

# Reports to Conference

Spring 2021



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# Federal Committee Reports

## **Federal Conference Committee - Geoff Payne (Chair)**

The Federal Conference Committee is responsible for organising our two annual conferences. It is an independent committee but subject to the control of the Federal Board in terms of finance and resources.

### **Online Conference – Spring 2021**

We announced that Spring 2021 would be a virtual conference when it became clear that the pandemic was such that we would not be able to meet in person.

Once again, we will be using Hopin to run the event. It allows us to operate an auditorium complete with voting, exhibition, fringe and full training programme. There is a networking function that allows people to meet and chat together just like the conference bar.

Although we were grateful for the almost overwhelmingly positive feedback following our first online conference last Autumn, we have listened to some of the particular points that were raised. We are therefore making one or two changes to how we operate:

1. Whilst the usual structure of our conference publications is manageable at a physical event, any people found it cumbersome to navigate between the Agenda, Conference Extra, and Conference Daily when using a computer or tablet. We have taken that on board and have decided to experiment with one compendious Agenda publication.

The first iteration will comprise our usual Agenda which sets out the motions we have selected.

The second iteration will contain the same material but with new pages added at relevant points which will contain the information that would have been in Conference Extra.

The Agenda will be updated further each day with the information that would have been in Conference Daily and we will mark clearly what is new so that it can be identified. This is an experiment, and we hope that it will make it easier to manage the documentation,

2. We have changed the timings of fringes to allow for some longer meetings as we recognise that online fringes can take a little longer than physical ones,
3. We have made it easier to communicate with the FCC and the Chairs and Aides of sessions by setting up a dedicated online form through which messages can be sent, procedural motions notified, and points of order raised. You can find the link in the Agenda; please do use that link and not the conference chat,

4. We are looking at making questions to reports more flexible in the future, 5. We are going to be advertising the exhibition and fringe meetings far more explicitly in the auditorium at the end of sessions to help people get the most out of conference.

We really hope that you will enjoy conference – please do visit the exhibition, come along to some of the fringe meetings and get involved in debates.

We have selected an agenda that we think is interesting, diverse and which contains items that attendees are going to want to debate. It reflects the very sombre mood of our times and will allow us to discuss many of the pressing issues that we now face. This is our chance to influence and determine the policy of our party. Please do have your say.

All of the debate items on agenda are open to amendment. Amendments should be submitted through the website ([https://www.libdems.org.uk/conference\\_submissions](https://www.libdems.org.uk/conference_submissions)) and those will be considered by the Conference Committee at its meeting in March.

We have set a late deadline for motions on the COVID-19 pandemic. The situation is moving so fast that anything we selected in January would most likely be out of date by the time conference came around.

There are a number of sessions where you have the opportunity to question our party spokespeople, Parliamentarians and

officers. There are instructions about how to do that in the agenda.

Once again, we have set time aside for emergency motions. Those are motions on matters that have arisen since the original motions deadline of 6<sup>th</sup> January 2021. Again, those will be selected by the committee in March. Please submit motions for us to consider through the website in the usual way.

The deadline for amendments, emergency motions and motions on COVID-19 is **1pm, 8<sup>th</sup> March 2021**. Once a motion on COVID-19 is selected, it will be open to amendment up to **1pm, 17<sup>th</sup> March 2021**.

We recognise that putting together a motion or amendment can be daunting. If you are thinking of submitting something and have it in writing, do take advantage of our drafting advice service. The deadline for that is **1pm, 22<sup>nd</sup> February 2021**. Please submit all requests through the website ([https://www.libdems.org.uk/drafting\\_advice](https://www.libdems.org.uk/drafting_advice)) and a member of the Conference Committee will get back to you.

Once again, we will need Speakers Cards to be submitted much earlier than they would be at a physical conference so that we can plan debates most effectively. If you want to speak at conference, you must complete and submit an online Speaker's Card by, **at the latest, 4pm on the day before the debate**.

If you are called to speak at this conference, the experience will very much like it was in the Autumn. You will be contacted in

advance by our production staff and talked through what will happen and given the opportunity to test your equipment. They will help you to make the most of your speech.

We welcome your feedback on every aspect of conference. After the event, there will be an online survey sent round to everyone who registered. We are keen to know how you thought it went so please do complete the survey.

## **Autumn 2021**

Events in relation to the pandemic are moving very fast. We are conscious that we have made no announcements about Autumn Conference 2021. Ordinarily, we would have provided details of the event some time ago. Sadly, it is just not possible to say how the world will look in September of this year. Rest assured though that we will be running a conference and we will provide details of it as soon as events allow.

## **Thanks**

I would like to express my sincere thanks to the hardworking staff who work in the Conference Office: Susannah Murray, Wilma Robinson, Daiva Buoziene, and Amy McClelland. Thanks are also due to Mike Dixon, Mimi Tuner, Sian Waddington, Greg Foster, Will Dyer, Jack Coulson, and other staff at Party Headquarters. We also owe a debt of gratitude to the staff in the Whips' Office.



A huge amount of work goes into the agenda. I would like to thank Christian Moon, the team of policy researchers, and our designer, Mike Cooper in that regard.

The Stewards Team are an essential part of conference and although not visible this time, they are certainly at work behind the scenes. I would like to thank them as well as Mike Ross and Jodie Frapple, our Chief Steward and Deputy Chief Steward.

Thanks are due to our magnificent British Sign Language interpreters as well as to Hopin, Vivid Productions, and Qwerk, who have made it all happen technically.

Finally, Conference would not be possible without the dedication of the members of the Federal Conference Committee and I would like to express my thanks to all of them too.

## **Federal Policy Committee - Sally Burnell & Jeremy Hargreaves (Vice Chairs)**

The Federal Policy Committee (FPPC) is responsible for researching and developing policy and overseeing the Federal Party's policy-making process. This includes producing policy papers for debate at Conference and drawing up (in consultation with the parliamentary party) the Federal election manifesto for Westminster elections.

The FPC has 29 voting members: the Party Leader, fifteen members directly elected by party members, six Parliamentarians, the Party President, two councillors, three state party reps and one representative from the Federal Campaigns and Elections Committee. It is chaired by the Leader.

### **Committee priorities**

FPC's responsibility is to oversee the party's policy-making process. With a new Leader and FPC Chair now in place in Ed Davey, we have been considering carefully how we can help policy to contribute most effectively to the party's political development. We are keen to prioritise the development of policy which meets the party's political needs and demonstrates our approach to voters, to win us votes. We have an ongoing very useful dialogue with both Ed and Mimi Turner, the party's

Director of Strategy, Messaging & Research, about how policy development can do this most effectively. We are also enthusiastic to work together with the party's Federal Communications and Elections Committee (FCEC), whose chair, Lisa Smart, now sits on FPC.

## **Policy development**

At this conference we are bringing a policy paper on Utilities for debate, developed by a working group chaired by Neil Stockley. Although this paper had its origins before the last General Election, we believe its proposals now set out a strong agenda for Liberal Democrat plans in current circumstances, with a particular focus on making changes to help consumers, especially the least well off, and also on aligning this sector with the essential environmental imperatives.

We are continuing our work looking at the party's core principles and values, and aiming to make a powerful statement for them in present times, with a strong emphasis on connecting with voters. This work, which held a consultation session at last autumn conference, is now led by FPC member Alyssa Gilbert and is continuing to look widely in preparation for developing a paper intended for autumn conference this year. Once this work is further developed, we plan to build on it to identify key topics for further policy development.

Questions about opinion, facts, censorship, the role of the media and public discourse more generally continue to be high

priorities for liberals of all kinds and ones on which the public naturally look to us for a lead. Our working group on the Nature of Public Debate is now moving into the final stage of its work prior to finalising a paper intended for autumn conference this year.

Conference voted in September in support of Universal Basic Income (UBI) and asked FPC to develop proposals for how it might work. After advertising for applications to join a working group for this topic, FPC has now appointed a group under the chairmanship of Paul Noblet. This group will have a somewhat narrower remit than most working groups since the key decision of principle has been taken and it will be the job of this group to look at more technical questions of how it might work. Our hope is that we will be in a position to bring a paper on this to autumn conference.

Following the motion agreed in September 2020 on a Federal UK, we have set up a working group under the chairmanship of John Shipley to develop proposals on how power structures should work at the regional level within England. We have set this up in close discussion with the English Party, and also with involvement from the Scottish and Welsh parties. This group has been working extremely hard and again our hope is to bring full proposals on this to autumn conference 2021.

Finally as reported to conference in September we have set up a small group to look at the question of carbon pricing and how this might work, under the leadership of FPC member Duncan

Brack. This work is progressing well and we hope to bring proposals to autumn conference.

Members of working groups work hard to research, consult on and develop policy, and we are enormously grateful for their time and commitment, especially the chairs of working groups who take on a significant commitment to aid the party. We thank them for their enthusiasm and commitment.

