

# Campaign for Labour Party Democracy (CLPD)

## Suggested submissions for the Labour Party Democracy Review - Phase Three

Phase Three of the Party's Democracy Review includes: the method of electing the Party Leader; the composition of the NEC; the policy process including CLP motions; and local government.

The deadline for submissions this phase is 29 June.

The proposals set out in this paper are for consideration and submission to the review

Submissions to the review can be made [here](#) or if longer than 250 words emailed to [democracy@labour.org.uk](mailto:democracy@labour.org.uk).

## **Suggested submissions for the Labour Party Democracy Review on the method of electing the Party Leader**

### ***Q. How should we elect our Party Leader?***

#### **Suggested Submission**

The electorate should continue (as in 2015 and 2016) to be Labour Party members plus affiliated supporters and registered supporters, with votes counted on the basis of one person one vote in a preferential ballot (again as in previous contests). The decision about who is our leadership should be made by this wide electorate, as it assists in selecting as Leader the candidate capable of securing the greatest electoral support for Labour.

#### **Supporting argument**

The widening of the leadership electorate in advance of the 2015 leadership contest established the most democratic leadership elections the party has ever had. This is resulting in Labour again becoming a mass party and is strengthening its relationship with Labour voters.

Our current Leader, Jeremy Corbyn, secured the votes of more than 300,000 people in the 2016 leadership contest. It strengthens the party to have a Leader elected with such a large mandate.

### ***Q. What role should registered supporters have in leadership elections?***

#### **Suggested Submission**

a) The role of registered supporters should remain the same - they should vote in leadership elections. It adds to the legitimacy of the leadership that it is chosen not just by party members, but also by affiliated supporters and registered supporters. It benefits the Labour Party to engage its most sympathetic voters in these important decisions.

b) The fee to become a registered supporter should be a maximum of 10% of the standard membership rate (currently the standard membership rate is £50 per year).

c) The registered supporters scheme should be changed to allow people to sign up to be one at any point, including outside of when there is a Leader or Deputy election.

#### **Supporting argument**

a) The registered supporters scheme allows the party to reach beyond our members to engage with Labour voters who are not ready to join the party but are willing to sign up as supporters. It is evident from 2015 and 2016 that there are tens of thousands of Labour voters willing to sign up as supporters. These are core supporters, who can be encouraged to mobilise at election times and, over time, to consider party membership. The registered supporters scheme to date has generated millions of pounds income for the party. In the 2015 Leadership election more than 105,000 registered supporters voted and in 2016 more than 120,000.

Since the election of Jeremy as Leader Labour's right wing have been campaigning to scrap the registered supporters scheme. Some even want to return to an 'electoral college' in which MPs and MEPS would one third of the entire vote. Such measures are not democratic and could obstruct the party from choosing as Leader the candidate with the greatest support amongst Labour's members and supporters.

In September 2016 Labour's members and supporters elected for the second time the leadership candidate most able to lead the party towards forming a government.

Labour's general election advance in June 2017 confirmed this as our national vote share went up by 9.6% to 40%, and we gained a net additional 30 Labour MPs. This advance was due to the policies introduced under Jeremy's leadership.

It is a great privilege for a party member to represent Labour in parliament as an MP. However MPs are mere mortals like the rest of us and evidently can be out of touch with what is in the interests of our voters. In June 2016 172 Labour MPs voted that they had no confidence in Jeremy. If Jeremy had been replaced that year by a right wing Labour MP we would have suffered at the 2017 polls, just like our pro-austerity sister parties across Europe. In June 2017 it was evident that there were Labour MPs not able to understand the popularity of both party and its manifesto, who acted as if a Labour Party led by Jeremy would go backwards, not forwards. There were MPs who could not even gauge the Labour support in their own constituencies.

There is no reason to give any privileged group of party members, such as MPs, a greater say in who should be Labour Leader. To maximise the party's possibility of victory the decision should continue to be made by 'one person one vote'.

The right wing wants rid of registered supporters simply because 80% plus of them voted for Jeremy in 2015 and 70% did so in 2016. It is simply a proposal to change the electorate to advantage the right wing. The party should not reduce its engagement with these core supporters nor and cut off this source of income.

b) During the 2015 leadership election registered supporters paid £3 to vote in the election. This was raised to £25 for 2016, with only a narrow 48 hour window allowed in which to pay the fee. Many Labour voters on low incomes are not in a position to just fork out £25 with less than 48 hours notice.

