

Refounding Labour

# The TULO Submission



# Table of contents

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<b>Introduction</b>	<b>p.3</b>
<b>An outward looking Party</b>	<b>p.4</b>
Local structures	p.5
Engagement with trade unions	p.6
Linking local groups and supporters to our Party	p.8
<b>A voice for members</b>	<b>p.10</b>
Selections	p.10
The National Executive Committee	p.11
Leadership elections	p.12
Party Chair	p.13
Social media & opportunities for online access	p.13
Conference	p.14
Partnership into Power	p.15
Proposals for reform	p.16
Support	p.16
A rolling programme	p.16
Amendments	p.17
Policy Commissions	p.17
National Policy Forum	p.17
Conference	p.17
Joint Policy Committee	p.18
Managing policy	p.18
<b>Renewing our Party</b>	<b>p.19</b>
The need to change	p.19
Widening participation in Party processes	p.19
Engaging trade union members	p.22
Stronger links with external organisations	p.23
New forms of activism	p.23
Equalities	p.24
<b>Winning back power</b>	<b>p.25</b>
Community organising	p.25
Candidate selection	p.25
<b>Appendix A: The reformed policy process</b>	<b>p.26</b>

# Introduction

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The political landscape of the nineteenth century was dominated by two established political parties - the Conservatives and Liberals. Although they often disagreed on issues of policy, they mainly represented different opinions within an insular and privileged elite.

Progressive forces in nineteenth century Britain were too weak to challenge that political hegemony. Although parties of the left had existed for a number of years, they did not have the necessary members or finance to mount a serious electoral challenge. An increasingly politicised trade union movement provided both.

From its inception the Labour Party was a grassroots organisation, bringing together political activists and trade union resources to challenge both Conservative and Liberal MP's who, for the first time, were unable to outspend their opponents. The Corrupt Practices Act of 1883 had outlawed the payment of canvassers. Both the Conservative and Liberal parties were formed inside parliament and did not have strong local organisations. In working class areas, the combination of trade union finance and political volunteers proved an unstoppable combination.

Whilst our society has changed immeasurably since that time, there are certain fundamentals that have not. Any cursory examination of party political funding reveals that our main opponent, the Conservative Party, remains funded by the wealthiest in our society whereas the Labour Party remains mainly funded by the political contributions of working people through their trade union. In terms of volunteer activism, one of the great successes of the Conservative Party in the 20<sup>th</sup> Century was the establishment of an external organisation capable of winning elections.

This leaves us in an invidious position. Our ability to match our political opponents in financial terms is being undermined by the decline in industrial collectivism, whilst the decline in Labour's volunteer base undermines our ability to win elections on the ground. Whilst there are certain trends in our society that undermine voluntarism - and can only be reversed through our policy agenda - we must accept that the Party is not structured around modern life or modern activism, and we must reform ourselves in order to appeal to those who want to change our society and to make best use of the time and skills they can offer us.

# An outward looking party

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The decline in political party membership should be a cause for concern for all within civic society. Although we can identify the rise of the consumer society, the blurring of work/life boundaries, and the rise of a culture of individualism, we must also recognise that levels of interest in politics remains as high today as they were in the 1970's. What has changed in the apparent willingness of citizens to join, and participate in, political parties.

The key reason for this decline appears to be the increasing atomisation of our society - a consensus around individualisation which has dominated our polity for the last 30 years. In a world that promotes individualism, it appears irrational to subvert individual thought to a collective decision. Thus we have seen the rise of single issue pressure groups or organisations (such as *Make Poverty History* or *Mumsnet*) that do not require their members to adhere to collective decisions. This has been greatly aided by the growth of new technology, so that people no longer need to attend meetings in order to find out what is happening, or to have their say.

Although trade unions have suffered from the rise of individualism and the decline in civic participation, we should not accept the fashionable wisdom that trade unions are a spent force and locked in irreversible decline. The political consensus around neo-liberal economics has caused a reduction in our membership by allowing the collapse of traditionally unionised sectors, privatisation in the public sector, and a willingness to restrict trade unions in pursuit of the free market. Yet despite this consensus, trade unions remain the largest voluntary organisations in our society, with a combined membership of over 6 million.

It is also instructive to note that - even in an age of cynicism - the public show significantly higher levels of trust in the trade union movement than they do political parties. Although a restrictive legal framework often feeds a perception of trade unions as irrelevant in the modern world, members still trust their trade union to represent their best interests.

Whilst a critique of the decline in voluntarism is beyond the scope of this document, we must accept that there is a widespread cynicism in the value of political participation. In order to counter that perception we must use the *Refounding Labour* review to ensure that our Party operates in manner that welcomes and engages new members, and ensures that their participation is respected and valued.

## *Local structures*

The Labour Party is unique in having been founded as a party of protest. Whereas the Conservative and Liberal Parties were formed by the existing political elite within parliament, our party was formed by working people and political activists determined to carry their concerns into parliament. Our structures reflect these origins, allowing local parties to make political, financial, and organisational decisions in the locality. Through that structure they are able to project their political voice into the national arena through the candidates they select, the politicians they hold to account, and the resolutions they pass. In short, our Party has a grassroots structure, where power flows upwards.

