

## Cheltenham CLP Rules

### Cheltenham Constituency Labour Party Rules

*[Note. These are the same as the Model Rules for CLPs in Chapter 7 of the National Rules, with appropriate insertions related to Cheltenham CLP].*

To be read in conjunction with the appendices to the National Rules and with particular regard to the conduct of meetings contained therein.

#### Clause I. Name

1. The Cheltenham Constituency Labour Party, hereinafter named 'this CLP'.

#### Clause II. Aims and values

##### 1. National

- A. The aims and values of the Labour Party as outlined in Chapter 1 Clause IV above shall apply to this CLP.

##### 2. Constituency

- A. To unite the forces of Labour within the constituency and to ensure the establishment of, and to keep in active operation an appropriate organisation and structure, which shall normally include branches, as approved by the National Executive Committee (NEC).
- B. To secure the return of Labour representatives to Parliament and local government bodies, by promoting the policies and principles of the Party throughout the constituency with a view to increasing the Party's influence within the local community and securing support and membership from it.
- C. To promote the policies of the Party within the constituency by formulating a development action plan for the Party in the area and to ensure its adoption and implementation by all Party units.
- D. To provide the opportunity for all individual members of the Party within the constituency to contribute to the development of the aims and policies by ensuring that a full range of Party activities are available to them, including local policy forums, and that they may participate fully in discussion to broaden the political education of members of the Party and to increase their influence over the formulation of the Party programme.
- E. To establish local policy forums, possibly in cooperation with neighbouring CLPs, as authorised by and with the support of the appropriate RD(GS) operating to guidelines produced by the NEC. The constitution of the Party places an obligation on CLPs to work in pursuit of our aims with trade unions, co-operative societies and other affiliated organisations, and it must consult its members, elected representatives, affiliated organisations, and, where practicable, the wider community in which it is based on policy making initiatives which are to be forwarded for consideration as part of the national policy making process.

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### **Clause III. Affiliated organisations**

1. Organisations may affiliate to the Party at constituency level if they fall within the following categories:
  - A. trade unions or branches thereof affiliated to the Trades Union Congress or considered by the NEC to be bona fide trade unions affiliated to the Party nationally. Where provided by the structure of an affiliated organisation, sub-sections of branches, retired member sections/associations may affiliate separately at the discretion of the RD(GS) of the Party in agreement with the appropriate authority of the affiliated trade union.
  - B. co-operative societies, branches of the Cooperative Party and other co-operative organisations.
  - C. branches of those socialist societies affiliated to the Party nationally.
  - D. other organisations or branches thereof which in the opinion of the NEC are deemed eligible for affiliation.
2. Each affiliated organisation must: accept the programme, principles and policy of the Party; agree to conform to the constitution, rules and standing orders of the Party; have members who are registered as electors within the constituency.

### **Clause IV. Affiliation fees**

1. Affiliation fees and contributions payable to this CLP shall be:
  - A. trade unions, branches of trade unions, retired member sections/associations of trade unions, branches of socialist societies and other organisations; 6p per annum per member resident or registered as an elector within the constituency, with a minimum payment of £6 per branch.
  - B. co-operative societies and other cooperative organisations on the basis agreed between this CLP and the respective co-operative organisation, though as a minimum on the same basis as other affiliated organisations.
  - C. the Co-operative Party in accordance with the agreement between the Labour Party and the Co-operative Union Limited currently in force.
  - D. all affiliation fees shall be paid not later than 31 December of the relevant year.

### **Clause V. Individual membership**

1. The conditions of membership for, method of enrolment of, and level of subscription payable by individual members of the Party within this constituency shall be as laid down in the membership rules of the Party in Chapter 2.
2. The constitutional rights of individual members of the Party within this constituency shall operate only where they are registered as electors and reside or, exceptionally if they are not eligible to be registered to vote, in which they reside only.

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3. Women members in this CLP shall, if they so desire, be organised into a women's forum acting in accordance with regulations sanctioned by the NEC and on boundaries approved by the RD(GS).
4. Individual members of the Party between 14 years and 26 years of age inclusive shall, if they so desire, be organised in branches of Young Labour acting in accordance with regulations sanctioned by the NEC and on boundaries approved by the RD(GS).