These changes to the procedures were aimed at reducing the involvement of registered supporters in the 2016 leadership election. Making such partisan changes should not be repeated again.

In 2015 the party looked outwards and encouraged Labour voters to sign up. But in 2016 the party was made to appear as if it did not welcome the recruitment of supporters.

Labour should be positive about engaging its core supporters and build up the largest possible network of them, including amongst low income voters.

c) This would allow local parties to have a list of local people who are supportive enough to sign up and pay a nominal fee, but who for whatever reason for not feel ready to join as a full member. The registered supporter fee would sign someone up for a full year. This would assist local parties in building up support for the party and recruit members.

***Q. What should be the nomination threshold to get on the ballot paper to stand for Party Leader?***

### **Suggested Submission**

Give trade unions and CLPs real powers to nominate their choice of candidates on to the leadership ballot paper. There should be no veto held by MPs and MEPs.

When there is a vacancy for Leader, Labour's members and supporters should be entitled to a democratic choice. Party rules need changing so it is never possible for a candidate who is the most popular amongst members and supporters to be kept off the ballot paper. Currently MPs/MEPS can do just that by restricting the choice on the ballot paper.

The current situation is undemocratic and should be corrected by extending the power to nominate a candidate on to the ballot paper to both trade unions and CLPs.

Labour should change its rules so that in future a candidate can automatically be placed on the ballot paper if they are nominated by **either** 10% of CLPs that make a nomination, **or** by 10% of the nationally affiliated trade unions that make a nomination **or** by 10% of MPs and MEPs.

### **Supporting argument**

Prior to 1988 the threshold required for a valid nomination to stand for Leader or Deputy Leader was 5 per cent of Labour MPs, whether there was a vacancy or an incumbent in post.

The current requirement, when there is a vacancy that a candidate has to be nominated by 10 per cent of the PLP plus EPLP, allows for an undemocratic restriction in the choice of candidates that can be voted on in a leadership ballot. It allows MPs/MEPs to have a veto and block candidates that have backing in the trade unions and CLPs from securing a place on the ballot paper.

When there was a vacancy for Leader, in both 2010 and 2015, some MPs got around the current rule and ensured a representative field of candidates by nominating candidates they did not intend to vote for. This allowed Diane Abbott in 2010 and Jeremy in 2015 to be included in the respective ballots. The MPs believed neither would win a leadership election.

Since Jeremy's election as Leader in 2015 many MPs have indicated they will not again nominate to provide the Party with such a breadth of choice.

A candidate who has wide support in the trade unions or amongst the membership but not the requisite backing of 10 per cent of MPs and MEPs, could be denied a place on the ballot paper. It is undemocratic for MPs and MEPs to have powers to so tightly restrict the range of candidates running in a leadership election. Labour's affiliated trade unions and local constituency parties should be able to join MPs/MEPs in having a real say over who is on the ballot paper. That is the best way to guarantee there is a representative choice of candidates.

### ***How should "freeze dates" work in elections for the Leader, the National Executive Committee and for delegates to Annual and other Conferences?***

#### **Suggested Submission**

The freeze date for membership and registered or affiliated supporter eligibility in a leadership election should be no earlier than one month before the close of the ballot.

#### **Supporting argument**

Encouraging Labour voters to become members and supporters, with the incentive of participation in a leadership election has proved to be a valuable way of building the party.

The later the freeze date the more members and supporters can be recruited and the more income the party receives.

In the 2010 leadership election the freeze date for members to join and be eligible to vote was just two weeks before the close of the leadership ballot.

In 2015 the freeze date was bought forward by a couple of weeks. A month before the close of the leadership ballot was the deadline for members to join and also for registered/affiliated supporters to pay their fee.

In 2016, however, an eight months plus freeze date was imposed on membership eligibility. Labour members who joined after 21 January 2016, approximately 150,000 in number, were deemed ineligible to vote, when the ballot was closing on 21 September.

As with other partisan changes introduced in 2016, the aim was to advantage Jeremy's opponent, irrespective of the party's clear interest in maximising its opportunities to increase the number of its members and supporters plus strengthen to its finances.