We believe that one of the great iniquities of our recent history has been the tendency to reverse that flow, and sideline local power structures in favour of centralised command and control. This is not to undermine the successes of the last Labour government, where trade unions campaigned for and won many things are rightly proud of a Government that introduced our first national minimum wage, statutory union recognition, equal treatment for agency, part-time and fixed term workers, accompaniment at grievance & disciplinary meetings, and statutory recognition for union learning representatives. Nonetheless, concerns around the 10 pence rate of income tax were identified in Party structures long before it became a media story. The implementation of foundation hospitals, academy schools, and the privatisation of public services were in direct contradiction of Party policy. The policy structures seemed to deny the wider Party the opportunity to discuss matters of taxation & defence. Whilst we do not believe that a Labour Government must be subordinated to the will of the party in the country, the wilful dismissal of Party opinion has a powerfully corrosive effect on the willingness of volunteers to devote precious time to participating in the party.

The *Refounding Labour* document recognises the need for updating that structure to reflect a changing world, and TULO supports the modernisation of that structure. However, we are aware that the debate around modernisation has, for many years, been a proxy battle between those who wish to protect grassroots structures and those who wish to remove local structures in the interests of an all-powerful leadership. Both positions do a disservice to the future of our Party.

If we are serious in our willingness to rebuild grassroots activism, we have to be able to offer new participants the opportunity to meaningfully engage; the opportunity to make a difference. This does not mean that we cannot undertake serious reform of our structures, but it does mean that TULO support for those reforms is dependent on the retention of local structures that empowers members and allows their meaningful input into the politics and policy of our Party.

## *Engagement with Trade Unions*

It is true that local trade union engagement has declined. This is partly due to the loss of 65% of union stewards since 1980, compared to a loss of 50% of members; simply put, there are less union activists, and those remaining have less time to devote to political matters.

For many union activists, the apparent deafness of former Party leaders to union issues proved a disincentive to participate. The commitment to retain the majority of legislation that restricted trade unions in the workplace was the most obvious example of this - we should not expect volunteers to work hard for a party that opposes their aspirations.

These issues were exacerbated by the decline in local power structures, leaving trade union activist unable to influence the political discourse in the Party. Attendance was unproductive, and therefore not a good use of personal time.

This was exacerbated by an apparently hostile atmosphere within the Party to collective forms of organisation, which viewed such organisation as unrepresentative and out of touch. Whilst this may have been true of some labour movement structures during the 1980's, it did a disservice to the commitment of trade union activists and the organisations they represented inside the Party.

Whilst none of these factors produced a sudden rupture, we highlight them as reasons for the declining participation of union activists. Attempts to re-engage those activists must reverse these trends. We believe that there remains a willingness amongst our activists to engage, and that with a change in our Party's discourse we can achieve results that will benefit both our Party and our unions. There may be ways in which we can make engagement easier. For example, many trade union members work some way from their homes, but current party structures are based on patterns from decades ago when many people lived close to their work-place. **We would like to explore ways in which trade union activists can be involved in Labour activity in the area where they work.**

We find it odd that the document talks about improving the relationship between Labour MP's, councillors, and candidates with trade union *members*. Like those political representatives, the trade unions have shop stewards who represent their members and are able to provide leadership for their members. **The key to improving the relationship between the two wings of our movement is to facilitate the re-engagement between union representatives and party representatives.** Through this model, trade unions are able to mobilise their members in support of a mutual political agenda.

There are excellent examples of the relationship between our Party and its affiliated trade unions in operation. Where union representatives are active, they provide an important

linkage between trade union members and Labour politicians. Nor should we dismiss the value of Constituency Development Plans. The new TULO model for these places an emphasis on local engagement and membership building. Some unions have committed to mailing all their members in a constituency on behalf of the MP as part of a Constituency Development Plan. These models should be encouraged, perhaps in combination with the community organising model, to deliver greater local engagement.

Simple polling reflects the aggregation of individual concerns, whereas people join a trade union for collective representation. A party that dismisses the priorities of those responsible for providing collective representation will simply continue the current trend of disengagement.

We should also celebrate the work that trade unions have done to engage politically with their members. Unions have learned a lot from their counterparts in Australia and the USA, and have used sophisticated and varied methods to communicate with their members with a political message. There is some evidence that union members trust political messaging from their union more than they would trust messaging directly from a political party. Unions calling, door knocking or writing to their own members has been shown to be effective. In the US, the unions were able to mobilise millions of members to vote for the democrats and thousands to be active in the campaign by running a parallel GOTV operation, separate to the Democrats' own. The movement in the UK should continue to learn from best practice around the world to develop the most effective methods of political campaigning, engagement and education.

The culture of secrecy that has arisen around Party structures has also proved damaging to the wider relationship. Until recently, the Party has refused to provide trade unions with details of constituency parties. This has left trade unions unable to communicate either nationally or locally with its own political organisation. Any serious attempt at engagement must ensure that lateral communication is as simple as possible.

A final consideration is the possibility of direct communication between Labour representatives and the members of affiliated trade unions. Whilst superficially attractive, this fails to take into account the legal and cultural factors that make such an arrangement extremely difficult.

For example, even if we were able to overcome the constraints of the Data Protection Act we would have to consider carefully its ramifications on the Political Parties, Elections, and Referendums Act and the current protections for trade union political activities provided by the Trade Unions & Labour Relations Act 1992. Each of these pieces of legislation draws a distinction around trade union political activity. A direct relationship would call into question the legal separation between trade union political activity and the Labour Party, with unknown consequences.

Even if these legal obstructions could be overcome, a direct relationship pre-supposes that trade union members want a direct relationship with labour representatives. Whilst many are happy to support the political activities of their union, they share the same antipathy towards politics as the public in general. A relationship of that kind sits uneasily with notions of collective engagement.

