

July 2019

To: CLP Secretaries in England with Labour MPs
Cc: Labour MPs in England, Regional Directors

Dear colleague,

Selection of candidates in Labour-held Parliamentary seats

In anticipation of a potential General Election, the NEC has agreed that selection processes should begin in seats currently held by the Labour Party.

In this document you will find the NEC procedures for selections in Labour-held seats, FAQs, and model letters for use throughout the process. This document is concerned only with the 'trigger' process for sitting MPs. Should a CLP, through the implementation of these procedures, vote for a full selection, a selection shall take place under the procedures for Parliamentary selections previously issued by the NEC.

As the procedures currently being implemented relate only to the trigger process, no member aside from the sitting MP shall campaign as if they were a candidate in this selection. Any reports of such campaigning will be referred to the Governance & Legal Unit for investigation and possible disciplinary action. No member campaigning either for or against a full selection shall do so in a manner likely to cause offence or be seen as applying pressure to any member. No member other than the sitting MP should use membership lists to which they have access to attempt to influence the outcome of the selection.

The use of the procedures and model letters is mandatory. Should a CLP, Party branch, or affiliated organisation deviate from these guidelines, the procedure may be deemed invalid.

Regional Directors will be co-ordinating the implementation of these procedures in their regions. No CLP should embark on implementing these procedures until they have received agreement to do so from the appropriate Regional Director.

Yours faithfully,

NEC Procedural guidelines for Parliamentary selections in Labour-held seats

Introduction

The principle of a re-selection procedure for sitting Members of Parliament, through a re-selection mechanism was agreed at the 1998 Annual Conference, and has been used in the selections for the 2001 general election onward.

These guidelines are issued by the NEC in accordance with Clause IV of Chapter 5 of the Labour Party Rule Book and apply to all CLPs with a sitting Labour MP in England.

Paragraph 1 of Clause IV provides that the NEC, Scottish and Welsh Executive Committees shall issue procedural rules and guidelines for such selections and paragraph 5A provides that if a sitting MP wishes to stand for re-election then a trigger ballot is to be carried out according to NEC guidelines. These guidelines are those applicable to such trigger ballots.

Under current Rules, CLPs will proceed to a full selection should one third or more of Labour Party branches who indicate a preference, or one third or more of affiliated branches indicate they wish a selection to take place.

Labour Party branches in existence on the freeze date, and organisations which had affiliated to the CLP as at 31 December of the previous year and are otherwise eligible in accordance with these guidelines, will be entitled to take part in the trigger process.

The procedures in these guidelines relate only to the “trigger mechanism” for sitting Members of Parliament. Advice must always be sought from the appropriate Regional Office before implementing any part of the procedure. A report from the Chief Whip on each sitting member will also be made available to their constituency party as part of the process.

Should local circumstances necessitate any departure from these guidelines, this must be sanctioned by the Chair of the Organisation Sub-Committee of the NEC in advance.

PROCEDURAL GUIDELINES

1 Drawing up a timetable

- 1.1 Each Regional Executive Committee (REC) will appoint an **NEC Representative**, who shall usually be a member of the REC, to act on behalf of the NEC in liaison with each CLP in the Region. Names of NEC Representatives shall be made available to members of the NEC and disputes shall be referred to the NEC. The NEC Representative will meet with the CLP Executive Committee (EC), or General Meeting (GM) if no EC is in place, to draw up a timetable for the ballot and agree a **Procedures Secretary** with the CLP; this could be the CLP Secretary or another officer. The Procedures Secretary will carry out all secretarial duties required during the procedure. The Procedures Secretary must not be employed by or act as election agent to the Member of Parliament seeking re-selection. A sitting Member of Parliament seeking to be re-selected, must not attend the part of any meetings within these procedures at which the CLP/branch is to or may discuss the selection.
- 1.2 The NEC will nominate a Procedures Secretary when it is necessary because of local circumstances.

2 Freeze Date for Individual Members

- 2.1 The "Freeze Date" for each CLP will be the date at which the NEC Representative meets with the Executive Committee (or General Meeting if no Executive Committee is in place) to draw up a timetable. Where the NEC determines there are special circumstances, or when there is an unforeseen delay to the commencement of the process, an earlier freeze date may be fixed by the NEC.