## **Suggested submissions for the Labour Party Democracy Review on the composition of the NEC**

### **The current composition**

Leader  
Deputy Leader  
Treasurer  
Front Bench - 3  
EPLP Leader  
Young Labour  
Trade Union representatives - 13  
Socialist Societies  
BAME Labour  
CLPs - 9  
Labour Councillors - 2  
PLP/EPLP - 3  
Wales  
Scotland  
Total 39

### **Recommended new composition**

#### ***Option 1***

Leader  
Deputy Leader(s)  
Treasurer  
Trade Union representatives - 13 (gender balanced)  
CLPs - 11 (gender balanced)  
Scotland - 1 (elected by OMOV)  
Wales - 1 (elected by OMOV)  
Youth - 2 (1 from CLPs, 1 from TUs)  
BAME - 2 (1 from CLPs, 1 from TUs)  
Local Government - 2 (at least 1 woman)  
Socialist Societies -1 (a woman at least every other election)  
Total 36

In addition: Fully participating in NEC meetings, but not voting:

NPF Chair (unless on NEC)  
Backbench PLP Rep - 1  
Frontbench PLP Rep - 1  
Chair of PLP  
Chief Whip  
Directly elected Mayors' representative

This composition would be more representative than the current NEC, with increased representation for the CLPs, Youth and BAME members.

#### ***Option 2***

This option would add to Option 1 the 3 PLP/EPLP and the 3 Front Bench seats that currently exist. It would result in an NEC with 42 voting members.



## **Suggested submissions for the Labour Party Democracy Review on the policy process including CLP motions**

The Review asks how we can strengthen the Policy-Making role of Constituency Labour Parties, Affiliated Organisations and our Party Conference.

CLPs and Affiliates need to have clear and fair access to our Policy-Making process before final decisions are taken by our Conference as a whole. Individual Affiliates and CLPs already have opportunities to participate in decision-making, but the following improvements are suggested:

### **INPUT:**

At the moment each CLP and Affiliate is restricted to submitting either a single Motion or a Constitutional Amendment (with a statistically high likelihood of being ruled "out-of-order"). Even if a proposed Constitutional Amendment from an Affiliate or CLP is not ruled "out-of-order" (under application of the controversial "3-year Rule"), it is obliged (unlike a proposed Constitutional Amendment from the National Executive Committee) to lie on the table for over a year before it can even be debated.

### **We propose that in relation to each year's Annual Conference :**

- \* Each CLP and Affiliate may submit a Motion on a freely-chosen topic of either Policy or Organisation ;
- \* Each CLP and Affiliate may subsequently also submit an Amendment to such a Motion ;
- \* Each CLP and Affiliate may also be allowed to submit a Constitutional Amendment to the Party's Rules ;
- \* When 5 or more identical Constitutional Amendments have been submitted, they shall have the right to be timetabled for debate and decision in the same year in which they have been submitted.

### **To facilitate these options, we would suggest the following timetable :**

- (a) Conference Motions and Constitutional Amendments to be submitted by the end of July ;
- (b) Such Motions and Constitutional Amendments to be published and circulated by the last week in August ;
- (c) Any Amendments to such Motions to be submitted by the middle of September.

### **PROCEDURES :**

We also recommend the following improvements to make our Party's Policy-Making more accessible :

- (1) At least 50% of Conference's time should be allocated to debate involving elected Delegates ;
- (2) A space in the timetable of the 2018 Party Conference should be reserved for a Motion selected by the 2018 Women's Conference ;
- (3) A system must be found for selecting speakers for debates which is both fairer and more transparent than previously ;
- (4) Motions / Topics and Constitutional Amendments should be debated and voted on separately, not bundled together in packages ;
- (5) An ongoing "Rolling Programme" of policy, subject to Amendments by Conference, should form the basis of Labour's Manifesto ;
- (6) The current Joint Policy Committee should be replaced by a Sub-Committee of the Party's NEC ;
- (7) If the existing National Policy Forum continues to exist, its make-up should be reformed to reflect the wider Party more closely, with the vast majority of places being shared equally between



representatives of regions / nations on the one hand and representatives of affiliated organisations on the other ;