### **Future policy development**

Building on the work set out above, especially on the party's principles and values, together with further detailed research and the party's political strategy as it continues to develop, we will be doing further thinking about priority areas for where further policy could most usefully assist the party. Party members are invited to contribute any views they may have on this to [policy.consultations@libdems.org.uk](mailto:policy.consultations@libdems.org.uk)

In addition, following the motion approved at autumn conference 2020 on party policy on the European Union, and ongoing discussions, we will in due course be developing a programme of work to develop the party's ideas on the UK's relationship with the EU. This work will be structured around widespread consultation across the party.

### **Widening engagement in party policy making**

We remain very keen to support any initiative aimed at engaging more party members in policy, whether through involvement in

our own work or supporting other policy discussion initiatives. We would welcome any invitations to support or participate in any initiatives.

During the autumn FPC members attended a number of regional conferences to run sessions on policy development and current policy topics.

FPC members attended the first meeting of the new Party Bodies Forum, for SAOs, AOs and other interest groups, and made a presentation about how party policy-making works and opportunities for such groups to be further involved. We are keen to strengthen links with them further and the Forum has agreed our request for FPC representatives to attend its meetings and report to it on our work regularly, as part of developing a closer two-way relationship with them.

Following the innovative PolicyLab member online policy discussion and consultation exercise in summer 2020, we are continuing to explore further opportunities for new formats for online policy discussion, subject to resourcing.

Party members are very welcome to join our Facebook group for discussion with FPC members about our work and to see reports from our meetings. It can be seen at [www.facebook.com/groups/federalpolicycommittee](https://www.facebook.com/groups/federalpolicycommittee)

We plan to have further discussions about other ways to strengthen membership engagement in party policy-making and

as always would welcome any suggestions for this, which can be sent to [policy.consultations@libdems.org.uk](mailto:policy.consultations@libdems.org.uk)

## **Other work**

The ‘pods’ of FPC members which we set up in the first stage of the pandemic crisis to look at its impact on particular areas of policy in future, are continuing to review developments in individual policy areas, and contribute these perspectives to FPC considerations.

FPC held a number of very useful discussions with parliamentarians about their vote on the post-Brexit trade deal with the EU, including one immediately before MPs voted on it at the end of December.

It is conventional to finish this report by thanking staff in the policy unit for their work, which is central to delivering the programme set out above. In these strange times, the burden of the policy unit’s whole workload has fallen solely on Christian Moon, the Head of Policy. We are enormously grateful to Christian for his enormous dedication, deep experience, skill and good humour in supporting an ambitious and multi-faceted programme of work singlehandedly.





## **Federal Board - Mark Pack (President)**

The challenges of coronavirus are a reminder of the importance of our party's values. The disease requires international cooperation to tackle. The bigger the role given to local and regional government, such as in Germany, the better the responses have been. The stronger the networks of community support, the better people are able to cope.

It is a reminder of how relevant liberalism is in the twenty-first century. Our challenge as a party is to raise our game and become a powerful political voice once again.

### **We all have a part to play in implementing the Election Review**

The Thornhill Review into the 2019 general election found far more than just a set of general election mistakes. It also found a series of deep-set, long-running problems in how the party is run. Since the report was published last summer, implementing its recommendations has been a top priority.

It's not a short or easy task. It is also one for all parts of the party. You have the right to expect to see plenty change in our central party operations. As the report also shows, every other part of the party has a part to play as well. We all need to improve how we work together and how we best promote our shared values.

To quote the review, “Resources are being deployed on committees primarily concerned with operational decisions and minutiae and their own purposes and agendas, and this is true at all levels of the party – national, regional, and local.”

So as well as holding me and my colleagues accountable for what we’re changing, I encourage you to read, or read again, the report at [www.libdems.org.uk/2019-election-review](http://www.libdems.org.uk/2019-election-review) to see what else applies to your own role in the party.

### **Setting the right priorities**

For the Federal Party, progress on implementing the recommendations is a core part of the objectives our staff team are working to, and a progress tracker is regularly reported to the Federal Board and Steering Group.

Our HQ operation has been working against four longer-term objectives last year, and which are continuing this year:

- Membership is a great experience for everyone
- We understand and speak to people’s hopes and concerns
- We build effective activist teams in the right places
- We work well remotely and support each other

This work is happening against a backdrop of a tough financial situation. As is common across the not-for-profit sector, the combination of coronavirus and an economic downturn means this is a tough time for fundraising. We also need to ensure that we can invest in three key areas: grassroots campaigning

support, modernising our technology and improving our diversity.

The Board has therefore agreed challenging cost-saving targets. As part of this, the days of a large, central London office to house nearly all the federal party's staff will be over once our current lease comes to an end. There is always going to be a need for some staff to work near the media and Parliament in central London, but with the big shift to homeworking our future office needs can be much smaller and cheaper.

We also have a new director team in place at HQ, including the crucial new post of Chief Technology Officer (CTO). It is also, I'm glad to report, the most diverse senior management team we've had - important both in terms of our own values and because the evidence shows that more diverse teams perform better.

We also have the largest network of campaign support staff this early in a Westminster Parliament that the party has ever had. Many thanks to everyone involved in regional and state parties, along with ALDC, whose work has contributed to getting such a large network in place.

Vice President Isabelle Parasram's report to this conference details much of the work being done to improve the party's record on diversity and inclusion. The team of volunteers she has built is greatly expanding the work being done in this important area. In addition, it's an important area for our HQ

operation, and the party is working with a specialist consultancy to map out our next steps.

## **Expanding our Party Awards**

We can never do enough thanking of our volunteers and celebrating examples of stand-out brilliance and commitment.

Which is why we're expanding the usual set of autumn Party Awards to include spring conference. I'm really looking forward to seeing who wins this Spring's trio of awards:

- The Bertha Bowness Fischer Award, a new award created last year in honour of the first woman to become a qualified election agent and awarded to a newer member who has already shown outstanding energy and/or ingenuity in supporting their new-found political home.
- The Leader's Award, a new award for those who have shown exemplary leadership skills while working or volunteering for the Party.
- The Albert Ingham Award, an old award we're reviving and named after one of the party's great election agents. It's for election agents and senior members of campaign teams.

## **Better supporting Party Bodies**

I reported last time on the work being by our new Party Body Review Group. We've now had two reports from them, one on party bodies (AOs, SAOs, etc.) in general and one on our overseas local parties specifically. Both found that there is much

we can do to improve how they are supported and involved, as well as a refreshing degree of enthusiasm from those who run them to find ways to grow, engage more people and spread the message of liberalism more effectively.

Bess Mayhew, chair of the Federal People Development Committee (FPDC), has kindly taken on the role of overseeing the implementation of the reports.

Among the work already done is the creation of a new Party Bodies Forum to bring together party bodies to share best practice, improve cooperation and provide a collective voice. We have also reached a new financial agreement for our overseas local parties, addressing an issue that I know has been a long-running sore.

## **Party reform**

As I reported last year, the Board decided to tackle improving our governance structures on a project-by-project basis. Mindful of Federal Conference Committee's request that we do not seek to use up too much scarce debating time at spring conference with procedural motions, we have therefore put forward some reforms for debate this time and would expect to put more to autumn conference.

Of course, improving how an organisation is run is not only about its rules. Indeed an over-focus on its formal rules can miss the importance of culture, working relationships and habits.

A particularly important part of the Thornhill Review is about how we treat each other. We need to be collegiate and, where necessary, challenging without lapsing into people feeling that they're repeatedly under fire, and without eulogising being aggressive and rude to colleagues as somehow being admirably frank and effective. It's not. It's always unpleasant and frequently self-defeating.

The Thornhill Review in particular highlighted the need for a good working relationship and clear demarcation of roles between the Leader, President and Chief Executive. All three of us have worked carefully and successfully on this. The Board has also gone through extensive consultations on defining some of the key decision making responsibilities, which are set out in Appendix IV. The Federal Audit and Scrutiny Committee (FASC) has also carefully reviewed them to ensure they provide a workable decision making framework and properly apply the election review lessons. Please note that this is not an attempt at a comprehensive documentation of how all decisions in the party are made; rather, it's a tight focus on the key issues where clarity between our three roles are required, including noting how others in the party also need to be involved.

Among the other improvements we've been making are to simplify the party's structure by making specific party postholders the directors of Liberal Democrats Ltd. and transferring the role in the party's donations checking process that used to be carried out by the chair of the company directors

to the chair of the Federal Audit and Scrutiny Committee. This reduces the number of different posts in party and follows naturally from the other reductions there have been previously in the role of the directors.

I would like to add my thanks to the outgoing directors Tony Harris, Kate Parminter and Navnit Dholakia, and especially the chair, Duncan Greenland, who has been generous with his time and expertise in helping us work out and implement this simplification. Condolences also for the family and friends of Lady Vallance, a former director who passed away last year.

### **Steering Group pilot**

One of the findings of the Thornhill Review was that we need to greatly improve the coordination between different parts of the party. It also found problems with how the Federal Board had been operating, including ones that come from its size (41 people in total).

