

# Suggested Rule Change

## **Election of the Conference Arrangements Committee (constituency section) by OMOV**

The Labour Party Rule Book 2013, Chapter 4 Elections of national officers of the party and national committees, Clause III Procedural rules for elections for national committees, subclause B Election of Conference Arrangements Committee, (i) b. reads as follows:

'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.III.3.A above.'

### *Amendment*

Delete: 'among delegates from CLPs at party conference on a card vote basis as provided in these rules Chapter 3.III.3.A above.'

Replace with: '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.'

### *Supporting argument*

In recent years there has been a consistent trend towards giving all party members a direct vote for their representatives on our national committees. These moves have given the grassroots membership some rights and influence within their own party, which is particularly important given the countertrend towards more power accruing to the centre and the party machine.

In 1997, party members were given the right to elect the constituency section of the NEC by one member-one-vote (OMOV) and recently they were further given the right to elect the constituency section of the National Policy Forum (NPF) by OMOV.

The Conference Arrangements Committee (CAC) is the Standing Orders Committee of the party's annual conference and it has two constituency seats (at least one of which must be held by a woman). These two seats are elected every second year. It is an important committee, for example it decides which conference motions from CLPs are valid and which are not valid. It would therefore be an important step forward for grassroots democracy if these two constituency seats on the CAC were also to be elected by means of OMOV. This reform need not cost extra money because the CAC election could run alongside the OMOV elections for the NEC and NPF.

A considerable number of CLPs no longer send delegates to conference and therefore they and their members are totally disenfranchised from the CAC election. This reform would effectively enfranchise every member in every CLP.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **A local electoral college for electing leaders of local government Labour groups**

The Labour Party Rule Book 2013 Chapter 13 Rules for Local Government Labour Groups on Principal Authorities Clause V Group Officers

#### *Amendment*

Add new subclause 2 as follows:

'A Labour group and/or CLP(s) covering its area can apply to the NEC to initiate a consultation process with a view to establishing a local electoral college to elect the Leader of the Labour Group. This consultation should involve all relevant CLPs and all of the Labour councillors. Depending on the results of the consultation, the NEC can authorise the setting up of a local electoral college.

The voting shall take place in three sections. These will consist of: (i) Labour councillors; (ii) individual party members; (iii) those members of affiliated organisations who have indicated their support for the party and that they are not members or supporters of any other party or are otherwise ineligible to be members of the party.

Procedural guidelines for the local electoral college will be laid down by the NEC'

#### *Supporting argument*

The idea of a local electoral college to choose leaders of Labour groups was floated in the first draft of Refounding Labour. It presumably met resistance from supporters of the status quo and was regrettably dropped from the final document that was presented to last year's annual conference. Giving party members more of a role and influence within our party was a key commitment by Ed Miliband during his leadership campaign. A wider franchise for electing council leaders would be an important step forward for party democracy. In recent years, central government has made many changes to local government structures and arrangements. Many of these have increased the power of group leaders and tended to weaken their accountability to the rest of the group. A local electoral college would enhance the accountability to both councillors and party and strengthen the link between group and party.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

Ministers to be ineligible to serve on CAC

The Labour Party Rule Book 2013 Chapter 4 Elections of national officers of the party and national committees. Clause III Procedural rules for elections for national committees. B Election of Conference Arrangements Committee. Sub clause ii reads

as follows:

Every affiliated organisation and CLP may nominate an eligible member of the party for a seat on the CAC.

#### *Amendment*

Add at end: 'Members of the government (when the Party is in power) and members of the Parliamentary Committee (when the Party is in opposition) are ineligible to stand for the CAC.'

#### *Supporting arguments*

The CLPs have two seats on the Conference Arrangements Committee (CAC) and for many years these were occupied by rank and file members. In recent years, however, they have often been filled by government ministers or shadow ministers. To operate as it should, the CAC must always be independent. Controversial policy issues at conference therefore put ministers or shadow ministers in an impossible position. They cannot serve two masters. They are always under pressure to follow the leader's line, rather than the democratic interest of the delegates. In practice this would mean that they would be under pressure to keep controversial issues off the agenda.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **To create a Labour Party Ombudsperson**

The Labour Party Rule Book 2013 Chapter 1 Constitutional Rules

#### *Amendment*

Insert new clause X as follows: (and renumber existing clause X)

There shall be a Labour Party Ombudsperson, appointed by the National Executive Committee.