### Clause VI. Method of organisation

#### 1 General

- A. The CLP may adopt any method of organisation currently approved by the NEC.
- B. Cheltenham CLP has adopted a method or organisation structure based on 'all member meetings' structure.
- C. In this structure there is provision for a general meeting (GM) of all members.
- D. Any proposal to change from an all member meeting to a delegate method of organisation or vice versa may only be initiated by resolution of a Party unit or affiliate branch. Upon receipt of such a proposal the CLP Secretary shall declare the next-but-one scheduled meeting to be a special all member meeting, which shall decide by a simple majority whether to adopt the proposed new method of organisation. The NEC may make guidelines setting out limits on the frequency at which CLPs may be asked to initiate this process and on the minimum requirements for consultation with local affiliates.
- E. In addition, this CLP may propose new methods of organisation to the RD(GS). The General Meeting may seek approval from the NEC to pilot new methods of organisation to meet its objectives as part of an agreed development plan that continues to meet this CLP's constitutional obligations.
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- G. The method of organisation includes branches on such basis as decided by the General Meeting and approved by the NEC. Branch boundaries shall as far as possible follow local government boundaries. Cheltenham CLP has approved Branches and Branch boundaries as set out in **Appendix 1**.
- H. A branch established in accordance with this rule shall consist only of those individual members of the Party within this CLP who reside and are registered as electors within the area covered by the branch or, exceptionally if they are not eligible to be registered to vote, in which they reside only.

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- I. Branches shall operate in accordance with the rules for Party branches and any other regulations approved by the NEC. In particular, a branch shall maintain the necessary machinery for elections within its area. A branch may undertake other activities to promote the Party in its area and the involvement of its individual members in line with the development action plan agreed for this CLP. The public activities of a branch shall be approved by the Executive Committee of this CLP.
- J. Where the General Meeting considers it desirable there may be established a co-ordinating organisation covering more than one branch subject to the approval of the regional office.
- 2 There may be established workplace branches covering one or more CLPs, acting in accordance with rules sanctioned by the NEC.
- 3 There may be established a women's forum to co-ordinate work among women members, acting in accordance with the rules for women's forums and any other regulations approved by the NEC and on boundaries approved by the NEC.
- 4 There may be established an ethnic minorities forum to co-ordinate work among BAME members, acting in accordance with the rules for ethnic minorities forums and any other regulations approved by the NEC and on boundaries approved by the NEC.
- 5 Local Equality Branches. The NEC shall set out rules for the establishment, officers, structure, organisation, communication rights and delegate entitlements of Women's branches, BAME branches, Disabled members branches, and LGBT+ branches; and for the election of the relevant CLP officers by the self-defining members of these groups, to the extent allowed by law. *The NEC shall bring forward proposals for these rules for approval at Annual Conference 2019, when this sentence shall expire.*
- 6 Young Labour Branches. The NEC shall set out rules for the establishment, officers, structure, organisation, communication rights and delegate entitlements of Young Labour branches; for the oversight of such rules by the Young Labour National Committee; and for the election of relevant CLP officers by Young Labour members or Young Labour branches, to the extent allowed by law. *The NEC may immediately incorporate these rules into this rule book, subject to approval at Annual Conference 2019, when this sub-clause shall expire.*
- 7 There may be established other such forums among common interests groups acting in accordance with the rules for these forums and any other regulations approved by the NEC and on boundaries approved by the NEC.
- 8 There shall be established a Campaign Committee to co-ordinate the public activity of this CLP.
  - A. The Campaign Committee comprises campaign organisers and other members as appropriate. The chair and treasurer of this CLP and the Member of Parliament and/or the parliamentary candidate and the parliamentary agent, shall be ex-officio members of the Campaign Committee.
  - B. The Campaign Committee shall elect a campaign co-ordinator who shall: co-ordinate constituency-wide campaigns; liaise with Head Office and either Scottish Labour, Welsh Labour or their English regional office and with affiliated organisations, as the case may be, in the

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promotion of the Party's campaigns; and liaise with other election agents as appropriate over the election campaign strategy for elections and referenda taking place wholly or partly within the area of this CLP.