As a result, and as reported to conference last time, we're running a pilot of a 14-strong Steering Group which the Board (41 people) has delegated a series of powers to, with a right to call in any decisions.

Given the point in the Thornhill Review about the need to improve coordination, its composition is focused on bringing together those with relevant roles in the party. Full details of its membership, along with biographies of each person, are at [www.libdems.org.uk/federal\\_board](http://www.libdems.org.uk/federal_board).

Of the 14, eight of us are in roles that are directly elected by members or a large subset of members, such as myself (all members), Welsh President Paula Yates (all members in Wales) or Cllr Chris White (all members who are councillors). In addition, if the Vice President constitutional amendment goes through, that will become nine when it comes into effect. The other five of us are elected or appointed in other ways, such as Cllr Lisa Smart, who is elected by Board members to her role as chair of the Federal Communications and Elections Committee (FCEC).

### **Improving reporting back to members and volunteers**

An important part of bringing to life our rhetoric about being a member-led party is to make sure members, and our other valued volunteers and supporters, are kept properly up to date on what is happening in the party.

Which is why we've much improved and expanded the reporting back of the work from federal committees and other groups via the party's website. The AdLib section ([www.libdems.org.uk/adlib](http://www.libdems.org.uk/adlib)) is now regularly updated with such reports, along with other news from the party. These reports also feature frequently in the monthly email newsletter for party members and supporters.

I've been pleasantly surprised by the number of emails from members in response to even points two-thirds of the way down my own reports that go up there. If you're not one of those regularly reading them, I'd strongly encourage you to take a look.



In addition, as you will see from the rest of this booklet, we're continuing last year's experiment with expanding the range of reports and updates. I hope you find this extra information useful, and feedback is always very welcome.

This time, we have also started including a report from the Federal Appeals Panel. Under the constitution, it reports formally to party conference once a year, in the autumn. However, as we now have a new Panel in place and a new Chair, it is I hope useful for members to hear from them in some detail.

## **Thank you**

Thank you to Mike German, our Treasurer and chief fundraiser, who has stood down after many years of hard work. Without his impressive efforts in 2019 in particular, the party would be facing this Parliament in a far worse financial situation.

The Board's work would not be possible without the excellent support of the party's Company Secretary, Jack Coulson, and that of Georgia Potter, Executive Assistant to the Chief Executive and President. Thank you to them both and to both the other volunteers and the many other staff under the leadership of our Chief Executive, Mike Dixon, who the Board works with.

## Vice President - Isabelle Parasram

- 1) In Spring, 2019, I was first elected to the role of Party Vice President. I was then re-elected in Spring, 2020. As my role was created in response to The Alderdice Report - which stated that race equality should be a top priority for the Party - my responsibilities initially centred around engaging with ethnic minority communities.
- 2) Over the past 2 years, my work has also been shaped by world events, the shifting needs of society and my own skills and interests. So my work now covers the broad spectrum of diversity and inclusion - albeit, with a particular focus on issues impacting ethnic minority communities.
- 3) My original title (Vice President BAME) was revised in order to make it easier to convey the import of what I am doing and to enable stakeholders to identify where my role sits within the Party hierarchy. I now sit on the Strategy Group which makes key decisions about the direction of the Party and which consists of specific members of the Federal Board including the President, the Leader and the CEO. I also sit on a number of other bodies/Committees within the Party, alongside doing the core political work that I do as Party Vice President, Patron of the Liberty Network and Trustee of The Paddy Ashdown Forum think tank.
- 4) My overarching aim is based upon principles from the Constitution:

*“To promote equality based upon race, colour, religion, age, disability, sex and sexual orientation.”*

- 5) My goals fall into these categories:

*External outreach*

*Structural/ organisational change*

*External campaigns*

*Recognising member contribution*

*Identifying talent*

*Internal campaigns*

all in relation to minority groups.

6) I have run a number of successful projects and initiatives under each category, with the help of my team:

*Tumi Hawkins*

*John Armah*

*Simran Mejie*

*John ArmaJermaine Revalier*

*Sam Al Hamdani*

*Jenny Wilkinson*

*Richard Wagenlaender*

*Kevin Daws*

*Nukey Proctor*

*Ben Kinder*

*Anita Prabhaker*

*and others*

I am grateful that I am able to work with such dedicated, professional and talented people.

7) Full details of my work can be accessed via the social media links included at the end of this report. I have included some examples below.

### To facilitate external outreach towards minority and underrepresented groups

- ✓ Ran Share, Plan Act events linking community/faith/charity groups and key influencers with the Liberal Democrats to catalyse positive social change via the media, lobbying, education and micro action:

#### **‘What Does it Mean to be Black in Britain in 2020?’ with:**

- o Professor Christopher Jackson (the first black scientist to be giving the Royal Institution Christmas Lectures) and
- o Paul Anderson-Walsh (former CEO of The Stephen Lawrence Trust)

#### **‘Lady Justice – has she failed women?’ with:**

- o Amanda Pinto QC (former Chair of the Bar Council)
- o Maryam Syed (Barrister - also sits as a Crown Court Judge) and
- o Elaine Storkey (Philosopher, Sociologist and Theologian, former President of Tearfund)
- ✓ Interviewed Dr Dinyar Patel (author of a book on Dadabhai Naoroji, the first British MP of Indian origin and a liberal) for Liberal Reform
- ✓ Chaired a pan-European webinar – **‘Lebanon in Crisis’** - for the NLC European Forum
- ✓ Filmed a **‘Thank you to key workers’** video alongside other key figures within the Party, which was shared on social media at Christmas/New Year

### To run external campaigns on issues affecting minority and underrepresented groups

- ✓ Attended weekly Home Affairs, Justice and Equalities (HAJE Cluster) meetings with MPs and Peers to plan workload, campaigns and collaborate on shared projects such as:
  - o **The Domestic Abuse Bill**

- o **The consultation on newly issued CPS guidance on rape cases**
- o **The 25<sup>th</sup> anniversary of The Disability Discrimination Act**
- ✓ Briefed our Press and policy teams on the violence in Nigeria perpetrated by the The Special Anti-Robbery Squad (SARS) against citizens, and co-signed a cross-Party letter to President Bohari condemning the violence
- ✓ Chaired the launch of our Carers Campaign with Ed Davey MP
- ✓ Chaired a race equality webinar with Doctor Victoria Showunmi
- ✓ Chaired a health inequality webinar with Professor Ajit Lalvani

**To identify talent from amongst minority and underrepresented groups**

- ✓ Judged The Patsy Calton Award to recognize a Liberal Democrat Councillor, party member or Parliamentarian who has achieved more for their constituents, the underprivileged in society or taken on government and changed things for the better.
- ✓ Ran, alongside Daisy Cooper MP a selection webinar for ethnic minority members, hosted by The Racial Diversity Campaign
- ✓ Introduced potential candidates to the Party

**To facilitate internal structural/organisational change to the benefit of minority and underrepresented groups**

- ✓ Lobbied for funding for the work of minority groups within the Party
- ✓ Advised on socio-economic diversity outreach at a Lib Dem Local Government Association meeting
- ✓ Advised on ethnic minority group outreach at a Federal International Relations Committee meeting
- ✓ Chaired a London Mayoral candidate hustings
- ✓ Acted as a member of the Federal Appeals Panel appointment committee
- ✓ Acted as a member of the Party Awards panel
- ✓ Ran race equality Share, Plan, Act workshops for Local Parties to raise awareness of unconscious bias

- ✓ Established a Board to assist me with my work for The Liberty Network

### **To recognise member contribution of minority and underrepresented groups**

- ✓ Successfully nominated candidates for training and funding e.g. Liberal International training Climate Justice Impact Sessions Project
- ✓ Filmed a 'Thankyou' video to staff at HQ, recognizing their valuable work for the Party
- ✓ Provided references for awards and honours
- ✓ Officially thanked/encouraged members, supporters, candidates on behalf of the Party

### **To run internal campaigns on issues affecting minority and underrepresented groups**

- ✓ Spoke on Conference Motion F29 on the Impact of the COVID-19 pandemic on minority groups at Autumn Conference 2020
- ✓ Contributed expert input on drafting a Policy Motion on working from home
- ✓ Wrote various articles for our internal comms:
  - o <https://www.libdems.org.uk/georgefloyd-6months>
  - o <https://www.libdems.org.uk/bame-coronavirus>
  - o <https://www.libdemvoice.org/an-announcement-from-isabelle-parasram-66659.html>

8) In order to continue to be effective in my role going forward, I have the following short-term goals to:

- a) Grow and nurture my team;
- b) Develop my Share, Plan, Act programme and

c) Build on my networks external to the Party to aid outreach.

