

Charter of Members' Rights

The Labour Party Rule Book 2018. Section A. Chapter 2 Membership Rules. Amendment

Insert into a new Clause IV under Chapter 2 of the Rule Book, after the new Code of Ethics:

Introduction

As a democratic socialist party, the Labour Party's ability to deliver on its core values and objectives depends fundamentally on its ability to fully harness the talent, ideas, and commitment of its membership base. This depends on guaranteeing those members rights to transparency, accountability, participation, training, and disciplinary justice. All party members and staff should be made aware of the rights of members, which are established in this Charter. These rights shall be established along with a set of responsibilities, which shall be covered in a Code of Ethics, which covers all actors in the Labour Party. Both the Charter of Members' Right and 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.

Transparency

Party members should have rights to a minimum level of transparency from the party, including the following:

- a) To inspect the financial records of the Party, on giving reasonable notice;
- b) To be provided with full information about the Party's finances on an annual basis;
- c) Access to all key documents governing national and local-level party activity, including rules, standing orders, guidance notes, appendices, codes of conducts and procedures, which should be collated and made available on membersnet in clear and accessible language;
- d) Right to know who their elected representatives are at all levels of the party, as well as the elected representatives of all affiliated organisations participating in any vote.

Accountability

As a democratic socialist party, the Labour Party shall guarantee meaningful mechanisms of accountability between its members, elected representatives, and paid staff. On that basis, members shall have rights to the following:

Elected Representatives

- a) Meaningful democratic mechanisms that ensure accountability between party members and elected representatives. These mechanisms should ensure that members are as fully involved as possible in the selections of all Parliamentary candidates, and candidates for other elections;
- b) Elected representatives should report in writing to respective branches or CLPs;
- c) Elected representatives should be accountable to their CLPs or branches in that CLP policy or branch policy should be taken into account when elected representatives cast a vote, or express a policy position, and if the elected representative does not adhere to branch or CLP policy, s/he should report that position to the branch/CLP and take into account the branch/CLP comments;
- d) Elected representatives who are paid a full-time wage for their positions should not take on other employment.

Party staff

- e) Party staff actions and behaviour should always be in accordance with the democratic socialist orientation of the party, promoting and cultivating a culture of public service, inclusiveness, and innovation, with the aim of building a participatory, transformative, members-led party, this culture should be maintained by meaningful line management and performance monitoring, with senior managers reporting directly to the NEC;
- f) All internal elections, disciplinary matters and other internal issues of Party management should be conducted in a manner that is fully impartial, independent and (so far as compatible with personal confidentiality), transparency;
- g) Managers to report regularly to the NEC, Regional Boards or other Party structure on the work of the staff;
- h) Transparency in the Labour Party staffing structure, so that members are informed of the specific rights, remits, and responsibilities of staff members, as well as of relevant lines of accountability;

Participation

Labour is at its best when its members are fully engaged, and their talents, ideas and commitment can be fully harnessed. On that basis, members shall have the following rights:

- a) To participate in local Party governance, and not to be excluded from it except in accordance with the rules of the Party;
- b) To actively contribute to the development of Party policy, under the sovereign authority of Conference, and not to be excluded from it except in accordance with the rules of the Party;
- c) To contribute meaningfully to the selection of candidates to represent the Party in elections to public office on an equal opportunities basis;

- d) To be considered for nomination as a Party candidate for election to public office, on satisfying prescribed qualifying conditions;
- e) To participate in the election of the Leader and Deputy Leader of the Party;
- f) Where they are so excluded, to appeal to a separate decision-making panel;
- g) To be treated with respect;
- h) To have their diverse qualities, conditions, skills and talents respected and valued;
- i) All meetings, and other activities, to be organised so that the widest numbers of members can participate, including ensuring that venues used are physically and culturally accessible, and that information is communicated in a variety of languages (if requested) and is visually accessible.