- C. Where the campaign co-ordinator is not the election agent, the Campaign Committee shall ensure that an election agent is appointed to be responsible for all local elections within the area of this CLP. Agents shall liaise with other agents within the local authority area in order to ensure a unified and co-ordinated campaign. For national elections, the committee should seek to appoint an election agent at the earliest opportunity in consultation with the prospective candidate and appropriate RD(GS) and this appointment shall be subject to the approval of the NEC. Any member not otherwise disbarred from being an election agent may be considered for appointment.
9. The NEC shall make rules for the organisation of multiple constituency CLPs.
    - A. There may be established CLPs which cover multiple parliamentary constituencies.
    - B. The NEC will continue to recognise the component single constituency CLPs for the purposes for which this is appropriate; including but not limited to the allocation of conference delegates, the submission of motions and constitutional amendments to conferences and the selection of candidates. Only members who are registered as members within the appropriate electoral boundaries shall take part in any CLP business which involves such boundaries.
    - C. Any change from single constituency CLPs to a multiple constituency CLP or vice versa must be agreed by the NEC in advance of any resolution being tabled. NEC approval will only be given when it is satisfied sufficient consultation has been undertaken with affected Party branches and affiliates.
    - D. Where two or more single constituency CLPs wish to merge, a resolution must be carried at each individual General Meeting by a simple majority.
    - E. An existing multiple constituency CLP shall divide into component constituencies should a resolution be carried by a simple majority at a General Meeting.
    - F. Where a multiple constituency CLP is to divide into single constituency CLPs, its assets shall be divided in proportion with the membership of the successor CLPs as at a date to be defined by the NEC.
    - G. Once a reorganisation has been agreed, no further changes shall be approved for a period of 12 months.
    - H. Any dispute arising to the merging or division of CLPs shall be referred to the NEC, whose decision shall be final.
  10. The NEC shall invite CLPs to take part in pilots of staggered meetings, electronic attendance, online voting and other methods of maximising participation. *The NEC may immediately give effect to these pilots and may incorporate any resultant rules into this rule book, subject to approval at Annual Conference 2019, when this sub-clause shall expire.*

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11. The Executive Committee shall provide a written record of decisions to the CLP General Meeting for approval. Standing orders for CLPs shall be published on an electronic platform provided by the Party.

### **Clause VII. Management**

1. The management of this CLP shall be in the hands of the General Meeting. The decisions of the General Meeting shall be put into effect by an Executive Committee which shall be appointed by and report to an Annual General Meeting of this CLP and to other such meetings as required by the CLP rules and procedures.
2. This CLP adopts the rules and procedures for CLPs and branches set out in the appendix to the National rules and such amendments thereto as may be agreed by Party conference or made by the NEC in accordance with the powers conferred upon it under Chapter 1 Clause X of the constitutional rules. This CLP shall have power to make changes to these rules, subject to the specific prior approval in writing of the NEC, and providing that such changes do not contravene the spirit and intention of the rules as adopted by Party conference or alter the Party objects, basis or conditions of affiliated and individual membership, or vary the procedure for the selection of parliamentary candidates (other than as provided for in the rules) or effect a change in the relationship of this CLP with the national Party.
3. The General Meeting shall, but only with the specific prior approval in writing of the NEC, have the power to enter into property-related transactions on behalf of the CLP. Such power may also be exercised by the Executive Committee, or by officers of the General Meeting, if so authorised by the General Meeting.
  - A. NEC approval will be conditional in all cases upon legal title to the property being vested in Labour Party Nominees Limited as Trustee for the relevant Constituency Labour Party or in such other Trustee for the relevant Constituency Labour Party as the NEC may appoint.
  - B. The General Meeting and the Executive Committee shall procure that all legal title to property leasehold and freehold presently held for this CLP shall forthwith be transferred to Labour Party Nominees Limited to be held by it as Trustee for the relevant Constituency Labour Party upon the standard terms of Trust from time to time approved by the NEC.
  - C. Every CLP and BLP of the Party and as a pre-condition to continued membership thereto shall with effect from forthwith do and execute such acts and deeds to transfer the beneficial ownership of their respective freehold and leasehold properties legal title to which is presently held either by individuals or by Labour Party Nominees Limited to and for the benefit of The Labour Party subject only to the CLPs' and BLPs' existing rights of occupation thereof and to their continued receipt of all rents and profits there from and the right to license and to lease the said properties from time to time subject to the prior written consent of The NEC but subject to the CLPs' and BLPs' continuing respective obligations in respect of any borrowings secured on such properties, (note- For clarity this rule is repeated in rules for branches).
4. The General Meeting shall, but only with the specific prior approval in writing of the NEC and on such terms and conditions as shall be approved by the NEC, have the power to employ staff on