9) Further information about my role and the projects I have been working on can be found as follows:

<https://www.libdems.org.uk/vice-president> (Profile)

[www.facebook.com/isabelleparasramlibdem](http://www.facebook.com/isabelleparasramlibdem) (Facebook)

@isabelleparasra (Twitter)

IsabelleParasram (LinkedIn)

<https://www.instagram.com/isabelleparasram/> (Instagram)

# **Federal Finance and Resources Committee - Anthony Harris (Chair and Party Registered Treasurer)**

## **2020 Financial Progress and 2021 Outlook**

As I reported last year, thanks to the generosity of our members and large donors, we entered 2020 having cleared our deficit and with a cash surplus which we believed would give us enough financial headroom to rebuild our political fortunes. Of course, we could not have foreseen the events that were to unfold as a global pandemic swept our country and the world.

This pandemic has impinged on our ability to run conferences and campaign and, in common with other political Parties, charities, and not-for-profit organisations, we have seen a significant slowdown in our overall fundraising income. Some of this is because elections have been postponed, because donors have had to focus on other priorities (such as their own finances), and because large donor fundraising has been more challenging without the benefit of a face-face component.

Thank you to our membership who, despite this global crisis, have continued to be generous in their financial support for the Party. However, for many of them, as the COVID situation has dragged on, the financial effect has begun to bite and even our core donations have been down when compared with pre-COVID years.



## **The 'Perfect Hurricane' of 2020**

In my first report as Party Registered Treasurer (Autumn 2018), I referred to a 'perfect storm' of financial effects which hit us simultaneously and caused us to have make some difficult decisions with respect to Federal Party staffing. I do not think it would be hyperbole for me to refer to the events of 2020 as a 'perfect hurricane'.

As we all know, and as a direct result of COVID, many organisations have ceased trading in 2020 altogether or been forced to implement massive programmes of redundancies. However, as I have reported previously, our financial management systems are better than they have ever been. We now forecast at least three years ahead and have put behind us the approach of financial short-termism which plagued us prior to 2018 as we cycled between boom and bust.

So, as I promised in my Autumn 2020 report, FFRC have continued to monitor our finances in real-time and the Federal Party have worked hard to balance the revised budget, based on a 2020/21 reforecast, with some success.

However, we are still significantly behind the curve when compared with our original budget and, although we are doing slightly better than the revised budget, cash is still at a premium, and the future uncertain, until our donation pipeline begins to function again.

## **Financial Systems, Financial Performance, and Outcomes**

The systems for financial forecasting, reporting, business expenses, and purchasing that we put in place during the past two years (and have continued to refine) continue to work well and have protected us from the worst of this maelstrom.

However, because we can now forecast further ahead, we recognised late last year that we needed to do some further restructuring to ensure the long-term financial stability of the Federal Party. Such decisions are never easy but are necessary if we are to continue to function effectively.

However, although it is difficult to be positive, these measures are significantly less severe than those we saw in 2018 and in years prior to that. It is also worth remembering that in the wake of the 2019 election we did not make any redundancies at all and, without COVID, I am confident that we would still be in that position but 'wishful thinking is one thing, and reality another'.

## **Thank You to our Staff and Volunteers**

My thanks to all the members of FFRC who continue to work hard to provide strategic and detailed oversight of the Party financial affairs to ensure that our Party finances remain robust.

With these controls and oversight in place, I continue to remain confident in our ability to control our finances over the long-term and to spot upcoming problems much earlier than was possible in earlier years.

As usual, I also offer my grateful thanks to Fern McLurg, our Financial Controller, and the entire HQ finance team for their continuing hard work and attention to the financial detail.

## **Compliance**

We are grateful to our local party treasurers who assist us with complying with the PPERA regulations. Local Party reporting is improving but is still not where we need it to be in terms of donations, loans, and loan repayments.

The Party reports quarterly but, so we can collate these reports on time, we ask treasurers to report such items as soon as they are received, and no later than the middle of the month following, to avoid missing these reporting windows and committing an offence under the PPERA Act.

Thanks to Kerry Buist, head of compliance, and the compliance team we continue to enjoy an excellent relationship with the Electoral Commission, but they are a regulator and are there to uphold the law. If they see late reporting of donations and other items then they will open an investigation and, without a reasonable excuse, are likely to levy a fine. Such fines are now passed on directly to the local Party concerned and can be punitive.

Please help us to help you by giving this area your top attention. Kerry and the team have already improved the level of briefings, documentation, and training available for local Party treasurers so your PPERA obligations should be clear. Sadly, despite

numerous reminders, some local Parties and treasurers continue to fail to adhere to the law.

As a result, you will see that we have had to implement an escalation procedure to protect us all. I trust that Conference will understand the need for this and will support this initiative which is in everybody's best interest.

Having said all this, I know that most treasurers, agents, chairs, and other party officers do work hard to remain compliant. My thanks to them and to the entire compliance team, including data protection, for helping to keep us all on the straight and narrow.

### **Checking of Donations for Permissibility**

All donations are checked for legal permissibility by the Party's compliance officers and by the Registered Treasurer. Donations are also assessed for reputational risk by the Party Treasurer and approval for donations above £25,000 is sought jointly from the Chair of FFRC (the Registered Treasurer), the Chief Executive, and the Chair of Liberal Democrats Ltd. If this approval lacks unanimity it is referred to the Party Leader for assessment. Declarations of donations, statements of accounts, and Party campaign expenditure are on the Electoral Commission website.

## **Federal Communications and Elections Committee - Lisa Smart (Chair)**

Since we reported to the party's first online conference back in September, the Federal Communications and Elections Committee (FCEC) has been working on a number of projects to achieve our main aim – to get more Liberal Democrats elected.

Covid restrictions have meant that we have had to change how we campaign as a party with much more emphasis needing to be on campaigning by telephone and online. FCEC has taken regular reports from campaigns staff from both the HQ Field Team and ALDC on how local campaigners are being supported.

A lot of work has been going on to strengthen our field campaigning resources and, thanks to some joint funding arrangements with the federal party, regional parties and ALDC, we have the largest field team in place at this point in an election cycle for many years.

At the time of writing this report, elections are scheduled to take place in Scotland, Wales and most parts of England on 6th May. As some elections were postponed from May 2020, this means that this would be the largest set of local elections for almost 50 years. There is a huge amount of training available for campaigners online – take a look at the ALDC website and, if you're not already on there, join the mailing list for the party's campaigners.

As a committee, we have been working with staff to implement the recommendations from the Thornhill Review which was carried out following the 2019 General Election. Good progress has been made on a number of recommendations but there is still more work to be done.

We received a report on the Unite to Remain initiative and the way the party responded to some MPs defecting to us during the last parliament. I'd like to place on record my thanks to those who put together these reports and to those who gave their time to be interviewed so that all relevant information could be included.

We've been working with LDHQ staff on the evolving Communications Strategy and have had the opportunity to discuss communications and elections with both the Leader and Deputy Leader.

With the government looking to redraw the parliamentary constituency boundaries in time for the next General Election, the committee has looked at the approach to the process we will take as Liberal Democrats and the impact it could have on our electoral prospects.

Much of the work we have been doing as a committee has been embedding long-term strategies looking to support more Lib Dems into elected office so that we can represent and improve

our communities. Every single Lib Dem member has a role to play in those efforts and we look forward to working with you all.

# **Federal People and Development Committee - Bess Mayhew (Chair)**

## **Introduction**

The Federal People Development Committee (FPDC) brings together three key functions of the party: training, diversity engagement, and membership recruitment, retention and activation. This includes overseeing party strategy in these areas, supporting staff with specific tasks that help deliver the strategy, coordinating activity with other committees and supporting the party's Specified Associated Organisations and Associated Organisations on membership and diversity.

The FPDC has 18 voting members: the Party President; the Vice-President responsible for working with BAME communities; six members elected by the Federal Board; one representative from each of the Scottish, Welsh and English Parties; and the chairs or nominated representatives of the Young Liberals, the Lib Dem Campaign for Race Equality, the Lib Dem Disability Association, Lib Dem Women, LGBT+ Lib Dems, the Campaign for Gender Balance and the Racial Diversity Campaign.

## **FPDC Work Programme**

The FPDC elected a new chair in October 2020. We quickly moved to setting up a workplan for the committee, following on from three deep-dives held for each of membership, diversity and training in the late spring and early summer.



After a swift consultative process, involving over twenty 1:1 sessions and two group workshops, we have agreed the following areas of activity will be prioritised.

<b>Membership</b>	Ensure the party has a robust and ambitious member recruitment and retention strategy for the long term
	Support staff to prioritise improvements to membership data according to local party need, and ensure changes are implemented
	Continue efforts to improve internal communications plans
	Increase resource-sharing and advice for local parties on membership recruitment, retention, engagement and activation
<b>Diversity</b>	Oversee the implementation of recommendations from the Party Bodies Review 2020
	Oversee 'task and finish' diversity strategy commissioned by HQ
	Ensure the FPDC and the wider party have the opportunity to feed into the diversity strategy
	Trial a regular 'surgery' with State,

	Regional and Local Diversity Champions
<b>Training</b>	Oversee the development of a holistic federal training strategy, encompassing all training providers within the party
	Create a training audit and recommendations
	Support staff in creating a system to improve the recording of training
	Support staff in expanding the number of accredited volunteer trainers and ensure their skills are used effectively
	Increase support for trainers and establish a Trainer Compact
	Liaise with Federal Conference Committee around training communications and prioritisation

## **Membership**

Work is ongoing to improve membership data, which has seen significant improvements with the rollout of Lighthouse. We look forward to working closely with Duncan Gough, the new Chief Technology Officer, on upgrading all our systems to ensure local party officers have all the technical tools and support they need to recruit, engage and activate members.

