of objection from the constituency party as in (f) above, and/or any ruling by the general secretary as in (h) above, the applicant shall, on the expiry of eight weeks from the notification in (f) above, become a full member. The provisional member shall then be transferred to the national membership list as a full member as soon as is practicable.
12. The reasons for the rejection of an application for membership by the general secretary or the objection by the constituency party to the application for membership must be sent to the individual applicant at the address given. S/he shall have the right of individual written appeal to the NEC. Such appeal shall be considered and dealt with by the Disputes Panel of the NEC in any manner in which it shall see fit and the decision of the Disputes Panel once approved by the NEC shall be final and binding on the constituency party, branch party, the general secretary and the individual concerned.

### **C. Move of residence**

1. In the event of a member moving residence to another constituency that member shall immediately inform head office who shall transfer the member to the relevant constituency and inform that CLP. If a transferring member makes contact with their new CLP with proof of membership, the appropriate CLP officer shall inform head office.
2. Membership rights within the new constituency shall commence from the date on which the transfer is recorded by head office unless an objection to the acceptance of the transfer is raised within eight weeks of the transfer date. Where there is a provisional objection within eight weeks of notification, a further four weeks may be allowed for an objection to be made, and in such circumstances the applicant will be written to by the national party informing them of the extension to the period of objection.
3. In the case of an objection the member concerned has the right of individual appeal to the NEC, whose decision shall be final.
4. In the event of a member moving to another branch in the same constituency that member shall inform the new branch secretary and provide

evidence of membership. Head office shall be informed of the change of address.

### **D. Method of Payment**

1. Members are advised to pay their subscriptions directly to head office. However, payments may be made by local collection. Members may opt to pay subscriptions by means of regular contributions throughout the year or a number of years in advance by arrangement with head office. All membership fees shall be divided between the national and constituency parties in the ratio prescribed under section 2 of this clause as they are received at head office.
2. Subscriptions paid through local collectors may be deemed as having been received by the party only when such payments arrive at head office. It shall be regarded as an act grossly detrimental to the party to withhold membership payments collected locally.

### **E. Membership year**

1. A membership year shall be defined as 12 months from the date of joining the party. All members shall be issued with a card supplied by the NEC which shall indicate the expiry of their membership year and the subscription rate paid.

### **F. Arrears and lapsed members**

1. An individual member shall be deemed to be in arrears from the expiry date until they renew their subscription.
2. An individual member shall be deemed to have lapsed from membership if s/he has been in arrears for six months and has not responded to a request to pay the arrears.
3. Once lapsed, previous members may reactivate their membership by paying the current minimum annual subscription, subject to the endorsement procedure in 2 above.
4. Following such endorsement the general secretary may agree to grant continuous membership to cover the lapsed period on the payment of any outstanding subscriptions for that period by the member concerned. In coming to a decision on granting continuity the general secretary may refer the matter to the disputes panel of the NEC whose decision shall be final in all cases.
5. Where it is clear there has been an administrative processing error, continuity of membership will be granted to lapsed members on payment of arrears and current subscription.
6. Where there is agreement between the CLP and national party that there were special circumstances which led to a member being inadvertently lapsed, continuity of membership will be granted on payment of arrears plus authorisation of direct debit mandate for future payments.
7. No person deemed to have lapsed from membership shall have any rights to participate in party decision-making until membership has been

fully reactivated. Members in arrears may only participate on the basis that they intend to renew their membership within the given period.

above, as referral to a branch shall not on its own be accepted as a reason to delay auto-endorsement.

## G. Procedural code for CLPs

1. Applications could be regarded as falling into the following broad categories:
  - A. Those who volunteer to pay the full subscription rate.
    - i. CLPs should check the constitutional requirements on:
      - a. electoral registration
      - b. trade union membership
    - ii. Providing any questions on these can be resolved and there are no other local objections, members in this category should be 'inducted' as soon as possible.
  - B. Those who claim 'reduced-rate' or 'levy-plus' status. For these applications a more rigorous check may be considered necessary:
    - i. electoral registration in the constituency is a requirement of party rules, except in special circumstances. A check of the register that reveals non-registration should be followed up with an enquiry to seek an explanation\* and to obtain a claim for registration where appropriate. If no satisfactory explanation is received then membership should be withheld.
    - ii. If the applicant is on the electoral register then the following may also be pursued:
      - a. 'reduced-rate' applicants - is the category for which membership is claimed clear, and does this require any further verification? If so, an explanation\* should be sought and an assurance of good faith from the applicant obtained where appropriate.
      - b. 'levy-plus' applicants - is 'levy-plus' status verified by the affiliated organisation concerned? If not, the application shall be referred to the affiliate to confirm this and if unconfirmed the applicant should be invited to pay full subscription.
2. If the above conditions are met then the application shall be accepted subject to any other local objection. CLPs must note that it is their responsibility to make any local checks deemed necessary. If branches are to be involved in the process this must be done within the eight week auto-endorsement period, unless an extension of four weeks has been granted as in 2(f) or 3(b)

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\* Checks may be made through a combination of visits and standard letters. The NEC strongly recommends that applicants should be visited so that any problems can be talked through and to ensure the better involvement of new members (however carefully worded a letter, some confusion is bound to arise).

## H. Follow-up procedures by CLPs

1. Any CLP facing large numbers of applications at the 'reduced' or 'levy-plus' rates is likely to require a team of people willing and able to carry through the recommended checks. Where there are ethnic minority applicants, it is helpful that this team should include members who understand the languages and culture of the communities involved. In any case the team should act in a 'women friendly' and non-intimidating manner.
2. This team, through the membership secretary, would benefit from developing a good working relationship with the Membership Processing Assistant who deals with the processing for the particular constituency, the efficient follow-through of the monthly report would help in early identification and speedy resolution of any problems. The NEC takes the view that the eight week endorsement period is ample to carry out local checks in the vast majority of cases. The eight weeks may be extended in certain cases, such as election periods or holiday periods, but only where the CLP has identified a particular problem.
3. The investigating team should also be involved in arranging proper induction for new members which would involve explanatory material on the operation of the party locally and encouragement to become involved both politically and socially. All parties should organise 'new member' evenings and other activities aimed at involving recent applicants in their work.
4. It is important that the above process is seen as an opportunity to explain the party's rules and requirements and to involve potential activists, not simply as a blocking mechanism. It is clear, however, that the NEC shall support any CLP, which operates the checking procedures as outlined and has thereby identified any abuse of the membership system.

## I. Access to membership lists

1. The following members shall have access to membership lists:
  - A. For CLP's: Vice Chair/Membership and CLP Secretary, or other designated CLP officers
  - B. For Branches: Secretary or other designated branch officer
  - C. For LGC's: Secretary or other designated LGC officer, where required for selection purposes MP's, MEP's, members of devolved bodies, elected mayors, councillors, for the area they represent Members of Labour Party staff appointed by the NEC
2. Misuse of information contained within the membership lists could be a breach of the Data Protection Act, and should be reported immediately to the Data Protection Officer at head office.

# Chapter 19

## Appendix III

### NEC procedural rules on selection of Parliamentary Candidates

#### A. Introduction

Constituencies in England and Wales are subject to boundary changes prior to the next general election, and all selections will take place on these new boundaries. This is not the case in Scotland, where new boundaries were implemented prior to the 2005 General Election. Variations of procedures are outlined in these procedural rules to take account of either situation. The National Executive Committee have agreed a timescale for the carrying out of selections, and this is laid out in a new Section Q below in these procedural rules. We have also incorporated the Candidates Code of Conduct into these procedural rules, and this can be found in Section R below.

The National Parliamentary panel being drawn up under these procedures will also be in use for candidates for the European Parliamentary Elections to be held in June 2009.

#### B. General

1. A procedure for the selection of prospective parliamentary candidates (PPCs) is provided for by Chapter 5 C of the national rules of the Labour Party and is further detailed in these procedural rules.
2. Advice must always be sought from the appropriate regional office before implementing any part of the procedure. Departures from these guidelines to meet local circumstances must be sanctioned by the NEC designated representative for the selection who shall usually be the Regional Director or someone deputed by them (for the purposes of these procedures the term 'Regional Director' includes the Scottish and Welsh General Secretaries of the Party).
3. A selection pack will be issued to CLP secretaries at the commencement of the procedure giving detailed guidance on particular aspects of the procedure along with model forms and letters. A separate selection pack will be issued covering the procedures for MP's trigger ballots (section E below).

4. The National Executive Committee (NEC) has the authority to modify this procedure as required to meet particular circumstances in a CLP or to deal with matters which affect the operation of the procedure in general.
5. The NEC shall determine when the process for the selections of Prospective Parliamentary Candidates for a future general election may commence. See NEC timescale in section Q below.
6. Within the timescale outlined in section Q below, new selections shall take place as far as possible in an order of priority based on 'win-ability' within party regions as determined by the Regional Director, unless otherwise authorised by the NEC.
7. In pursuance of the party's objective of considerably increasing the number of women candidates and those from Black, Asian, Minority Ethnic (hereafter referred to as BAME) members and other groups currently under-represented in parliament, parties and affiliates should place particular emphasis on the need to positively encourage consideration of women, BAME members, those with disabilities and those from clerical and manual backgrounds.
8. The NEC has determined that we should achieve at least equal numbers of men and women in the PLP with at least 40 per cent of the PLP being women after the next general election. To achieve this all women shortlists will be required in selected constituencies where there is a retiring Labour Member of Parliament (MP) or no sitting MP. The NEC will issue guidelines as to how decisions on which selected constituencies will operate all women shortlists will be made.
9. Potential candidates and national panel members must conform to the code of conduct as in section R below.
10. Where the prospective parliamentary candidate has been selected and subsequently intimates her or his intention not to stand for Parliament in the constituency as the official Labour Party candidate, the procedure set out in this section (subject to Chapter 5 of the rule book and these procedural rules) shall be set in motion again.
11. When a constituency party has selected its prospective parliamentary candidate, it shall only be given permission to reconsider that selection if the NEC, having received a written request from the General Committee/All Member Meeting, has decided that in its opinion there are changed circumstances relating to the prospective parliamentary candidate since her or his selection and has given authority to that party to convene a special meeting of the General Committee/All Member Meeting to consider a resolution that the prospective candidate selected previously shall not be the candidate at the next general election. If such authority is given, the secretary of the constituency party concerned shall convene the special meeting, at which the resolution must be passed by a simple majority of those eligible delegates present at the meeting. The prospective parliamentary candidate against

whom such action is taken shall have the right of appeal to the NEC who shall have the power to confirm, vary or reverse the action taken by the General Committee/All Member Meeting.