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behalf of the CLP. Such power may also be exercised by the Executive Committee or by officers of the General Meeting if so, authorised by the General Meeting, in all such circumstances, the primary responsibility for meeting financial and other obligations in respect of such employees shall be borne by this CLP.

### Clause VIII. Officers

1. The officers of this CLP, the Executive Committee, and two auditors shall be elected at the annual general meeting of this CLP and shall continue in office until replaced or re-appointed.
2. The Executive Officers of this CLP shall be; chair, vice-chair, vice-chair/ membership, secretary, treasurer, women's officer, policy officer, BAME officer (where established), disability officer (where established), LGBT+ officer (where established), youth officer (where established), trade union liaison officer (where established, who shall be a member of a trade union in accordance with Chapter 2 Clause 1.6.B above), political education officer (where established), communications and social media officer (where established). This CLP may, with the approval of the NEC add other Executive Officer posts drawn from amongst its Coordinator roles subject to the gender quota being amended appropriately. Branch secretaries or other representatives chosen by each branch will be members of the Executive Committee. These roles will be voting members of the Executive Committee.
3. The Chair shall also be the deputy treasurer to be notified to the Electoral Commission. In exceptional circumstances, and with the prior approval of the General Secretary, a different person may be appointed.
4. In addition this CLP may elect coordinators to lead on specific areas of responsibility including community involvement, membership recruitment and retention, fundraising, information technology etc. These coordinators shall be encouraged to attend Executive Committee Meetings to report on their work and share expertise with colleagues but shall not be voting members unless elected to the Executive Committee as individuals.
5. The team of officers and coordinators, together with the parliamentary candidate and/or member of Parliament and the campaign coordinator, shall provide a strategic lead for the development of the Party in the constituency.
6. The Executive Committee shall consist of the Executive Officers, branch secretaries or other representatives elected by each branch and six members upon such proportionate basis of the whole membership as this CLP may decide, subject to the approval of the NEC.
7. The parliamentary election agent may also attend Executive Committee meetings.
8. Where a constituency plan agreement has been entered into by this CLP and an organisation affiliated to the Party nationally and approved by the NEC, the affiliated organisation concerned may appoint a member of this CLP to the Executive Committee to represent their interest: this member shall be an ex-officio member with voting powers of both executive and General Meetings.
9. The Executive Committee shall meet as required and be responsible for reviewing the implementation of the development action plan and supervising the work of the branches and other

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Party units in the constituency. The Executive Committee shall also deal with as much of the routine business of this CLP as possible to ensure that the General Meeting can devote its time to the discussion of policy and Party objectives for the constituency.

10. The treasurer shall be responsible for ensuring this CLP meets its legal and financial responsibilities under the Political Parties, Elections and Referendums Act 2000 in respect of donation reporting, the filing of accounts and, if applicable, the auditing of accounts, and shall be the registered treasurer of the accounting unit, as notified by Party Head Office to the Electoral Commission.
11. This CLP Secretary shall notify Party Head Office immediately in the event of the resignation or replacement of the treasurer or the deputy treasurer, so that the Party can meet its statutory responsibility to inform the Electoral Commission of any such changes.
12. It shall be a requirement of their office that the treasurer and the parliamentary election agent undertake such training as deemed desirable by the NEC.

### **Clause IX. The General Meeting**

#### **1. Annual Meetings**

- A. The annual meeting of this CLP shall be held in October of each year or, in the event of such meeting not being held in that month for any reason, as soon thereafter as possible. The annual meeting should not normally be held before May in any year.
- B. Affiliation fees due to this CLP for the previous year ended 31 December must have been paid to this CLP a clear 35 days before the date of the annual meeting.
- C. New affiliations accepted at least 60 days prior to the AGM in the current year shall have all rights associated with attendance at the AGM.
- D. Twenty eight days' notice of an annual meeting shall be given to all eligible affiliated organisations and Party units.
- E. Seven days' notice of an annual meeting shall be given to voting members entitled to attend.