We have been deeply concerned by the decline in membership numbers. While much of this is understandable in the first year since the huge surge of 2019, we want the party to prioritise member engagement in particular to help turn the decline around. We need to provide the tools, training and opportunities for local parties and party bodies to connect with members - if the first time we engage with a member is when their membership is about to lapse, it's too late.

Due to the COVID-19 pandemic, the planned work to improve the member experience and member journey was postponed and the development of a comprehensive member engagement strategy will not be able to take place for several months. This is obviously disappointing, but we hope the party will have the resources and capacity needed to complete this essential work as soon as possible.

## **Diversity**

We were very pleased to see diversity prioritised in the Thornhill Review of the General Election and are glad the Federal Board has committed to implementing the recommendations. The 'task and finish' diversity strategy has been commissioned by LDHQ following a competitive tender process and we look forward to the project kicking off in early 2021.

The committee has already begun to implement the recommendations from the Party Bodies Review, which set out how to improve support for Specified Associated Organisations

and Associated Organisations within the party. The first Party Bodies Forum was arranged in January 2021, allowing SAOs and AO leadership teams to connect with one another, share knowledge and work together more effectively.

## **Training**

A new Training Manager has been appointed at LDHQ and the committee has very close links with the Association of Liberal Democrat Councillors and Campaigners (ALDC) so we are confident we will be able to support staff in all the areas outlined in our workplan.

As a priority we have requested a holistic training strategy is drawn up for the entire federal party. This strategy should be agnostic about training providers, and focus on who the audience is, what training they need and how we communicate what training is on offer.

FPDC has now taken up their seat on Federal Conference Committee and our representative, Mary Regnier-Wilson, has begun to liaise with FCC on training at Conference.

## **Thanks**

I would like to thank every member of the committee for their commitment and support over the last 6 months, especially Vice-Chair Mary Regnier-Wilson and Secretary Abi Bell. I would also like to thank my predecessor Barbara Gibson for her hard work, enthusiasm and inspirational leadership, particularly

through the early days of the COVID-19 pandemic, which required the newly composed committee to adjust to a whole new way of working.

On behalf of FPDC I would like to thank all staff who have worked with us over the past six months including Mike Dixon, Trudy Church, Greg Foster and Chessie Flack. I would particularly like to thank the Company Secretary, Jack Coulson, whose dedication, can-do attitude and deep knowledge of federal governance have been absolutely invaluable in getting the committee where it is today.

## **Federal International Relations Committee - Jonathan Fryer (Chair)**

A major focus of FIRC's work in recent months has been to ensure that the Party can maintain and even enhance activities that reflect its internationalist outlook. Many members joined the Party because of their European or internationalist attachment and it is important that outward-facing activities are not reduced while HQ responds to a fall in income and concentrates on increasing LibDem elected representation at local, regional, state and national levels. Alternative sources of funding have been sought by FIRC to ensure that the Party's International Officer is retained in post and a new Foreign Affairs parliamentary advisor is appointed.

Although no in-person Alliance of Liberals and Democrats for Europe (ALDE) or Liberal International (LI) gatherings have been held because of the coronavirus situation it is hoped that the ALDE Council meeting in Stockholm will take place 17-18 April (hybrid or virtual, if necessary). Despite Brexit, UK Liberal Democrats wish to retain strong links with our European sister parties and to work with them to ensure the closest possible relationship between Britain and the EU27. ALDE does include parties from non-EU member states so it is an excellent platform for debate and engagement. The CEUB sub-committee of FIRC was instrumental in amending the Europe motion at Autumn Conference and has similarly been involved in crafting one for Spring Conference.

William Townsend was confirmed as the new Secretary-General of LI, the first UK Liberal Democrat to occupy the post for a long time. The LI HQ remains within the National Liberal Club building and various members of FIRC have been active in the work of LI specialist working groups, for example on human rights and on climate justice.

FIRC is conscious of the significance of various Diasporas in the United Kingdom, not least in London and some other urban centres. As some of these Diasporas have foreign policy concerns that chime with LibDem values we should reach out more to these communities. Through such engagement this might lead to more active involvement from members of Black and Minority Ethnic communities in the Party.

One positive result of lockdowns has been the increase in online webinars and other events organised by various associated organisations. Members of FIRC have taken part in many of these and the Committee has encouraged greater sharing of information about events with an international dimension. Worth mentioning are Liberal International British Group (LIBG), Liberal Democrat European Group (LDEG), the Commonwealth and European forums of the National Liberal Club and the new Paddy Ashdown Forum, presided over by my predecessor as FIRC Chair, Robert Woodthorpe Browne, which has successfully established itself as a UK LibDem think tank under the umbrella of the European Liberal Forum (ELF).

## **Federal Audit and Scrutiny Committee - Helena Cole (Chair)**

Over the past 6 months since the report to Federal Conference the Federal Audit and Scrutiny Committee has continued to receive regular feedback on how the recommendations from the Thornhill Report are being implemented. The committee has access to a live document updated regularly by the LDHQ team and can report that things are being progressed despite the uncertain times that we all find ourselves.

A sub-committee of FASC has been formed specifically to work with the LDHQ team on information and data. This was one of the recommendations of the recent ICO audit and means that two members of the committee are regularly involved in ensuring this works smoothly in the Lib Dems.

Over the coming year FASC are planning to look at internal audit, health and safety and continue with regular reviews of risk and progress against the Thornhill recommendations.



## **Federal Appeals Panel - David Graham (Chair)**

*NB - The Federal Appeals Panel shall usually report to Autumn Conference only, in this case a special report is made by the newly elected Chair.*

The Federal Appeals Panel (FAP) is established under Article 22 of the Constitution and adjudicates over a variety of disputes which are within the jurisdiction given by Article 22.3. The FAP is made up of 18 members – 9 of whom are elected by the Federal Board and confirmed by Conference, with 3 being elected by each State Party. Members of the FAP are all volunteers. The Chair of the FAP is elected by the Panel from amongst the members elected to it by the Federal Board. The FAP is there to protect the rights of Party Members and is directly accountable to Conference.

The Chair of the FAP is required by Article 22.6 to publish an annual report to Autumn Conference, containing the Panel's procedures, all its decisions on the interpretation of the Constitution and a summary of its other rulings since its last annual report. However, it is not precluded from reporting more frequently. Article 22.6 requires Conference to confirm any change to its procedures.

### **1. INTRODUCTION BY DAVID GRAHAM**

The current FAP was appointed for a 5 year term from January 2021 to the end of 2025, with the 9 Federal appointees including

myself confirmed by the 2020 Autumn Conference. I was honoured to be elected Chair of the FAP. As incoming Chair, I should like to put on record my thanks to my predecessor Alan Masters and the departing members of the Panel for their many years of voluntary service in this role.

## **2. THE NEED FOR FAP REFORM**

It is apparent to me that the FAP requires modernisation and reform in how it operates, and I am therefore reporting to Spring Conference on the steps we are taking to achieve this.

In the previous Chair's Report to Autumn Conference, he explained that for a number of reasons, the FAP had been unable to meet its usual timescales for resolution of disputes. The Standards Office have been unable to cope with a large volume of work, and backlogs have built up. Since Autumn Conference, complaint has been made about a small number of unacceptable breaches of natural justice in the handling of FAP matters during the term of the previous Panel.

Article 22.7 of the Constitution makes decisions of the FAP final and binding, so it is imperative that procedural unfairness does not arise or is corrected before decisions are issued.

Following a review, it is apparent that the FAP was not operating as accessibly, transparently and efficiently as Members are entitled to expect. The FAP's personnel, procedures, pending cases and recent decisions have not been published on the Party website. The procedures were insufficiently clear and

prescriptive to enable ordinary Members to understand what was expected of them, and what they could expect of us. For instance, there was no express requirement for an applicant to plead a case or for a respondent to methodically address the opposing party's case in reply, and no express right to apply for procedural directions or to object to the procedure adopted in a particular case. There was no procedure for recusal or substitution of panel members who had a conflict of interest or were unavailable.

There is also confusion even among 'Party insiders' as to the remit of the FAP and the grounds on which it will interfere with decisions challenged before it. Whilst the FAP has in fact developed a clear set of principles that are applied, these were not previously set out in one place anywhere. The FAP has been mostly operating a supervisory jurisdiction, intervening where a Party body has acted outside its remit, unfairly, unreasonably or where there has been a serious error. It has not been re-hearing appeals afresh on their merits and finding the facts.

I have identified certain instances where the complaints procedure guidance published under Article 23 mislead Members over the remit of the FAP when it determines appeals. These are being rectified.