### *Linking local groups and supporters to our Party*

Closer and better engagement with local communities was a cornerstone of Labour's success in the 1990's. Those seats that maintained that activity have, in the long term, outperformed those seats where the support of the electorate was taken for granted - we should celebrate the success of seats such as Harrow West, Luton North, Edgbaston, or Islington South & Finsbury. We cannot stand still on these matters, and must continually ask ourselves how we can improve the relationship between our party and its supporters.

TULO supports the closer engagement with external groups, but believes that those groups may be reluctant either due to a desire to protect political neutrality or because of their charitable status. We are also concerned that their experience of party structures may be similar to that of the trade unions in the last decade - that those structures are relatively powerless and that engagement squanders valuable volunteer hours. Nonetheless, we believe that there are means for expanding engagement with external organisations and, taken in conjunction with other proposed reforms, that they would prove attractive forms of engagement. Not least we should be looking to working together on local activity to resist the current government's attacks on our communities. Furthermore, those means already exist within the constitution of our Party.

The first means of engagement is through our policy process. During the early phases of its operation a number of external pressure groups took the opportunity to make presentations to our policy commissions in an effort to influence party policy. The possibility of reform within our policy process creates this opportunity once more. Within this paper we will outline proposals for reform of our policy process, but suffice to say that we are proposing the re-establishment of our policy commissions as the powerhouses of the policy process, with the power to commission external studies and propose amendments to Party policy documents. This would be a powerful incentive for external organisations to meaningfully participate in our policy process.

The second form of engagement exists and is active within our constitution, but has long been neglected - the affiliated group (sometimes referred to as socialist societies, but also including friends or business groups). These organisations comprise groups of individuals around a common theme and becoming part of our party. Such forms of organisation allow those groups to participate formally in our policy process and conference, for a rate far



below normal member rates (currently just £3 per year). Such groups are also able to affiliate to, and participate in, constituency structures where local groups exist.

Such a formulation would prove attractive to external organisations - they retain their political neutrality, yet can encourage their members to join the relevant group (e.g. **Labour Friends of Greenpeace, Labour Friends of Shelter**, etc) and thus gain a say in the policy processes and conference of our party.

Perhaps the greatest barrier to this form of organisation is its obscurity. The Labour Party does not advertise, encourage, or provide advice on this form of organisation. In order to understand this form of organisation you must first have a comprehensive knowledge of our Party structure - something that few outside of our organisation have. We therefore propose that the Party should review this structure with a view to preparing clear guidance and advice on setting up these groups, making this information publicly available, and undertaking a campaign to advise external organisations of the possibilities available through this model of affiliation.

# A voice for members

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Within this section we will discuss key reforms that would give members a voice and ensure that there is an inherent value in engaging with our Party structures.

## *Strengthening the voice of members & giving members more say*

It is worth pausing to reflect on the weakness of the membership's voice within our Party.

- **On the National Executive Committee the 200,000 members have just 6 seats, compared to the 250 strong PLP who hold eight seats.**
- **At our Conference, the 646 constituencies are entitled to just 4 contemporary resolutions. They are not able to submit resolutions on financial, organisational, or campaigning matters. They are not entitled to amend the policy documents presented to Conference.**
- **Within the National Policy Forum, they are entitled to propose amendments to the policy documents just once in a four year cycle. At that point in the last cycle (2009), just one amendment was accepted without the agreement of the leadership.**
- **In the leadership college, constituencies cannot make a meaningful nomination for a candidate. The 200,000 members have the same weight as the 250 strong PLP.**
- **At the last leadership contest, the vote of 1 MP was worth 450 grassroots members, and worth nearly 1000 trade unionists.**

If our future success is dependent on our members feeling involved and listened to, then we must consider changes to the structures of our Party that will ensure members feel involved and listened to.

## *Selections*

Local electoral activism is dependent upon the belief that the person seeking election is the best candidate for the position. Local selection procedures are meant to provide the means for determining the best candidate, and as such draw on a range of political skills. There needs to be a means of establishing positive action to ensure diversity and representativeness of candidates and ensuring political professionals are not given an advantage. Constituency members must make the final decision without interference.

## *The National Executive Committee*

During the years of the Callaghan government the NEC became a battleground within our Party, causing deep divisions in our movement, and it was a determination not to repeat those errors that lead to heavy handed management of the NEC by the Party leadership during the 1997 - 2010 period of Government. This has taken two forms - policy control & composition.

In terms of policy control, the NEC abrogated responsibility for policy to the Joint Policy Committee (the JPC) in 1997. This creation of a dual structure has weakened the voice of the membership, since there are no direct elections to the JPC. Nor are the membership or contact details of the JPC available to party activists. The net result has been to leave members powerless to effect the decisions of the policy executive. However, all major organisational decisions in relation to our policy process (timetables for election, dates of meetings, etc) are still taken by the NEC.

In terms of composition the NEC has increased significantly in size during the last 15 years, partly due to the Partnership in Power reforms but also due to an apparent desire to enhance control at points when control appeared to be slipping away from the leadership. This unbalancing of our executive committee, where members have a declining voice, reinforces the perception of control and increases disillusionment and disengagement amongst our members.

