**Local government selection procedures in Waltham Forest 2017**

 ***A report by Leyton and Wanstead Constituency Labour Party***

**Summary**

This report has been produced by Leyton and Wanstead Constituency Labour Party.
It follows widespread concerns across London over the way that selections for candidates
in the May 2018 local elections were conducted. It highlights a series of breaches of
Labour Party rules, including:

**** The imposition of a “freeze date” resulting in half of the membership being unable
to take part;

**** The failure to hold an AGM of the Local Campaign Forum, which oversees the
selection process;

**** The issuing of procedural advice contrary to rule for shortlisting and selection meetings

**** The issuing of membership lists contrary to rule to sitting councillors prior to
shortlisting meetings;

**** The lowering of quorums

In addition, it draws attention to evident political bias in the way the panel of candidates was composed, and to the non-availability of candidate statements at shortlisting and selection meetings.

We are issuing this report in the interests of fair, consistent and transparent selections in the future

** The imposition of a freeze date and the disenfranchisement of members**

Delegates to the Local Campaign Forum (LCF) were invited to a meeting on 8th December 2016 to discuss the timetable for selections. A draft timetable was presented by the secretary with the freeze date still to be agreed. The meeting was attended by regional officer Richard Bennett.

When the LCF met Richard Bennett, he indicated that as the LCF was potentially agreeing a timetable, by usual practice that would give 8th December as the freeze date.

During the early summer of 2016, at the time of the leadership election, there had been a rapid increase in membership. A freeze date of 8th December would mean that the majority of those new members would not be eligible to take part in selection. Over 400 members in the six Waltham Forest wards of Leyton & Wanstead CLP who joined between 8th June and 12th July 2016 would be affected. It was therefore proposed that the meeting should be suspended and reconvened in January.

Some delegates had concerns over the slippage in the timetable, but the majority felt that the impact of potentially affecting such a large number of people was of greater detriment than any advantage of the small advance of getting council candidates selected.

When it was clear that the LCF would have to reconvene at a future date Jane Duran, one of the delegates, and Chair of Leyton & Wanstead CLP, asked, through the chair, if there was any way of discussing and resolving timetable issues that evening but stopping short of ‘agreeing a timetable’ or whatever it is that ‘triggers’ the freeze date. This would then leave it open for a short meeting to finish process in January.

Richard Bennett indicated that this would be a sensible way forward and the motion to suspend the meeting and reconvene in January was withdrawn **on that basis** but not before a further definite assurance that this would not automatically trigger a freeze date of 8th December was sought. In fact, assurances were sought so carefully on this point that it seemed Richard Bennett was offended by what may have come across as an overly mistrustful attitude.

Proceeding on that basis, the LCF then voted on a freeze date of 12th January 2017 and discussed a slippage to the proposed timetable of one month. Dan Simpson, the Regional Director, subsequently agreed the slippage of the timetable but imposed a freeze date of 8th December 2016. We believe that the sole motivation for this was to exclude as many new members as possible. We also believe that this was clearly contrary to Labour Party rules which state (Appendix 4, I (ii) g): ‘A freeze date for calculating this 6-month eligibility may be set by the LCF with the approval of the RD(GS). 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.’

** By-passing the Local Campaign Forum**

The last AGM of the LCF before selections was held on 6th October 2015. An “Annual” General Meeting was finally held on 30th November 2017. We note that the relevant rule (Chapter 12, clause vi (1) ) states: ‘The annual meeting shall be held in May each year, or if such a meeting is not held, as soon as possible afterwards.’ It is clear, therefore, that by 2017 the LCF was not compliant with this rule.

Following the meeting of the LCF on 8th December 2016, a meeting was scheduled for 24th April 2017. This was cancelled because of the snap general election. No further meetings of the LCF were held until 11th September 2017.

In the minutes of the LCF meeting of 8th December 2016, it states that Graham Smith was elected as Procedures Secretary. The memory of Leyton & Wanstead delegates is that Becca Lyons was proposed as Procedures Secretary and Graham Smith as Assistant Procedures Secretary. It is true that the accuracy of these minutes was not contested at the meeting of 11th September 2017 because of the wide range of other concerns regarding the selection process. Nevertheless, we believe this to be true.

In the interim, Graham Smith took over the role of Procedures Secretary. On 8th January 2017 he circulated a timetable for the selection process, with shortlisting and selection meetings to take place between 8th April and 30th April 2017. This timetable was also blown off course by the general election.

In the course of the 2017, a number of LCF delegates – Dave Hayes (20th December 2016), Aktar Beg (15th January, 24th January 2017 and 30th August 2017), Steve Williams (19th July 2017) and Lizzy Ali (30th August 2017) – contacted Graham Smith and urged him to call a meeting or an AGM of the LCF. Their concerns ranged from the unresolved issue of the freeze date, the long overdue AGM and the need for a meeting so that there could be a collective voice on the conduct of the selections procedure. Jane Duran had also raised the issue of the AGM as far back as 9th July 2016, and was told that it was scheduled for 24th January 2017.