The Labour Party Ombudsperson shall deal with complaints alleging a breach of the Party's rules and procedures and any other appropriate matter, in accordance with guidelines approved by the National Executive Committee.

The Labour Party Ombudsperson shall be a Labour Party member and shall be appointed by the National Executive Committee. The Labour Party Ombudsperson shall be appointed to serve for a non-renewable fixed term, which shall not exceed 10 years.

The Labour Party Ombudsperson shall be independent and impartial; shall be remunerated in accordance with a sum approved by the National Executive Committee; and shall not be removed from office while continuing in membership of the Party except for misconduct or incapacity, following a resolution of the National

Executive Committee approved by Conference.

and renumber subsequent clauses accordingly

### *Supporting argument*

The existing Party rules set out the duties and restrictions on members of the Labour Party. Recent experience of top down management of the Party has demonstrated that these rules have unfortunately not always been applied in an even handed and transparent way. At a local level too, the rules are not always applied in the spirit in which they were intended. The enforcement of members' rights and duties, and the investigation of complaints as to their breach, needs to be underpinned by the work of an independent ombudsperson. It is essential that the ombudsperson is accountable to the NEC and to the Party and that their work does not cut across other NEC functions. The ombudsperson must personally be truly independent and command widespread support across the party as a whole. Hopefully the ombudsperson would not have many cases to deal with, but the position would be a vital backstop and would give all members reassurance, fairness and justice where needed.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **Trade Union levy payers to be properly recognised as affiliated members of our Party**

The Labour Party Rule Book 2013, Chapter 2 Membership Rules Clause I Conditions of Membership

#### *Amendment*

Add a new sub-clause 2 as follows (and renumber subsequent sub-clauses):

'2. There shall be affiliated Party members of the Labour Party. Political levy paying members of a trade union affiliated to the Labour Party shall be deemed to be Party members by virtue of their organisation's affiliation to the Labour Party, their affiliation fee passed on and their membership rights exercised through their trade union. In order to qualify as affiliated Party members, political levy payers must indicate their support for the Labour Party and confirm that they are not members or supporters of any other party or otherwise ineligible to be members of the Labour Party.'

#### *Supporting argument*

Rival political parties and hostile voices in the press and media continually question the role of the Unions and of their members within our Party. Of course, the vast majority of Labour's members are well aware that the Party was brought into existence by the Unions as a federal body, consisting of CLPs, Unions and Socialist Societies. At the founding Conference on Labour Representation, February 1900,

the delegates consisted of:

117 from Trade Unions representing 545,316 members;

7 from the Independent Labour Party representing 13,000 members;

4 from the Social Democratic Federation representing 9,000 members;

1 from the Fabian Society representing 861 members.

This federal structure gives the Party its underlying strength and is precisely why the bond between Labour and the Unions is always being questioned by our political enemies. That affiliated union levy payers are de facto affiliated Party members is actually already implicit in the Rule Book. This rule change would make it explicit. It could also lead to trade union members feeling more involved and playing a more active and campaigning role at CLP level.

In recent years, our Rule Book has been comprehensively re-jigged so many times that clear principles have sometimes become opaque. For the first seventy years the Party's Constitution was crystal clear viz

'Clause I - Name - The Labour Party

Clause II - Membership - There shall be two classes of members, namely

a) Affiliated members

b) Individual members'

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **Give all young members and affiliates the right to vote for Young Labour Chair**

The Labour Party Rule Book 2013, Chapter 11(B) Young Labour National Committee, Clause III Chair (page 44), reads as follows:

Young Labour delegates at Youth Conference shall elect a Chair who must be a woman at least every other term.

#### *Amendment*

Delete: 'Young Labour delegates at Youth Conference'

Replace with: 'An electoral college made up of one half ballot of affiliates and one half ballot of all Young Labour members'.