The result of confusion as to what the FAP does, the standards that must be applied and what is expected of appellants or respondents, is that much time and effort has been wasted by

the disputant parties themselves, FAP volunteers, and the Standards Office staff who have had to act as go-betweens.

### **3. REFORMS UNDERWAY**

#### 3.1 Transparency and better use of the website

I have requested of the Party Chief Executive and President that details about the FAP, its caseload and rulings should as soon as practicable be published on the Party website and updated regularly.

We shall publish the procedural rules online, along with standardised forms and guidance consistent with the published procedures, to be informed by issues arising in practice. This should make the FAP more user-friendly and assist the Panel to manage cases more efficiently.

Greater transparency about the cases pending before us will enable Members to apply to intervene where they can bear particular expertise to bear, or are particularly affected by the outcome.

If rulings of principle and of Constitutional interpretation are published as they are made at least in summary form, instead of just being reported annually to Conference, it will assist Party bodies and officers to work within the governance framework, and assist Complaints Panels and State Appeals Panels to work more consistently. It will also enable parties more easily to refer the FAP to relevant previous decisions.

All Members will easily be able to see how particular disputes have been determined. It should reduce the number of appeals on points that have already been determined. It will enable you, the Members, to see that justice is being done, to have confidence in our process, and to hold me to account on its timeliness.

As is already the case, the parties to a dispute will be able to make submissions as to the form of publication of decisions, such as whether they should be made public or restricted to Members, and whether particularly sensitive or personal information should be redacted.

### **3.2 Case Management System**

The Federal Board is in the process of procuring a case management system that will help to automate some of the steps taken by Standards Office staff and help them to ensure that deadlines are not allowed to slip, or electronic documents mislaid. A more standardised procedure should be easier to manage and enable identification of matters requiring closer active management.

### **3.3 Procedural revision**

The current published procedures have been updated piecemeal over many years. In places they make references to former provisions of the Constitution that no longer make sense. They also provide for hearings to be 'in person' which is impossible during coronavirus restrictions and may not be desirable outside

of these (such as where parties and FAP volunteers would have to travel long distances to meet together). As discussed above, they have proved insufficiently clear and prescriptive for ordinary Members, respondents and the Standards Office to know what is expected at any given stage of the process.

We consider that a more comprehensive procedure should be adopted, which reflects and codifies the historic practice of the FAP and the existing grounds on which it will interfere with decisions under challenge, and is suitably updated to allow for use of virtual hearings and technology. I therefore commend the proposed new set of published procedures to Conference for approval under item 4 below.

### **3.4 Review of arrangements for training**

I am reviewing whether additional training or development for members of the FAP or its supporting staff may be required, and how that might best be provided.

### **3.5 Ongoing review and consultation**

In a democratic Party I should like to consult Members widely on the FAP's procedures, including those who are not able to attend Conference. I shall in due course invite comments on the proposed new procedures via the Party website, and shall report back to Autumn Conference on the consultation responses. Conference will then be able to vote to confirm the changes. In

the interim, the FAP will publish guidance consistent with the current published procedures.

#### 4. PROPOSED PUBLISHED PROCEDURES FOR CONFIRMATION

The proposed Published Procedures for the FAP, to come into effect on the date of confirmation by Conference, are set out at Appendix 1 to this Report. They cover the following:

- General duties of the FAP and of the parties;
- Procedure for lodging an application;
- Initial permission stage and the tests that will be applied;
- Independence and recusal of members;
- FAP records and communications;
- General procedures;
- Succession and substitution of panellists;
- Procedural applications and objections;
- Hearings;
- Determinations;
- Grounds on which FAP will intervene with decisions;
- Remedies;
- Status of Decisions.

For comparison, the current procedures are set out in the Autumn 2019 report to Conference..

I commend the new procedures to Conference.

As explained, the new procedures shall be consulted on and reviewed, which I shall report back on in the Autumn.

#### **4. RULINGS OF THE PANEL**

The rulings made since Autumn 2020 shall be reported on this coming Autumn in the usual way. In the meantime, decisions of the current FAP shall be published online at least in summary form, once the new FAP section of the website is up and running.

#### **5. SUMMATION**

As Chair of the Panel I am committed to making sure that the work of the Panel is always fair, accessible, transparent, and truly independent. I hope that better use of the website and new, clearer procedures make it more accessible, fair and transparent. I hope that members have confidence in the way that matters are handled, and in the way it exercises its primary role to protect Members' rights under the Constitution.



## **Campaign For Gender Balance - Candy Piercy (Chair)**

Since the Autumn Conference the work of CGB has been disrupted significantly by the by the Covid-19 lockdown. The year after a GE is always quiet, and as expected this year was no exception.

### **Candidate Approval and Selection Mentoring**

The CGB mentoring team has been guiding a small number of women for approval especially for the Scottish and Welsh elections. The English Candidates Committee has conducted a review of their candidates' approval process. The first pilot Approvals Day has now been run. We therefore expect a big increase in the number of women coming forward for approval and then selection in the next six months.

Candidate selections are again few and far between. We have recruited a number of new mentors but have lost others as a result of the pressures of lockdown.

Our excellent Approvals Mentoring Team, led by my Vice Chair Julia Cambridge, has always worked remotely. As a result, they will be able to get back up and running very quickly and are working with a growing list of women eager to be approved.

Autumn Conference Training 2020. We ran four modules at the digital conference in September. Our trainers found HopIn

difficult to use. However, as we all got used to it we did manage to run some very effective training.

Spring Conference Training 2021. We shall be running six modules at Spring Conference. Five will be for women only and one will be for all comers.

### **Future Women MPs weekend**

We are running our first Digital Future Women MPs Weekend on 20th/21st February 2021. As it will be online, we will be able to talk a larger number of participants than usual. It will be a real challenge to make our flagship workshop work as a digital event. However, we are confident it will be a big success.

On 6th and 7th March CGB trainers will be assisting RDC to deliver their first Future MPs Weekend

### **Bubbles Club**

In December we launched our first event for the CGB Bubbles Club. The bubbles in question This networking and informal training initiative reached over 50 women in the Lib Dems who are interested in standing for Parliament.

We plan to hold a second Bubbles Club as part of our FWMP Weekend in March.

## **Outreach**

CGB are taking part in a number of initiatives with the organisation 50:50. We are providing speaker for their monthly Bites Sized digital training events.

Candy Piercy spoke at a recent digital event alongside Wendy Chamberlin. The hour-long Q&A panel answered audience questions about how to stand for Parliament. Over 100 women logged on – of those, around 40% had not yet formed any specific political party affiliation.

CGB and RDC are working closely with Daisy Cooper MP at the request of Ed Davey, to help diverse candidates achieve selection in winnable seats at the next General Election.

## **Looking forwards**

We believe that the next year will be a particularly challenging one for CGB as we enter the next selection cycle for Westminster seats.

We believe a large number of new women candidates need to come forward to continue our progress towards gender equality in the Party. That means we need to do more outreach as well as our training and mentoring.

The lack of a budget from the Party continues to hold back the work of both CGB and RDC. We hope that when the current restrictions caused by the pandemic are resolved, the Party will

provide proper budgets for both these organisations. We both need to hit the ground running, to make sure the Party meets its targets on achieving diversity in our target seats, at the next General Election.

# Racial Diversity Campaign - Ade Adeyemo (Chair)

## Delivering our Strategy

	What has been done over the past three months to deliver this priority	What is planned for the next three months
<p><b>Work to improve diversity across all characteristics</b></p>	<p>Over the past three months, we have focused on the following:</p> <ul style="list-style-type: none"> <li>Building relationships with Regional Candidates Chairs</li> <li>Recruiting Advisers and Mentors for candidate assessments and selections for local, parliamentary and mayoral elections.</li> <li>Establishment of a database of ethnic</li> </ul>	<p>Over the next three months, we intend to formally present the results and findings of the 'Big RDC Review'.</p> <p>We are also planning to hold an RDC Future MPs Weekend, provisionally pencilled in for the 6th of March.</p> <p>We will continue to recruit mentors and Advisers to help with candidate</p>

	<p>minority candidates and key contacts within the Party.</p> <p>In the past three months, have also mentored applicants for parliamentary, GLA, and West Yorkshire Mayoral selections.</p> <p>One of our mentees, Chris Annous, won the selection for Lewisham and Greenwich GLA.</p> <p>In December, we held an RDC Selection Webinar for Ethnic Minority Approved Parliamentary Candidates, with Daisy Cooper MP, Candy Piercy MBE and Isabelle Parasram as our panel guests.</p>	<p>assessments and selections for parliamentary mayoral and PCC seats.</p>
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<p><b>Elect more Liberal Democrats through building capacity and a compelling appeal</b></p>	<p>We have continued to reach out to ethnic minority members through direct contact and also via the Party and other routes.</p> <p>We have continued to work with Lib Dem Candidates and Diversity Teams.</p> <p>Forging closer links with SAOs, AOs, including LDCRE and CGB, to share best practice and also to campaign for better support from the Party.</p>	<p>Increased focus in 2021 on Party support, especially funding.</p> <p>Exploring other avenues for fundraising.</p> <p>We are developing a Communications Plan, to ensure that the work of the RDC is understood and appreciated throughout the Party.</p> <p>Continuing to recruit mentors to help aspiring council and parliamentary candidates with assessments and selections.</p> <p>Producing written guidelines for candidate mentors.</p>