12. Where a parliamentary by-election occurs in a constituency, the NEC shall take whatever action may be necessary to ensure that the vacancy is contested by a duly endorsed Labour candidate.

13. The NEC shall each year elect a by-election panel to initiate and oversee such action and deal with other matters delegated to it.

A. The NEC shall as far as practicable, co-operate with the Executive Committee of the constituency party concerned in drawing up a timetable for the adoption of a candidate. The by elections panel may require the constituency party concerned to adopt a particular candidate or select a candidate from a number of such nominees. Whenever timing permits, the by-elections panel shall submit a suitable number of the nominees to a ballot of eligible individual members of the constituency party, in line with the procedures laid down by the NEC for the selection of parliamentary candidates modified as necessary to meet the circumstances of the particular by election.

B. The NEC shall give advice and guidance on the conduct of the campaign for the by election and be responsible for the appointment of the election agent for the campaign.

14. A candidate elected at a parliamentary by-election after the first 18 months of a Parliament shall not be subject to re-selection during the life of that Parliament.

15. An election shall cancel any parliamentary candidature.

### C. Freeze dates

1. For the purposes of these selections, freeze dates for individual membership eligibility and constituency delegates and affiliations shall be established in agreement with the Regional Director. All affiliations and delegations to CLPs and membership lists to be used in the course of this procedure shall be frozen at these dates together with the percentage of the CLP membership contained within each party branch. In deciding on a freeze-date to establish eligibility to participate, the Regional Director shall have regard to the state of membership of the CLP and any prima facie evidence of abuse of the code of conduct for membership recruitment and any other factors which the Regional Director may think relevant.

2. Where there is a re-selection process for a sitting Labour MP(s) the "Freeze Date" for each CLP will be the date at which the designated representative meets with the executive committee (General Committee/All Member Meeting if no executive committee is in place) to draw up a timetable. Where the NEC determines there are special circumstances, or when there is

an unforeseen delay to the commencement of the process, an earlier freeze date will be fixed by the NEC.

3. No new or increased affiliations or filling of vacancies in delegations may be accepted for the purposes of this procedure after the freeze date until the selection is completed - except for changes of Labour Party Branch Secretaries.

4. Any new party unit or affiliated organisation established after the freeze date shall not be allowed representation on the General Committee during the selection procedure.

### D. National panel

1. The NEC shall establish a parliamentary panel from candidates who have the opportunity to take part in training and assessment sessions organised on a regional, national and specialist (eg women, BAME members) basis. Those members on the parliamentary panel in use for the 2005 general election will remain on the panel following the submission of a completed new application form. Regional Directors have the discretion to call for interview any member of the 2005 panel, having given due reason in writing. The home constituency party of any member on the panel, or the constituency where they were a candidate in 2005, may make representation to the Regional Director requesting a further interview of a current NPP member, having given due reason in writing.

2. Candidates recommended by nationally affiliated organisations through their own processes shall automatically be included on the parliamentary panel subject to agreement between the NEC and the affiliate that their process reaches the criteria for accreditation.

3. The NEC shall agree clear minimum standards together with a statement of candidate qualities to be used as a guideline for regions and affiliates.

4. The NEC shall approve a thorough programme to promote the increased representation of women, BAME members, disabled members and those from manual and clerical backgrounds on the national panel.

5. An initial list of those included on the parliamentary panel shall be published in sufficient time to enable full selections at a constituency level to commence. It may be brought up to date from time to time as additional candidates emerge from the process and there shall be special arrangements made for by-elections and other cases where selections arise unexpectedly.

6. The panel so published shall be made available to CLPs on an advisory basis only. Any member who meets the twelve months membership criteria (see F.6 below) may seek selection in constituencies which embark on an open selection (under section J below onwards), subject to an overriding NEC decision for an all woman shortlist.

7. The NEC shall publish detailed guidance on the operation of the panel to ensure that shall be as clear, open and transparent as possible. A candidates unit shall be established at head office to coordinate the administration of the panel process and provide a point of reference for all interested candidates and parties undertaking selections.
8. Any Panel applicant who applies through the Party's procedures and fails to be included on the NPP shall have the right of appeal. The NEC will authorise an appeal panel to hear the appeal, whose decision shall be final.

#### **E. Trigger ballots for MPs through nominations by party units and affiliates**

1. Having approved a freeze date for the trigger mechanism as in C.2 above, the NEC shall set a timetable for nominations from all eligible party units and affiliates to make an indication as to whether or not they wish to select their MP without 'triggering' a full selection process.
2. If, by the date set a majority of those party units and affiliated branches (that make an indication) indicate a preference not to proceed to a full selection process, the MP concerned shall be deemed to be selected as prospective parliamentary candidate for the constituency concerned subject to NEC endorsement as in section P below.
3. In the case of more than one MP contesting the trigger ballot, if, by the date set, a majority of those party units and affiliated branches (that make an indication) indicate a preference not to proceed to a full selection process, the MPs concerned shall be deemed to be the shortlist for selection.
4. If 50 per cent or more of party units and affiliated branches (that make an indication) determine they wish the ballot to be opened up then a full open selection as set out in section J below will be postponed until Phase IV of the trigger ballots (as per 7.D.iv below) has been completed.
5. Sitting MPs who have been re-selected through this trigger mechanism shall not be eligible to seek selection in any other constituency during the particular round of selections, except where there are exceptional circumstances which are agreed by the NEC. The NEC will issue procedural guidelines on the management of the trigger ballot process.
6. Where sitting MP's do not have constituency boundary changes MPs who do not have constituency boundary changes shall face a trigger vote in their existing constituency unless otherwise determined by the NEC.
7. Where sitting MP's have constituency boundary changes
  - A. The General Secretary will invite sitting MPs to indicate which, if any, constituencies they wish to seek selection for. MPs who do not have any territorial interest in a seat cannot

be considered for selection for a seat that has an MP(s) with a substantial territorial interest seeking re-selection unless the decision of the CLP in the trigger ballot is to move to an open selection.

- B. For the purposes of reselection, a substantial territorial interest is defined as 40 per cent or more of registered electors of the previous parliamentary constituency as at the freeze date transferring to the new parliamentary constituency.
- C. Any sitting MP, who has a territorial interest in a new parliamentary constituency, but not to the extent of 40 per cent, may nonetheless, at the discretion of the NEC, challenge a colleague who does have a substantial territorial interest within that parliamentary constituency.
- D. Any sitting MP representing any part of the new Constituency and therefore with a territorial interest should be informed of the timetable and the procedure and be supplied with a list of secretaries of nominating organisations. Trigger ballots shall, where possible, be conducted in four phases as follows:
  - i. Phase I - two MPs seeking selection in a seat where they both have a substantial territorial interest.
    - a. Where there are two MPs with a substantial territorial interest (40 per cent or more) who indicate their intentions to seek selection in the same Constituency then both MPs will go forward to party units and affiliated organisations for acceptance to form the shortlist as set out in 3 above. If a majority of party units and of affiliated organisations accept the shortlist, then an OMOV postal ballot of eligible members with hustings meeting/s and the opportunity for canvassing will be conducted to determine the final candidate.
    - b. If 50 per cent or more of party units and affiliated organisations determine they wish the ballot to be opened up then a full open selection will be postponed until Phase IV of the trigger ballots has been completed.
  - ii. Phase II - selections where more than one MP with a territorial interest expresses an interest in a seat, and at least one of the MPs interest is NOT a substantial territorial interest.
    - a. It will be for the NEC to determine (as per C above) whether or not MPs who have less than a substantial territorial interest in the seat can contest the trigger ballot. MPs with a substantial territorial interest, together with

- those MPs with less than a substantial territorial interest whom the NEC has determined can contest the reselection trigger ballot, will go forward to party units and affiliated organisations for acceptance to form the shortlist as set out in 3 above. If a majority of party units and of affiliated organisations accept the shortlist, then an OMOV postal ballot of eligible members with hustings meeting/s and the opportunity for canvassing will be conducted to determine the final candidate.
- b. If 50 per cent or more of party units and affiliated organisations determine they wish the ballot to be opened up then the full selection will be postponed until Phase IV of the trigger ballots has been completed.
- iii. Phase III - one MP only seeking selection in a seat in which they have a substantial territorial interest 40 per cent.
    - a. Subject to paragraph C above, if only one MP has a substantial territorial interest (40 per cent or more) in the new parliamentary constituency and is nominated by a majority of party units and affiliated organisations as set out in 2 above, the MP concerned should be deemed to be selected subject to endorsement by the NEC. If however, the one MP with a substantial territorial interest (40 per cent or more) fails to reach a majority of party units and affiliated organisations then a full open selection will be postponed until Phase IV of the trigger ballots has been completed.
  - iv. Phase IV - one MP seeking selection in a seat in which they have less than a substantial territorial interest.
    - a. If an MP who has less than a 40 per cent substantial territorial interest expresses an interest then it will be for the NEC to determine (as per C above) whether or not they can contest a selection trigger ballot. If only one MP with less than a substantial territorial interest in the new parliamentary constituency, who has the permission of the NEC to contest the selection trigger ballot, is nominated by a majority of party units and affiliated organisations as set out in 2 above, the MP concerned should be deemed to be selected subject to endorsement by the NEC.
    - b. If however, the one MP with less than a substantial territorial interest fails to reach a majority of party units and affiliated organisations then a full

open selection will be postponed until Phase IV of the trigger ballots has been completed.