TULO believes that there are a number of measures that can be taken to improve the operation of the NEC. We believe that the separation of powers between the NEC and JPC should be questioned. We would argue that the time has come to rebalance the NEC, perhaps giving equal weight to constituencies, trade unions, and other stakeholders. A reformed NEC should include representatives from Scotland and Wales as determined by their own devolved party structures, though we believe that proposals for the regionalisation of constituency places would create further problems. We believe it would be possible to make these changes without enlarging the NEC. This could be achieved in the following manner.

The constituency representatives would be increased from 7 places to 9 places (including the youth delegate). With the addition of a Scottish & Welsh delegate (both elected by their own Conference) their total representation would be 11.

The trade unions would reduce by a single place to 11 seats.

Amongst the other stakeholders, the largest group is the seven members of the PLP. By reducing that group to just four, the other stakeholders within the Party would hold 11 seats.

In this combination, the NEC would have 33 seats. The post of treasurer (which is elected from more than one of these groups) would sit as an additional place, giving a total NEC membership of 34.

Finally, it would make sense if the original rules agreed under the Partnership in Power reforms were adhered to – no parliamentarian should sit outside of the PLP or EPLP section.

### ***Leadership elections***

We are rightly proud of a leadership process that offers participation to many millions of individuals, and ensures that our leader has widespread appeal. A clear process for conducting leadership elections ensure that, as in local selections, we select the best candidate for the role. However, the recent experience has raised some serious questions about our processes, and there is a significant school of thought that believes now is the time to address those questions.

Possibly the most serious is the electoral college, which contains a clear hierarchy of membership. During the 2010 leadership election, the vote of an MP was worth the equivalent of 450 Party members and worth nearly 1000 trade unionists. Such a hierarchy is at odds with our passionate belief in equality. The hallmark of the modern Labour Party is OMOV, and it is time to give fresh thought to how that principle could be applied in our leadership elections. A simple OMOV election for the leader comprising all individual & affiliated members would level participation in the process.

These concerns about hierarchy should not be considered an attempt to downgrade the role of our parliamentarians in a leadership election. Within a reformed process we would continue to support the exclusive right of parliamentarians to nominate candidates.

We also recognise that there is an issue surrounding multiple voting, and the entitlement of some members to vote in several Party units. However we recognise the technical difficulties inherent in resolving this issue and, even if it could be achieved, that it does not resolve the hierarchical nature of the process. TULO proposes that the most straightforward resolution would be to place all members of the electoral college on an equal basis. We hope that some technical means could be found to ensure that each elector received a single vote. However, if this proves impossible we would require all participants to sign a statement to the effect that they had cast just one vote in the leadership election. Mechanisms must be found to ensure that confirming this and confirming support for Labour does not result in high levels of disbarred votes.

The principle of OMOV is an important check and balance in the structures of our Party, and in the context of a leadership election it acts to counter concerns about the representative nature of federal units of our party – an organisation that recommends one candidate, yet whose members support another is weaker for that failure. However, in accepting of the principle of OMOV we will respect the right of all federal units to recommend a candidate to members in their constituency.

We also note the rules for a leadership election are confusing, reflecting a hybrid of a Conference election process and an OMOV election process. These rules need to be redrafted to accurately reflect an OMOV system, whilst not undermining the fundamental requirement of Conference approval for a leadership election.

### ***Party Chair***

In ensuring that our members have a voice within our Party we must consider the discussion around the ‘Party Chair’ – a position created by the Labour leader in 2002 and appointed by the leader. Whilst that position has no standing in the constitution of our Party, we must consider whether or not we wish to formalise that position.

It is difficult to see what role it would play within our Party structure; we have a directly elected leader and deputy leader. The NEC and the NPF have chairs elected through the delegate structure, and our General Secretary is endorsed by Labour Party Conference.

The creation of a position within the Labour Party that simply diffuses power and creates dual structures will be an internal distraction and confusing for both members and the wider electorate, and creates a potential for division.

### ***Social media & opportunities for online access***

Key proposals should include the opening up of our policy process through online activity. It would be a major step forward if policy commissions had a webpage with details of their members, meetings, agenda, documentation, submissions, and opportunities for consultation.

Similarly, the Party structure should be more transparent and accessible. Both the NEC and Conference would be more accessible to members if their activities, paperwork, and decisions (those not of a politically sensitive nature) were available and archived online.

We also believe that social networking and online campaigning should provide a key part of the Party’s engagement with supporters, through signing people up on specific campaigns and building a relationship with them over time. This would enable us to ask them to undertake campaign actions, get involved at election time and join the Party. There is more detail on this on page 19, in the section on widening participation.

## *Conference*

Although its functions have substantially changed over the previous fifteen years, our annual conference remains at the heart of our party democracy. It remains the place where party policy is decided, elections conducted, and where the leader meets the party. Yet despite its status as the primary voice of the Party in the country, its decisions are routinely ignored and delegate attendance is declining. This is particularly worrying, since it is the structure that generates the loyalty of our activists.

Perhaps the most important change that could take place in relation to Conference is a cultural shift. The determination of previous leaderships to micro-manage Conference, and when that fails to greet its decisions with outright hostility is an effective rejection of the membership's voice. If we are serious about giving members a voice then we need to accept the freely made decisions of Conference as legitimate party policy.

Whilst it is our intention to discuss the policy making process elsewhere within this document, it is important that we consider the vestigial remains of the resolution based process - contemporary resolutions. Whilst our policy process is intended to provide a forum for consensual deliberations over the lifetime of a parliament, the contemporary resolutions process has proven invaluable as a lightning conductor for issues of concern. However, there remain a number of problems in relation to their operation.