The significance of the failure of the LCF to hold any meeting in the 10 months preceding the selection process is that Graham Smith was in practice the sole person guiding the process.

** Bias in the selection of potential candidates**

Applications to the panel were invited on 7th January 2017 with a closing date of 6th February 2017. A total of 62 applications from non-councillors and 39 from sitting councillors were received. Following the interview process, a total of 65 applicants, including just 26 non-councillors, passed. This is the smallest panel that anyone can remember in Waltham Forest history, despite the fact that the party across the borough had grown by about 300% between 2015 and 2017.

There was evident bias in the interview procedure, with members with strong campaigning records refused on spurious reasons, while sitting councillors with poor campaigning records and little presence in the wards they represent were waved through.

In one ward, a councillor who has been predominantly living in Scotland since 2014 passed the interview, while a young Muslim woman in the same branch, who has played an important role in rebuilding it, and who is a trade union activist and Council tenant, was failed both at interview and at appeal on the grounds of insufficient community engagement. And yet party members were told at the housing session of the manifesto consultation in November 2017 that they were unrepresentative of the local community because we don’t have a sufficient proportion of Council tenants. This is doubly ironic because, according to an article in the *Guardian* (20th November 2017), Waltham Forest has the highest proportion of councillors who are commercial landlords of any London borough, and many of these are on the Labour benches.

In another particularly egregious case, a member was failed at both interview and appeal for “lack of political judgement”, but has gone on to be shortlisted as a parliamentary candidate.

While members are encouraged to recruit family members, it is nevertheless an unhealthy situation where one of the principal routes for non-councillors to get on the panel is to be related to, or in a relationship with, an existing councillor. As one member with decades of membership commented, ‘The bar for non-councillors was set as high as possible, while the bar for sitting councillors was set as low as possible’.

Discrimination was particularly evident, although not limited to, candidates known to be supporters of Jeremy Corbyn. Of 26 non-councillor applicants, only three (11.5%) were self-identified Corbyn supporters, in a borough in which the proportion of members who voted for Jeremy Corbyn in 2016 in all likelihood exceeded the national average of 61.8%, and in which all three CLPs nominated him for Leader.

We are also aware that other potential candidates were put off from applying to the panel because they had no confidence that the process would be fair and transparent.

** Revised timetable**

A revised timetable of shortlisting and selection meetings was issued on 5th August, with meetings for 18 Labour-held and target wards scheduled to take place between 18th September and 12th October 2017. Some of the timetabling was unfortunate. With significant numbers of branch officers in Brighton for Conference between 23rd and 27th September, 11 shortlisting and selection meetings were arranged for 27th and 28th September.

** LCF Meeting 11th September**

The first meeting of the LCF since 8th December 2016 took place on 11th September 2017. Historically, the decision to approve the panel has been a formality. At this meeting, however, it was highly controversial, and after a tied vote of 6-6, was only approved with the Chair’s casting vote. A proposal not to approve one candidate was defeated on a show of hands, although by rule this should have been by secret ballot. The decision to approve the panel and proceed with selections ignored Regional Director Dan Simpson’s clear instruction to LCF officers (email 13th June 2017): “Please also bear in mind that if any appeals are outstanding these will need to be completed before the LCF can endorse the panel.” There were at this point still two appeals outstanding. One wasn’t heard until all but two wards had selected. The other came to light late into the process. Both candidates were effectively excluded from the possibility of selection as a result.

** Contradictory and inaccurate procedural advice**

The first duty of anyone acting as Procedures Secretary is to ensure that the party’s rules are upheld and that the process is fair and transparent. This was not the case in Waltham Forest. On 18th September – the same day as the first shortlisting meeting – Graham Smith issued a “Shortlisting Meeting Draft Process”. This broke Labour Party rules in a number of key respects. Trigger ballots for sitting councillors preceded shortlisting of candidates; sitting councillors who failed trigger ballots were deemed to be automatically shortlisted; no mention was made of a women’s quota; a quorum of “e.g. 10” was mentioned, where it should have simply said “10”.

On 20th September, Brian Madican wrote to Graham Smith on behalf of Leyton & Wanstead CLP outlining in detail the irregularities in the procedural guidance, and calling for the process to be suspended. This elicited a one-line response that failed to address any of the issues raised: “I don't think I have the power to suspend, so the decision is for the RD [Regional Director] to make.”

** Impossible timetables**

The secretary of Cann Hall branch, who was also coping with a close family bereavement, wasn’t sent a list of members until 13.21 on 18th September – just three days before the last date to inform members of the shortlisting meeting on 28th September. The list was unsorted and included members who had resigned, moved or been auto-excluded.

Below, the secretary of Cathall branch, who was also a delegate to Conference, outlines the chaotic situation he was put in:

“I received the standard notification letters and the list of names for the panel on 12th September (Tuesday) at 3.34pm with instructions to send it out by "tomorrow"!!