## F. Candidates

1. Members of the national panel and other potential nominees shall be invited to indicate an interest in seeking selection by submitting an application for a particular constituency on a standard application form provided by the NEC.
2. The completed forms referred to above must be submitted to the procedures secretary (see 5 below) by the date laid down in the timetable. Only those who have registered an interest in this way shall be considered for shortlisting.
3. The candidates' code of conduct (see R.2.B below) specifies the entitlements of an aspiring nominee to receive lists of party units, affiliated organisations and the membership for the constituency.
4. Any member of a CLP seeking nomination and selection must not be present or participate in any agenda item of any CLP or party unit meetings dealing with the selection process, except that s/he shall be entitled to a postal vote in the selection ballot if shortlisted.
5. Where the CLP Secretary is an aspiring nominee or is otherwise unable to act, the procedures shall be conducted by another CLP office-holder approved by the Regional Director. This officer shall be known as the CLP procedures secretary.
6. Candidates must have twelve months continuous membership of the Labour Party and be in compliance with the membership rules on the closing date for expressions of interest for the particular constituency, except in exceptional circumstances to be agreed by the NEC.
7. Members of the European Parliament, Members of the Scottish Parliament, Members of the National Assembly for Wales, members of the Greater London Authority, and directly elected Labour Mayors may seek nomination as Labour candidates for the Westminster Parliament but only with the express permission of the NEC whose decision shall be final.
8. No person who has been disqualified as a local government candidate under the rules of the party or by the decision of party conference shall be eligible for nomination or selection as a parliamentary candidate.
9. When the Speaker of the House of Commons was originally elected as a Labour MP and is standing for re-election, no selection procedure shall be carried out in her/his constituency or any new constituency comprising the majority of the former seat and there shall be no Labour Party candidate.
10. Labour candidates for parliamentary elections shall appear before the electors under the designation of 'The Labour Party candidate' or 'The Labour and Co-operative Party candidate', except in Scotland and Wales and in exceptional

circumstances where the designation shall be approved by the NEC. At full parliamentary elections they shall include in their election address, and give prominence in their campaigns to, the issues for that election as defined by the NEC in their manifesto. Every parliamentary candidate must undertake to stand as 'The Labour Party candidate' independent of all other political parties and, if elected, join the PLP and having done so abide by its standing orders.

11. Any candidate who after election fails to accept or act in harmony with the standing orders of the PLP shall be considered to have violated the terms of these procedural rules.

## **G. Delegates**

1. Only accredited delegates may be present at General and Executive Committee meetings up to and including the shortlisting except for designated representatives of the NEC.
2. The delegates entitled to attend are those appointed by organisations entitled to representation on the General Committee and no additional or substitute delegates shall be allowed after the freeze date except for permanent changes of Branch Secretary.
3. Delegates must either reside or be registered electors in the constituency.
4. Delegates from party units must either reside or be registered as electors in the area designated to be covered by the party unit.
5. A designated representative of the NEC (the designated representative) shall check that no organisation has more delegates than the number to which it is entitled on the basis of the membership of the party branch or affiliation fees paid as at the end of the preceding year. The operation of quotas shall also be checked.
6. The list of accredited delegates to the General Committee and their addresses shall be made available to the Executive Committee at the commencement of the process. The list shall be reported to the shortlisting meeting and any delegate may challenge the credentials of any other delegate. Any disputes over eligibility shall be resolved by the designated representative whose decision, after consultation with the appropriate CLP Officers, shall be final.
7. All delegates must attend a briefing on the requirements of the shortlisting procedure to entitle them to participate in the shortlisting process.
8. Where a CLP does not have an Executive or General Committee in place, as is the case in many CLPs which have moved to "all member meetings", the make up of the body that deals with matters referred to an Executive or General

Committee will be determined by the Regional Director following consultation with the CLP and the NEC.

## **H. Membership**

1. All individual members of the CLP registered on the national membership system, and who have been members of this CLP for six months on the freeze date, and who remain in compliance with the membership rules shall be eligible to participate in the procedure.
2. To be eligible to vote in the ballot, members must be fully paid-up with subscription payments on the closing date for postal vote applications.
3. Party branches shall be notified by the procedures secretary of those members eligible to participate in the process. Any dispute about eligibility shall be resolved by reference to the party's Compliance unit.
4. Only members of the branch or party unit shall attend meetings of a branch or party unit dealing with the selection procedure, except for persons designated to oversee proceedings or invited candidates.
5. No 'visitors' other than interested candidates (where it is appropriate) shall be allowed at any party meeting relevant to the selection process.

## **I. Statement of candidates' qualities**

1. A Statement of Candidates' Qualities shall be issued as part of the Selections Pack. This may be modified by the CLP Executive Committee at the timetable meeting to meet local circumstances subject to the approval of the Regional Director. Briefing in equal opportunities requirements shall be made available to delegates and others involved in administering the selection process.

## **J. Constituency Timetable - open selections**

1. The regional office shall consult with the Executive Committee of the CLP to draw up a timetable. It shall include the closing date for nominations, postal vote applications, shortlisting, selection and other dates set out in the draft timetable in 3 below.
2. This timetable must be ratified by the party's Compliance unit on behalf of the NEC.
3. Model timetable: The target weeks indicated are for guidance only and some flexibility is expected to cope with scheduling of local party meetings etc.

<b>Draft Timetable</b>		
<b>Stage</b>	<b>Week</b>	<b>Date</b>
Executive Committee (EC) to draw up timetable and agree (subject to appeal) membership list based on freeze date set by NEC	0	
Composition of GC shortlisting committee to be confirmed and briefing session(s) arranged.	0	
List of party branches, and the per cent of the CLP membership contained within each party branch to be agreed.	0	
List of other party units and affiliates to be agreed	0	
Notice of procedure to party units and affiliates and to 'interested aspiring candidates'	1	
Notice to members and postal vote application	2	
Closing date for declaration as aspiring candidate	3-1/2	
*Opportunities for aspiring candidates to meet members (earliest 4 days after closing date for declaration)	4 to 5	
Membership appeals to NEC representative	5	
EC to consider detailed arrangements for ballot	5	
*Nomination procedure for party units	6 to 7	
Closing date for PV applications Qualifying date for subscriptions being paid up to date	8	
Closing date for nominations from party units and affiliates	8	
Shortlist committee to conduct interviews and establish shortlist	8 to 9	
Issue of ballot papers to postal voters	10	
Notice of hustings meeting/s to members	10	
Hustings meeting/s	12	
Count	12	
*You must specify start and closing dates for these procedures.		

4. A copy of the timetable, an invitation to nominate and the agreed statement of candidate's qualities, must be sent to all affiliated and party organisations with the notice of procedure directly following (and in any event no more than one week later than) the date the timetable is agreed. At the same time organisations should be informed that affiliations, delegations and membership have been frozen in relation to the selection procedure at the freeze date(s) confirmed by the NEC.
5. In the second week of the process all eligible members should be sent through their local branch party (or CLP) a notice of commencement

of procedure in a standard format provided by the NEC. The notice shall include:

- A. an explanation of the process and outline timetable
  - B. notice of meetings with potential candidates and local nomination meetings
  - C. the agreed statement of candidates' qualities
  - D. preliminary notice of dates of hustings meetings
  - E. a postal vote application form.
6. Any sitting Labour MP currently representing any part of the constituency and therefore with a territorial interest shall be informed of the



timetable and the procedure and be supplied with a list of secretaries of eligible party and affiliated organisations.

7. At the commencement of any timetable the Regional Director or the designated representative for the particular selection shall discuss with the CLP Executive the requirements of the timetable and brief them concerning the procedure and the use of the Statement of Candidates Qualities. A briefing for GC delegates involved in shortlisting shall also be arranged.
8. Lists of those on the national panel of candidates shall be made available to procedures secretaries for the use of party units and affiliated organisations in the constituency.
9. Candidates who wish to do so may indicate their interest in a particular selection by application to the CLP and nominating organisations using a standard form as in F.1 above. A final closing date shall be fixed for the receipt of such expressions of interest (see timetable in 3 above).

## K. Nominations

1. Following the closing date for receipt of expressions of interest (see J.9 above), those which conform to the standard format will be sent to the appropriate party unit secretaries. CLP procedures secretaries shall ensure that any other organisations entitled to nominate are informed that they are entitled to a copy of the set of applications and where they may obtain it.
2. CLPs and Branches should create as many opportunities as possible for interested candidates to meet members prior to the meetings to make nominations for and draw up a shortlist. Such opportunities must be available on a fair and equal basis to all candidates.
3. Party units and affiliated organisations eligible to do so may make nominations from among those who have expressed an interest to the CLP General Committee/All Member Meeting for consideration.
4. Where party branches nominate, with the exception set out in 5 below, they shall be obliged to submit the names of up to three candidates with at least one being a woman and at least one being a BAME candidate in the event that at least one BAME candidate has expressed an interest in the seat at the deadline for expressions of interest. Other party units and affiliated branches need only make one nomination but may nominate up to three candidates with at least one being a woman and at least one being a BAME candidate if they so wish. A step by step procedural guideline, which must be followed, will be produced by the NEC and will be included in the selection pack. Any party unit or affiliated organisation making more than one nomination must follow the NEC procedural guideline when nominating candidates.
5. Where there is an all women shortlist in operation, party branches choosing to nominate

shall be obliged to submit the names of up to two women with at least one being a BAME candidate in the event that at least one BAME candidate has expressed an interest in the seat at the deadline for expressions of interest. Other party units and affiliated branches need only make one nomination but may nominate up to two women, with at least one being a BAME candidate in the event that at least one BAME candidate has expressed an interest in the seat at the deadline for expressions of interest, if they so wish. Any nominations for men in a seat designated as an all women shortlist will be ruled invalid.

