

# SAVE THE LABOUR PARTY

as an ethical, democratically-run, solvent, membership organisation

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MAD LABOUR PARTY

## Proposed Labour Party rule changes – 2008

### Summary

## Deadline for submission – 6 June 2008

1. Right of CLPs to submit one rule change proposal AND one contemporary issue – currently only allowed one or the other
2. OMOV for NPF CLP section – currently elected by conference delegates on regional basis
3. NEC: Representation of Scotland and Wales in constituency section – currently no places in any section for devolved nation representation
4. Ministers to be ineligible to serve on CAC – currently permitted
5. To provide for a Charter of members' rights – currently none
6. To provide for a Labour Party Code of Ethics – currently none
7. To create a Labour Party Ombudsman – currently none
8. To provide for a formal AGM – currently none

**Most of these amendments arise from the work of the LabOUR Commission, and have been drafted by members of the Campaign for Labour Party Democracy and Save the Labour Party.**

**If submitted and ruled in order any such amendments will lie on the table until 2009.**

## Suggested rule change

### **CLPS to have the right to submit a rule change AND a contemporary issue**

Rulebook 2008. Section A. Chapter 3. Rule 3C Procedural rules for party conference. Conference Rule 2 - agenda. Clause 3C2.3

The last two sentences of Clause 3C2.3 reads as follows: ‘**Alternatively**, a constitutional amendment on one subject only may be submitted in writing. Contemporary issues 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**

Delete ‘Alternatively’ and replace by ‘also’.

#### **Supporting arguments**

*The right of CLPs and affiliated organisations to amend the Party’s Constitution is an important democratic right. There should be no restriction on this right. At present, CLPs and affiliated organisations can submit either a rule amendment or a ‘contemporary issue’, but not both. This is an arbitrary and unnecessary restriction, since there is no link whatsoever between rule changes and ‘contemporary issues’. The above rule change would remove this unreasonable restriction.*

**Closing date for constitutional amendments: 6 June 2008**

Suggested rule change  
**OMOV for NPF CLP section**

Rulebook 2008. Section A. Chapter 4. Subclause 4C.5(a)(i)

Subclause 4C.5(a)(i) reads as follows:

Line 1 Division I shall consist of 55 members  
Line 2 to be nominated and elected by CLPs.  
Five each shall be elected from  
Scotland, Wales and the English  
regions, of which one place shall be  
reserved for a Young Labour  
representative and at least two of the  
four other places shall be reserved for  
women. The Young Labour  
representative must be a woman at  
least every other election.

**Amendment**

In line 2 delete 'and elected' and add at end after 'CLPs':

'and elected by a ballot conducted among all eligible individual members of the party by means of a regionally based one-member-one-vote postal ballot conducted to guidelines laid down by the NEC.'

**Supporting arguments**

*Currently the CLP Division of the National Policy Forum (NPF) is elected by CLP delegates at conference, which has been downgraded over the last decade, resulting in an unrepresentative NPF. The overwhelming election of supporters of 'New Labour' policies does not reflect the range of views of Labour Party members who are supposed to be represented by this section. A significant part of Labour's membership (on some issues a majority) hold views that are not reflected by CLP representatives in the NPF's deliberations. Such issues include opposition to privatisation of the NHS, support for return of rail transport to the public sector, the prompt re-linking of pensions to earnings, removal of all the troops from Iraq and opposition to Trident nuclear weapons replacement. Given the importance of these and other matters for Labour's re-election, members' views should be taken into account in the NPF's discussions of policy. Meanwhile, the CLP Division of the National Executive Committee (NEC) is elected by a One Member One Vote (OMOV) ballot of the membership, whose results more closely reflect membership opinion. This democracy needs to be extended to the CLP Division of the NPF, so that the membership is genuinely represented in the party's policy discussion.*

**Closing date for constitutional amendments: 6 June 2008**

Suggested rule change  
**More NEC seats for CLPs**  
**National Executive Committee: Representation of Scotland and Wales**

The Labour Party Rule Book 2007. Section A. Chapter 4 Elections of national officers of the party and national committees. 4C Procedural rules for elections for national committees. 4C.2 Election of the National Executive Committee. Paragraph 4C.2a (iii) reads as follows:

Line 1 Division III (CLPs) shall consist of six  
Line 2 members, at least three of whom shall  
Line 3 be women, to be nominated by their  
Line 4 own CLP and at least two other CLPs.  
Line 5 The ballot for these places shall be  
Line 6 conducted among all eligible individual  
Line 7 members of the party by means of a  
Line 8 national one-member-one-vote postal  
Line 9 ballot conducted to guidelines laid  
Line 10 down by the NEC.