Capacity Building and Skills Development

In order to fully harness their abilities, Labour Party members should have opportunities to improve on their skills and talents to increase the contribution they make to the party. This will not only increase the overall contributions made by members to the party, but will also seek to minimise gaps in experience or skills created by an unequal society. They shall therefore have the following rights:

- a) Capacity building for incoming officers on branch and CLP Executives, particularly for Secretaries, Chairs, and Treasurers;
- b) Training in persuasive conversations, community organising, and workplace organising;
- c) Access to broad-based political education opportunities and resources, covering key areas of thinking underpinning different ideologies and strands of thinking represented by the Labour Party;
- d) Where requested by members, training in identifying and combating racism, sexism, Islamophobia, antisemitism, homophobia, transphobia and other forms of discrimination, greater awareness of disability rights, in order to be able to identify prejudice and discrimination as and when they occur and challenge it;
- e) Opportunities to apply for candidate training as councillors, MPs or other elected office on an equal opportunities basis as well as to gain skills-based training that is relevant for people interested in public office, with people from under-represented groups being given additional opportunities;

Disciplinary Justice

Running the Labour Party in line with its principles, and in order to achieve its objectives, will only be possible through the creation of a culture of trust and understanding shared by all across the party. This can only be achieved through ensuring that disciplinary matters are dealt with fairly. Members shall therefore be guaranteed the following rights:

- a) To access a clear complaints procedure explaining clearly how and to whom complaints are to be made, and the information to be set out in a complaint. The procedure should also include the processes which may be triggered including processes for exploring an informal resolution of the complaint where appropriate as well as the length of time that each stage of the process is likely to take. This process could be operated by a Labour Party Ombudsperson.
- b) For that process to be clearly explained to any complainants, and to the person being complained about;
- c) For the complainant to be able to request anonymity and to have his or her request determined urgently by the investigating officer, and if anonymity is refused, the reasons for the refusal shall be put in writing and the complainant given the opportunity to withdraw the complaint before it has been communicated to the person complained about;
- d) That alleged breaches of party rules shall only be investigated if the breach complained of took place within 12 months prior to the complaint, save that this limitation period will not apply to complaints alleging criminal conduct;
- e) To freedom of expression, consistent with the requirements of the Labour Party Constitution, and not extending to the use of racist epithets, abusive references to any particular person or group based on actual or perceived physical characteristics, sexism, homophobia, anti-Semitism, transphobia, Islamophobia, prejudiced remarks on the basis of disability or age;
- f) An equitable time lapse, specified in the Rules, for the readmission of expelled members proportionate to the gravity of their offence;
- g) For any potential political motivations of allegations to be considered in any disciplinary processes.
- h) Where the complaint is of potential breach of the Party rules, so as to require investigation by the National Constitution Committee, the provisions of the NCC's procedural rules shall apply;
- i) Where the complaint is such that the NEC would consider "auto exclusion" i.e. removing a Party member of his or her membership because it has concluded that the member is ineligible to be a member, the member shall be informed of the allegation in advance of the decision and have the right to make representations within a specified timescale before the decision is made, and there shall be a right of appeal;
- j) Suspension shall be a last resort. The NEC shall only suspend a Party member accused of potential breach of the Party rules in cases where the NEC decides that there is a prima facie case of a serious breach of Party rules; normally where the NEC is considering suspension, the Party member shall be informed of the allegation and possible suspension (pending disciplinary action) and have the right to make representations within a specified timescale;
- k) That all complainants (if any) and the person complained about shall receive a written decision on the outcome of the complaint, giving reasons;

- I) For the NEC to appoint an ombudsperson tasked with safeguarding the rights of members, such Ombudsperson to report to the NEC on his or her work, the pattern and outcomes of complaints received by him or her and to make recommendations as to potential management changes or rule changes. The NEC shall have no authority to review the Ombudsperson's decisions on individual complaints.

Supporting Argument

A Charter of Members' Rights is necessary to remake the Labour Party so that it is structurally and culturally coherent with democratic socialist principles. Given the massive potential of the incredible expansion of the party membership in recent years, it is necessary to ensure that the talent, creativity, and commitment of the members is fully harnessed. This Charter outlines key members' rights which should be protected under Labour's Constitution.