		<p>We are also developing a long-term Strategic Plan for the RDC.</p>
<p><b>Improve the efficiency of the party and engage people across the party better</b></p>	<p>We have continued to work closely with the Lib Dem Membership and Diversity teams to ensure that we reach the widest audience.</p> <p>We have updated our RDC web site and it now includes information about mentoring and details of previous RDC events.</p> <p>In addition to the above, the Candidates Office is now 'highlighting' the RDC in its communications with Approved Candidates.</p>	<p>Ensuring that all Regional Candidate Chairs are aware of the RDC and how we can help ethnic minority members with candidate assessments and selection for council, mayoral and parliamentary seats.</p> <p>Continuing to work closely with the Lib Dem Candidates Team and other key contacts to ensure that all ethnic minority candidates are signposted to the RDC.</p> <p>The RDC web site (<a href="http://www.libdemrdc.or">www.libdemrdc.or</a></p>



		<p>g) is currently our primary means of publicising the work of the RDC, including our aims and objectives and how we can help BAME members.</p> <p>Our new Communications Plan will enable the RDC to engage better with ethnic minority members and key contacts within the Party.</p> <p>Wider communication of the RDC's aims and objectives to decision makers and influencers within the Party.</p>
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## **Professionalisation of Governance**

The Board set a priority to "Professionalising how we act as a Board and manage the rest of the organisation, with a particular emphasis on showing our values of being open, transparent and two-way communication in how we work.

Overall, I feel that the Board is currently failing, through lack of action, in regard to its commitment to ethnic minority members who wish to stand for elected office.

In my October Report to the Federal Board, I stated that funding was the most pressing priority at the time for the RDC, to enable us to achieve our objectives.

Three months later, and almost a year since the current RDC Executive was elected, I am disappointed to say that there is still no funding for the RDC, nor does there appear to be any prospect of funding in the foreseeable future.

Until now, the COVID crisis has masked the lack of funding for the RDC. This will not always be the case and I am seriously concerned that the RDC will be prevented from working effectively without financial support.

We are about to enter into a round of target seat selections. Most of our Tier 2 seats are also expected to select candidates in the coming year, covid permitting.

We only have a small window of opportunity in this (5-year) election cycle to get "top candidates" selected in these seats and

I am concerned that the Party will have “missed the boat”, yet again, by the time firm decisions are made at Federal Board level.

The Federal Board’s stated ambition is *“To improve the diversity of our candidates and elected members”*. What we need now is urgent action to realise that ambition.

Councillor Ade Adeyemo  
Chair, Racial Diversity Campaign (RDC)

### **Upcoming action points summary**

Recruitment of Candidate Advisers and Mentors	Ongoing
RDC Future MPs Weekend	Q1 2021
Development of an RDC Communications Plan	Q1 2021
Publication of results of the ‘Big RDC Review’ of Ethnic Minority Candidates	Q2 2021
Development of a Long-Term RDC Strategic Plan	Q2 2021

# Parliamentary Reports

## **The Commons - Wendy Chamberlain (Chief Whip)**

Despite virtually attending Autumn Conference 2020 in my new position as Chief Whip, the timing of my appointment meant that last Autumn's report was written by my colleague, friend, and former Chief Whip, Alistair Carmichael.

It is an honour to write this first Parliamentary Report for Conference, but I would first like to pay tribute to my predecessor who has been a reliable source of advice, guidance, and encouragement for myself over the last few months. Alistair's 20 years in Parliament brings a wealth of experience to the Parliamentary Party and I want to especially thank him for the time that he has spent in the Whips' Office, both during the Coalition and the Brexit drama in the Commons over the last 4 years.

Since our last Conference, which was incredibly well executed given the technological challenges, a year has passed since the date of the 2019 General Election. All those associated with the Party will need no reminding that it has been a difficult 12-month period where we have had to show humility, face some uncomfortable truths, and accept the candid findings of the Thornhill Report. However, I can assure Conference that my

colleagues have been working tirelessly to ensure that our Parliamentary Party is a strong voice for liberal values not only in their policy portfolios, which have been subject to seismic change due to Covid-19, but also in their constituencies, where they have been local leaders in this time of national crisis.

Firstly, I would like to bring to attention two of the positives to come out of 2019: the election of Daisy Cooper and Munira Wilson. As part of the “freshmen” intake, it is no stretch to say that these two new MPs have done themselves, their constituents, and the Party proud for what they have managed to accomplish within just 1 year in Parliament. In any usual year, becoming an MP for the first time brings a whole host of pressures and challenges, but these have been magnetised by the pandemic, making their first years even more impressive.

Munira’s role as Health Spokesperson has meant that she has been at the forefront of the crisis, reacting to every development since March and holding the government to account for their poor handling of issues such as ‘Test and Trace’, procurement contracts, and their shambolic public messaging. Daisy has had her work cut out this year as Deputy Leader and Education Spokesperson, assisting Ed in the work on the Thornhill Review, whilst maintaining constant pressure on the Secretary of State for Education’s dire performance during Covid-19, from the exam chaos and last-minute announcements, to the lack of support for university students. I commend both of my colleagues for all their incredible work in their first year.

Secondly, history was also made since our last Conference. Parliament was recalled twice in the same recess period which has never happened. Just before Christmas Day, the EU and the UK agreed a trade agreement to avoid no-deal at the last-minute which Parliament passed with ease on December 29th. I was proud to be on record to vote against the slim deal and could not sit quietly whilst the opportunities for my constituents to travel, work, and love freely across the continent of Europe were stripped before their eyes. The financial implications for Brexit would never come all at once, but the worrying state of affairs for the likes of fishermen in Orkney to our financial services in London are the alarm bells that we'll continue to ring as the Brexit reality hits. Alistair Carmichael's island constituency is heavily linked to the fishing industry which has described itself as being "shafted" by the government, following broken Brexit promises and issues selling their produce after the transition period. Alistair will be continuing his campaign not just for his own constituency, but for fishing communities up and down the coasts of the UK.

Since the end to the transition period on December 31st, there have also been various reports about the government's plans to water down workers' rights now that the UK does not have to align with EU standards. Despite assurances from the government, many of which we have heard before, Sarah Olney, in her position as BEIS spokesperson, has represented the Party in debates warning the government that it would be unacceptable for them to lower any standards. We will be

watching this closely as the review of employment rights surfaces.

The additional recall of Parliament came on January 6th in response to the concerning rise in Coronavirus cases, a spike which eventually led the UK to surpass the harrowing mark of 100,000 deaths. Liberal Democrats accepted the need for an immediate national lockdown to prevent the NHS being overwhelmed during the tough Winter months, especially with the uncertainties surrounding new strains of the virus.

Since our return from recess, Covid-19 and all its consequences are still the priority of Parliament. It is very unusual for any business to proceed without a mention of how it is affected by the virus and the public policy implications. Even Parliament itself and our usual ways of working have been hindered, the adjustments to which have forced the modernisation of the Commons, no matter how hard Jacob Rees-Mogg protests. Our Party has been consistently calling for reasonable measures such as remote voting, which even the House of Lords have adopted, and provisions so that Members can take part in business virtually. In fairness, there have been some welcome concessions from the government over the last few months, such as the extension of virtual participation in substantive debates. However, there are still many aspects of Parliamentary life which need to be adjusted in order to both protect individuals in Westminster, but also ensure that MPs can carry out their crucial

duties of representing constituents and holding the government to account.

One of the more frustrating aspects of Jacob Rees Mogg's policies is proxy voting, where one MP "holds" the votes for various MPs, voting on their behalf, rather than each MP having to pass through the lobby or even be on the Estate. We have come far since the days of the "conga line", but this is by no means a simple solution to the problem and brings various practical challenges. I would like to give special thanks to Sarah Olney, our MP who is "closest" to the Chamber, who has taken up most of the burden to vote on behalf of the Liberal Democrats in recent times.

Outside of Parliament, the effect of Covid-19 on the economy has been profound. My colleagues have been speaking up for those who have been most effected by the pandemic and received little or no support from the government, such as small businesses, freelancers, and carers. Treasury spokesperson, Christine Jardine, has been the voice for small business and recently secured a debate to scrutinise the support they have received over the last year. It is the entrepreneurs whose ingenuity and inventiveness we will rely on as we look for growth. Jamie Stone has continued his great work as Chair of the APPG for Gaps in Support, the voice for the voiceless 3 million who have been completely excluded from government support since March 2020.