#### **2. Special Meetings**

- A. Special General Meetings may be called at the discretion of the Executive Committee and shall be called on the written request of at least one third of the affiliated organisations and Party units which are or would be entitled to send delegates to this CLP under a delegate structure.
- B. Seven days' notice of a special meeting shall be given to voting members entitled to attend except in cases of emergency, when only business of immediate importance shall be transacted.

#### **3. Ordinary General Meetings**



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- A. Ordinary General Meetings be held at such intervals as laid down in the standing orders of this CLP or as may be determined by resolution of the General Meeting, subject to a requirement that all members of the CLP must be given the opportunity to attend at least eight meetings per year, including at least two policy meetings.
- 4. Seven days' notice of General Meetings shall be given to voting members entitled to attend.
- 5. A notice calling an annual, special or ordinary General Meeting shall state as far as possible the business to be transacted.
- 6. Any notice required to be given under these rules shall be in writing which may include electronic communication. Notices to be sent to affiliated organisations and Party units shall be addressed to the secretary thereof.

### **7. Charter of Members Rights**

- A. Member with eight weeks continuous membership at the relevant date shall, unless the eight week verification period has been extended, or unless otherwise prohibited, have the right to attend and vote at local meetings. Members without eight weeks continuous membership only have the right to attend Branch meetings in a non-voting capacity.
- B. Members have the right to be invited to all Party meetings which they are eligible to attend.
- C. Members moving to Cheltenham CLP shall, unless otherwise prohibited, have full local membership rights, subject to any objections received to the transfer of membership.
- D. Members have the right to dignity and respect, and to be treated fairly by the Labour Party. Party officers at every level shall exercise their powers in good faith and use their best endeavours to ensure procedural fairness for members.
- E. All BAME members having eight weeks continuous membership shall, unless the eight week verification period has been extended or unless otherwise prohibited, have the right to free membership of the Labour Party's BAME representative structures. Only Labour Party members may participate in such structures.
- F. All disabled members having eight weeks continuous membership shall, unless the eight week verification period has been extended or unless otherwise prohibited, have the right to free membership of the Labour Party's disabled members' representative structures. Only Labour Party members may participate in such structures.
- G. The Labour Party shall give all members an ongoing opportunity to self-define as holding the characteristics mentioned in 8 above and to declare a disability in line with 9 above, and may give members the opportunity to self-define as holding other characteristics. The Labour Party is only bound to accept genuine self-definition, made in good faith.
- H. The relevant dates for the above rights shall be defined by procedural rules made by the NEC.

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- 1. The NEC shall bring forward further proposals for the Charter of Members' Rights for approval at Annual Conference 2019, when this sub clause shall expire.*

### **8. Finance**

- A. Following each annual meeting of this CLP the secretary shall forward to the General Secretary a copy of this CLP's constituency annual report, including the annual statement of accounts and such other information as may be requested by the NEC in the format required and in compliance with this CLP's legal and financial responsibilities under the Political Parties, Elections and Referendums Act 2000 (PPERA).
- B. Where required by PPERA 2000, the annual statement of accounts must be presented to and approved by a general meeting in the first quarter of the year following the year in question, the annual statement of accounts must be forwarded to the Electoral Commission by 30 April of the year following the year in question.

### **Clause X. The Party Conference**

1. Subject to the conditions laid down in the rules of Party conference and the constitutional rules of the Party, this CLP may appoint to any Party conference convened under Clause VI of the constitutional rules of the Party, one delegate for the first 749 eligible members, or part thereof, and a further delegate for each additional 250 eligible members, or part thereof. Eligible members shall be defined as those listed by the Party as members of this CLP at 31 December in the previous year.
2. When appointing their delegate(s) this CLP shall seek to increase the representation of women at conference, by ensuring that at least every second delegate shall be a woman; where only one delegate is appointed this must be a woman at least in every other year.
3. Where the individual women's membership within this CLP is 100 or more, an additional woman delegate may be appointed.
4. Where the individual Young Labour membership within this CLP is 30 or more, an additional delegate under the age of 27 may be appointed.
5. This CLP may appoint a delegate in addition to its above entitlement if one of its duly appointed delegates is the national treasurer, a member of the NEC, member of the Conference Arrangements Committee, (CAC), or a member of the National Constitutional Committee, (NCC), due for re-election that year.