- (8) The proceedings of the NPF should not be dominated by front-benchers ;
- (9) If NPF members are to have any manageable role, they would need a very significant increase in support-staff ;
- (10) Even with a substantially increased budget for support-staff, they cannot be expected to deal with submissions from individuals and non-Labour organisations ;
- (11) CLPs and Affiliates, however, would need to be given guarantees that all submissions to the NPF and its website have (a) been received and (b) been given detailed consideration ;
- (12) Conference Delegates must no longer be forced to vote on extremely long NPF documents on a crude "Take-it-or-leave-it" basis ;
- (13) 'The NPF should also be able to produce Minority Reports in order to give Conference more options' ;
- (14) NPF documents should in any case be subject to amendment or reference-back of particular parts ;
- (15) Any NPF documents seeking support must therefore be available for circulation in good time for proper assessment ;
- (16) A potential role for the NPF would be to ensure that Labour's front bench is kept fully accountable between Party Conferences.

We believe that these proposed extensions of Input to Conference and the above modifications of existing Procedures will together give all CLPs and Affiliates the positive confidence that their concerns and priorities will be heard. The consequent increase in "ownership" of our Party's programme will pay real dividends in terms of active involvement in campaigning.

#### **POSTSCRIPT :**

Three other points have been suggested with reference to Policy-Making but have a wider relevance. They are as follows :

- (i) Party Rules should be collated in a single place, so as to be accessible to Party members ;
- (ii) Procedures, Guidance Notes, Codes of Conduct and Appendices should be moved into the Party's Rule-Book, so that they are amendable only at Conference ;
- (iii) Party Decision-making should ultimately be the responsibility not of unaccountable appointees but of elected representatives.

## **Suggested submissions for the Labour Party Democracy Review on local government**

[Note – these proposals apply to England. Comrades in Scotland and Wales should make recommendations for their nations.]

### **Selection of Labour local government candidates**

Amendments to the way local government candidates are selected were introduced as part of a 15-part “package” put to the 2016 Annual Conference and decided by a single vote. That such a fundamental change was combined with a wide range of other unrelated issues was an affront to democracy, and its implications have only become apparent to many members in subsequent selection rounds. The present system is not fit for purpose. It gives a massive advantage to incumbents over challengers. Worse still, it is open to manipulation by those with a pecuniary interest in the result. While accepting that among Labour’s more than 6,000 UK councillors there are many hard-working ones, lack of genuine democracy both in the way candidates are selected and in the governance of Labour Groups strengthens the perception that they can become self-interested, self-perpetuating and privileged cliques, largely unaccountable to the membership.

### **Panel of candidates**

The widespread practice of politically discriminating against supporters of the current Labour leadership in applications to local government panels must end. The interviewing panel must consist of a broad and representative spectrum of opinion within the party and be fair and disinterested.

In applying to the panel, prospective candidates should declare all sources of income (excluding pensions and personal savings) in excess of £1,000 per year, as well as their main occupation. This information should be available to members at shortlisting and selection meetings.

Sitting councillors, Assembly members, MPs, MEPs, police and crime commissioners, Combined Authority mayors, Executive mayors and any other elected representatives in receipt of payments from a public body must not be members of interviewing panels because of potentially conflicting pecuniary interests. This must also apply to all bodies dealing with appeals, with the exception of Regional Board members. Regional Boards have a duty to publish all procedural guidelines relating to selection procedures, and these must be available to all members.

There must be choice. There have been widespread reports of panels only slightly larger than the number of seats to be contested (and often with too few women). The eligible panel should be at least 50% greater than the number of seats to be contested.

At appeals, members must be allowed to be accompanied by a representative or friend who must be allowed to speak.

### **Freeze dates**

Proposed rule change to Appendix 4, I (ii) g

The present rule reads:

“Only those members who have been a member for at least 6 months are eligible to attend any meeting in this procedure. A freeze date for calculating this 6-month eligibility may be set by the 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.”

Replace with:

“All members who are either in membership 12 months prior to the date of local government elections or have six months’ membership prior to the date of the shortlisting meeting shall be entitled (except in by-elections) to take part in shortlisting and selection meetings. In the case of by-elections, the eligibility shall be six months before the date of the election.”

