

## Suggested Changes to the Labour Party Rule Book

This document contains the rule changes that the Campaign for Labour Party Democracy (CLPD) is circulating for 2021.

CLPs are asked to consider submitting a rule change to this year's Annual Labour Conference. Each CLP can submit a rule change (deadline for submission 12 noon Friday 11 June). Given the tight deadline for submitting rule changes to this year's Annual Conference (11 June), CLP officers may need to arrange different meeting dates than usual to ensure the appropriate CLP meetings can consider the proposed rule change.

**CLPD's priority rule change proposal is the first one in this document - the urgently needed introduction of Parliamentary Labour Party (PLP) accountability.**

There is currently a gaping hole in the Labour Party rule book. The PLP is not accountable to Annual Conference. The work carried out by the PLP to advance or implement Party policy and disciplinary decisions made by the Chief Whip are not reported to the conference. The NEC and NPF have to account to the Party's sovereign body, but not the PLP. This needs to be rectified at this year's Conference.

This first rule change in this document would require the PLP and Chief Whip to report directly to the conference, including on MPs' discipline, with the conference able to confirm or reject disciplinary decisions that are of concern to delegates.

## **Priority Urgent Rule Change for 2021**

### **The PLP should be fully accountable to Labour Party Conference**

#### **Amendment**

At Labour Party Rule Book 2020 Chapter 3 Party Conference, Clause III. Procedural rules for Party Conference, 2. Conference rule 2 – Agenda:

Insert at 3.III.2.2 new sub-clause B as follows and reorder subsequent sub clauses:

(i) The NEC shall present to conference the report of the PLP, which shall include: a summary of its activity during the previous year, including its work to advance or implement the Labour Party's policy or programme and an addendum by the Chief Whip detailing any, or all, disciplinary action taken, or ongoing, in relation to any MPs who were elected to Parliament as Labour MPs. This report shall be circulated to all affiliated organisations and CLPs by a date to be determined by the NEC, and not later than 14 days prior to Party conference opening day. Any proposal to review any disciplinary action regarding an MP, supported by not fewer than 30 delegates, and put to conference in advance, or from the floor, shall receive priority consideration and shall be determined by a card vote. Conference shall confirm, or shall void, any decision taken to suspend, or expel, from the PLP, any MP elected to Parliament as a Labour MP. The decision of conference in determining these matters, as it sees fit, shall be final.

(ii) This sub-clause 3.III.2.2 B (ii), conferring on Conference powers set out in sub-clause 3.III.2.2 B (i) above, shall automatically expire at the close of Annual Conference 2021. At the 2021 Annual Conference an item shall be added to the agenda under which the PLP will report to the conference, its activity during the previous year, including an addendum by the Chief Whip detailing any, or all, disciplinary action taken, or ongoing, in relation to any MPs who were elected to Parliament as Labour MPs. Any proposal to review any disciplinary action regarding an MP, supported by not fewer than 30 delegates, and put to conference in advance, or from the floor, shall receive priority consideration and shall be determined by a card vote. Conference shall confirm, or shall void, any decision taken to suspend, or expel, from the PLP, any MP elected to Parliament as a Labour MP. The decision of conference in determining these matters, as it sees fit, shall be final.

#### **Supporting argument**

*Currently there is no requirement (in Labour's rule book) that the Parliamentary Labour Party (PLP) be accountable to Annual Conference. Both the NEC and the NPF are accountable through their report to Conference, as required by the rule book.*

*However, the PLP is not accountable to Conference and currently the rule book does not require it to be. Conference receives no written report detailing the work that the PLP has been carrying out. There is no account made to Conference, for it to consider, setting out any PLP disciplinary action taken against Labour MPs. Neither the NEC Report nor Leader's Speech detail such matters, nor provide an opportunity for Conference to make its view clear on matters it may wish to make a decision on.*

*This absence of PLP accountability is a very large flaw in the Party's internal democracy, that needs to be urgently corrected, preferably this year (2021).*