**Amendment**

Line 1: Delete: 'six' and insert: 'eight'

Line 2: Delete: 'three' and insert: 'four'

Line 5: After 'ballot for' insert: 'six of'

Line 9: After 'ballot.' insert: 'There shall be two separate ballots for the two remaining places, one in Scotland and one in Wales. They shall be conducted among all eligible individual members of the party in Scotland and Wales respectively by means of a one-member-one-vote postal ballot. All three ballots to be'

**Supporting Arguments**

*The Scottish and Wales Labour Parties have a separate identity to that in the English Regions and each has its own General Secretary. In addition the Scottish and Welsh parties now monitor the work of the Labour Groups in the Scottish parliament and Welsh Assembly. There is therefore a strong case for automatic representation on the NEC from Scotland and Wales.*

*Our suggested rule change increases CLP representation from six to eight. It would redress the loss of a seat from seven to six which CLPs suffered in 1997 when Partnership in Power was first introduced.*

**Closing date for constitutional amendments: 6 June 2008**

Suggested rule change  
**Ministers to be ineligible to serve on CAC**

The Labour Party Rule Book 2007. Section A. Chapter 4 Elections of national officers of the party and national committees. 4C Procedural rules for elections for national committees. 4C.3 Election of Conference Arrangements Committee. Paragraph 4C.3d reads as follows:

- 1 Every affiliated organisation and CLP may
- 2 nominate an eligible member of the party for a
- 3 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. To operate as it should, the CAC must always be independent. Most controversial issues at conference relate to government policy and this puts the ministers in an impossible position. They cannot serve two masters. They are always under pressure to follow the government line, rather than the democratic interest of the delegates. This rule change would prevent such a clash of interests.*

**Closing date for constitutional amendments: 6 June 2008**

Suggested rule change  
**To provide for a charter of members' rights**

The Labour Party Rule Book 2007. Section A. Chapter 2 Membership Rules. 2B Membership Procedures.

**Amendment**

After subsection 2B.2 add new subsection 2B.3 as follows:

2B.3 There shall be a **Charter of Members' Rights** to guarantee the rights of Labour Party members. The Charter of Members' Rights shall be drafted by the National Executive Committee and shall be approved by Conference, following full consultation. The Charter of Members' Rights shall make provision for the following matters –

- The right of Party members to inspect the financial records of the Party, on giving reasonable notice;
- The right of Party members individually to be provided with full information about the Party's finances on an annual basis;
- The right of Party members to determine the donations' policy of the Party, under the sovereign authority of Conference;
- The right of Party members to participate fully in the selection of candidates to represent the Party in elections to public office on an equal opportunities basis;
- The right of Party members to be considered for nomination as a Party candidate for election to public office, on satisfying prescribed qualifying conditions;
- The right of Party members to participate in the selection and election of all persons nominated to represent the Party in the House of Lords;
- The right of Party members to participate in local Party governance, and the right not to be excluded there-from except in accordance with the rules of the Party;
- The right of Party members to participate in the development of Party policy, under the sovereign authority of Conference, and the right not to be excluded there-from except in accordance with the rules of the Party;
- The right of Party members to transparency in the policy-making process, including clear audit trails and feedback;
- The right of Party members to participate in the election of the Leader and Deputy Leader of the Party;
- The right of Party members to complain to the Labour Party Ombudsperson about
  - (a) conduct of Party officers, Party employees, Party representatives, Party contractors, and Party members;
  - (b) alleged to be in breach of (i) the Labour Party Constitution, or (ii) the Labour Party Code of Ethics;and to be informed of the outcome of any such complaint;
- The right of Party members to freedom of expression consistently with the requirements of the Labour Party Constitution;
- The right of Party members not to be unreasonably disciplined by or expelled from the Party, including a right not to be disciplined or expelled for exercising rights contained in the Charter of Members' Rights.