Supporting argument:

The present rule allows for entirely arbitrary freeze dates, different in different parts of Britain, and open to manipulation by very small numbers of people to disenfranchise large sections of members. In selections for elections in May 2018, as many as half of all members have been disenfranchised in some areas, with logical absurdities resulting – for example, that while local government candidates normally need one year’s membership, members selecting candidates have needed well over a year’s membership.

Under the present rule, Regional Directors have insisted that the six-month countback starts from the date of the LCF meeting called to discuss the issue. By calling an LCF meeting on a particular date, an LCF secretary can, in conjunction with a Regional Director, determine the eligibility of members. Many LCFs have met infrequently, not holding AGMs according to rule, and LCF secretaries have been able to act without any effective accountability.

The present rule also leaves unclear what happens if the LCF does not agree with the Regional Director on the freeze date. In practice, where this has taken place, Regional Directors, citing delegated powers from the NEC, have imposed freeze dates on local parties.

### **Trigger ballots for councillors introduced in 2016 must be abolished**

The new arrangements are fundamentally undemocratic. As detailed in our separately submitted document “**Local government Selection Procedures in Waltham Forest 2017**”, sitting councillors have every possible advantage, from access to membership lists in advance to the non-availability of information on alternative candidates. Coupled with a ban on any discussion of the merits and record of both incumbents and challengers, it makes informed choice almost impossible to all but the most engaged members.

The party must revert to its traditional democratic practice whereby all eligible members have access to information on all members of the panel, an equal right to make nominations and decide on the shortlist at a shortlisting meeting, and to vote (taking account of gender requirements and any other positive action measures) by eliminating ballot to decide on its candidates. Shortlisting and selection meetings must not take place on the same day except in exceptional situations.

### **Local Campaign Forums must be replaced by Local Government Committees**

We support the Leyton and Wanstead rule change remitted at Annual Conference 2017:

#### **Replacement of Local Campaign Forums by Local Government Committees**

**The Labour Party Rule Book 2015 Chapter 1 Constitutional Rules, Clause VIII The National Executive Committee, Sub Clause 3 B iii (page 5):**

Replace “Local Campaign Forum (LCF)” with Local Government Committee (LGC)

Replace all subsequent references throughout the Rules to “Local Campaign Forum(s)” with Local Government Committee(s) and all subsequent references to “LCF” with LGC.

**Chapter 12 Rules for Labour Party Local Campaign Forums, Clause 2 Objects, Sub Clause 4 (page 44):**

Delete all and insert new sub-clause as follows:

4. To undertake activities within the area for the purpose of encouraging new candidates so that Labour groups are representative of the communities in which they work.

**Chapter 12 Rules for Labour Party Local Campaign Forums, Clause 3 General Principles, Sub Clause 1 (page 44):**

Replace “Campaign Forum” with Local Government Committee

**Chapter 12 Rules for Labour Party Local Campaign Forums, Clause 4 Membership (page 44):**

Delete all and insert new sub-clauses as follows:

1. The membership of the LGC shall consist 75% of delegates from the local CLP(s) and 25% from affiliates. At least 50% of delegates from each group shall be women.

2. Additionally, CLP campaign co-ordinators shall be ex officio members of the LGC. Any sitting MP, AM, MSP, MEP, PCC and / or PPC may attend their LGC. Where a Co-operative Party council exists for the area concerned and they sponsor candidates in local elections they shall be entitled to appoint a member to the LGC.

3. The LGC shall meet at least four times per year with representatives of the Labour group where one exists.

**Chapter 13 Rules for local government Labour groups on principal authorities, Clause VIII Determination of group policy and action, Sub-clause 1 (page 49):**

**Delete** “The Labour Group shall formulate election manifestos in consultation with the local Party and relevant CLPs”.

**Insert:** “The Labour Group shall formulate election manifestos in consultation with the Local Government Committee.”

This rule change is necessary because LCFs, like current selection procedures, are not fit for purpose. In many cases, they meet infrequently for the sole purpose of overseeing selections, they don’t fulfil any positive role in policy development, and they don’t organise campaigning. It also provides for greater representation from affiliates.

The function of the LGC should be akin to that of a shop stewards’ committee, consulting and negotiating with the Labour Group on behalf of members, branches and CLPs, and not a sub-committee of the Labour Group. For this reason, councillors should not be officers or delegates to the LGC.

LCF/LGC rules, constitution and any standing orders should be freely available to local party members, CLPs and branches.

