

# OPEN LABOUR CONSTITUTION

## 1. Name

1.1 The name of the organisation is 'Open Labour'.

## 2. Vision, Values and Objects

2.1 Vision:

Open Labour understands that the Labour Party is a necessary part of positive social change for the common good in modern Britain. We believe that this means occupying, commanding and transforming mainstream opinion and institutions, engaging with and shifting the centre, persuading voters to ally with our party and programme.

2.2 Values:

Open Labour seeks a new political settlement for Labour, worked out from first principles and in deliberate avoidance of the conflicts of past decades. Open Labour's key values are:

- Equality – wealth, power and opportunity are available to all, not the few
- Democracy – debate and accountability make us richer and build bridges between us.
- Solidarity – from local youth centres to supporting peace and democracy overseas.
- Emancipation – democratic socialism is about freeing us to be the people we want.

2.3 Objectives:

Open Labour seeks a new political culture of mutual respect and collaborative practice inline with the ethos of the democratic left. And from this, we seek to build the power to make this real. In support of this objective Open Labour shall have power to carry out any lawful activity whatsoever

## 3. Membership

3.1 Membership shall be open to any individual who supports the objects and values of Open Labour set out in clause 2 and is a member of the Labour Party or is a registered or affiliate supporter of the Labour Party. Membership is not open to members of political parties who stand against the Labour Party or are on its list of proscribed organisation or are a member of a successor or front organisation thereof, as the National committee deem to their satisfaction.

3.2. The National Committee may refuse membership to any person if they consider it in the interests of Open Labour to do so.

3.3. A member's membership shall end if they fail to pay their subscription by a date set by the National Committee.

3.4. The National Committee may end the membership of any person if they consider it in the interests of Open Labour to do so, provided that they state their reasons and allow the person concerned to make representations to them before making a final decision.

3.5 All members of the initial email list shall be eligible for a period of free membership for six months from the public launch date of the organisation. Membership shall initially be set at a price of ten pounds per member per annum after this period and shall thereafter be decided by the National Committee.

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### 4. General Meetings

- 4.1 The National Committee shall call an annual general meeting of members at least once in each calendar year and may call additional general meetings. The first annual general meeting shall be called by the National Committee once the membership has reached a threshold set by the National Committee.
- 4.2 Members shall each have one vote at a general meeting
- 4.3 The following powers are reserved to the members in a general meeting:
  - 4.3.1 The amendment of this constitution.
  - 4.3.2 The merger or dissolution of Open Labour.
- 4.4 General meetings shall be governed by standing orders approved by the National Committee.

### 5. National Committee

- 5.1 Open Labour shall be managed by a National Committee. No more than 50% of the National Committee members may be men. 5.1.2 No co-opted committee members shall have voting rights. Any quota shortage shall first be addressed through the Ten Open Places by deeming the next eligible candidate to be elected.
- 5.2 Elections shall be held for the following positions on the National Committee which shall have voting rights on the committee, no more than 50% may be men:
  - 5.2.1 LGBT, Disability, BAME, Women's and Youth Officers shall be elected by members of Open Labour that identify with that Group where Open Labour hold the data. Open Labour Members can submit data until 24 hours prior to close of ballot to be eligible. The National Committee reserves the right to undertake these elections by all Open Labour Members if systems cannot produce the relevant data.
  - 5.2.2 Ten further Committee members shall be elected by and from all members of Open Labour.
  - 5.2.3 One member of the National Committee shall be elected by and from members resident in Scotland
  - 5.2.4 One member of the National Committee shall be elected by and from members resident in Wales
  - 5.2.5 A Parliamentary Representative shall be elected by and from Open Labour members in the House of Commons, the Scottish Parliament, Senedd Cymru and London Assembly
- 5.3 The election of National Committee members shall take place annually
- 5.4 Elections shall be conducted as a single transferable vote election in each category
- 5.5 The election shall be conducted by a ballot issued to all members at their registered email addresses. Electronic means will be used for distribution and voting
- 5.6 The National Committee shall approve the detailed arrangements for the election