The first of these is the 'contemporary' criteria, which are loosely defined and have been manipulated to achieve control of the conference agenda. Whilst affiliated organisations are able to devote the resources to ensuring that their issues are 'contemporary', most constituencies do not have the same resources. This has created bizarre outcomes - in 2008 over 160 constituency resolutions were ruled out of order.

Similarly the processes for voting are unclear for most delegates. The stipulation that the four most popular subjects within the constituency and affiliate sections should be debated by Conference has been interpreted differently to the original proposal. Constituencies are encouraged to vote for the same four subjects as the affiliates. Since the same four subject areas are supported across both sections, only four are discussed by Conference. This has the effect of reducing the independent voice of the membership within our Conference.

Finally, it is odd that the outcomes of these resolutions are not integrated within our policy documents. Thus the Labour Party has clear policy on a range of issues that were determined by the process of contemporary resolutions, but these have not been published in any format beyond the Conference Arrangement Committee reports circulated at the relevant Conference.

TULO believes that we must reform this process to make it more accessible and representative of members concerns. The most obvious reform would be to remove the 'contemporary' criteria, allowing constituencies to submit their issues of concern without fear of dismissal. Furthermore, we should enforce the original proposal for 4+4, and accept that constituencies have a legitimate right to have their own issues aired on Conference floor. Finally, we should clarify the status of resolutions, and make it explicit that those passed should be incorporated within our policy documents.

We are aware that there has been some fresh discussion of the 1993 Smith settlement, which agreed the voting basis of Conference. TULO welcomes that discussion, which reaffirms the basis of voting strength on the basis of membership affiliation. However, we accept that there are arguments for greater participation in Conference as long as they do not violate the principle outlined above.

We would welcome greater participation within the affiliate section on the basis of external organisations supporters groups (Labour Friends of Greenpeace) outlined elsewhere within this document. We understand that this will dilute the position of trade unions within the affiliate section, but welcome that dilution as necessary in extending the reach of our Party.

Finally, it is important to set the 50/50 voting basis of Conference in historical context. The 1993 reduction in our voting strength allowed trade unions to articulate their own political voice; previously this had been impossible as the Party leadership had been dependent upon their support. This has brought affiliates closer to their members concerns, in a way that simply would not have been possible before. This independence has also proven to be an important check and balance in improving accountability - both ensuring that the Party reflects the concerns of trade unions (the Warwick Agreement, Agency Workers, Redundancy Pay), and brings a stability that has served the Party well in turbulent times.

### *Partnership into power*

The policy process, as it currently exists, has not succeeded in satisfying the demands of members, constituencies, or affiliates. This is for three key reasons - (a) the relative informality of the process which means that many of its workings are unclear, (b) the willingness to manipulate the process to achieve certain outcomes, and (c) the willingness to ignore or bypass the processes of the National Policy Forum.

TULO is particularly concerned by the relative informality of the process. The lack of either rules or guidance has meant that the process has become increasingly obscure to outsiders. It is not clear if it remains a rolling process. It is not clear where executive authority rests in the process. It is not clear what the processes are for submitting a minority position to Conference, nor is it clear what happens should Conference reject a

policy document. These deficiencies do not commend the process, and instead undermine its credibility in the eyes of the activists.

However, no amount of institutional and organisational change will make any difference unless there is also a cultural change in the party. As long as there is a willingness to publicly denounce the outcomes of the policy process, and even bypass the process entirely, the structure of the policy making process is immaterial.

TULO remains committed to a deliberative policy making process, and can see no value in a return to a resolution-based process that operates around Conference. Such a move would simply be to resurrect the problems of the past. However, this conclusion is qualified by the need of the Party to reform and strengthen the policy-making process to bring it closer to the model first envisaged. It is also worth considering whether we need different processes for when Labour is in Government and in opposition. With Labour in power, the sheer pace of events made inclusive policy discussion particularly challenging – we should learn from that experience and consider how best those challenges can be met in future.

### ***Proposals for reform***

The affiliated trade unions were keen supporters of the Partnership in Power proposals when they were presented to Labour Party Conference in 1997. The proposals contained within were for a deliberative and consultative policy process, with clear processes of operation and lines of accountability. However, this was not the policy process that was subsequently implemented. Within this section we will outline the process as originally envisaged, and are proposing that the original concept be implemented in full.

#### **Support**

One of the repeated frustrations of the National Policy Forum is the lack of organisational support available. TULO believes that a percentage of Short Money should be reserved for this process to ensure the effective working of the NPF and to provide effective communications with members.

#### **A Rolling Programme**

The transformation of our policy process from a resolution based conference into a more consultative and deliberative process was based around the concept of a rolling programme. It was envisaged that there would be 6-8 policy documents that would form the Party's policy statement, systematically revised every two years but at any point in time is the expression of the policy platform of the party. Those documents should only be altered via an amendment from a party unit.



## **Amendments**

It was envisaged that constituencies, affiliates, and other conferences within our Party would be able to propose a limited number of amendments to the policy documents between October and April. Those amendments would be submitted to the relevant policy commission for consideration.