Procedures secretaries must be elected by LCFs/LGCs. It is not acceptable, as happens in some areas of the party, for LCF secretaries to assume the role without election. They should be elected at the AGM of the LCF/LGC and their mandate should only be extended if there is a current selection process. No mandate must extend beyond two years without renewal.

## **Governance of Labour Groups**

### **General**

Rule Chapter 1.X needs a new clause stating that all Labour public office holders, all Labour Party officers, staff and role holders are expected to conform to the 7 principles of public life (the Nolan Principles) published by the Committee on Standards in Public Life.

### **Group secrecy**

Labour Group meetings must be accessible to observers from CLPs, who must not themselves be councillors. Minutes of Group decisions must be accessible to party members in a timely manner.

### **Whip**

Whipped decisions should be the outcome of Group decisions, and not the autonomous decision of the Chief Whip.

### **Complaints**

It is essential that complaints against councillors are dealt with in a timely manner, and not stalled or manipulated around key dates like purdah.

### **Removal of Group Leaders**

Currently to remove a Group leader requires a two thirds majority. In our view, this should be reduced to simple majority of all members of the Labour Group.

### **Accountability**

Councillor contracts must be robust. Often they look good and paper, but are more honoured in *the breach* than in *the observance*, and not enforced. They should be published within the party and be accessible to branches. Labour Groups must put in place an annual membership consultation plan to be agreed by the LCF/LGC.

### **Ethical standards**

Labour in government must return to the pre-2012 Standards Board. The present arrangements with Monitoring Officers are not fit for purpose in relation to corruption or other serious breaches of the code of conduct. This requires a change in the law, which should include a duty to declare all interests, not just those in the home local government unit.

In the meantime, Labour must put its own house in order. There is widespread abuse of the duty to declare interests, particularly in relation to directorships, rental income and property ownership. The reasonably widespread problem of false addresses must also be tackled. Where councillors genuinely divide their time between two addresses, they should only qualify to sit as councillors through their main residential address. Claiming to live at an address which is in fact rented out while they live at another address should be treated as a serious offence liable to expulsion. All interests must be declared, not just those in the resident local authority.

### **Councillor levy**

The levy collected from councillors by Labour Groups should be controlled by the LCF/LGC. Accounts should be available to members of the LCF/LGC annually. Surpluses above a prudent reserve should be remitted to CLPs for election purposes at the end of the accounting period. Failure to pay the 2% minimum levy should be treated as a serious offence unless the Chief Whip is satisfied that a waiver should apply because of genuine financial difficulty.

### **Method of electing Labour Group leaders**

In all councils, other than those with directly elected mayors, the Leader and Deputy Leader of the Labour Group shall be elected by an electoral college composed of equal thirds of councillors, affiliates and members. In the event that the Leader is not re-elected, the Deputy Leader will take over. In the event that neither is elected, councillors will choose the Leader. In councils where Labour holds less than 25% of the seats, the LCF/LGC may apply to the Regional Board for permission to allow the Labour Group to appoint a Leader.

### **Removal of Group Leaders**

Councillors should have the right to remove a Group Leader by simple majority vote. This should be used only in serious cases involving such issues as gross misconduct, serious criminal offences, and being subject to Labour Party disciplinary processes under Chapters 4 and 13 of the Rule Book.

### **Term limits for Directly Elected Mayors, Police and Crime Commissioners and Combined Authority Mayors**

Labour members elected to serve in any of these offices may not be selected as a candidate for more than two consecutive terms. There should be an open selection for each term.

### **Directly elected mayors**

We do not believe DEMs are desirable other than in large cities, and not at the level of boroughs or other smaller local government units. Labour should aspire to replace them.

### **A fairer method of selecting London Assembly candidates**

Labour's re-selection processes for "list"-based seats in local government in England – currently only the Greater London Assembly – requires that incumbents are confirmed or otherwise as candidates, and that new candidates are found and approved by panel. The candidates are then ordered by a member's vote, with the incumbents guaranteed the highest places.

This protection, i.e. the guarantee that incumbents get the highest ranking places on the list, should be removed. Members' votes should determine the order that incumbents and challengers are placed on the list, subject to the gender quota rules. The members should be offered an additional two candidates, who become available for call up in the event that one of the selected candidates becomes unavailable to stand.