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- 5.7 All Local Group Chairs will be invited to attend an annual away day with the National Committee
- 5.8 Where a National Committee position is not filled at the annual election, or falls vacant during the year, the National Committee may at its discretion hold a by-election, co-opt an additional member or leave the position vacant.
- 5.9 The National Committee may co-opt additional committee members in order to fulfil specific necessary functions or roles that are not covered by the existing committee. Members may be co-opted on more than one occasion. The National Committee shall have regard to the need to secure diversity and geographic balance on the National Committee when making co-options.
- 5.10 Only members of Open Labour may be members of the National Committee.
- 5.11 The National Committee may exercise all powers and duties of Open Labour, other than those reserved by this constitution to the members in a general meeting. The National Committee shall exercise its powers in a manner consistent with any decision of members in a general meeting.
- 5.12 The National Committee may delegate any of its powers and duties to a sub-committee of two or more of its members and disband those same sub-committees on an ad-hoc basis as decided by the National Committee.
- 5.13 The National Committee shall, at its first meeting after the annual election of the National Committee, elect Co-Chairs, Secretary, Treasurer, Membership Officer, Editor/Press, Trade Union Liaison Officer and other positions as created by the committee from among its members. The National Committee may from time to time elect such other officers as it may decide. Officer posts to be allocated by unanimous decision, failing this by majority consensus, failing this by order of election in the following level of seniority: Co-Chair, Secretary, Treasurer, Membership Officer, Editor/Press, Trade Union Liaison Officer and other positions as created by the committee.
- 5.14 The National Committee shall regulate its own conduct, by adopting standing orders.
- 5.15 The National Committee may approve the creation of groups in the regions or nations of Open Labour members. The constitutions of Regional groups shall be subject to the approval of the National Committee. Regional groups may be dissolved by the National Committee, and any surplus funds shall become the property of Open Labour. For detailed guidance see Appendix 1 of this constitution.
- 5.16 All LGBT, Disability, BAME, Women and Young Members (aged 14-26 years inclusive) of Open Labour will automatically be members of LGBT Open Labour, Disability Open Labour, BAME Open Labour, Women Open Labour and Young Open Labour. For detailed guidance see Appendix 2 of this constitution.
- 5.17 The National Committee may hold ballots on party political issues of those individual Open Labour members who are, or who are eligible to be, individual members of the Labour Party.
- 5.18 The National committee has editorial responsibility for any statements or other communicative output from the organisation. It may delegate this authority to a member of the National committee or sub-committee.

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- 5.19 All Committee members are expected to attend Committee meetings regularly whether in person or remotely. Committee members will be expected to attend 25% of Committee Meetings held and if attendance is below this over a year that committee member will be unable to re-stand for the Committee. Those members unable to stand for election can still be considered for co-option in the year following the election.
- 5.20 The National Committee will have the power to propose endorsement of candidates for Internal Labour Elections or Labour Selections to Public Office
- 5.20.1 In the case of Internal Labour Elections. The Open Labour National Committee retain the power to conduct a ballot for endorsement or ballot Open Labour members on whether they wish to endorse. Open Labour National Committee can delegate endorsements to the relevant Open Labour Sub Group provision on their constitutional arrangements for relevant positions and delegation is automatic to Open Labour Wales and Scotland where constitutional arrangements exist. To be endorsed for Leader or Deputy Leader of the Labour Party in any nation you don't have to be a member of Open Labour. All other endorsements can only be given to paid up members of Open Labour.
- 5.20.2 In the case of Labour Selections to Public Office. Open Labour may endorse for Parliamentary, Assembly and Metro (not City) Mayoral selections. Open Labour does not endorse candidates for Council or City Mayoral selections. Endorsement will be run under the aegis of the Open Labour National Committee and can delegate endorsements to the relevant Open Labour Sub Group provision on their constitutional arrangements for the relevant positions and delegation is automatic to Open Labour Wales and Scotland where constitutional arrangements exist.

### **6. Finance**

- 6.1 Members and associates shall pay a minimum annual subscription set by the National Committee.
- 6.2 The National Committee, normally acting through the Treasurer, shall ensure that proper controls are maintained over the funds of Open Labour, that proper accounting records are kept and that annual accounts giving a true and fair view of its financial affairs are submitted to a general meeting.
- 6.3 No distribution of any surplus shall be made to members of Open Labour.

### **7. Amendment**

- 7.1 This constitution may be amended by a resolution of a general meeting carried with twice as many votes cast in favour as are cast against. This clause, clause 6.3 and clause 8 may not be amended.