*If this rule change is agreed, in future years Conference delegates will receive a written PLP report and will be able to discuss it. The report will include a Chief Whip's report detailing any disciplinary decisions that have been taken and Conference will be able to confirm or reject any such decisions if it wishes to.*

*As this change to the rules is long overdue the new rule, if agreed, will start to be implemented from this year. 2021 Annual Conference will receive a verbal report and it will be able to take decisions on the Chief Whip's report.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**

## *Suggested Rule Change*

### **Calls for card votes from Annual Conference delegates should not ignored**

The Labour Party Rule Book 2020 Chapter 3 Party Conference, Clause III. Procedural rules for Party Conference, 3. Conference Rule 3 – Voting, A. reads as follows:

‘Voting at Party conference on resolutions, reports, amendments, proposals and references back shall be by show of hands or, when the conditions laid down by the CAC require it, by card. When a card vote is called, voting shall be in two sections as follows:’

#### **Amendment**

After ‘laid down by the CAC require it’, insert, “or where 30 delegates request it”, after “by card.”  
Insert, “The Chair of Conference will call a card vote where it is unclear if a policy motion has achieved the necessary majority required by the rule set out in Chapter 1 Constitutional rules, Clause V. Party programme, sub-section 2.”

#### **Supporting argument**

*At the moment, votes on policy motions may not be clear as to whether they have achieved the 2/3rds majority to become part of the Programme and thus eligible for inclusion in the manifesto.*

*Allowing a qualifying quota of delegates to invoke a card vote will ensure that all members of the Party can be clear that agreed policy represents the will of Conference. At the moment this is not the case as the decision is in the hands of the CAC or the Conference Chair. This is important as if significant numbers believe that the policy position is illegitimate this damages unity and inhibits our campaigning ability.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**

## *Suggested Rule Change*

### **CLPs and affiliates should be allowed to submit a motion and a constitutional amendment to Party Conference**

The Labour Party Rule Book 2020 Chapter 3 Party Conference; Clause III. Procedural rules for Party Conference; 2. Conference Rule 2 – agenda; Part C (Page 19) reads as follows:

‘All affiliated organisations, the ALC, Young Labour and CLPs may submit one motion to Conference. In addition, affiliates with more than 100,000 affiliated members may submit one further motion. The CAC shall submit all motions received to a priorities ballot at the start of conference. The ballot will be divided into two sections. One section for CLPs, and one section for trade unions and other affiliated organisations. At least the ten priorities selected by CLPs will be time-tabled for debate, as will at least the first ten priorities selected by Trade Unions and other affiliated organisations. Motions must be in writing, on one subject only and in 250 words or less. Alternatively, a constitutional amendment on one subject only may be submitted in writing. Motions and constitutional amendments must be received by the General Secretary at the offices of the Party by the closing date determined by the NEC.’

#### **Amendment**

In the first sentence delete ‘may submit one motion’ and insert: ‘may submit one motion and one constitutional amendment’

In the second to last sentence replace ‘Alternatively, a constitutional amendment’ with ‘Additionally, a constitutional amendment’

#### **Supporting argument**

*Our Party Conference’s decision-making ability can be significantly improved. At the moment it is hampered by several key factors.*

*One of these is that CLPs and affiliates face serious restrictions on their power to shape the agenda which they’d like to discuss. CLPs and affiliates are currently only allowed to submit a single motion **or** a single constitutional amendment.*

*This suggested amendment would enable CLPs and affiliates to submit one of each.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**

## *Suggested Rule Change*

### **CLPs and affiliates should be allowed to submit motions on organisational issues to Party Conference**

The Labour Party Rule Book 2020 Chapter 3 Party Conference; Clause III. Procedural rules for Party Conference; 2. Conference Rule 2 – agenda; Part C (Page 19) reads as follows:

‘All affiliated organisations, the ALC, Young Labour and CLPs may submit one motion to Conference. In addition, affiliates with more than 100,000 affiliated members may submit one further motion. The CAC shall submit all motions received to a priorities ballot at the start of conference. The ballot will be divided into two sections. One section for CLPs, and one section for trade unions and other affiliated organisations. At least the ten priorities selected by CLPs will be time-tabled for debate, as will at least the first ten priorities selected by Trade Unions and other affiliated organisations. Motions must be in writing, on one subject only and in 250 words or less. Alternatively, a constitutional amendment on one subject only may be submitted in writing. Motions and constitutional amendments must be received by the General Secretary at the offices of the Party by the closing date determined by the NEC.’