#### *Supporting argument*

Currently the Chair of Young Labour is elected by delegates at Youth Conference

which excludes grassroots young members from having a say. Furthermore, currently affiliated trade unions and socialist societies have no say at all in who the chair of Young Labour is. This rule-change would increase the say of grassroots members in who the chair of young labour is and open up the system away from just the Youth Conference, which often only a privileged few can attend. It would also give a proper say to affiliated trade unions and socialist societies in the election of Young Labour Chair.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **To allow motions to Young Labour conference**

The Labour Party Rule Book 2013 Chapter 11 (B) Young Labour National Committee (page 11), Clause VIII.

#### *Amendment*

Insert at end:

2. Each Young Labour Group, affiliate and CLP shall have the right to submit one policy motion to the agenda of Young Labour conference.

#### *Supporting argument*

Currently the rules for Young Labour conference are vague and have resulted in it not having a proper procedure for deciding policy. This has meant that Young Labour's policy process has not allowed young members to have a proper voice, with Youth Conference only being host to policy discussions and workshops rather than actually deciding policy as it should. This rule-change will lay out a clearer and more democratic procedure for deciding Young Labour's policy allowing young members to have a voice.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **Three year rule**

The Labour Party Rule Book 2013 Chapter 3 Party Conference Clause III Procedural Rules for Party Conference 2. Conference rule 2 " Agenda section H (page 14) reads as follows:

'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.'

## *Amendment*

Delete these words and replace them with:

“When party conference has debated a proposed rule change, no proposal to amend the constitution or rules of the party that has the same main purpose (if the proposed rule change was rejected), or whose main purpose is to reverse it (if it was agreed), shall appear on the agenda of the three following annual party conferences, except such resolutions to amend the constitution and rules that are in the opinion of the NEC of immediate importance.”

## *Supporting argument*

This proposal is intended to clarify this clause (known as “the three year rule”) to prevent the abuse of the rulebook to stop constituency parties’ proposed rule changes being considered. The original intention of this clause was to prevent repeated discussion of the same issue year after year, and these words were interpreted in that way for many years. In recent years, however, it has been interpreted increasingly widely and unpredictably: the word “part” is not defined by the rules and has been interpreted to mean a whole clause or even more, covering in some cases several pages. Amendments on completely different issues to the subject of a proposed rule change which happened to fall in the same clause, sometimes no more than drafting changes, have been used to prevent debating and voting on constituency proposals. CLP rule changes which are ruled in order and scheduled for debate have also been ruled out later in the week because of NEC rule changes (often on different issues) to the same clause made earlier in the week. These results are arbitrary and contrary to the spirit of the three year rule. The amendment clarifies the rule and helps the CAC reach its decision by considering what a proposed amendment is really designed to achieve, rather than simply asking whether the proposal relates to the same “part” (whatever that means).

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **Right of Party members to select candidates**

The Labour Party Rule Book 2013 Chapter 5 Selections, rights and responsibilities of candidates for elected public office, Clause I General rules for selections for public office, section 2 (page 22) reads as follows:

'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.'

## *Amendment*

Delete the words 'Further the NEC has the power to impose candidates where it deems this is required by the circumstances.' And replace with:

'However, the NEC shall not override the general right of party members who reside in the electoral area concerned to participate in any selection except where the party finds itself for any reason without a duly selected candidate within two weeks of the close of nominations. In such cases, the NEC may appoint a selection panel of its members drawn by lot from those available (or, in the case of candidates other than for the UK or European parliament, available members of the NEC or appropriate Regional Board members or party officials), plus the same number of members appointed by the appropriate party body for the electoral area concerned. In other cases where the timetable requires an abbreviated process and the NEC considers it necessary to impose a shortlist, and in the event of a parliamentary by-election, the NEC may appoint a shortlisting panel with the same composition and in the same manner as the shortlisting panel described in this paragraph. This panel shall draw up a shortlist of not fewer than six candidates (unless fewer than six candidates have been nominated) if time permits from those nominated by party branches (or from specially convened meetings of members within ward boundaries where there are no members branches) and affiliated organisations, giving due cognisance to the weight of nominations received, and otherwise from those who have self-nominated.'