3 Organisations entitled to take part

- 3.1 The affiliated organisations entitled to return a ballot will be those that were affiliated to the CLP as at 31 December of the previous year and had paid their affiliation fee for that year at least 35 days prior to the closing date for the return of ballots. Immediately after the first meeting of the CLP EC or GM with the NEC Representative, the Procedures Secretary will publish a list of organisations affiliated to the CLP as at 31 December of the previous year and will contact any whose affiliation fees for that year have not been received to remind them of the deadline for receipt of payment. Any dispute as to the eligibility of an affiliate to return a ballot shall be referred for determination to the NEC Representative.
- 3.2 The Labour Party branches entitled to take part in the trigger ballot process are those in existence at the freeze date.

4 Timetable

- 4.1 The General Secretary will have overall responsibility for the scheduling of trigger ballots and any ensuing selections. This may be delegated to the relevant Regional Director subject to final approval of the timetable by the General Secretary. Once scheduled, the timetable shall be agreed with the CLP through the NEC Representative at a specially notified Executive Committee meeting (or General Meeting if no Executive Committee is in place) of which at least seven days' written notice (which can be by email) is given.
- 4.2 Notifications and ballot papers will be sent out by the Procedures Secretary to all nominating organisations by post or email within seven days of the special Executive Committee meeting. In the case of affiliated organisations, notifications and ballot papers will be sent by the Procedures Secretary to the relevant officer of the affiliate. The relevant officer is the person notified to the Procedures Secretary by the Regional Director as agreed with the affiliate for this purpose or, in the absence of such agreement, the person who notified the CLP of the organisation's affiliation or who currently oversees the organisation's affiliation.
- 4.3 The CLP EC (or GM if no EC is in place) will nominate a member of the EC (or GM) to oversee proceedings at each Labour Party branch meeting.
- 4.4 Organisations will be given a deadline to return their ballot to a secure place as notified by the Procedures Secretary.
- 4.5 The result will be calculated at a special meeting of the CLP Executive Committee, or GM if no EC is in place, the decision of which must be communicated to the Regional Director/General Secretary who shall submit the results to the NEC.

5 Membership

- 5.1 Subject to 5.2 all individual members of a CLP who have been members of the Labour Party for six months by the freeze date, and who remain in compliance with the membership rules shall be eligible to participate in the ballot at Labour Party branch meetings.
- 5.2 To be eligible to vote in the ballot, members must be fully paid up by the freeze date. Members who are not fully paid up at the freeze date shall be notified of their right to pay the current year's subscription prior to the commencement of the branch meeting. Membership lists for Labour Party branches shall be produced from the Party's membership system on that basis.
- 5.3 Party branches shall be notified by the Procedures Secretary of those members eligible to participate in the process, and those that need to pay their current

year's subscription to be eligible to participate. Any dispute about eligibility shall be resolved by reference to the NEC representative who shall where required obtain a ruling from the party's Governance & Legal Unit.

6 Labour Party Branch Ballot Meetings

- 6.1 Only members of the branch and the person nominated under 4.3 above ("**the Nominated Member**") shall attend meetings of a branch dealing with the selection.
- 6.2 Notice of the special branch meeting must be given in writing (by post or email) to members, with a minimum of 7 days' notice.
- 6.3 The meeting will usually be chaired by the branch Chair, and advice on procedures may be given by the Nominated Member.
- 6.4 The Member of Parliament concerned shall not attend the part of any meetings of a branch, even one of which she/he is a member, at which the decision is to be taken on the ballot.
- 6.5 Copies of a statement from the sitting Member of Parliament, not more than two sides of A4 , will be available at the meeting.
- 6.6 A copy of the Chief Whip's report to the CLP will be available at the meeting.
- 6.7 Members attending the meeting will be given 15 minutes to read the statement by the Member of Parliament and the Chief Whip's report.
- 6.8 The meeting will discuss the merits of the decision before the branch for a period of up to 60 minutes. Each member can speak only once, and for not longer than three minutes.
- 6.9 At least two tellers will be appointed and ballot papers will be distributed to all voting members. If tellers are members of the branch and meet the eligibility criteria they will be entitled to a vote.
- 6.10 The ballot will be determined by a simple majority, there is no requirement for a quorum, and there is no casting vote for the Chair. In the event of a tie the ballot will be re-taken. Should a further tie result, the branch will not express a preference for or against re-selection.
- 6.11 The tellers will conduct the count, which is to be witnessed by the Nominated Member.