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### **8. Merger and dissolution**

- 8.1 Open Labour may be merged with another organisation with similar objects, or dissolved, by a resolution of a general meeting carried with twice as many votes cast in favour as are cast against.
- 8.2 On dissolution of Open Labour, its assets shall not be distributed to its members, but shall be distributed to one or more organisations with compatible objects specified in the dissolution resolution. If this is not done for any reason any assets shall be given to the Labour Party.

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### Standing Orders for the AGM

1. The National Committee shall decide the time, date and place at which the AGM shall be held, and may determine the duration of the meeting subject to it being at least one hour.

#### Notices of meeting

2. The National Committee shall give to members:
  - a. At least six weeks' notice of the date, approximate time and general location of the AGM.
  - b. At least four weeks' notice of the exact time and place of the AGM
3. All notices and papers for the AGM may be circulated electronically to members with a valid email address. Any member may request a paper copy of the papers.
4. The business of an AGM shall not be invalidated because of an accidental failure to send a notice or paper to a member, or their failure to receive it. Documents for consideration by members
5. The National Committee shall send to members at least six weeks before the AGM: -
  - a. An Annual Report and Accounts relating to the previous year ended 31 March as approved by the National Committee
  - b. A draft paper of the general political positioning of Open Labour and its planned activities for the following twelve months ('the draft paper')
6. A date shall be set, not less than two weeks after the circulation of the draft statement, by which members may submit proposed amendments to it. Members may not propose amendments to the Annual Report and Accounts.
7. The National Committee shall consider the amendments submitted by members. They may accept into the paper any amendments they consider appropriate and uncontroversial. They shall edit and consolidate other amendments as they see fit into a form they consider suitable to be submitted to members to vote on.
8. A final draft version of the paper, together with the consolidated amendments shall be sent to members not less than two weeks before the AGM.

#### Other business of the AGM

9. The National Committee or any member may submit proposed amendments to the Constitution of Open Labour, which must be consistent with the requirements of the relevant clause of the Constitution.

#### Voting on business of the AGM

10. The National Committee may require: -
  - a. A member to have become a member by a specified date; and
  - b. A member to be paid up as at a specified date in order for them to be entitled to take part in the business of the AGM.

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11. A member entitled to vote at the AGM may do so on every item to be considered by email or postal proxy, to be returned by a time specified by the National Committee not more than 48 hours before the commencement of the AGM, or in person at the meeting. Every member shall have one vote.
12. A member shall be entitled to vote in favour or against: -
  - a. Accepting the Annual Report and Accounts approved by the National Committee
  - b. Accepting the paper proposed by the National Committee
  - c. Each amendment to the paper as submitted to members by the National Committee
  - d. Any proposed amendment to the Constitution
13. In the event of a tie on any vote the person in the chair at the AGM shall have a second casting vote.

### Attendance at the AGM

14. Only members who are entitled to take part in the business of the AGM may attend in person.
15. The National Committee may invite or permit other persons to attend or to speak or both at the AGM at their discretion.

### Chair of the AGM

16. The AGM shall be chaired by the first of the following who is present and willing to take the chair: the Chair of Open Labour, the Vice-Chair, a member of the National Committee selected by the members of the National Committee present at the meeting, any member elected from among the members present at the meeting.

### Conduct of the meeting

17. The chair of the meeting shall have a general discretion to conduct the business of the meeting as he or she sees fit. The chair may take such steps as are necessary to keep order, including requiring anyone present who persistently disrupts the meeting after due warning to leave it.
18. Subject to the overriding authority of the chair, the meeting shall be conducted so as to permit members a reasonable opportunity to ask the National Committee questions on any of the items they propose to the meeting, to move any amendments they have proposed and to speak in favour or against each item to be voted on.
19. At the end of each discussion, each item shall be put to the vote of the meeting, which shall be counted and aggregated with the proxy votes cast, unless the chair declares, without dissent being immediately expressed, that a vote is clearly in favour or against the item.
20. If the time allotted for the meeting is shortly to expire, the Chair shall immediately put all remaining items to the vote without further discussion.