### **Clause XI. Duties of the General Meeting**

1. The general provisions of the constitution, rules and standing orders of the Party shall apply to this CLP and the General Meeting has a duty to act within and uphold such provisions.
2. The General Meeting shall be responsible for establishing objectives for this CLP in the constituency through political debate and policy discussion, setting targets for development of CLP organisation and campaigning in the area and promoting links with the wider community.

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3. In particular this CLP is required to submit in the fourth quarter of each year a development plan in a format approved by the NEC for the constituency for the coming year. The plan shall be submitted to the appropriate regional office (or Scottish or Welsh national office).
4. It shall be the duty of the General Meeting of this CLP to ensure that at least 50 per cent of their delegates to other Party bodies (where delegate entitlement is more than one) shall be women.
5. This CLP and units of this CLP shall not enter into affiliation with or give support, financially or otherwise, to any political party or organisation (or ancillary or subsidiary body thereto) declared by Party conference or by the NEC in pursuance of conference decisions to be ineligible for affiliation to the Party. Nor shall they give any such support to individuals ineligible for membership of the Party.
6. This CLP shall co-operate with the NEC of the Party in conducting a ballot of all eligible individual members for the selection of parliamentary candidates, the election of the leader and deputy leader of the Party, the national treasurer and auditors, and the appropriate sections of the NEC, and NCC. Such ballots to be conducted in accordance with guidelines laid down by the NEC and subject to the provisions of Chapter 4.
7. In the event of this CLP being dissolved or ceasing to exist for any reason, its assets (after payment of outstanding liabilities) shall be transferred to the NEC of the Party.
8. This CLP shall co-operate fully with the NEC in respect of its legal and financial obligations under the Political Parties, Elections and Referendums Act 2000. Should this CLP fail to co-operate with the Party with regard to its obligations under the Act, the NEC will not hesitate to take appropriate disciplinary action against individual members and/or suspend this CLP.

### **Clause XII. Disciplinary**

1. It shall be the duty of the General Meeting of this CLP to take all necessary steps to enforce the constitution, standing orders and rules of the Party within this constituency and to safeguard the programme, policy and principles of the Party within this constituency. This CLP shall take such action as it deems necessary for such purposes in accordance with the provisions laid out in the disciplinary rules, contained in Chapter 6 above.
  - A. Any complaint or allegation made of breach of the constitution, rules or standing orders of the Party shall be made in writing to the secretary of the CLP either by a Party branch or by an organisation affiliated to that Party, or by a member of the CLP. Such complaint or allegation shall state that the complainant wishes disciplinary action to be considered.
  - B. Upon such complaint being made, the secretary shall refer it to the Executive Committee of the CLP who shall decide by resolution whether the complaint calls for investigation.
  - C. Any resolution of the Executive Committee shall be reported to the General Meeting which shall decide whether to authorise the recommended investigation.