6.12 The result – including the number of votes for and against - will be declared to the meeting, and the ballot paper will be completed by the branch Secretary or alternative officer and forwarded to the CLP Procedures Secretary.

7 Constituency Count

7.1 Where neither one third or more of Party branches who indicate a preference, nor one third or more of affiliated branches indicate they wish a selection to take place the MP will, subject to NEC endorsement, be selected as the Parliamentary candidate.

7.2 If either one third or more of Party branches who indicate a preference, or one third or more of affiliated branches indicate they wish a full selection to take place, a selection shall proceed. The MP shall be included on the shortlist of candidates from which the selection shall be made.

8 Model Timetable

The timetable below may be adapted to suit local circumstances with the agreement of the NEC representative. .

STAGE	WEEK
NEC Representative meets with CLP Officers – Freeze Date 1	
Executive Committee (or General Meeting when none in place) to draw up timetable 2	
Notice of procedure to party units and affiliates, including notice of eligible members as at the freeze date	3
Party units and affiliated organisations meet to consider affirmative nomination	4 to 7
Deadline for return of ballot papers	7
Constituency Count decision by CLP Officers	8
Constituency Count decision to be received by Region	8

Trigger Ballots - FAQs

Who is eligible to vote?

All fully paid up Labour Party members who have 6 months membership by the Freeze Date.

What does it take to trigger a full selection under the new rules?

CLPs will proceed to a full selection should one third or more of Labour Party branches who indicate a preference, or one third or more of affiliated branches indicate they wish a selection to take place.

What defines a third?

For the purposes of the trigger ballot, a third is rounded up to the nearest whole number.

For example:

A third of 9 branches is 3 branches, a third of 10 branches is 4 branches.

A third of 6 branches is 2 branches, a third of 7 branches is 3 branches.

How does it differ from the previous process?

The substantive change to the current process is that a full selection will be triggered if EITHER a third of party branches who indicate a preference OR a third of all affiliate branches request one.

What happens over August?

Most CLPs do not meet in August as many members are away, so trigger ballots will not take place in this month.

What is a branch?

The Labour Party branches entitled to take part in the trigger ballot process are those in existence at the freeze date. Any dispute as to the status of a Labour Party branch will be referred to the Chair of the NEC Organisation Sub-Committee for resolution.

What is an affiliate branch?

The affiliated organisations entitled to return a ballot, will be those that were affiliated to the CLP as at 31 December of the previous year and had paid their affiliation fee at least 35 days prior to the closing date for the return of ballots.

Do women's forums get a vote in the trigger ballot process?

No, only Labour Party branches and affiliated organisation branches may vote in this process.

What is the timetable for trigger ballots?

The timetable will be drawn up by the General Secretary in consultation with the Regional Director.

Who is in charge of when the process can start?

The CLP EC and an NEC rep are responsible for the smooth running of the trigger ballot. The General Secretary in consultation with the Regional Director will decide the timings. If you would like to discuss timing, please contact your Regional Director.

If I have any issues/questions who should I speak to?

Either your Regional Director or the Labour Party Governance and Legal Unit.

What happens to those who are suspended?

Trigger ballots will not take place in seats where the sitting MP is currently suspended from the Labour Party. Suspended members are not eligible to represent the Labour Party at any level. Therefore, should a sitting MP still be suspended at the time a General Election is called, they would not be eligible to stand as a Labour candidate.

If a CLP represented by a woman moves to a full selection, will it automatically be AWS?

Yes, the party is committed to increasing women's representation in Parliament

If a sitting member is triggered will they automatically be on the shortlist for the selection?

Yes.

How can an MP check if their membership list is up to date?

The Rule Book entitles MPs to have access to the membership list for their CLPs. At the commencement of this process, sitting MPs will be supplied with a formal list of members entitled to participate in the selection.

What is the freeze date?

The freeze date is the date when the NEC rep and CLP officers first meet. To participate in the selection, an individual must have been a member for 6 months by the freeze date.

Do affiliated supporters have a vote?

Only through their affiliated organisation if it is affiliated to the CLP.

Who monitors the CLP trigger process?

The regional office, the General Secretary's office and the NEC.

Why have Labour launched the trigger ballot process now?

In anticipation of an Autumn election the NEC has taken the decision to begin the Trigger Ballot process to ensure we are prepared to fight a General Election.

What role does the Chief Whip play in reselection?