6. The requirement for party branches to nominate as set out in 4 above and 5 above may be waived by the Regional Director in constituencies which are unlikely to secure many expressions of interest.
7. Nominations must be made at a duly convened meeting taking into account any application forms received. Any interviews or informal meetings with interested candidates must be completed prior to the commencement of such a meeting. Detailed procedural advice on conducting branch nomination meetings and local interviews shall be issued by the NEC.

## L. Shortlisting

1. Each CLP shall draw up a shortlist against the Statement of Candidates Qualities agreed at the commencement of the process. The shortlisting committee shall also have copies of the relevant application forms available.
2. The CLP General Committee shall invite all those nominated by party units and affiliated organisations to a gathering to allow GC delegates to meet them. All those nominated shall be treated equally in ensuring access to all delegates. Where candidates are asked to address the gathering they must all be given the same opportunity and time.
3. The General Committee shall meet as a Shortlisting Committee and shall draw up their shortlist with due regard to the nominations made by party units and affiliates.
4. Where the cumulative per cent of the memberships of branches nominating any one candidate exceeds 50 per cent of the total membership of the CLP then that candidate will automatically be shortlisted.
5. Where no sitting Labour MP is contesting the seat, and other than where an all woman shortlist has been designated by the NEC, there shall be at least 50 per cent women on the shortlist. If six or more are nominated there shall be a minimum of six on any shortlist. This is subject to a sufficient number of both men and women being nominated (ie should five men and two women be nominated the shortlist would be three men and two women). Where an all women shortlist is in place there shall be a minimum of six on the shortlist, provided six women have been nominated.

6. Any sitting Labour MP representing a constituency that is wholly or partially contained within the area of the CLP shall be automatically included on the shortlist if they choose to contest the seat and are nominated.
7. The NEC shall issue equal opportunity guidelines for such meetings and any interviews that are undertaken.
8. All nominees shall go into the ballot for such places and the final shortlist shall be decided by a single round secret preferential vote. Detailed regulations for such counts shall be issued by the NEC in the selection pack.
9. Once the shortlist has been determined it shall be forwarded to the appropriate Regional Director for validation.
10. The term validation does not imply 'approval' but refers to the particulars on the form, that the nominee conforms to the conditions for candidature as laid down in the constitution and rules for selection, that the nomination was to hand by the appropriate closing date and submitted by an organisation entitled to nominate.
11. In the event of insufficient nominations being secured the timetable may be extended in consultation with the designated representative and Regional Director to allow for further nominations to be considered.

#### **M. Members' ballot**

1. The ballot shall be conducted according to a list provided from the national membership system of all those who qualify on the freeze date and remain in compliance with the membership rules on the closing date for the receipt of postal vote applications. Members who are able to do so must attend a hustings meeting to hear the shortlisted nominees before casting their vote.
2. All eligible members will be sent details of the shortlist, hustings meetings, copies of the nominees' applications and an explanation of how to vote by the date laid down in the timetable. Members in arrears must be offered the opportunity to bring subscriptions up to date to ensure their eligibility.
3. Procedural arrangements should as far as possible be agreed by the Executive Committee at the commencement of the process. Those to be considered include:
  - A. maximum time limits for statements and questions at the hustings
  - B. order of appearances
  - C. appointment of scrutineers
  - D. door stewarding arrangements
  - E. chairing of hustings.
  - F. Any outstanding matters shall be delegated to the procedures secretary to resolve with the approval of the designated representative for the selection.
4. Shortlisted candidates should be informed in advance of the details of hustings meetings and arrangements may be made to timetable the order of appearance in advance. There must be at least one hustings meeting in each constituency but where circumstances allow it members should be allowed to attend any one of the hustings meetings by prior arrangement.
5. Notices convening the selection meeting/s shall be sent to all eligible members at least seven days before the meeting. They shall be produced locally and use the wording in the model convening notice supplied by the NEC. The notice shall inform members of the requirements to attend punctually, produce evidence of current membership and append the application forms of the shortlisted candidates.
6. A designated representative of the NEC shall be present at the selection meeting/s to advise and supervise the procedure.
7. On entering the hustings each member must present to the appointed door stewards the prescribed credential form together with proof of identity such as a current party membership card. Where there is any challenge to a member's identity further proof (eg of residence) may be required by the designated representative.
8. Before any nominee is invited into the hustings room the door stewards should be asked to report on the number of eligible members present. The first nominee shall then be asked to speak. Members arriving after the door stewards report has been accepted shall not be permitted to enter the meeting or participate in the proceedings.
9. Each shortlisted nominee shall address the meeting and answer questions in accordance with the agreed time-limits. Any time not used in making a statement shall not be added to the period allowed for questions.
10. No question on financial means or support, religion, or of a racist, sexist, homophobic or anti-disabled nature shall be permitted. If languages other than English are used in the course of questions or the statement it shall be the responsibility of the nominee and/or the questioner to ensure that everyone present is able to understand the point. Any repetition or translation must be done within the agreed time limits, which may be extended accordingly.
11. An arrangement may be made to ask all candidates the same questions. Individuals may be deputed to draw up questions by the shortlisting meeting.
12. Once the final nominee has withdrawn, the scrutineers shall issue ballot papers to the number reported by the door stewards. Ballot papers must be returned to the ballot box before members leave the room. Where felt necessary by the designated representative, however, each member shall come forward to collect their ballot paper in response to a roll call and if desirable deposit their vote in the ballot box on the way

out of the room. In exceptional cases the ballot box may be located in a separate polling area.

#### **N. Postal vote**

1. Any member may apply for a postal vote on the appropriate form. All eligible members shall be informed about the postal voting provisions at the beginning of the process. The form must be properly completed, signed by the individual and submitted to the procedures secretary by the date laid down in the timetable.
2. The grounds for requiring a postal vote must be stated on the application.
3. Postal votes shall only be granted to those who are unable to attend a hustings meeting - not to those who choose not to attend. Postal votes will be granted for those who cannot attend due to a medical condition, cannot make reasonable travel arrangements, are away on holiday, have work commitments or caring responsibilities or any other appropriate reason for non-attendance at the hustings as agreed by the NEC designate representative. They will not be made available to those choosing to undertake other engagements unless they are candidates for selection in this process.
4. Any eligible member who, after the closing date for postal votes but before the date for their selection meeting becomes unexpectedly unavailable to attend a hustings meeting or for good reason fails to attend at the due time may apply to tender an emergency postal vote. Such application must be made directly to the designated representative for the selection whose decision as to whether or not to accept such a tendered vote shall be final for all purposes.
5. No shortlisted nominee or any person acting on behalf of a nominee should benefit from interference in the process of applications for, or the issue and return of, postal votes. Any evidence of such interference may lead to the disqualification of the nominee concerned.
6. Postal votes shall be returned to the designated representative/procedures secretary who shall deposit the unopened envelope containing the ballot form and declaration of identity into a sealed box awaiting the count. The return envelope for the ballot paper shall be referenced so that it can be verified against the electoral roll.

#### **O. Voting procedure and count**

1. The selection of candidate shall be decided by reference to the preferences expressed in the ballot which shall be conducted on the basis of one member one vote.
2. The designated representative shall retain possession of all ballot boxes until the count.
3. The ballot box will be opened at a special General Committee/All Member Meeting meeting to count the votes. Votes will be counted by scrutineers as an aggregate together with postal votes received by the closing date. The scrutineers shall work

under the supervision of the NEC designated representative.

4. The shortlisting committee shall appoint up to TWELVE members of the GC as scrutineers for the ballot in addition to the procedures secretary at least half of whom should be women. Other eligible GC delegates may observe the count.
5. Each candidate may appoint an official representative for the count who must be a member of the CLP concerned.
6. Postal voters declarations of identities must be verified against the list of agreed postal voters. Any postal vote without an accompanying declaration of identity shall be invalid. The signature on the application form and the declaration of identity must match or the vote will be declared invalid.
7. The count shall be conducted by means of an eliminating ballot on the basis of expressed preferences. Each valid vote shall have the value of one at all stages of the count. No candidate shall succeed in being selected until s/he has more than 50 per cent of valid votes cast in a particular round of the count (discounting spoilt, invalid and non-transferable papers).
8. In the event of any disputed votes the decision of the designated representative shall be final for all purposes, though the CLP procedures secretaries shall be consulted.
9. In the event of a tie, the nominee concerned who took the earliest lead on preferences shall be deemed elected or go through to the next round.
10. If over 50 per cent of those voting return blank papers, the procedure shall recommence but the freeze date shall continue to operate.
11. The final result shall be announced to the General Committee/All Member Meeting, to which all shortlisted candidates shall be invited. A record of the voting at each stage completed on a pro forma shall be retained by the procedures secretary for the CLP and the designated representative for the NEC.

#### **P. Financial agreement and endorsement**

1. Three copies of the acceptance of financial responsibility should be completed and signed by the CLP chair and secretary and the successful candidate, to comply with 5C.9 of the constitutional rules. (Copies to be held by the CLP, the regional office and the NEC).
2. The candidate will be required to sign forms agreeing to abide by the code of conduct laid down by the Parliamentary Labour Party, and also a register of interests. All these forms must be submitted to the Head of the Compliance unit. The Election Agent will have to be endorsed by the NEC, and will be required to have undertaken the necessary training unless the NEC deems there are exceptional circumstances.
3. Where successful candidates are not members of the national recommended panel there should, however, be an endorsement interview in each

case before a recommendation is made to the NEC. The criteria for the endorsement interview for new selections shall be approved by the NEC and carried out by an NEC selections board – or regional nominees of that board. The NEC selections board would only interview sitting MPs following a referral from the whips office (MPs would thus in effect be treated as members of the national panel providing they were not subject to a Whip’s report).

4. The selection of a prospective candidate shall not be regarded as completed until endorsement has been given by the National Executive Committee.
5. Disputes arising out of the selection procedure which cannot be mutually agreed between the complainant/s and the designated representative shall be referred to an NEC approved independent Selection Monitor for investigation and report to the NEC. The NEC’s decision on that report shall be final and binding on all parties for all purposes.