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## Appendix 1 - OPEN LABOUR LOCAL GROUPS

### Process for setting up a local Open Labour group

Open Labour groups can be set up by Open Labour members in a clearly defined, contiguous and organisationally viable geographic area. Before being accepted as an official Open Labour group the National Committee must receive from them:

- A democratic constitution which contains:
  - I. A clear definition of the area the group covers based on CLPs
  - II. A democratic structure for electing officers, including mechanisms to ensure access to liberation groups
  - III. A mechanism for calling and holding group AGMs
- The names of five Open Labour members registered in CLPs in the defined area of the group
- The names of the members of the local group's committee, all of who must be Open Labour members

The National Committee will then consider the application and accept or deny it.

### Rights and responsibilities of a local Open Labour group

Once officially accepted, an Open Labour local group can expect to receive:

- I. The right to use Open Labour branding, including the name and logo
- II. Access to contact information of members registered in their area
- III. Information from the National Committee about national campaigns and events
- IV. Assistance from the National Committee in organising local events, including but not limited to speakers, funding and promotion
- V. Access to national officers and speedy responses to any queries

The National Committee will maintain the right to disband any local group that has not followed the principles laid out in this document.

Any election taking place at a local Open Labour group AGM will be subject to the final approval of the National Committee.



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## Appendix 2 - OPEN LABOUR LIBERATION GROUPS

### Process for constituting an Open Labour Liberation Group

Open Labour Liberation Groups can be set up by Open Labour members in groups defined by the Open Labour Constitution. Before being accepted as an official Open Labour Liberation group the National Committee must receive from them:

- A democratic constitution which contains (a model constitution can be provided on request):
  - I. A democratic structure for electing officers, including mechanisms to ensure access to liberation groups
  - II. The Chair of the group should usually be the Open Labour National Liberation Officer
  - III. A mechanism for calling and holding group AGMs
- Open Labour will on behalf of the group email all members of that Liberation Group as far as Open Labour data allows
- The names of the members of the liberation group's committee, all of who must be Open Labour members

The National Committee will then consider the constitution and may suggest amendments.

### Rights and responsibilities of an Open Labour Liberation group

Once officially accepted, an Open Labour Liberation group can expect to receive:

- I. The right to use Open Labour branding, including the name and logo
- II. Access to contact information of members who identify in that Liberation Group as far as Open Labour data allows
- III. Information from the National Committee about national campaigns and events
- IV. Assistance from the National Committee in organising Liberation events, including but not limited to speakers, funding and promotion
- V. Access to national officers and speedy responses to any queries

The National Committee will maintain the right to call the group to account if it has not followed the principles laid out in this document.

Any election taking place at a liberation Open Labour group AGM will be subject to the final approval of the National Committee.

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### Appendix 3 - CODE OF CONDUCT / SAFEGUARDING AND INCLUSION POLICY

#### Open Labour Code of Conduct

*Applies to all members*

In joining Open Labour, members pledge to act within the spirit and rules of Open Labour in their conduct both on and offline, with members and non-members, and must stand against all forms of abuse. If found to be in breach of the Open Labour policy on online and offline conduct, members will be subject to the rules and procedures of Open Labour and may be subject to disciplinary action.

We adopt the Labour Party members' pledge and the principles for Labour members' use of social media:

1. We are direct, confident and proud in what we have to say – we speak boldly and with clear intention.
2. We are clear about our position and our policies, and will give our members and supporters the language and tools to disseminate these.
3. Collectivism is at the heart of what we do. Our members and supporters are crucial to all our achievements and their contributions, from door knocking to online activism, are valued and acknowledged.
4. We seek to break down the wall that creates 'us' and 'them'. When we say 'we' that means the whole movement and those who share our values, not an exclusive group.
5. We want debate and discussion to flourish on our channels and will encourage feedback wherever appropriate.
6. We make legitimate criticisms based on policy and political actions, never making personal attacks.
7. We use accessible language and avoid jargon that could exclude or alienate.
8. We put the stories and experiences of the public first. We prioritise the issues that affect people in their everyday lives, rather than providing news for insiders.
9. We are inventive and innovative with our digital strategy and that means experimentation. We need people to be open-minded to change and encourage us to offer the best digital experience possible – even when that means trial and error.
10. We know that not everyone will agree with us. Constructive criticism is welcome, but we want to create a welcoming space for our supporters, so if comments become abusive we will report them.