**Supporting arguments**

*This rule change is necessary in view of the marginalisation of party members in policy-making and party governance in recent years. There is also a need to have transparent candidate selection processes conducted on a demonstrably level playing field and in which members hold full rights of selection. Problems in these areas have led to the massive loss of party members and widespread disillusion at the grassroots. The enactment of these rules is necessary to restore the credibility of the Labour Party as a democratic, socialist and ethical organisation.*

**Closing date for constitutional amendments: 6 June 2008**

Suggested rule change  
**To provide for a Labour Party Code of Ethics**

The Labour Party Rule Book 2007. Section A. Chapter 2 Membership Rules. 2B Membership Procedures.

**Amendment**

After subsection 2B.2 add new subsection as follows:

There shall be a **Labour Party Code of Ethics** which shall apply to all Labour Party members, Labour Party officers, Labour Party employees, Labour Party contractors and Labour Party representatives.

- The Labour Party Code of Ethics shall establish principles and standards of behaviour to be followed by Labour Party members, officers, employees, contractors, and representatives.
- The Labour Party Code of Ethics shall be drafted by the National Executive Committee and approved by Conference, following full consultation.
- The Labour Party Code of Ethics shall be supervised by the Labour Party Ombudsperson, to whom a complaint may be made by a Labour Party member, employee, contractor, officer, or representative alleging a breach of the Code.

**Supporting arguments**

*This rule change is necessary in view of the marginalisation of party members in policy-making and party governance in recent years. There is also a need to have transparent candidate selection processes conducted on a demonstrably level playing field and in which members hold full rights of selection. Problems in these areas have led to the massive loss of party members and widespread disillusion at the grassroots. The enactment of these rules is necessary to restore the credibility of the Labour Party as a democratic, socialist and ethical organisation.*

**Closing date for constitutional amendments: 6 June 2008**

Suggested rule change  
**To create a Labour Party Ombudsperson**

The Labour Party Rule Book 2007. Section A. Chapter 1 Constitutional Rules

**Amendment**

Insert new clause X as follows:

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 (a) the Charter of Members' Rights, and (b) the Labour Party Code of Ethics, in accordance with procedures 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.

Committee (when the Party is in opposition) are ineligible to stand for the CAC.'

and renumber subsequent clauses accordingly.

**Supporting arguments**

*The existing rules set out the duties and restrictions on members of the Labour Party but recent experience of top down management of the Party has demonstrated that these rules, and the Party as a whole, would now benefit from a Charter of Members' Rights and an official code of ethics concerning the running of the Party.*

*The enforcement of these rights and duties and the investigation of complaints as to their breach will need to be underpinned by the work of an independent ombudsperson. It is essential that the ombudsperson is accountable to the NEC and that their work does not cut across other NEC functions. However, the ombudsperson must personally be truly independent and command widespread support and command widespread support across the party as a whole.*

**Closing date for constitutional amendments: 6 June 2008**

## Suggested rule change

### **To institute an Annual General Meeting of the Labour Party**

The Labour Party Rule Book 2007. **Rule 3c 1.1 currently reads:**

“The NEC shall (whenever practicable) convene an annual session of Party Conference during September/October each year, in accordance with the constitution and these rules. It may also convene special sessions of Party Conference when it deems necessary.”

#### **Amendment**

New Clause add:

“Conference shall include an Annual General Meeting of the Labour Party (which may be held in private session). This will provide an opportunity for the NEC to give an account to the membership of its stewardship of the Party and will include the presentation of, and the opportunity to vote on, the Annual report and audited accounts.”

and renumber subsequent clauses accordingly.

#### **Supporting arguments**

*Research evidence from the independent LabOUR Commission on Party and Parliamentary Democracy showed that many party members feel excluded from a significant role in Party governance especially at national level and would welcome greater accountability of the leadership to the membership. In the light of events of recent years the Labour Commission also recommended greater transparency and accountability in respect of Party finances.*

**Closing date for constitutional amendments: 6 June 2008**

**Most of these amendments arise from the work of the LabOUR Commission, and have been drafted by members of the Campaign for Labour Party Democracy and Save the Labour Party.**