#### **Amendment**

In the first sentence after ‘may submit one motion’ add: ‘on a matter of either policy, campaigning, party organisation or finance’

#### **Supporting argument**

*Annual Conference is supposed to be the most authoritative body of the Party. As such, in the past Conference discussed and made decisions on both policy and organisational matters. It even overturned decisions made by the NEC to expel members, readmitting them to Party membership. In recent years motions submitted by CLPs or affiliates that are deemed to be on matters of organisation have been not allowed on to the Conference agenda for the Annual Conference to discuss. Instead they have been referred to the NEC. It is undemocratic that the NEC’s decisions on organisational matters can no longer be considered and changed by Conference, should it so desire.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**

## *Suggested Rule Change*

### **Popular rule change proposals should not have to wait three years to be discussed at Conference**

The Labour Party Rule Book 2020 Chapter 3 Party Conference; Clause III. Procedural rules for Party Conference; 2. Conference Rule 2 – agenda; Part H (Page 20) reads as follows:

‘When Party conference has made a decision on a constitutional amendment, no resolution to amend the constitution or rules of the Party having the same or a similar primary objective 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.’

#### **Amendment**

Add at end: ‘or when five or more identical resolutions to amend the constitution or rules have been submitted.’

#### **Supporting argument**

*The ‘three-year rule’ restricts Conference from debating important rule change proposals for the next three Conferences, which in 2021 means this year’s Conference cannot discuss proposals having the same primary purpose as a proposal that was voted on in either 2017, 2018 or 2019 – the past four years. The current rules are repeatedly being used to prevent important rule change debates, and expanding the reach to well beyond what was originally discussed, regardless of how much the changes are desired by the members or affiliates.*

*This rule change would allow constitutional amendments which can demonstrate they have support from five CLPs/affiliates to be debated in the year they are submitted.*

*Conference would only re-discuss a change to the rules (with a similar or same primary objective) if the proposed minimum number of five organisations submit it.*

*It should be noted that the NEC is not subject to the three-year rule. This proposal merely seeks to extend that same right to the CLPs and affiliates if they can demonstrate their proposal has a clear minimum level of support.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**

## *Suggested Rule Change*

### **Removing the three frontbench Members of Parliament would make the NEC more democratic**

The Labour Party Rule Book 2020 Chapter 1 Constitutional rules; Clause VIII. The National Executive Committee; Part 1 (Page 5) sets out the composition of the NEC; 1E. reads as follows:

‘three frontbench Members of Parliament, at least one of whom must be a woman, nominated by the Cabinet (or Shadow Cabinet in opposition)’

#### **Amendment**

Delete the entire sub-section E.

And change subsequent lettering accordingly.

#### **Supporting argument**

*The Labour Party is primarily comprised of trade unions and individual members, and its governing body must reflect this by having a composition that allows both of these sections to have a decisive say in the Party. There are currently eight members of the NEC who are MPs, which represents an over-representation of this sector in comparison to the under-representation of party members, who only have nine CLP reps. The unions only have 13 representatives. This rule change would increase the relative importance of CLP and trade union NEC members.*

*The three front bench NEC members are the most undemocratic section of the NEC. They are essentially appointed by one person, while other members of the NEC have to face election and, therefore, accountability.*

## *Suggested Rule Change*

### **The parliamentary by-election selection process should involve CLPs**

2020 Labour Party Rulebook. Chapter 5 (Selections, rights and responsibilities of candidates for elected public office). Clause IV

#### **Amendment**

Insert new point 12 on page 32.