## **Policy Commissions**

Policy Commissions were originally envisaged as the powerhouses of the new policy process, meeting twice a year to consider the amendments submitted by constituencies & affiliates. With a membership of 20-30, their role was to accept or reject amendments to the policy documents. Where a consensus could not be agreed, majority and minority positions would be formulated. Given the number of submissions that many Policy Commissions receive sufficient notice of amendments must be given and sufficient time allowed for the meetings to take meaningful positions on the amendments submitted. Additionally, the policy commissions should have the power to commission working groups to focus on specific areas of policy and be able to invite external bodies to provide evidence on particular areas of policy. The areas these working groups focus on should be prompted by the amendments submitted or by policy questions that arise during the year and should have a responsibility to report back to the commission initially and then the NPF more subsequently.

The report of the policy commission would be presented to the full annual meeting of the National Policy Forum.

## **National Policy Forum**

The original role of the NPF was to provide a forum outside of Conference where contentious policy could be debated away from the media. It was intended that the NPF would accept or amend the reports of the policy commissions. Where majority / minority positions were presented, it would be the role of the NPF to determine the Party position.

However, where a position received more than 20% support within the NPF yet was defeated, that position would be presented to Conference as an alternative position.

## **Conference**

Within this policy process, Conference would remain the sovereign policy making body of the Party. It would accept or amend the reports of the National Policy Forum and take votes where alternative positions were

presented. Conference would also retain the existing resolution based process, the outcomes of which would also be incorporated into the policy documents.

### **Joint Policy Committee**

Whilst the JPC held no role within the policy process as originally envisaged, it was instituted to conduct a number of political and organisational functions. In the first instance, it removed the policy remit from the NEC. Whilst this was intended to prevent the NEC becoming a battleground as in the 1970's, the actual effect has been to create a dual power structure, reduce the influence of the membership on policy, and shroud the policy executive in secrecy. Secondly, it was tasked with determining what alternative positions were presented to Conference. This responsibility was ceded to members of the NPF during the 2005 review of our policy process. Thirdly, it was responsible for organising the NPF timetable, meeting arrangements, and organising elections to the NPF. Each of these responsibilities had been ceded to the NEC Organisation sub-committee by the summer of 2004.

As with other elements of the NPF this committee has become discredited and stripped of its intended role. Attendance has declined to the point that meetings are rarely quorate, and senior politicians attend infrequently. It is difficult to see what future role exists for the JPC as it currently operates. TULO proposes that it is either reinvigorated with a 50/50 balance of Trade Union and CLP representatives or that it is abolished.

### ***Managing Policy***

Conference could be the public celebration and final approval of a real and meaningful dialogue between party leaders, party members, and voters. The real work might have been done elsewhere, but as this is already the case and considering the nature of media scrutiny of party events (perhaps unavoidably so) the task for reformers should not be to change conference but to change and make meaningful the processes that lead up to Conference.

Beyond the immediate process, a cultural shift is required to ensure that the policy making process is not simply treated as a toolbox to use when keeping out unwanted voices. A policy process which is properly structured to include the membership; reach out to key electoral groups in our society; can keep honest debate away from the glaring lights of the media; and is not capable of being hijacked will produce good, carefully thought through policies. Such policies would ideally to be pursued by the leadership as the legitimate expression of the wishes and demands of the party and its voters.

# Renewing our Party

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## *The need to change*

The trade union movement understands better than most the need to change and evolve to survive in the modern world. Changes in the nature of global economics have required unions to revise their activities and roles in order to retain an appeal to potential members. If anything, this need is even more pronounced within the Labour Party, which has lost over half its members in the last 15 years.

TULO believes that there are two principles that must endure in any renewal of our party structure. Firstly, we must retain the essential local structure that allows members to determine their candidates, organise to win elections, and allows members to engage in and influence policy. Secondly, that our Party must respect its own internal democracy, accepting its outcomes as the will of the membership. In an era of an increasingly educated population, we cannot treat our members as a force to be tamed or ignored.

## *Widening participation in Party processes*

Labour Party membership is growing. However, overall membership of all political parties remains small as a proportion of the population, and also in comparison to the number of people who take political action of other kinds (eg, members of pressure groups, campaigners with 38 degrees etc). We believe it is crucial that we find ways to better engage with people who could be considered Labour supporters, or who support parts of our agenda. However, we do not believe that way to do this is to set up a new constitutional form of membership for these supporters ('membership lite'). We should develop and improve the relationship with our existing and potential supporters.

The Party already has an informal supporters' network - thousands of people who are not Labour Party members already undertake Labour campaign actions, such as signing petitions and sharing Labour campaigns on facebook and twitter. We must seek to develop this network, and get better at signing people up and at developing that relationship with our supporters over time.

Our online campaigns must be engaging and must be genuine. Asking people to sign a petition to save the NHS and then not continuing to engage them in that campaign, and only emailing them again to ask for donations, is not enough. Our online campaigning must be genuine and not merely a means of data capture. We must also ensure that our online campaigns are not entirelyly virtual - we must seek to create action in the offline world too.

As an example, TULO has worked closely with the Shadow Pensions Minister on the ‘hands off our pensions’ campaign on the State Pension Age. We have signed up 12,000 campaigners on a petition, but we have developed a relationship with those campaigners over several months, getting them to participate in making a video, asking them to lobby their MP in their constituency or even come down to London for a mass lobby of Parliament.

This long-term engagement in developing a meaningful relationship with supporters will pay dividends, and enable us to get a better response when we do ask supporters to campaign for the Party at election time, or to donate. We must also look at improving how our online campaigns are accessed locally. For example, signatures on a Labour Party Save the NHS petition collected by a local Party, or by a union, should feed into the bigger network (assuming that Data Protection rules are abided by).