#### Q. NEC Timescale for selections

1. The following timescale is an outline of events as agreed by the NEC, and will be subject to alteration by the NEC according to the situation pertaining at any given time.

Date	Event
Jan 06	Open National Parliamentary Panel (NPP)
Jan 06	Determine list of non-Labour held seats with no existing MP with geographical claim - These seats select from June 2006
Jan - Mar 06	Determine positive action procedures for June 2006 selections
Jan - May 06	Advertise NPP to all members - Applicants to apply by 1st March for interview to be held by end May for seats that will select in June 2006. Interviews for all other applicants will continue beyond this point.
Jan - May 06	Implement all known constituency boundary changes
Jan - Jun 06	Interview new NPP applicants
Jan - Jun 06	Training sessions and taster events for Panel applicants
Jun - Dec 06	Selections in non-Labour held seats with no existing MP who has a geographical claim
July 06	Write to MPs asking them if they intend to contest the next election - reply by 15 September 2006
Oct 06	Re-selection of MPs to commence, starting with those seats where more than one sitting MP has a geographical claim

Jan 07	Determine positive action procedures for seats (nominally) with retiring MP
May 07	Commence selections in winnable seats and seats (nominally) with retiring MP - followed by all other seats
Sept 08	All selections to be commenced

#### R. Parliamentary Selections - Candidates’ code of conduct

1. This code of conduct has been produced for all aspiring candidates in the selection of parliamentary candidates, in order to assist the smooth running of all stages of the process.
2. No materials calling for support in the selection process will be produced or distributed by or on behalf of any individual prior to the publication of the timetable following the Executive Committee meeting to commence the selection process within a CLP.
  - A. Following the publication of the timetable aspiring candidates must submit an application form (this must be in a standard CV format provided by the party) to the CLP procedures secretary. Forms received before the publication of the timetable or after the deadline prescribed in the timetable will not be accepted.
  - B. Aspiring candidates who submit an application form within the prescribed period will be entitled to a list of Party Units and Affiliates (including the per cent of the CLP membership contained within each party branch) from the CLP. Aspiring candidates who submit an application form within the prescribed period who also wish to have a list of eligible members are entitled to a copy from the Regional Office following submission of an administration fee of £30.
3. The list of eligible members is supplied solely for the purposes of the current selection campaign of the aspiring candidate to which it is supplied and is not transferable to any other campaign or person. Use of the list for any other purpose will lead to disqualification as an aspiring candidate and potential further disciplinary action.
4. Should an aspiring candidate be shortlisted by the CLP the application form will be forwarded by the procedures secretary to all eligible members with notice of the CLP ballot.
5. Following publication of the timetable aspiring candidates are permitted to mail members direct, as well as Labour Party Units and affiliated organisations, with any canvassing/promotional material.
6. No aspiring candidates or persons acting on behalf of an aspiring candidate will use their own material or access to publicity to disparage any other aspiring candidate.
7. Canvassing is specifically allowed after an application form has been accepted, and from this

period onwards aspiring candidates may approach members personally or by telephone to seek their support. Contact with members must not be carried out in a manner likely to cause offence or be seen as applying pressure to any member.

- 8.** No financial inducement to the constituency party or to individual members may be offered to attempt to secure support.
- 9.** Only designated CLP officers will be authorised to issue statements to the media about any aspect of the selection procedure, and then only after consultation with the Regional Director. This does not preclude aspiring candidates undertaking press, Radio or TV interviews, though under no circumstances should any aspiring candidate disparage any other aspiring candidate.
- 10.** Applications for postal votes and the postal ballot itself will be distributed only through the official machinery. No aspiring candidate or supporter(s) of an aspiring candidate will attempt to interfere in the application for, casting, and return of postal votes.
- 11.** Once an aspiring candidate has declared an interest in a constituency s/he cannot attend any meeting within the CLP that is dealing with selection business, unless specifically invited in their role as an aspiring candidate.
- 12.** No aspiring candidate or members acting on her/his behalf will interfere with or put under duress any member in regard to how they vote at any stage during the process.
- 13.** Aspiring candidates (and those making donations of money or in kind to their selection campaign) are regulated by the Political Parties, Elections & Referendum Act and are required to comply with the provisions on accepting and reporting of donations of over £200.
- 14.** Any member breaching this code of conduct or knowingly allowing others to do so on her/his behalf will be liable for disciplinary action. The NEC will not hesitate to use its powers of disqualification and suspension to impose sanctions to enforce the code.

# Chapter 20

## Appendix IV

### NEC Procedural Rules for the selection of local government Candidates for elections in 2008

(Revised October 2007)

These procedural rules supplement Chapter 5 of the Labour Party rule book - selections for election to public office, and provide a framework for Local Government Committees (LGCs) and Constituency Labour Parties (CLPs) to follow when conducting selections of local government candidates.

Local Government Committees and CLPs must also follow the good practice advice on these procedures as provided from time to time by the NEC.

#### A. Selection timetable

1. The executive of the Local Government Committee ('LGC') shall prepare a timetable for the selection procedure. All timetables and/or any variance to any of the selection procedures must be approved by the Regional Director/General Secretary in Scotland and Wales or other national officer as determined by the General Secretary on behalf of the NEC.
2. The timetable should identify various stages as follows:
  - A. invitation for nominations to the panel of approved candidates
  - B. initial closing date for receipt of nominations
  - C. proposed interviewing procedure for those who require an interview
  - D. date of Management Committee to decide on endorsement of initial applications
  - E. submission of initial list of approved nominees ('the panel') to CLPs and ward selection committees
  - F. the agreed order for selection meetings (ie first priority to Labour seats, second to winnable seats and last to other seats)
  - G. date for reopening of endorsement procedure, where this is appropriate\*

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\* The panel remains in existence following an election until a new panel is nominated and endorsed. The panel is therefore available for

H. final date for completion of selections.

3. The panel remains in existence following an election until a new panel is nominated and endorsed. The panel is therefore available for any by-elections in this period. This later date (2.G above) is so that LGCs can plan for a period without new endorsements whilst high priority selections are taking place. The panel cannot be closed as such so all nominations must be dealt with at an appropriate time.

#### B. Positive action procedures

1. For authorities with all-out elections
  - A. The Regional Director/General Secretary in Scotland and Wales will agree a list of winnable wards with the LGC
  - B. In winnable wards with two or three members, at least one candidate must be a woman
  - C. For selection in a winnable ward, the ballot will take place in two parts. The first ballot will select a woman from the shortlist and the second ballot will select the remaining candidates from the entire shortlist.
  - D. If the ward fails to implement these positive action procedures then the selection will be invalid and the Regional Director/General Secretary in Scotland and Wales will require the ward to re-run its selection procedures.
2. For authorities with elections where one third or one half of seats are up for election
  - A. In all winnable wards/divisions where a sitting councillor is retiring, at least one other councillor or candidate must be a woman.
  - B. If there are more women retirees than men then the current proportion of women candidates must be maintained.
3. For each local authority area the Regional Director/General Secretary in Scotland and Wales will:
  - A. agree a list of winnable seats with the Local Government Committee; and
  - B. determine which winnable seats will be selected from an all-woman shortlist and which from an open shortlist.
  - C. If a ward fails to implement the agreed positive action procedure then the selection will be invalid and the Regional Director/General Secretary in Scotland and Wales will require that the ward to re-run its selection process.
4. The Regional Director/General Secretary in Scotland and Wales has the authority to vary the arrangements within a given ward due to what they regard as exceptional circumstances, provided reciprocal arrangements are made to

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any by-elections in this period. This later date (2.G above) is so that LGCs can plan for a period without new endorsements whilst high priority selections are taking place. The panel cannot be closed as such so all nominations must be dealt with at an appropriate time.

ensure that the overall level of women's representation is achieved.

### **C. Panel of approved candidates**

1. The LGC will invite nominations for the Panel of Candidates which will be in the form of self-nominations using an official nomination form produced by the LGC. The form may include a number of questions (as well as a section for personal details) as approved by the LGC executive, but must include an undertaking to abide by the party's rules and procedures relating to local government candidature and by the standing orders for the Labour group if elected.
2. The LGC must ensure that all eligible members are informed of their right to self nominate to the panel of approved candidates together with details of the timetable described in section 1 above.

### **D. Qualification of nominees**

1. Each nominee must be an individual member of the Labour Party, in accordance with the conditions of membership which include, where applicable, membership of an appropriate trade union.
2. Each nominee must have paid the party membership contribution at the appropriate rate and have at least 12 months' continuous national individual membership of the party in the electoral area concerned at the date of nomination. This 12 month continuous membership and residency qualification may be waived in exceptional circumstances to be decided by the Management Committee of the LGC and endorsed by the Regional Director/General Secretary in Scotland and Wales on behalf of the NEC.
3. All nominees must undertake, if elected, to accept and conform to the standing orders of the appropriate Labour group as approved by the NEC.
4. Nominees must be legally qualified, and not disqualified, to stand for the local authority at the election concerned. It is required of LGCs that they take steps to check on disqualifications under the relevant legislation as well as any party requirements when compiling their panel of prospective candidates.
5. Sitting councillors must be nominated and considered for endorsement and selection in accordance with the provisions set out in section E.2.A.i below, unless varied by section F.1.A below.
6. If a sitting councillor, the nominee must also have paid their annual contribution to the Association of Labour Councillors, and be fully paid up to date with their party membership subscriptions at the standard rate and pay by direct debit.
7. Sitting councillors who have had the Labour group whip withdrawn from them indefinitely are not eligible for membership of any panel.

8. This party shall not accept as qualified for inclusion in its panel of approved candidates any sitting councillor whose sole legal qualification for standing for election in the local government area is existing service as a councillor.