Any behaviour or use of language which targets or intimidates members of ethnic or religious communities, or incites racism, including antisemitism and Islamophobia, or undermines Open Labour's ability to campaign against any form of racism, is unacceptable conduct within Open Labour. Nor will Open Labour tolerate any form of discrimination or harassment. Open Labour is committed to ensuring that our organisation is a welcoming environment for all who share our aims and values to engage in political activity and debate without feeling disadvantaged or unsafe. Any behaviour that is perceived to discriminate against or harass another due to their gender has no place within Open Labour.

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*For elected officials, staff and volunteers within Open Labour*

Open Labour's elected officials, staff and volunteers at all levels of the organisation must recognise that they may be seen as ambassadors of the organisation. This means that they must aspire to set a good example and their conduct, both online and offline, will come under greater scrutiny. Open Labour officials must ensure that they not only comply with the code of conduct set out for all members but also aspire to be models of good behaviour which exceed the minimum expectations set out in the code of conduct:

1. Be polite, professional and engage with others in good faith.
2. Be a team player and be aware of collective responsibility.
3. Conduct yourself in internal election campaigns in a comradely spirit.
4. Abide by GDPR rules on any data obtained through Open Labour activities and do not misuse members' data.
5. Do not bring Open Labour into disrepute.
6. Do due diligence on any campaigns, events, media, and so on, that you are invited to work with and petitions or letters that you sign or share.
7. Do not give voice to those who consistently demonstrate bad conduct and/or regularly engage in bad faith.
8. Stand up for the values and aims of Open Labour.
9. Promote accessibility and inclusivity in the Labour Party and wider politics.

Misconduct which falls within safeguarding should be referred to the safeguarding officers to be adjudicated on. Complaints about breaches of these codes of conduct will be referred to the National Co-Chairs and National Secretary to be adjudicated on collectively, until a full structure and process for non-safeguarding complaints is agreed by the National Committee. Until then, the National Co-Chairs and National Secretary have the power to take disciplinary action collectively against any member whose misconduct falls outside of the safeguarding policy.

If disciplinary action is taken it shall be chosen taking accord of proportionality and risk. Specifically, the decision of the nominated officers to apply any remedy shall consider risks to safety, to wellbeing, to freedom from prejudice or discrimination, to rights of political participation, and to existing legal rights. Risk shall be considered for all parties involved. Those involved in the case shall then be informed of the remedy and the status of the case.

The disciplinary process shall not be used to impede free expression of opinion unless it meets one of the risk criteria outlined above.

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## Safeguarding and Inclusion Policy

We also attach the Labour Party code of conduct on Safeguarding to remind members of their obligations within the wider party: <https://labour.org.uk/wpcontent/uploads/2020/07/Safeguarding-Code-of-Conduct-2020.pdf>.

Our safeguarding team can be contacted at [safeguarding@openlabour.org](mailto:safeguarding@openlabour.org)

### **1. Introduction**

- a. As our organisation has grown, we have seen more and more people getting involved in our democratic process, our online communities, and our events.
- b. The growth of Open Labour brings with it additional risk and responsibility, which our National Committee members must take seriously.
- c. As we become a larger organisation, the risk of appropriate conduct being breached increases. It is therefore incumbent on us to outline a policy for safeguarding and inclusion to guarantee their safety of our members and people who attend our events.
- d. We have sought to draw from best practice examples within the movement and from public sector principles. We recognise that policies such as this are seldom perfect and often need to be updated, and as such this document should be considered a working document until a full policy can be endorsed by members at our annual conference.

### **2. Practising Inclusion: Event Conduct**

- a. Open Labour seeks to encourage a welcoming and friendly atmosphere at all its events, and as such we want to lay out not only behaviours that should be avoided, but also the kind of positive behaviour we believe all our members should practise in order to maintain an inclusive organisation.
- b. The scope of the behaviours outlined in 2d are limited to Open Labour events (physical & virtual) and do not extend to member's social media conduct or behaviour at other events, as we do not believe it would be practical or desirable to police this.
- c. The behaviours outlined in section 2d are not exhaustive but starting points. We understand that some transgressions of the below will happen through carelessness, misunderstanding or mistakes – as such, in most instances we wouldn't expect one instance of transgression of the behaviours in 2d to result in disciplinary action, but we would expect participants to modify their behaviour in response to feedback, and be mindful of the conduct expected of them when they attend Open Labour events.
- d. These include:
  - i. Being aware that safeguarding and inclusion are everyone's job. All members of the organisation have a duty of care and solidarity towards others they come across.
  - ii. Whilst we encourage political debate and understand discussions may sometimes be contentious or heated, members should be careful that their speech or behaviours are not discriminating against anyone on the basis of age, class, disability, gender, gender identity, race and ethnicity, religion and sexual orientation.