This network of campaigners is, by its very nature, informal. People dip in and out of campaigning, and might initially be attracted by one of our campaigns, rather than the whole package. It is obviously a big ‘jump’ to go from being someone who votes Labour and is generally supportive, to being a Party member. However, it is important that these supporters are engaged, not just in campaigning activities, but also consulted on policies and issues. They must be looked upon as potential Party members.

Nonetheless, having a formalised, constituted category of sub-membership for supporters would be hardly less of a jump, and would create a whole new set of debates about what membership rights a formal supporter would be entitled to.

We should seek to make Party membership more attractive, and improve the ‘offer’ we give to potential members. Some of this will come from opening up our policy-making procedures, so that members feel they have a real say in the Party. But should also look at how the Party organises locally, and try to remove the barriers that stop new people being involved. For example, we should ask all local Parties to audit how they structure their meetings and processes, and ask them to consider whether they are as accessible as they might be. We should also share good practice with local Parties.

We should also look at increasing the range of campaigning activities that Parties undertake, so new members can get involved in campaigning in other ways than as foot soldiers (see the section on ‘new forms of activism’). Members have a wide range of skills which too often go to waste. We propose that the Party invests in Membership Development, possibly employing dedicated officers in the regions to audit skills, improve accessibility of local Parties, and work with CLPs on community campaigning.

Finally, we propose that the Party looks at its pricing structure for membership, and makes it more graduated on the basis of income. Whilst we are mindful of the importance of the

Party being on a secure financial footing, it would be devastating if people did not join because they are worried about being able to afford it. Similarly, the Party should actively promote offers such as the Trade Union membership rate, rather than hiding it away.

We believe the party needs to seek out allies in the community and work with them, both locally and nationally. These allies will be members of all parties and none. Our alliances are to win on 'single issues' and also with a view to persuading others that Labour is a reliable ally and to be supported. The existence of a supporters category will not help and may hinder the development of such important community alliances.

The experience of the trade union movement tells us that those people who are unwilling to join our party are unlikely to study conference documents or policy papers and participate in some form of internal democracy. Even if their participation were confined to OMOV elections (parliamentary selections, NEC elections, NPF elections, or leadership elections) the question arises as to whether this would be on the same basis as full members, or would we create new structures within our Party to accommodate supporters? Who would be eligible to stand as their representatives?

Finally, and given the financial difficulties that the Party is now in, we must ask hard headed questions - would the small membership payment cover the administrative cost of servicing this group of supporters and their engagement in the Party? We are concerned that this raises questions as to the value of full membership, and may have a negative impact on membership levels. There are many examples of constituencies working successfully with a wide group of identified Labour supporters already, without the need to add any layers or competing interests inside the party to facilitate this.

The alternative is to offer supporter status at no cost. This raises other questions - how would you prevent our party being infiltrated by other political activists with the intention of subverting our Party democracy to their own ends?

Therefore we should not widen participation by creating a lower class of membership, but putting our supporters on a ladder of engagement that leads towards membership is something we should whole-heartedly embrace. Using the best practice of online engagement from single-issue groups this strategy is affordable and maximises participation from our loyal supporters.

## *Engaging trade union members*

TULO welcomes the acknowledgement that the Party's relationship with the trade unions gives the Party unparalleled reach, and believes that it is this relationship which ensures that our Party does not lose touch with working people. However, we are concerned that the document discusses engaging 'individual' affiliated members more directly without, it appears, any understanding of its' practical and legal difficulties.

As already stated, trade union members understand and accept that their union engages in political activity on their behalf to improve conditions in their working life. This does not mean that they are any more prone to political engagement than other members of the population and, irrespective of legal issues discussed elsewhere, we must respect their privacy.

It is a matter of concern that the difference between trade union affiliations and political fund paying members is not widely understood, and this leads to confusion as to the role of the trade unions within the leadership election process. This stems from the internal reforms of the 1990's, when the definition of membership was removed from the rulebook. Ever since that point there has been debate about the actual nature of affiliation - is it the union member or the organisation that is affiliated to the Labour Party? We believe that the time has come to restate the federal structure of the Labour Party within our rules through an explicit definition of affiliated membership as per the original Clause 2 of the rulebook (abolished 1995).

This does not mean that the Party should not have an engagement with individual members through the collective organisation of the trade union. Over the last eight years the affiliated trade unions have worked closely with the Party to mobilise individual members in support of the Labour Party. We believe that it is important to foster and grow the relationship between the party and individual trade union members. The importance of TULO's many thousands of workplace leaders and representatives is not only vital but has been an area sadly ignored by the Party in the past. It is important to remember the value of messages delivered by those whom people trust.

We also believe that the dialogue with trade union members must change. This requires a subtle step change in the Party's dialogue with the trade union movement - an understanding of the collective nature of trade unions, a dialogue with their industrial representatives, and a dialogue on workplace issues.

### ***Stronger links with external organisations***

It is difficult to see how we can formally engage external organisations and pressure groups in our structures unless through the affiliated processes described above. However, we do believe that policy making provides the point of engagement between ourselves and outside organisations from which closer links can be built.

The policy process as originally envisaged was designed to provide that engagement. It provided external organisations with the opportunity to give evidence to our policy commissions, and for policy commissions to invite external groups to prepare reports on particular areas of policy. Unfortunately, this element of our policy process was lost at an early stage of the cycle and, as stated above, we believe that this should be reinstated.