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- D. Where there is not an Executive Committee in place within the CLP, the matter shall be referred direct to the General Meeting which shall decide by resolution whether the complaint calls for investigation.
- E. Any person proposed to be the subject of such an investigation shall reside or be registered as an elector within the constituency or shall have been resident or registered as an elector within the constituency at the time of the actions subject to complaint. If that person is a member of the General Meeting and/or Executive Committee s/he shall have full rights to participate and vote in the meetings of the committee of which s/he is a member when this matter is considered.
- F. The secretary shall immediately following any such resolution contact the regional office of the Party to ensure the correct implementation of the disciplinary procedures at all stages, including the formulation of any charges.
- G. Where the General Meeting so authorises an investigation the Executive Committee shall appoint three of its members to act as investigators. The investigators may be agreed by the original Executive Committee meeting, subject to subsequent endorsement by the General Meeting. None of these investigators shall be a party to or a subject of the original complaint.
- H. The investigators shall conduct their investigation of the complaint(s) or allegation(s) in such a manner as they see fit, including the receipt of written evidence from the complainant(s), those complained against and from other Party members.
- I. The investigators shall decide whether or not a prima facie case can be made out and, if so, shall formulate a charge or charges and shall report to the General Meeting. Their report to the General Meeting shall be limited to whether they have found a prima facie case and, if so, the proposed charge or charges. The charge must specify which rule(s) of the Party have been breached. The General Meeting shall decide at this stage which of the proposed charges, if any, are to be preferred.
- J. None of the investigators shall participate in or vote at the General Meeting at this stage, except that one member of the investigating team only shall present the report of the investigators and answer questions thereon but still not vote.
- K. If the General Meeting decides that a charge or charges should be preferred, it shall instruct the investigators to prefer these charges and accompanying evidence together with, if so decided, a recommendation for disciplinary action. The investigators shall appoint one of their number to act as 'the presenter' of the case which shall be preferred to the NCC of the Party for determination. All the evidence and documentation to be relied on in presenting the case must accompany the charges to be preferred.
- L. The charges shall be forwarded to the secretary of the NCC at the Head Office of the Party who shall liaise with the presenter and the chair of the NCC to arrange for the case to be brought before the committee or a panel thereof and for dates and venues for a hearing if appropriate. The NCC shall determine the charges, by hearing or otherwise and having regard to their procedural guidelines. The decision of the NCC as to whether in its opinion there is a case to answer, or whether in its opinion the charges are proved or not proved, and any disciplinary action to be imposed shall be final.

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- M. Procedural guidelines in disciplinary cases brought before the NCC is appendix 6 at the rear of the Party's rule book, or can be obtained from the Governance and Legal Unit at Head Office. The investigation team should familiarise itself with the content of the document before commencing their investigation.
- N. A CLP may not prefer charges to the NCC in relation to, a complaint or allegation of breach of the constitution, rules or standing orders of the Party where the alleged breach consists of (or consists mainly of):
- i. hostility or prejudice based on race, religion or belief, or any other protected characteristic, including any incident involving racism, antisemitism, Islamophobia or otherwise racist language, sentiments, stereotypes or actions;
  - ii. harassment, intimidation or bullying based on a protected characteristic;
  - iii. conduct of any other description specified in a resolution of the NEC.
- O. If the secretary of the CLP receives a complaint or allegation of such a breach, the secretary shall inform the person making it that the CLP has no power to take disciplinary action to the alleged breach. That does not prevent the CLP from taking such other action within its powers as it considers appropriate to address the subject-matter of the complaint or allegation, including referring the matter to the national Party for possible action under Clause I or inviting the regional office of the Party to advise or assist the CLP or any branch, affiliated organisation or member involved.
2. The NEC may, at any time before the 2019 Party Conference, by resolution amend this Clause to:
- i. Provide that a CLP may, or may not, refer charges to the NCC in relation to matters of a specified description;
  - ii. Vary any of the procedures set out in subclause 1 above.

### **Clause XIII. Parliamentary candidates**

1. The Party's parliamentary candidate for this constituency shall be selected in accordance with the rules for selection of parliamentary candidates laid down in Chapter 5 and in the selection guidelines appended thereto, along with any other regulations approved by the NEC.

### **Clause XIV. Local government candidates**

1. Local government candidates shall be selected in accordance with the rules for selection of local government candidates laid down in Chapter 5 and in the selection guidelines appended thereto along with any other regulations approved by the NEC.

### **Clause XV. Amendment to rules**

1. These rules, or any part thereof, may be amended, altered or additions made thereto by resolution carried at an Annual General Meeting by a vote of two thirds of delegates present, subject to the approval of the NEC under Clause VII.2 above. The provisions of the model procedural rules for Party

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meetings shall apply to this CLP with such local additions and modifications as may be approved by the RD(GS) of the Party on behalf of the NEC.

### Appendix 1 Cheltenham CLP Branches and Wards (Clause VI.1.G refers)

<b>Branch</b>	<b>Wards</b>
North Branch	All Saints; Oakley; Pittville; St Paul's
South Branch	Benhall and the Reddings; Leckhampton; Park; Up Hatherley; Warden Hill
East Branch	Battledown; Charlton Kings; Charlton Park; College
West Branch	Hesters Way; Lansdown; Springbank; St Mark's; St Peter's

**Date formally agreed and adopted: 30th January 2020**