In the event of a by-election, snap election or any other Parliamentary selection where there is insufficient time for a normal selection process, a seven person panel shall be formed to undertake the shortlisting, comprised of: the Chair and Secretary of the CLP, two representatives of the REC to be appointed by the Chair and Vice-Chair of that REC, and three NEC members. The composition of the panel shall take into account equalities considerations. A minimum of 1 week shall be allowed between shortlisting and the hustings and vote.

Where there is insufficient time for a hustings and vote, the selection should be made by the Constituency Executive Committee from the shortlist approved by the aforementioned panel following interviews.

Re-number point 12 as 13.

#### **Supporting argument**

*There is currently no codification of the process for the selection of parliamentary candidates in the event of by-elections or any other Parliamentary selection which happens within an unexpected and short timeframe, including when there is a snap election or when MPs delay informing the Party of their decision to retire until just before an election. The absence of any rules on this matter opens the door for processes being decided in a manner which is ad-hoc and which undermines the right of Labour Party members to select candidates for public office. Whilst NEC control over these processes is often defended on the basis of ensuring oversight of candidates in the context of enhanced media scrutiny, there is no evidence that excluding local members from the process enhances oversight.*

*The process laid out here guarantees membership involvement and oversight over the process by a range of different actors, by establishing a mixed panel of CLP, REC and NEC representatives at the shortlisting stage. Representatives of the CLP would ensure members' voices are heard and can be taken into account. It calls for there to be a minimum period of 1 week's campaigning so that all candidates have opportunities to contact members, and members have the chance to weigh up their relative strengths and weaknesses. In extreme cases where this is not possible, the decision of which candidate should represent the Party should be taken by the CLP Executive following shortlisting by the aforementioned panel.*



## *Suggested Rule Change*

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

The Labour Party Rule Book 2020 Chapter 5 Selections, rights and responsibilities of candidates for elected public office; Clause IV. Selection of Westminster parliamentary candidates (page 31).

#### **Amendment**

Insert new Part 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 existing Part 2 onwards to now be Part 3 onwards.

#### **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 Prospective Parliamentary Candidates 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. The party should give its members and affiliates greater role and influence. Nowhere is this more important than in the selection of Labour parliamentary candidates.*

## *Suggested Rule Change*

### **Full selection for Councillors**

The Labour Party Rule Book 2020 Chapter 5 Selections, rights and responsibilities of candidates for elected public office, Clause I. General rules for selections for public office, F. Inclusive processes.

### **Amendment**

Insert new sub-clause ii as follows:

'In order to encourage a greater level of representation and participation of groups of people in our society who are currently under-represented in local government, Labour's selections to local government candidacies shall not privilege incumbents and all members seeking to be adopted as local government candidates shall be treated equally. '

### **Supporting argument**

*From 2016, to 2019, Appendix 4 on the selection of local government councillors had a procedure which allowed a confirmatory ballot for sitting councillors. This discriminates against challengers and those who are currently under-represented in local government. These rules were removed after Conference 2019. This rule seeks to prohibit the reintroduction of such procedures.*

*The Party has a real problem in refreshing talent; we only introduced the confirmatory ballot in 2016 and worked well without it.*

*Good councillors will win re-selection in the current processes but the party will benefit from being able to assess current talent.*

## *Suggested Rule Change*

### **The NEC must decide on the powers to be granted to the General Secretary, and conference take the final decision**

The Labour Party Rule Book 2020 Chapter 1 Constitutional rules, Clause VIII. The National Executive Committee, 3, sets out the duties and powers of the NEC.

#### **Amendment**

Add a new sub-clause L as follows:

'Each year before the annual conference the NEC shall adopt a clear and precise scheme of delegation of its powers to the General Secretary and Regional Directors. That scheme shall be reported to conference, which will have the right to agree it or refer it back.'