### **E. Endorsement of applicants to the panel of approved candidates**

1. All applicants recommended for inclusion in its panel of candidates must be submitted to a meeting of the management committee of the LGC concerned.
2. There are three ways that applicants will be considered for membership of the approved panel of candidates. The particular method of approval depends upon the individual circumstances of the applicant as set out below:
  - A. Sitting councillor
    - i. To be reviewed by a written form from the chief whip regarding discipline and attendance, and by a written report from the branch secretary covering the ward they represent. An update form should be completed should circumstances have changed since a previous application form was completed. The LGC Officers, or a panel duly authorised by the LGC, may request an interview if the reports raise concerns about discipline, attendance, campaigning record or competence. Should they feel the circumstance dictate, the Regional Director/General Secretary in Scotland and Wales may instruct the LGC that an interview is undertaken and must give such reasons in writing. Should an interview not be requested, the sitting councillor will be recommended for inclusion on the panel without interview. Should an interview be required, this will be undertaken by an assessment team.
  - B. Recent candidate who had not been elected
    - i. To be reviewed by a written report confirming there has been no change in circumstances and updating the applicant's campaign and party record. It will require an endorsement of the application by the branch in which they reside and the CLP campaign coordinator or similar officer. The LGC Officers, or a panel duly authorised by the LGC, may request an interview if the report raises concerns about their campaigning record or competence. Should they feel the circumstance dictate, the Regional Director/General Secretary in Scotland and Wales may instruct the LGC that an interview is undertaken and must give such reasons in writing. Should an interview not be requested, the applicant will be recommended for inclusion on the panel without interview. Should an





- contest any election to the appropriate authority.
- B. In cases of dispute the matter shall be submitted to the LGC Management Committee whose decision shall be final.
2. Shortlisting and selection meetings - general
- A. Shortlisting and selection meetings shall be convened by the Executive Committee of the CLP concerned after consultation with and in accordance with the timetable (referred to in A.2.F. above) laid down by the executive of the LGC. This is to ensure that meetings are convened on a priority basis so that candidates are selected first for Labour-held and winnable seats.
- B. Notice of such meetings must be sent to all members entitled to attend. The notice shall state the business to be conducted and give appropriate details of the procedure to be adopted.
- C. Notice of such meeting shall include notice of any positive action procedures as agreed under section B above, i.e whether at least one woman candidate is to be selected or the candidate will be selected from an all woman shortlist
- D. Notice of such meetings shall be sent out at least seven days in advance, except in an emergency where the LGC executive has approved a contracted timetable for a particular selection.
- E. Where only one branch is involved, notices shall be sent out by the branch secretary on the instructions of the CLP secretary. Where more than one branch is involved, the CLP secretary shall be responsible for sending out the notice. Where more than one constituency is involved, the LGC secretary shall be directly responsible for convening such meetings on the instructions of the LGC executive.
- F. Such meetings shall comprise only those fully paid-up individual members of the party who are registered as electors or who reside in the electoral area concerned. Where this is impractical (for instance on the grounds of geography or travelling involved) the Regional Director/General Secretary in Scotland and Wales shall act on behalf of the NEC to approve arrangements for a special meeting of delegates appointed by branches within that electoral area.
- G. Only those members who have been a member within the relevant local government area concerned for at least 6 months are eligible to attend any meeting in this procedure. A freeze date for calculating this 6-month eligibility may be set by the LGC with the approval of the Regional Director/General Secretary in Scotland and Wales. If no such freeze date is set the 6 months shall be counted from the date of the first meeting convened to discuss a shortlist for a particular electoral area.
- H. A meeting in this procedure may be attended by not more than three representatives of the LGC executive who shall act in an advisory capacity without voting power. Any CLP concerned may send one member of their Executive Committee as an observer.
- I. The LGC Management Committee shall decide the number of members who shall comprise a necessary quorum for these meetings, which must be reviewed prior to each round of elections, subject to the agreement of the Regional Director/General Secretary in Scotland and Wales.
- J. A list of eligible members for such meetings shall be provided by the CLP secretaries involved from information supplied by the national membership system. Where appropriate a check against such list shall be made at the door and membership cards and/or other credentials shall be examined. At the commencement of the meeting the opportunity shall be given for the eligibility of any member present to be challenged. The LGC representatives present shall rule on the eligibility of any member over which the meeting is not satisfied. The notice of the meetings should indicate by when and where subscriptions should be brought up to date to ensure eligibility.
3. Shortlisting procedure
- A. The list of nominees endorsed by the LGC Management Committee ('the panel') shall be sent to CLPs for forwarding to the meetings of individual members covering the electoral areas where selections have been approved.
- B. The shortlisting procedure shall incorporate any positive action procedures as agreed under section B above.
- C. Those in attendance at the special shortlisting meeting convened as above shall decide which of the nominees shall be invited to the subsequent selection meeting.
- D. Once a member has been nominated or expresses an interest in being nominated s/he must withdraw from the meeting and take no further part in it.
- E. Where a vote is to be taken at a shortlisting meeting the following procedure must be adopted:
- i. Members present shall be invited to make nominations from those names on the approved panel of candidates. Nominations should be moved and seconded.
  - ii. Once all desired nominations have been made, those that have been moved and seconded shall be confirmed to the meeting and nominations closed.

- iii. When nominations have closed the meeting shall have to make a decision on how many nominees to invite to the selection meeting. It is not acceptable to shortlist only the number of candidates who are ultimately to be selected, unless either:
    - a. the shortlist comprises only sitting councillors for the electoral area concerned who are seeking re-election to the relevant authority, or
    - b. only that number have been nominated at the commencement of the procedure.
  - iv. In all other cases the meeting must agree to invite at least one more nominee than the number of candidates to be ultimately selected and normally a greater choice should be ensured for the subsequent selection meeting.
  - v. Once the number to be shortlisted has been agreed, if required, the meeting should proceed to a vote using an eliminating ballot until only the number required to be shortlisted remain.
  - vi. Following the result of the ballot the meeting should agree the period of time to be offered to each nominee to address the selection meeting and answer questions and agree any other arrangements necessary. These agreed arrangements shall be communicated to the shortlisted nominees.
- F. If the required quorum is not present at a shortlisting meeting, then the meeting should proceed to draw up a shortlist which shall then be put to the subsequent selection meeting for approval or rejection before the business of that selection meeting may commence.
- G. Any member arriving at the shortlisting meeting after consideration of the shortlist has commenced shall be ineligible to take part or to vote and this should be made clear in the notice convening the meeting.
- 4. Selection procedure**
- A. The following procedure should be adopted at the special selection meeting:
- i. Lots should be drawn for the order of appearance before the meeting of the shortlisted nominees. (This may be done in advance.)
  - ii. Each shortlisted nominee in attendance should be invited to address the meeting and answer questions for the specified period of time which shall be the same for all nominees.
  - iii. In the event of a nominee not being in attendance and having indicated a continued interest in the selection, her/his name shall remain in the ballot.
  - iv. Once all nominees in attendance have addressed the meeting and answered questions the meeting shall consider a procedural motion 'to proceed to ballot'. If members are dissatisfied with the shortlist as presented they shall vote against the motion and a secret ballot shall be held if one is requested by any member.
  - v. If the 'proceed to ballot' motion is not carried then the meeting may suggest new dates for shortlisting and selection to be agreed by the CLP Executive Committee, or they may proceed to draw up a new shortlist. Any new selection meetings shall be convened in accordance with the procedure above.
  - vi. If it is agreed to ballot, then the method of balloting will depend on whether or not the ward is subject to positive action procedures as set out in section B above. Where at least one woman candidate must be selected from a multi-seat selection then a two-part ballot shall be held in accordance with section viii below. In all other cases the ballot will proceed as set out in section vii below.
  - vii. Where there is no positive action requirement, or you are selecting candidate(s) from an all women shortlist in line with positive action procedures, the ballot shall be held as follows:
    - a. There shall be a secret paper eliminating ballot. Members may vote for as many as, or less than, the number of candidates required to be selected.
  - viii. Where there is a requirement to select at least one woman candidate from a multi-seat selection, the vote to decide which nominees shall be selected as candidates shall be held as follows:
    - a. The ballot will be held in two parts. The first ballot will select a woman candidate (or two women candidates, if two seats are set aside for women) from amongst those women nominees on the shortlist. If there is only one woman nominee (or two where two seats are set aside for women) then that woman will be deemed selected. The second ballot will select the remaining candidate(s) from all shortlisted nominees with the exception of the woman candidate(s) selected in the part one ballot.
    - b. Voting in both ballots shall be a secret paper eliminating ballot. In the first ballot, members may cast one vote to select one woman candidate (or up to two votes where two seats have been set aside for women). In

the second ballot members may vote for as many as, or less than, the number of candidates required to be selected.

- ix. A successful candidate must have an overall majority of votes cast. Spoilt and blank papers shall be deducted from the total number of ballot papers returned before deciding whether a nominee has a clear majority.
- x. Should no nominee have an overall majority, the nominee at the bottom of the poll shall be eliminated from the next round of voting together with any others whose votes added to those of nominees lower in the poll do not equal the number of votes cast for the nominee immediately above.
- xi. Where there is more than one candidate to be selected the eliminating ballot must continue removing the name(s) with the lowest votes until only the number required to be selected remain.
- xii. Where there is a tie at the bottom of any ballot and the two (or more) votes added together are equal to or more than the next vote above, a separate ballot shall be held to break the tie and decide which nominee shall be eliminated from the following round.
- xiii. If there is a tie on the final round of any ballot, the chair is not allowed a casting vote so a further ballot must be held to determine the result. Before taking this further ballot the nominees tying may be recalled separately for a further period of questions. If there is still a tie then a fresh selection meeting shall be convened
- xiv. If after a further meeting no decision is reached there shall be a joint meeting convened on the same basis as in xvi below.
- xv. No shortlisted nominee shall take part or vote as a member of the branch in the selection meeting unless they have formally withdrawn from the selection.
- xvi. If the required quorum is not present at a selection meeting then the selection of the candidate(s) shall be deferred to a subsequent joint meeting of those individual members eligible to attend the first meeting plus members of the Executive Committee of the CLP concerned who are registered as electors within the area of operation of the LGC and who have the 6-month membership qualification. Executive members who have an interest in the outcome of the selection shall not participate in this joint meeting. Such a meeting shall proceed however many members are present. However, the Executive Committee

members present at the deferred meeting shall have the right to vote in any ballot only if again insufficient members from the electoral area concerned attend to form a quorum.