### *Supporting arguments*

At recent general elections, there has been considerable concern about the number of late selections where candidates have been 'parachuted' into constituencies either by imposing candidates selected without any local involvement or by imposing shortlists which excluded popular local candidates. In many cases the time taken to organise the NEC selection or shortlisting process was no quicker than would have been possible at a local level by reducing the time allowed in the normal timetables for selection. In 2010, such decisions were taken without even the presence of local observers. This amendment therefore restricts the imposition of candidates to the most extreme circumstances, and in the case of imposition of either candidate or shortlist, that decisions are taken jointly with local representatives. Where it is necessary to impose a shortlist, it should still be done jointly, and from those nominated locally whenever possible.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

Full involvement by party branches and branches of affiliated organisations in the selection of Westminster candidates

The Labour Party Rule Book 2013 Chapter 5 Selections, rights and responsibilities of candidates for elected public office, Clause IV Selection of Westminster parliamentary candidate (page 24)

*Amendment*



Insert new subclause 2 as follows:

'The NEC's procedural rules and guidelines for the selection of candidates for Westminster parliament elections shall include provision for party branches and branches of affiliated organisations to both interview prospective candidates and make nominations to the long list. The drawing up of the final shortlist will give due cognisance to the weight of nominations each candidate receives.'

and renumber accordingly.

### *Supporting argument*

The selection of parliamentary candidates is one of the party's most important tasks. Some MPs serve for 40 years and it is vital that every effort is made to secure the very best candidates. This should mean involving all party members and affiliated members through their branches and seeking to select PPCs that are representative of their communities. Unfortunately, in recent years, the opposite has been happening. Party branches nominate from CVs without interview, affiliated branches are not properly involved at all, and, according to the latest NEC survey, as few as 9% of current Labour MPs have a manual background, whereas 27% are from the Westminster village. Ed Miliband has made a commitment to giving members a greater role and influence. Nowhere is this more important than in the selection of Labour parliamentary candidates.

*Closing date for constitutional amendments: 21 June 2013*

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## **Suggested Rule Change**

### **Trigger ballots for the selection of parliamentary candidates**

The Labour Party Rule Book 2013 Chapter 5 Selections, rights and responsibilities of candidates for elected public office, Clause IV Selection of Westminster parliamentary candidates section 5A (page 24) reads as follows:

'If the sitting MP wishes to stand for re-election, 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.'

### *Amendment*

Delete the words after 'according to NEC guidelines' to the end of the section, and insert:

'as follows:

(i) Where a constituency party is organised on the basis of a delegate general meeting, all eligible party units (including members branches, womens' and ethnic minorities forums etc) and all affiliated organisations which are entitled to nominate delegates to the general meeting shall be invited by a set date to indicate whether or not they wish to reselect their MP without 'triggering' a full selection process. These

indications of preference shall be weighted according to the number of GC delegates (including any ex-officio delegates) plus one that each party unit or affiliate actually has at the freeze date.

(ii) Where a constituency party is not organised on the basis of a delegate general meeting, all affiliated organisations shall be invited by a set date to indicate whether or not they wish to reselect their MP without “triggering” a full selection process, and special meetings of individual party members shall be convened based on ward boundaries and subject to the approval of the RD(GS) for the same purpose. These indications of preference shall be weighted in accordance with NEC guidance based on a standardised number of GC delegates (including any ex-officio delegates) plus one that each party unit or affiliate would be entitled to if that CLP were to be organised on the basis of a delegate general meeting.

(iii) If by the date set a two-thirds weighted majority of those party units and affiliated organisations that make an indication indicate that they prefer not to proceed to a full selection process, the MP shall be deemed to have won the trigger ballot and to have been selected as prospective parliamentary candidate for the following election, subject to NEC endorsement as set out in section 8 below.

### *Supporting argument*

The selection of parliamentary candidates is one of the party's most important tasks. The existing trigger ballot process, however, which is a ballot of members and affiliated branches, does not provide a sufficiently responsive mechanism to ensure the accountability of sitting MPs as was clear in the experience of East Lothian CLP with their MP. In this case, in spite of widespread dissatisfaction with the MP's performance, the MP survived a trigger ballot. After a long-running campaign, and the temporary suspension of the local party, the NEC did eventually allow the local party to deselect their MP. Although many would prefer a return to full mandatory reselection, this is a sensible compromise which means that where sitting MPs had only a small majority in a trigger ballot, a full selection procedure would be held.

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