Additionally, it requires a culture of respect for our policy process and its outcomes. The *Refounding Labour* document recognises that external organisations can ‘spot an insincere initiative a mile off’. If we are unwilling to accept the ramifications of proper engagement, then we cannot expect to develop a closer relationship with those organisations and the potential benefits that will bring.

### ***New forms of activism***

We recognise that a new generation of activists are bringing with them new forms of organisation. The success of groups such as UKUncut or Hope not Hate have demonstrated that there are models of organisation which the Labour Party must tap into if we are to sustain our movement into the future.

These forms of organisation sit uncomfortably with our currently model of activism. A new member in the Labour Party is constrained by what they can do – they become a local functionary (chair, secretary, delegate, etc.) and are expected to fit into a narrow form of activism (leafleting, voter I/D, running an election centre, etc). Whilst we recognise these activities as essential to an electoral organisation, it means that we constrain what our members have to offer. A future model of Party activity should look to how we can train activists to use new forms of activism in local campaigning, and provide the tools for them to achieve those campaigns without excessive management from the centre.

It is instructive that, elsewhere in the world, trade unions have been the pioneers of community organising. Most of Labour’s affiliated trade unions have strong organising departments that can provide support to the party and its members through training and sharing best practice, and we should tap that resource in order to aid the development of our Party.

## *Equalities*

The trade union movement supports the cause of greater equalities within our Party. Whilst we believe that much has been done to improve representation within our party structures and within candidate selection, we remain open to further proposals for structural change that will ensure our Party reflects the communities we represent.

As in the trade union movement, the Party has a strong history of supporting positive action within our own structures to ensure we are representative. It is a good thing that the 40% quota for women's representation exists on bodies such as the NEC and the NPF, however we believe that this quota should be extended to 50% as standard across Party structures. Furthermore, it should be extended to all Labour Party committees, including the Shadow Cabinet, Regional Boards and local authority Cabinets. Crucially, we have to ensure that rules such as these are enforced across the Party – for many years we have had rules stating that one third of council candidates must be women. It is therefore unacceptable that there are Labour-held councils without a single female councillor, and others without a single woman in the local government cabinet. Officer time in regional parties must be made available to audit gender balance in local parties & ensure the rules are followed, but also provide support for local parties in recruiting, retaining and developing women members.

We also believe that it is crucial that equalities organisations have a voice within our policy process. Under the original proposals for Partnership in Power the Women's Conference & Youth Conference were entitled to submit amendments to the policy documents. These recommendations were never implemented, and as a result those organisations (and others such as BAME Labour) do not have a voice within our policy process. As part of a wider reform of our policy process, TULO proposes that those organisations gain the right to make amendments to the policy documents. Accordingly, we recommend that annual conferences of these organisations are reinstated, where they have been allowed to lapse.



# Winning back power

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Our renewal project will be pointless if we are unable to win back power. We believe that there are important lessons to be learnt from around the world if we are to deliver electoral success in the face of well-funded Conservative candidates.

## *Community organising*

The trade union movement has watched the development of new organisational forms abroad with great interest. In particular we note that these forms have been generated through the engagement of local organisations, and outside the control of the Party.

In both Australia and America, trade unions have provided the backbone of community campaigning, providing local organisers whose role it has been to mobilise diverse local groups around a common agenda, building a coalition that can deliver volunteers and influence public opinion. However, such a model accepts that those local coalitions influence the political discourse of the Party; something that sits uneasily with Labour's current structure of command and control. Nonetheless, TULO believes that this new model of community organising is a powerful agent for change; one we must welcome rather than reject through fear of change. As stated above unions can support the party and members through their wide and long experience of organising.


## *Candidate selection*

Our current processes of candidate selection is fundamentally sound, combining both the federal based nominations process and the OMOV based selection vote. Whilst local selection processes are at the heart of local Party activity, concerns remain about their operation. These only serve to reduce the member's voice and thus, in a volunteer party, reduce our local effectiveness.

In particular, we must be concerned about excessive external influence on the process which undermines confidence in the process, and only serve to increase cynicism in the eyes of those people who we would want to join the Party.

Additionally, parliamentary reselections must ensure that members retain the power to deselect an MP that does not represent their views. Whilst they retain that right at present, it is questionable whether the balance is correct. TULO proposes reform of the current process by increasing the threshold to 66% of affiliate and Party branch nominations to achieve automatic reselection. Where the 66% threshold is not achieved a full open selection will take place with the sitting MP automatically on the shortlist.

## Appendix A: The Reformed Process Timetable

<b>Month</b>	<b>Amendments</b> <i>Party Units prepare amendments to the policy documents. Those amendments are submitted to the policy commissions.</i>	<b>Policy Commissions</b> <i>2-3 meetings of the commissions accept or reject the submitted amendments.</i>  <i>Where there is not a consensus, the commission submits majority / minority positions to the National Policy Forum.</i>	<b>National Policy Forum</b> <i>A single meeting of the Forum approves the reports of the Policy Commissions, then discusses and votes on majority / minority positions.</i>  <i>Where a position fails, but receives at least 25% support, it is presented to Conference as an alternative position.</i>	<b>Conference</b> <i>Annual Conference approves the report of the National Policy Forum, an votes upon alternative positions.</i>  <i>Where an alternative receives the majority support of Conference, it is inserted into the policy document.</i>
October				
November				
December				
January		1 <sup>st</sup> Meeting		
February				
March		2 <sup>nd</sup> Meeting		
April / May				
June				NPF Meeting
July / August				
September				