- xvii. Any member arriving at the selection meeting after the first nominee has started to address it shall be ineligible to take part or to vote and this should be made clear in the notice convening the meeting.
- xviii. In the case of any dispute arising in connection with a selection it shall be referred to the LGC Management Committee whose decision shall be final.

#### 5. Exceptional selections

- A. In the event of a local government by-election occurring within a constituency, the Executive Committee of the CLP concerned shall consult with the executive of the appropriate Local Government Committee and the officers of any branches concerned to ensure that the vacancy is contested by the party. Wherever possible a selection should be made in accordance with the procedures detailed above, but where necessary the CLP Executive Committee, in consultation with the executive of the LGC, shall take whatever action is required to meet the situation and endorsed by the Regional Director/General Secretary in Scotland and Wales on behalf of the NEC.
- B. Where any situation requires that a candidate be imposed for a local government election, the Management Committee of the appropriate Local Government Committee may only do so with the approval of the appropriate Regional Director/General Secretary in Scotland and Wales of the party on behalf of the NEC. In exceptional circumstances the NEC shall require a panel of the Regional Board to make a decision which shall be final and binding on all parties.

# Chapter 21

## Appendix V

### NEC Advice Note - Interviewing sitting councillors or recent candidates

Grounds for interviewing a sitting councillor who has re-applied for inclusion on the panel of local government candidates or recent candidate who had not been elected

#### Introduction

The Committee is asked to note the NEC advice note which will supplement the recently agreed changes to local government selection procedural guidelines.

#### ADVICE NOTE

There have been changes to the "NEC procedural guidelines for the selection of local government candidates", which supplement the rules in Chapter 5 above for local government selections. Section 5 "Endorsement of applicants to the panel of approved candidates" is now broken down into three categories.

This paper offers advice to LGCs with regard to calling for interview sitting councillors and recent candidates who had not been elected, as part of the determination as to whether or not they should be included on the new panel of candidates.

#### Sitting councillors

The sub-section regarding sitting councillors is as follows:

To be reviewed by a written form from the chief whip regarding discipline and attendance, and by a written report from the branch secretary covering the ward they represent. An update form must be completed by all sitting councillors wishing to be placed on the new panel of candidates. The LGC Officers, or a panel duly authorised by the LGC, may request an interview if the reports raise concerns about discipline, attendance, campaigning record or competence. Should they feel the circumstance dictate, the Regional Director can instruct the LGC that an interview is undertaken and must give such reasons in writing. Should an interview not be requested, the sitting councillor will be recommended for inclusion on the panel without interview. Should an interview be required, this will be undertaken by an assessment team.

As required by the NEC procedural guidelines an LGC will need to set up a panel to review the reports on

sitting councillors and the update form submitted by sitting councillors. This can be the LGC Officers or a duly authorised panel put in place for this purpose, hereafter referred to as "the Panel".

Circumstances under which a sitting councillor should be called in for an interview The Panel are required to review the report from the chief whip and branch secretary, and an update report by sitting councillors. It would be appropriate to interview sitting councillors for any of the following reasons:

- a. Poor disciplinary report from chief whip, including matters before the Standards Board
- b. Poor attendance report from chief whip
- c. Poor report from branch secretary with regard to their role in party activities or the carrying out of their role as a councillor, ie attendance at council meetings and other meetings of which they are a member, the holding of advice surgeries, attendance at consultative meetings in the ward, and regular communications with local residents.
- d. Concerns on any issue/s in a councillors update report
- e. A combination of a) to d) above

Should the Panel only receive a poor report from the branch secretary, they would need to take into consideration any known tensions between the branch secretary and the councillor, and it would be helpful to know whether or not the concerns stated were generally held by branch members.

Ultimately, the Panel will have to make a considered decision as to whether a councillor should be called for interview, and a consistent approach needs to be taken. The Panel should err on the side of interviewing provided poor report/s are received, and it needs to be recognised that the Panel are basing their decision to interview on reports received by them and not of their own initiative. Advice on whether or not to interview a sitting councillor can be obtained from the Regional Director (General Secretary in Scotland and Wales), and the Regional Director does have the authority to instruct the LGC to carry out an interview having given such reasons.

It is not unreasonable that a sitting Labour councillor, who is perceived to be carrying out their duties at a poor level, should be called for an interview. Such a decision as taken by the Panel, should then be forwarded to the LGC Assessment Team to carry out the interview. The members who made up the Panel must not form part of the Assessment Team interviewing sitting councillors.

The sub-section regarding recent candidate who had not been elected is as follows:

To be reviewed by a written report confirming there has been no change in circumstances and updating the applicant's campaign and party record. It will require an endorsement of the application by the branch in which they reside and the CLP campaign coordinator or similar officer. The LGC Officers, or a panel duly authorised by the LGC, may request an interview if the report raises concerns about their campaigning record or competence.

Should they feel the circumstance dictate, the Regional Director can instruct the LGC that an interview is

undertaken and must give such reasons in writing. Should an interview not be requested, the applicant will be recommended for inclusion on the panel without interview. Should an interview be required, this will be undertaken by an assessment team. As required by the NEC procedural guidelines an LGC will need to set up a panel to review the reports on a recent candidate who had not been elected. This can be the LGC Officers or a duly authorized panel put in place for this purpose, hereafter referred to as "the Panel".

Circumstances under which a recent candidate who had not been elected should be called for an interview

The Panel are required to review the reports from the branch in which they reside and the CLP campaign coordinator or similar officer. It would be appropriate to interview sitting councillors for any of the following reasons:

- a. Poor report from the branch in which they reside, notifying changed circumstances
- b. Poor report from CLP campaign officer or similar officer, notifying changed circumstances
- c. A combination of a) & b) above

The Panel would need to take into consideration any known tensions between the parties should a poor report be received. Ultimately, the Panel will have to make a considered decision as to whether a recent candidate who had not been elected should be called for interview, and a consistent approach needs to be taken. The Panel should err on the side of interviewing provided poor report/s are received, and it needs to be recognised that the Panel are basing their decision to interview on reports received by them and not of their own initiative.

Advice on whether or not to interview a recent candidate who had not been elected can be obtained from the Regional Director (General Secretary in Scotland and Wales), and the Regional Director does have the authority to instruct the LGC to carry out an interview having given such reasons. It is not unreasonable that a member who is perceived to have a poor campaigning record should be called for an interview. Such a decision as taken by the Panel, should then be forwarded to the LGC Assessment Team to carry out the interview. The members who made up the Panel must not form part of the Assessment Team interviewing recent candidates who had not been elected.

# Chapter 22

## Appendix VI

### Procedural guidelines in disciplinary cases brought before the NCC

Further information on these guidelines may be obtained from the secretary of the National Constitutional Committee at The Labour Party Compliance Unit

Any person appearing before a panel of the National Constitutional Committee (NCC) and in particular any party member acting as a 'presenter' of, or a 'respondent' to, a case before the panel should make themselves familiar with these procedural guidelines. Though these procedural guidelines do not form part of the party's rules, they have the full approval of the NCC and give detail on the NCC approach to dealing with individual cases.

In fairness to all sides, the NCC expects the parties involved and its panels to adhere to the guidelines wherever practicable. Inevitably a degree of flexibility is required to deal with unforeseen circumstances or unusual cases. Such variances, however, should be kept to a minimum.

The NCC or a panel of the NCC have the authority in what they deem to be appropriate circumstances, to dispose of a case without a hearing and to rely solely on the written representations. Such circumstances may be where the respondent has failed to reply to the NCC or indicated they will not be attending the scheduled hearing, or where the particulars of the case lead the panel to deem that a hearing would not be in the best interest of either side.

#### A. Timetable for dealing with cases

##### 1. Stage 1 - Receipt of case

- A. On receipt of a case from the NEC or a CLP, the NCC secretary shall confirm certain details about the case from the designated 'presenter'.
- B. If there is urgency, the Chair of the NCC shall appoint a panel (three members of the NCC) to deal with the case; otherwise the receipt of the case shall be reported to the next meeting of the NCC (which may be held by telephone conference) where the membership of the panel shall be agreed.
- C. A chair of the panel shall also be appointed at this stage who shall be responsible for ensuring that the procedural matters in

advance of any hearing are dealt with in accordance with the guidelines.

- D. In the event the panel considers the case submitted to it should proceed to a full hearing a date for a hearing shall be fixed at this stage. The panel may decide to vary or alter said date.