This would be in time (just) for the shortlisting meeting on 20th. Bear in mind I also had to print out and sign the hard copy letters to those with no email as well. I then had to deliver them till 9.30pm Wednesday evening. I have a job, remember!

I had just come back from the dentists but I was able to start the process. The email however did not include the members list. I wrote to him again and he sent it by 4.27pm on 12th. It was a huge multi-column spreadsheet with the “eligible” column right at the end. It confused me greatly and I tried to clarify it with him, but by then he was apparently in Copenhagen. I eventually sorted it out late on Tuesday evening and in the early hours of Wednesday.

Two days before the shortlisting meeting, on 18th September, I got another email (12.42pm) with a totally different procedure and agenda to the one he had asked me to send out 6 days earlier. This was the one with the trigger ballots stuff on it. I refused to send it out. I did not have the time or the inclination, and anyway it contradicted the Rule Book.”

In Leyton branch, the longstanding branch secretary had recently died, and the new branch secretary faced a similarly ridiculous timescale to issue notices before she left for Conference.

** Issuing of membership lists contrary to rule**

Labour Party rules are quite clear (Appendix 4, H i): “Once shortlisted by a ward, potential candidates will be entitled to a list of eligible members for that ward from the CLP Secretary.” In defiance of this, some members of the panel were issued membership lists prior to shortlisting meetings. It would appear that these were predominantly sitting councillors, thereby enhancing the chances of incumbents at the expense of non-councillors.

This became apparent in the case of Forest ward, where one sitting councillor failed the trigger ballot. The only other candidate had just 5 days to attempt to make contact with about 150 eligible members, while the sitting councillor appears to have been in possession of a membership list for over two weeks.

** Non-availability of candidate bios**

For as long as most people can remember, a standard part of selection procedure has been the availability of statements (“bios”) from all members of the panel at both shortlisting and selection meetings. This time, there was no effort to circulate them to branch officers. This meant that wards only had bios from candidates who took them to meetings themselves, or had a friend who did it for them. Members had little or no information from which to make an informed choice. This does not appear to have been an accident or oversight, since it was raised repeatedly with Graham Smith, but to no effect. It strengthens the impression that he saw his role as ensuring the re-selection of sitting councillors, rather than ensuring a level playing field.

** Conduct of shortlisting meetings**

Leyton & Wanstead EC has received a number of complaints, both formal and informal, on the conduct of both shortlisting and selection meetings. Members have reported feeling intimidated by some sitting councillors, who have accused them of disloyalty. In at least one case, despite being re-selected, a sitting councillor has attempted to establish exactly how members voted. This constitutes an unacceptable attempt to subvert the secret ballot.

In Leyton ward, members have complained that the chair of the shortlisting meeting was repeatedly shouted down by a sitting councillor, who demanded, contrary to rule, that trigger ballots precede shortlisting, and was supported in this by the LCF observer.

At the Leytonstone shortlisting meeting, a longstanding member did challenge the fact that membership lists had been issued to sitting councillors in advance of the meeting:

“Our Councillors sent CVs to every eligible member, hand delivered to their address, and an email, in which local members endorsed them. It also asked whether we were going to the meeting and would we support them? They also gave out CVs on the door to members going in to the meeting. Neil Gerrard was officiating from the LCF and I asked him if this was in order. he said it was what everyone was doing. This was in clear contravention of the rules. I raised this at the meeting, but it was just shrugged off.”

Standard procedure in selection processes has been that there should be observers from the LCF and the relevant CLP Executive Committee, and indeed a list of observers was circulated. Initially, some Leyton & Wanstead EC members refused to attend, on grounds that being responsible for clear breaches of Labour Party rules might leave them open to legal challenge. When revised procedural guidance was circulated, this changed. However, at some wards either one or other observer wasn’t present, and at Forest ward’s selection meeting, neither.

In Valley ward, the quorum was lowered to 7, contrary to the borough-wide minimum of 10. Doubts have also been expressed as to whether the quorum was met in Chapel End ward. That attendances were so low in wards that have experienced large increases in membership also raises doubts as to whether members were properly informed of meetings.

It also appears that, contrary to previous practice, no post-selection checks were made on attendance and eligibility.

** Conclusion**

This summary of procedural irregularities is almost certainly not exhaustive. Nevertheless, it paints a picture which is deeply unflattering. When members give up substantial time and energy to elect Labour candidates, they should have confidence that the process by which these candidates were chosen was fair and transparent, and not one constructed to ensure the re-selection of sitting councillors regardless of their commitment or ability. Because money is attached to selections – just over £1 million was dispersed in councillor expenses in 2016-17 – the integrity of the process should be beyond reproach. Instead, the selection of Waltham Forest local government candidates demonstrates that the process as it currently exists is broken and operates in the interests of a tiny minority of the party.