The Chief Whip produces a Whip's Report on each MP which is provided at each Trigger meeting.

What happens when an MP is pregnant or on maternity leave?

MPs will not face a trigger ballot when they are pregnant, on maternity leave, or for a period of 12 months following their return from maternity leave. Should a General Election be called in this period the sitting MP will be deemed reselected, subject to NEC endorsement.

What if an MP has only recently been elected?

There will be no trigger ballots in CLPs where an MP has been elected in a by-election held since the last General Election.

No.1 – CLP sec to executive committee members

Date:

To: Members of the Executive Committee

Dear EC Member

Re: Selection of Member of Parliament

The National Executive Committee of the party has given approval for this party to commence the selection procedure for a candidate for a Member of Parliament.

Constituency officers have met with the NEC designated representative _____, and the next stage is for the executive committee to meet to agree a timetable for the process.

This meeting will be held on _____ at _____ commencing at _____.

The NEC designated representative will be attending the meeting in order to give advice on procedure and to assist with timetabling. The timetable will then have to be approved by the Governance & Legal Unit on behalf of the NEC.

Please note that for the purpose of this selection party membership will be frozen as at this meeting, and to participate in the above meeting you must be in compliance with the membership rules in relation to subscriptions and have been a member of the Labour Party for the past six months.

Yours sincerely,

CLP Secretary

No.2 – Procedures secretary to branch

Date:

To: LP Branch Secretaries and Forums

Dear Secretary,

Re: Selection of Member of Parliament

The _____ Constituency Labour Party has commenced the process of the selection of a candidate for a Member of Parliament.

The procedure will be determined by ballots received from Labour Party branches and affiliated organisations. If either one third or more of Party branches who indicate a preference, or one third or more of affiliated branches indicate they wish a selection to take place, a selection shall proceed. In such circumstances, our sitting MP shall be included in the shortlist of candidates from whom the selection shall be made.

Please find enclosed NEC procedural guidelines, which must be strictly adhered to. You will note that you must hold a Branch meeting between _____ to _____ to determine your ballot.

Members of this CLP entitled to attend and eligible to vote are those who were fully paid up members at the freeze date _____ and have been members of the Labour Party for six months prior to the freeze date _____. Those members who were not fully paid up as at the freeze date shall be eligible to participate in your ballot meeting by paying their subscription up to date before the commencement of the meeting.

A special membership list for this purpose will be forwarded to you in due course/is enclosed, along with a statement from the Member of Parliament and a copy of the Chief Whip's report.

Your completed ballot paper must be made on the enclosed form and returned to me by no later than the _____.

An Executive Committee member has been nominated to oversee proceedings at your Branch meeting. In the meantime, if you have any queries please contact me.

Yours sincerely

Procedures Secretary

Enc: Timetable
Organisation Ballot Form
Procedural guidelines
(MP's Statement/Whip's Report/membership list)

No.3 – Procedures secretary to affiliates

Date:

To: Affiliated organisations

Dear ,

Re: Selection of Member of Parliament

The _____ Constituency Labour Party has commenced the process of the selection of a candidate for a Member of Parliament.

I enclose a timetable for the receipt of ballot papers from affiliated organisations. If either one third or more of Party branches who indicate a preference, or one third or more of affiliated branches indicate they wish a selection to take place, a selection shall proceed. In such circumstances, our sitting MP shall be included in the shortlist of candidates from whom the selection shall be made.

Please find enclosed NEC procedural guidelines, and note that you should complete your ballot between _____ and _____.

Please find enclosed/I will sent you shortly a statement from the Member of Parliament and a copy of the Chief Whip's report.

Your completed ballot paper must be made on the enclosed form and returned to me no later than _____.

Should you have any queries please do not hesitate to contact me.

Yours sincerely

Procedures Secretary

encl. Timetable, Organisation Ballot Form, Procedural guidelines, (MP's Statement/Whip's Report)

No.4 – Branch secretary to members

Date:

To: Labour Party Branch members)

Dear Member,

Re: Selection of Member of Parliament

The _____ Constituency Labour Party has commenced the process of the selection of a candidate for a Member of Parliament.

The procedure will be determined by ballots received from Labour Party branches and affiliated organisations. If either one third or more of Party branches who indicate a preference, or one third or more of affiliated branches indicate they wish a selection to take place, a selection shall proceed. In such circumstances, our sitting MP shall be included in the shortlist of candidates from whom the selection shall be made.