##### 2. Stage 2 - Run-up to hearing

- A. Letters shall normally be sent to each individual (respondent) charged, and panel members, giving about six weeks notice of the hearing. These should enclose the charge or charges together with particulars of each and a summary of the facts supporting each charge, together with a separate bundle of the documents to be relied upon, and names of witnesses to support each charge.
- B. The respondent shall be written to at the last notified address and required to advise the secretary of the NCC two weeks after date of posting of the letter enclosing the charge whether she/ he intends to contest the charge or not. Should that person fail to respond, within two weeks, thereafter a letter shall be sent advising that failure to respond without reasonable cause shall be deemed an admission entitling the NCC to proceed with the case and to impose any appropriate sanction. Where the respondent intends to contest the charge a written answer to the charge must be sent to the secretary of the NCC within four weeks of the date of posting of the letter enclosing the charge. Said written answer must identify what, if any, parts of the charge are admitted, what parts of the charge are contested and the basis on which they are contested.
- C. Witnesses
  - i. The respondent shall apply to the panel chair in writing regarding any witnesses she/ he wishes to give oral evidence at least two weeks prior to the proposed hearing date.
  - ii. The NCC or any panel thereof will consider the requests for witnesses to give oral evidence having considered that fairness requires such application to be acceded to whether in whole or part, having regard to the following:
    - a. the reason given in support of the application
    - b. the issue or issues or otherwise to which the witness or witnesses are said to have relevant evidence to give
    - c. the materials provided by the respondent making the application
    - d. whether the respondent has availed herself/ himself of the opportunity to submit to the NCC or any panel thereof, in support of her/ his application, a witness statement containing the evidence of the

- witness whom the respondent is now applying to the NCC or any panel thereof to hear orally
- e. the content of any such witness statement
  - f. any other considerations that appear to the NCC or panel thereof to be relevant to determining whether fairness to the respondent requires that any witness the subject of such an application be heard by the NCC or panel thereof orally.
- iii. The criteria stated above for witnesses to be heard, will equally relate to the presenter.
  - iv. The NCC is concerned with the content of the charges presented and panels are not therefore generally concerned to hear 'character' witnesses on either side. As a general rule, a panel of the NCC will not take oral evidence from more than six witnesses from the presenter/ respondent, unless additional witnesses are material to specific elements of the charges and their evidence is not able to be confirmed by other witnesses.
  - v. The NCC has no means of compulsion to ensure witnesses attend a hearing, and it is a matter for the presenter/ respondent to arrange for their witnesses to attend.
  - vi. Acceptance of witnesses for the presenter / respondent should be confirmed by the panel chair one week prior to the hearing, and will be duly notified to both sides. The presenter may call additional witnesses and lodge additional witness statements in the rebuttal of the respondent's reply to charges.
- D. Legal representation
- i. An application by the respondent for legal representation at the hearing shall be made in writing no later than four weeks prior to the hearing. The NCC or panel thereof shall determine whether such an application is appropriate, and the respondent shall be notified of the decision not later than three weeks prior to the hearing.
  - ii. Where the respondent has been granted legal representation, the presenter will be offered the same facility.
  - iii. Where legal representation is permitted a pre-hearing meeting of the panel, along with the legal representative and presenter, may be convened to consider procedural matters relating to the conduct of the hearing. This must be requested at least two weeks prior to the hearing, unless the NCC panel in their discretion decide otherwise.
- E. The presenter/ respondent shall be entitled to an accompanying friend at the hearing, who
- must be a member of the party, and may not address the hearing or be a witness for either side in the course of the proceedings. The identity of the accompanying friend shall be notified to the secretary of the panel not later than one week prior to the hearing. Where legal representation is agreed an accompanying friend will not also be permitted.
- F. The final arrangements shall as far as reasonably practical be confirmed at least four days prior to the hearing.
- G. Written evidence
- i. A panel of the NCC does not seek out documentation or evidence prior to the hearing on its own initiative. It is not the responsibility of the panel to insist that specific documentation be released by the presenter for the use of the respondent, though any such request will be forwarded to the presenter.
  - ii. The presenter's written case summary and documents shall be forwarded to the NCC in a form that is easily copied. Any bundle of documents in excess of 30 sheets shall be numbered consecutively and copied six times for each case and these forwarded to the NCC Secretary.
  - iii. Written submissions and documents from the respondent shall be forwarded to the NCC in a form that is easily copied. Any bundle of documents in excess of 30 sheets shall be numbered consecutively and copied six times and these forwarded to the NCC Secretary.
- H. All communications and correspondence must go through the secretary of the NCC, and both sides must not contact each other or the other side's witnesses direct.
3. Stage 3 - The full hearing
- A. Hearings before panels of the NCC are intended to be non-adversarial, and the chair will attempt to maintain an informal atmosphere. The panel itself will ask questions of witnesses where it considers it is necessary to establish or clarify the facts.
  - B. Where a case involves more than one respondent the panel chair shall establish before the commencement of any hearing whether the cases are to be heard together or separately. The respondents and presenter will be consulted, though the final decision shall be at the discretion of the NCC or panel thereof.
  - C. The presenter and respondent, along with any accompanying friend and legal representative, shall remain in the room throughout the hearing except where the panel adjourns to consider procedural or other matters.
  - D. Witnesses shall be brought into the room one by one during the course of the presenter's and respondent's cases. No one else shall be permitted to attend the hearing without the

consent of the NCC or Panel Chair which shall proceed as follows:

- i. The hearing procedure is:
  - a. Chair introduces panel and outlines procedure, panel deals with any procedural points or questions. Where the presenter / respondent is permitted a legal representative, the presenter's / respondent's case will be conducted by the legal representative alone. However, in such circumstances the other side and the panel will be given the opportunity to directly question the presenter / respondent.
  - b. Presenter makes statement of the case and calls witnesses in turn. As each witness is introduced s/he may be asked questions by:
    - the presenter
    - the respondent/ representative
    - members of the panel.
  - c. At the conclusion of the statement of case, the respondent/ representative may put questions to the presenter on the overall case as presented. The members of the panel may put any questions they have to the presenter on the overall case as presented. Where a representative has put the case for the presenter, the respondent / representative and the panel will be given the opportunity to ask questions directly of the presenter.
  - d. At this stage the hearing will adjourn. Having heard the presenter's evidence the panel will have to decide whether there is sufficient evidence for the full case to be heard, or if there is no case for the respondent to answer. If it decides there is no case to answer the panel shall so rule and dismiss the case, otherwise the case will proceed as follows:
  - e. Respondent or the representative presents her/ his case and calls witnesses in turn. As each witness is introduced they may be asked questions by:
    - the respondent/ representative
    - the presenter
    - members of the panel.
  - f. At the conclusion of the respondent's case, the presenter may put questions to the respondent/ representative on the overall case as presented. The members of the panel may put any questions they have to the respondent/ representative on the overall case as presented. Where a representative has put the case for the presenter, the respondent / representative and the panel will be given the opportunity to ask questions directly of the respondent.
  - g. The presenter may then make a closing statement dealing with the charges and evidence. No new evidence or documents may then be introduced by the presenter or on their behalf.
  - h. The respondent may then make a closing statement dealing with the charges and evidence. No new evidence or documents may then be introduced by the respondent or on their behalf.
  - i. The presenter may respond on matters of a procedural nature raised in the respondent's closing statement.
  - j. If the charge is one of membership of an organisation proscribed by the rules of the party, the respondent shall be asked by the panel chair whether s/he is prepared to give an undertaking as to future involvement in the form required by the NEC.
  - k. The panel adjourns to consider whether in its opinion the charges are proved or not proved.
  - l. The panel shall identify which charge(s) or part thereof in its opinion is held proved. This is determined, if need be, by a simple majority.
  - m. If the panel considers that none of the charges are proved then the case shall be dismissed, and shall not form part of any future proceedings before the NCC against that individual.
  - n. If a panel finds any of the charges or parts thereof proved then the hearing resumes to inform the respondent and to provide an opportunity for a statement to be made to the panel with regard to any mitigating circumstances which the respondent wishes to bring to the panel's attention. Before addressing the panel the respondent should be informed by the chair that one of the disciplinary measures to be considered may be that of expulsion from the party. At the conclusion of the address in mitigation, members of the panel may ask questions of the respondent on that issue.
  - o. The panel then adjourn to consider any plea in mitigation and any disciplinary measure it may decide to impose. Such decision shall be final.



- p. No member of the panel may vote on the charge against the respondent on any disciplinary action to be taken unless s/he has been present for the whole of the hearing.
  - q. Where a panel has found a charge under Chapter 2 A.4.A, Chapter 2 A.4.B or Chapter 2 A.4.C the conditions of membership proved, expulsion is required by the terms of that rule.
  - r. Where a panel has found a charge of being a member of a proscribed organisation under Chapter 2 A.3.C of the conditions of membership proved, expulsion is required by the terms of the rule unless the panel is satisfied that an unqualified undertaking in the form required by the NEC has been given, in which case a disciplinary measure short of expulsion may be imposed.
  - s. The decision will be confirmed in writing following the closing of the hearing.
- B. Where an individual ceases to be a party member, although the NCC is entitled to deal with any charges brought, it however has determined that it shall not hear cases in respect of individuals who cease to be party members but shall treat the case as 'suspended'. In such cases the General Secretary of the party shall be informed that an NCC case was outstanding at the time that membership lapsed or otherwise ceased. It will therefore be for the NEC to consider any outstanding matter in relation to a suspended NCC case should the individual concerned re-apply for party membership. The evidence from a suspended case may, however, be used in future for any purpose.

#### 4. Procedural matters at NEC or CLP level

- A. The rules under which the NCC operates make it clear that the NCC and its panels are concerned only with the charge(s). The procedures adopted on behalf of the party or a CLP in advance of a referral to the NCC are not matters for the NCC dealing with a particular case. The NCC is entitled to (and will) act on the basis that the charges are properly brought before them and cannot become embroiled in dealing with complaints about the administration of any investigation leading to the charges. Any such complaint will therefore not be entertained by the NCC or panel thereof unless it is material or relevant to the consideration of the evidence to be used by the presenter in support of the charges.
- B. Complaints about the conduct of an investigation at CLP level should be addressed to the appropriate Regional Director, or the party's General Secretary in the case of national investigations, and not to the NCC.

## B. Other matters

### 1. Disposal of case other than by hearing:

- A. A panel may decide to dismiss a case at any stage up to A.3.D.i.d above on the grounds that no case to answer has been established. Where a case is contested by the respondent a hearing as above will usually proceed unless agreement is reached on an alternative method of determining the case (eg on the basis of written submissions only).

### 2. Decisions of other authorities

- A. The NCC has taken the view that it is important that the party adopt a consistent approach towards the findings of the court's statutory inquiries, the District Auditor, Standards Boards and other such judicial or quasi-judicial authorities.
- B. Presenters on behalf of the NEC and CLPs cannot be expected to provide first hand evidence for the findings of such bodies. The NCC shall treat such findings as grounds for disciplinary action unless evidence is provided of a successful challenge through the appropriate channels. The findings of such authorities shall normally be conclusive proof of the commission of such a crime, act or default.

### 3. Party membership of individuals charged

- A. An individual charged must have been a member of the party at the time of the alleged breach of rule (and of the constituency concerned where the case is brought by a CLP). A CLP is entitled to pursue a case against a former member who has subsequently transferred membership to another CLP.