#### **Supporting argument**

*Currently the Acting General Secretary can issue 'guidance' to CLPs that they cannot discuss issues of party business such as 'solidarity' or the factional abuse of the party's disciplinary processes, and it is claimed that the AGS's 'guidance' has been issued using the powers that the NEC has delegated to the AGS. The NEC is not currently required to decide in advance exactly what powers it will delegate to the AGS and conference is never informed of the powers that are being delegated.*

*This proposed rule change would require the NEC to decide on the powers it wishes to delegate and to inform conference of this decision, which conference could refer back if it did not agree with the delegated powers.*

## *Suggested Rule Change*

### **To establish the position of a Labour Party Ombudsperson**

The Labour Party Rule Book 2020 Chapter 1 Constitutional Rules.

#### **Amendment**

Insert new Clause XI as follows:

‘There shall be a Labour Party Ombudsperson, appointed by the National Executive Committee and ratified by Annual Conference.

‘The Labour Party Ombudsperson shall deal with complaints alleging a breach of the Party’s rules and procedures and any other complaints that in the view of the NEC should be referred to the Ombudsperson.

‘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 of between five and ten years, as agreed with the NEC.

‘The Labour Party Ombudsperson who, at all times, will act in an independent and impartial manner, shall be remunerated as 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.’

#### **Supporting argument**

*Our Party’s Rule Book sets out the duties and restrictions on members of the Party. CLPs and members have long argued that, in addition, there needs to be an independent arbiter, particularly in very contentious cases and where a member/members feel they have not been treated in a fair and just manner. An ombudsperson would give the whole Party confidence and reassurance in relation to our, often very complex, Rules and procedures.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**

## *Suggested Rule Change*

### **Member's Rights and the European Convention on Human Rights**

The Labour Party Rule Book 2020 Chapter 1 Constitutional rules, Clause X Scope of rules, Section 5 reads as follows:

'For the avoidance of any doubt, any dispute as to the meaning, interpretation or general application of the constitution, standing orders and rules of the Party or any unit of the Party shall be referred to the NEC for determination, and the decision of the NEC thereupon shall be final and conclusive for all purposes. The decision of the NEC subject to any modification by Party conference as to the meaning and effect of any rule or any part of this constitution and rules shall be final.'

#### **Amendment**

After 'for all purposes.' Insert 'The NEC, any person or body using the delegated powers of the NEC, the NCC and its officers and advisors shall take into account and comply with the laws of the relevant UK jurisdiction and the European Convention of Human Rights.'

#### **Supporting argument**

*Since the Labour Party is not a public body, automatic use of the ECHR does not apply to the interpretation of its rules. This amendment states the European Convention of Human Rights applies to the interpretation of Labour's rules strengthening member's rights including the right to a fair trial, right of effective remedy, freedom of expression & thought and right to privacy and a family life.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**

## *Suggested Rule Change*

### **Spending Limits on Leadership Elections**

Chapter 4 (Elections of national officers of the Party and national committees), Clause II, 2 (Election of Leader and Deputy Leader), C.

#### **Amendment**

After v) (page 22, Insert vi)

The spending limit for any candidate during the regulated period is 50p per Labour Party member as of the last audited membership numbers for each validly nominated candidate and 25p per affiliated or registered supporter.

Hustings, volunteer costs, travel, and office space, staffing, and infrastructure costs are exempt. Candidates are not permitted to send printed materials to Labour Party members, with the exception of members who are not contactable by email.

Any expense over the amount of £2000 incurred in support of a candidate by a third party campaign should count towards that candidate's spending limit.

Renumber existing vi-xi accordingly.

#### **Supporting argument**

*While the rulebook states that 'The procedures shall ensure that each candidate has equal access to the eligible electorate and has equal treatment in all other matters pertaining to the election', the existing spending limits in leadership elections are so high that they undermine this commitment.*

*The large size of the Labour Party membership and high cost of reaching party members, particularly by printed materials and to a lesser extent by digital advertisements, means that in reality only candidates who are capable of raising substantial sums of money are capable of genuinely competing. Introducing spending limits and prohibiting costly mail-outs to Party members would help ensure a level playing field in future leadership contests.*

**Closing date for Constitutional Amendments: 12 noon, Friday 11 June 2021**