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- iii. Avoid making assumptions about the opinions, backgrounds, or identities of other members or attendees.
- iv. Be mindful that other participants may have access needs which may not be obvious to you, and be ready to modify to your behaviour if required.
- v. Give panel speakers and other participants the space to speak in turn without interruption, speaking over them, heckling or distracting from the speaker whose turn it is to speak.
- vi. Respect the authority of the session chair, by not speaking over them, respecting the order of speakers, keeping within time slots, and by presenting any challenges to their chairing constructively.
- vii. Be mindful of other people's personal space, particularly with regard to greetings/goodbyes. For example do not assume it's ok to hug or handshake someone, and avoid taking offence if someone indicates verbally or physically that they'd rather avoid physical contact.
- viii. Lastly, members shall be given opportunities, where possible, to apologise and educate themselves and as such take criticisms or instructions to modify your behaviour in the spirit of inclusivity.
- ix. National Committee members also have additional responsibilities above and beyond those laid out above when it comes to ensuring events remain inclusive and safe spaces.
- x. Committee Members have a responsibility to remind all participants at the start of each event of the expectations in terms of conduct, and intervene to remind participants if they think the standard of conduct is slipping.
- xi. Chairs of sessions should take care to ensure diversity in terms of both the guests they invite to events, and audience participation, particularly when it comes to question selection.
- xii. All committee members, particularly those chairing sessions should take special care to avoid making assumptions about people's opinions or identities. It is best practise to use gender neutral terms and pronouns when referring to people the committee do not know. For example referring 'to the person at the back in green' rather than 'the man at the back in green'.
- xiii. Committee members should make themselves available to take feedback from attendees throughout the event, and be ready to adjust their behaviour or the format of the event where necessary to ensure the event is inclusive to attendees.
- xiv. Committee members should be mindful of potential access requirements of attendees both in venue selection in the first instance, but also at the event itself, making adjustments as needed.

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### 3. Disciplinary Policy & Complaints Procedure

#### a. Approach:

- i. In section 2 we have outlined the kind of behaviour we expect at Open Labour events, and we would anticipate that in most instances transgressions of that code of conduct could be dealt with in the event with verbal warnings, feedback or instruction from the session chairs.
- ii. In section 3 we outline a, not exhaustive, list of behaviours that may result in Open Labour to take disciplinary action or may trigger a formal complaint.
- iii. Below we also outline what the Open Labour's complaints procedure is, and what the potential outcomes of a disciplinary process may be.

#### b. Application of Policy:

- i. Open Labour's disciplinary policy will apply to all Open Labour regional or national official functions, meetings, and events, as well as all online spaces managed by Open Labour regionally or nationally.
- ii. It is intended to cover conduct relevant to the business of Open Labour. It shall not apply where there are more relevant forms of safeguarding and disciplinary measures available, for example within the structures of other organisations such as the Labour Party, or when something must first be raised as a criminal matter.
- iii. The national committee shall have discretion as to how far the policy is relevant for actions outside of an Open Labour related context.

#### c. Breaches of Policy Likely To Result In Disciplinary Action

- i. Abuse of a position of trust. For example:
  - Serious breaches of confidential information impacting safeguarding or members wellbeing
  - Financial misconduct
  - Exploitation of position of trust for political, financial, social or sexual advantage.
  - Bullying and Abuse
  - Intimidation, harassment, blackmail or bullying.
  - Discrimination
  - Language or behaviour that discriminates based on against anyone on the basis of age, class, disability, gender, gender identity, race and ethnicity, religion and sexual orientation.
  - Illegal Activity
  - Giving alcohol or illegal substances to minors
  - Drinking alcohol or using illegal substances as a minor.

#### d. Safeguarding Complaints Process: Making a Complaint

- i. At any time the Open Labour National Committee must have 2 safeguarding officers, to be appointed by the OLNK. These may be appointed from within the National Committee or externally. At least one must be a woman.