To determine the ballot for the _____ branch, a meeting will be held on _____ at _____ commencing at _____ .

Members of this CLP entitled to attend and eligible to vote are those who were fully paid up members at the freeze date _____ and have been members of the Labour Party for six months prior to the freeze date _____. Members who were not fully paid up as at the freeze date shall be eligible to participate in the affirmative nomination meeting by paying their subscription up to date before the commencement of this meeting.

* We have checked your membership record and you are eligible to attend & participate

* We have checked your membership record and you will not be eligible to attend or participate in the meetings, due to the following reason _____

* We have checked your membership record and to participate you are required to pay your membership subscriptions for the current year at the rate of £ _____. You can pay prior to the commencement of the meeting, provided to arrive at latest five minutes (fifteen minutes for larger meetings) ahead of the scheduled start.

A copy of the statement from the Member of Parliament will be available at the meeting, along with a copy of the Chief Whip's report.

You must attend from the start of this meeting to participate in the ballot, and please find agenda printed overleaf.

Yours sincerely,

Branch Secretary

* delete as appropriate

No.5 – Agenda for branch meeting

AGENDA

1. Welcome by Chair and introduction of Executive Committee member to oversee proceedings
2. Report from Door Steward on members present
(Any eligible member arriving after this point will not be allowed to participate)
3. Outline procedure
4. Election of Tellers
5. Distribution of statement from Member of Parliament and Chief Whip's report
6. Members allowed 15 minutes to read statement and report
7. Discussion on the merits of a full selection for up to 30 minutes. Each member can speak only once, and for not longer than three minutes
8. Ballot Papers to be distributed, then collected and counted by Tellers
9. Chair to declare result of the ballot, then close meeting

No.6 – Procedures secretary to CLP officers re: count

Date:

To: CLP Officers

Dear Colleague,

Re: Selection of Member of Parliament - Constituency Count

There will be a meeting of the CLP Officers to count the ballots received in relation to the selection of a candidate for a Member of Parliament for _____ Constituency Labour Party, which will take place on _____ at _____ commencing at _____ .

The result will be forwarded to the Regional Director/General Secretary for endorsement by the National Executive Committee.

Yours sincerely,

Procedures Secretary

No.7 – Procedures secretary to Regional Director/General Secretary re: count

Date:

To: Regional Director/General Secretary _____ Region/Welsh/Scottish Labour Party

Re: Selection of Member of Parliament - Constituency Count

We declare that the result of the Constituency Count for selection of a candidate for a Member of Parliament for _____ Constituency Labour Party was as follows:-

Number of ballot Papers issued (Labour Party branches) _____

Number of ballot Papers issued (affiliated organisations) _____

Number of affirmative nomination Papers returned (Labour Party branches) _____

Number of affirmative nomination Papers returned (affiliated organisations) _____

Ballots in support of a full selection (Labour Party branches) _____

Ballots in support of a full selection (affiliated organisations) _____

TO BE RETURNED TO THE REGIONAL DIRECTOR/GENERAL SECRETARY BY NO LATER THAN XXXXXXXX

No.8 – Ballot paper

(The ballot paper below must be used by Labour Party branches partaking in the trigger ballot process.)

Do you wish there to be a selection for your candidate for Member of Parliament?

Place an 'X' in the box of your preference.

I wish to have a full selection.	
I wish to reselect my sitting MP without moving to a full selection.	

No.9 – Report of outcome of branch/affiliate meeting

SELECTION OF MEMBER OF PARLIAMENT FOR _____ CONSTITUENCY

_____ BRANCH/ORGANISATION

_____ SITTING MEMBER OF PARLIAMENT

* WE HAVE DETERMINED THAT A FULL SELECTION
PROCESS SHOULD TAKE PLACE, WHERE CANDIDATES
OTHER THAN THE SITTING MEMBER OF PARLIAMENT
CAN BE NOMINATED

* WE HAVE DETERMINED THAT THE SITTING MEMBER OF
PARLIAMENT SHOULD BE RE-SELECTED WITHOUT
SEEKING FURTHER NOMINATIONS

* Delete as appropriate

Signed _____ Secretary (if other than secretary
designate office held)

Name and Address _____

TO BE RETURNED TO THE CLP PROCEDURES SECRETARY BY NO LATER THAN

_____ .