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- ii. The current Open Labour safeguarding officers as of July 2020 are \_\_\_ and Ralph Berry.
  - iii. Open Labour recommends that anyone wishing to make a complaint reaches out to one or both of the safeguarding officers to make a formal complaint, but they can make it to any committee member. In the interest of confidentiality complaints should never be sent to the general Open Labour email address, they should be sent directly to an individual committee member.
  - iv. Persons wishing to make a safeguarding complaint may use the Safeguarding Report Form available on the website, or they may send it in their own format. Complaints should be made in writing, and a safeguarding officer may request an oral complaint be made in writing.
  - v. If a report is made to a committee member other than one of the safeguarding officers, that committee member should immediately pass it on to a safeguarding officer, and inform the complainant of doing so.
- e. Safeguarding Complaints Process: Investigating a Complaint & Deciding on Outcomes
- i. Upon receiving a complaint, safeguarding officers should inform complainants that their complaint has been received and provide them with a unique reference code.
  - ii. Where an investigation is necessary in dealing with a complaint, it will be up to the safeguarding officers to form as small a group as is practicable to investigate the report and decide on disciplinary action.
  - iii. In most cases this should be a group of three, usually both safeguarding officers and one other committee member, but they should use their best judgement to decide what is an appropriate group and who should be included. It may be that only the two safeguarding officers are needed to deal with the complaint.
  - iv. Generally, all members of the group investigating should be committee members, unless there are exceptional circumstances (for example continuity of an investigation between an outgoing and incoming new national committee).
  - v. Safeguarding officers should aim to launch any necessary investigation within a fortnight of receiving a complaint.
  - vi. The complainant should be informed at each major stage of their complaint eg When an investigation into the complaint has launched, if/when disciplinary action has been taken, etc.
  - vii. The subject of the complaint should be informed of the nature of the complaint.
  - viii. Other members of the national committee should generally not be informed of the investigation prior to an outcome, unless there is a particular reason – for example suspension, or that they were due to be a guest speaker etc. Committee Members should remember any information disclosed to them is strictly confidential.

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- ix. Investigations should be as timely as possible, and not drag out. Timeframes will generally depend on the amount and nature of evidence that can be gathered. All parties should be aware that often there will only be a limited amount of evidence that can be gathered and a definitive judgement may not be possible, so decisions must be made on the balance of probability and with safeguarding rather than judgement front of mind.
  - x. Suspension may be judged necessary while investigative procedures are ongoing. Suspension is not a disciplinary measure but a neutral act. Decisions regarding whether to suspend will be based first and foremost on the risk to safeguarding.
  - xi. A range of disciplinary measures are available to the investigating group throughout the investigation and at its conclusion. The most extreme of which is expulsion from Open Labour. Other measures include: a formal warning, asking for an apology, training, temporary exclusion from events.
  - xii. In general, the decision about what the disciplinary action should be will rest with the investigating group. However, if they deem necessary, they can open that decision up to the rest of the national committee.
  - xiii. In some instances it may become clear at the outset or later on in the process that Open Labour is not the correct avenue for the complaint, in which case the investigating group may advise a complainant that they should refer their complaint to a higher body such as the Labour Party.
  - xiv. In some cases the investigating group may be compelled to refer the complaint on to a relevant higher body such as the Labour Party or the police. If this happens, the complainant should be informed, as should the subject of the complaint. A suspension may be deemed necessary in this case whilst higher procedures are ongoing, and any Open Labour investigation will be stayed until the outcome of those procedures. Upon conclusion of those higher procedures, Open Labour may resume it's own safeguarding processes.
- f. Safeguarding Complaints Process: Potential Outcomes
- i. Safeguarding will remain front of mind so, depending on the severity of the allegation and the risk to others, expulsion may be deemed necessary.
  - ii. Other potential outcomes of a disciplinary procedure could be: a formal warning, an apology, training, a temporary ban on certain types of participation, being asked to leave an event, removal from Open Labour's social media accounts (blocking/removal from groups), removal from an elected post in Open Labour.
  - iii. In the event that someone standing in an Open Labour election is being investigated for a complaint and a suspension has not been deemed necessary in this instance, they should be made aware that they may be removed from their post if elected depending on the outcome of the investigation. Where possible, investigations should aim to conclude prior to elections.
  - iv. No Open Labour member currently being investigated should be considered for endorsement for any Labour party positions.