But it is not just an economic impact that Covid-19 is having, there are clear social and health issues that have worsened. Wera Hobhouse, Justice spokesperson, has been not only been following closely the backlog of criminal cases to be heard, but also the dreadful rise in domestic abuse cases during lockdown. Tim Farron has continued his campaign to end the cancer backlog which has affected thousands of his own constituents regarding diagnoses and treatments. The wider disruptions of Covid-19 can be fatal, so I thank my colleagues for shining a light on these issues.

As Chair of the APPG on Coronavirus, Layla Moran has been working on a cross-party basis to highlight some of the issues that Parliament may have missed otherwise, such as the impact of 'Long-Covid' on younger people, an issue of which she secured a debate that saw support of the whole House. In her spokesperson role of Foreign Affairs, she has embodied international liberal values and fought against the vaccine nationalism that could see millions of the most vulnerable around the world struggle to receive the crucial jabs, and kept on the toes of the government who are seeking to cut valuable international aid spending.

Ed Davey's focus continues to be one close to his heart: Carers. At Autumn Conference, Ed outlined his personal history as a carer and his ongoing campaigns to raise the carer's allowance and protect their working rights. In the time of a national health crisis, it is incredible people like our NHS staff and our carers

who stand out as heroes. In the coming months, as we hopefully move towards the end of these dark moments in our country's history, these heroes should not just be clapped, but compensated and given that which they deserve.

It would be impossible to detail the day-to-day work that Liberal Democrat MPs have been doing since Autumn Conference. Between two emergency recalls, the end of the Brexit transition period, heart-breaking developments in the pandemic, and navigating a virtual Parliament, the work of my colleagues in their constituencies and portfolios has been admirable. At the time of writing, it is clear that difficulties still lie ahead, but the beginning of the vaccine rollout is a light at the end of the tunnel which can give us hope. No one can predict what the circumstances will be in Autumn, but hopefully I will be able to deliver a Conference report in-person soon.

### **Staffing Update**

Since last Conference, there have been a few changes in staffing in the Whips' Office. Our Head of Office, Alex McBeath, has moved on from his role. I would like to thank Alex for his time in the Whips' Office and especially during my transition to Chief Whip. He will be greatly missed by the MPs and the Parliamentary team. For the time being, Deputy Head, Peter Munro, has headed up the office. In our ever-reliable Parliamentary Support Team, our business lead, Redmond Poley, has moved on too. Redmond will not be going too far, as he has

taken up the role as Health Advisor in our Parliamentary Advisor Unit in HQ.

# **The Lords - Ben Stoneham**

## **Summary**

In the few months since the Autumn Conference, Parliament has inevitably been dominated by the two biggest issues facing the country - the management of the COVID-19 pandemic and dealing with the preparations for the end of the transition period at the end of 2020 and subsequently working on scrutiny of the final Brexit trade deal.

The Lords Parliamentary Party has, as ever, worked in tandem with our colleagues in the House of Commons to provide much needed scrutiny of the Government's handling of the pandemic, and where appropriate, has continued to offer plans for alternative (and better) ways of managing the multi-issued crisis. It has provided a focus around which the Group has been able to champion the party's position on various aspects of the situation, including support for small and medium sized businesses, the extension of the furlough scheme and pressuring the Government on improving the test and trace system, as well as scrutiny of the vaccine rollout.

The end of last year provided a moment for Parliament to first look at the Brexit trade deal when we were recalled between Christmas and New Year. Our assessment was that the deal was thin and, in so many areas, will mean

negotiations continue with the EU for many years to come. In the areas where agreement has been reached, it is hard to argue that the deal is a better one economically speaking than the one we enjoyed as a member of the EU.

We therefore voted against the trade deal in the Lords, and we were able to follow our colleagues in the Commons in doing so.

At the time of writing, we continue to look at the many different areas covered by the deal with a longer-term approach, but the debates that have taken place in the Lords so far, and the responses we have had from ministers, suggest a lack of willingness (or ability) to provide real detail. We are already working with many of the different groups of people affected by the deal, such as farmers, fishermen and musicians, to help force the government to address some of the huge problems left unsolved.

Throughout this whole time, the Group has continued to embrace the technological changes that the pandemic has brought to the House of Lords, and the Hybrid Parliament that we have at the moment is working well. At the time of writing, most people are confined to their houses and are not coming into Westminster, but we hope that this will change in the coming weeks - it is more effective to be questioning a government minister face to face in the chamber than it is over Zoom!

## **Leadership and party whips**

Dick Newby and Ben Stoneham continue to serve as the Leader of the Liberal Democrats in the Lords and Lords Chief Whip respectively, whilst Joan Walmsley and Navnit Dholakia provide support as Co-Deputy Leaders. We also have a 7-strong team of whips that support the Chief Whip and the Whips' Office in their work and I am very grateful for everything they do.

## **Legislative work**

It has felt like the pandemic has been ever-present in the legislative agenda over the last few months, and Parliament has dealt with many emergency regulations in response to the tier and lockdown strategies. We have always considered our support for these carefully and have been critical on points of detail where necessary.

Away from coronavirus, Lib Dem Peers have been scrutinising other important pieces of legislation.

In the Immigration and Social Security Co-ordination (EU Withdrawal) Bill we focussed on the indefinite right for UK citizens in the EEA to return to the UK with their close family members at the end of the transition period, and this is an issue the two parliamentary parties are still campaigning on and bringing in other pieces of legislation. During the passage of the Parliamentary Constituencies Bill we won on a requirement for proposals to be brought

before Parliament which will encourage the inclusion of 16 and 17 year olds on the electoral register. When the Agriculture Bill was in the Lords we passed an amendment to ensure equal standards for imports as in domestic standards in any future trade agreement with food provisions in it. We also won the production of a report into the merits of a Trade and Agriculture Commission.

When the controversial UK Internal Market Bill came to the Lords, we removed Part 5 of the Bill which allowed the Government to break the Northern Ireland protocol and not implement customs checks on the Irish border with Northern Ireland. We also focussed on passing amendments to strengthen the hands of the devolved administrations in future trade deals.

On the hugely important Fire Safety Bill, we ensured the passing of an amendment which would require owners and managers to share information about their buildings with local fire services and to share fire safety instructions with residents. We also added a requirement to establish a publicly accessible register of fire risk assessments for homes, as well as preventing owners of building from passing on the cost of any work required by the Bill to leaseholders and tenants.

During the much-delayed Trade Bill we focussed on the key issues of parliamentary approval for future trade deals and trade standards and won a series of amendments to do

with both of these. We also fought to prevent trade agreements with any country that commits genocide and trade agreements that are inconsistent with domestic law.

On the Covert Human Intelligence Sources Bill (the 'spy bill') we attempted to remove the section that gives immunity from prosecution for agents who commit crime, and managed to win on an amendment that raises the bar for when agents are authorised to commit a crime. We also ensured that children and vulnerable adults can only be used by the security services in really exceptional circumstances.

During the passage of the Medicine and Medical Devices Bill, we got agreement to strengthen parliamentary scrutiny on regulations that make significant new policy in the area of human medicine use, or that make significant changes to existing policy.

Whilst the work of the House of Lords is not often front-page news, but so much work is done every week scrutinising, debating and improving legislation, and holding government ministers to account through questions and debates. Whilst the realities of the current Tory majority in the House of Commons means that many of our legislative victories in the Lords are overturned in the Commons, we hope that there will be a time soon when the ranks of Tory MPs become more divided and it



therefore becomes possible to find more agreement between the two Houses.

I remain very grateful for all the hard work that so many members of the group put into our legislative work.

### **Campaigns and visits**

Frustratingly the pandemic continues to put limits on the Group's normal role of attending local party events, but many of us have been involved in the great initiatives that local parties around the country have got going to help their communities deal with the pandemic in many different ways. We have also been involved in activities and phoning for the local elections in May. If you are keen for a peer to get involved with a local party event (virtually still, I'm afraid!) then do get in touch.

We are also starting a programme of formally linking peers with key seats, and these are relationships we want to last between the peer and the seat's Westminster candidate between now and the next General Election. This relationship will include help with member motivation, raising campaign issues in Parliament, and helping with fundraising.

### **Peers**

We were desperately sad to lose David Shutt at the end of October. His death brought an end to many decades of

service to the party – as a councillor, as a Parliamentary candidate, as chair of the Joseph Rowntree Reform Trust, and finally as a peer in the Lords, where he served as Chief Whip between 2005 and 2012, including two years as Government Deputy Chief Whip in the Coalition Government. David was an enormously proud Yorkshireman, a committed liberal, and a no-nonsense figure who told it how it was, but who also cared hugely for those left behind in life - they have lost a great champion. We miss his stories, his laugh and his commitment to the cause. Our comfort and support go to his widow Margaret.

## **Staff**

As ever I would like to extend my thanks to the staff of the Leader's Office and the Whips' Office in the Lords who support us in all our work. I am very grateful to the staff in the Parliamentary Adviser Unit for all their work in advising and supporting our group in the Lords. I also want to place on record my thanks to the Parliamentary Support Team for their continually excellent work and support. I am also grateful to the party's press office and communications team - who give support to many of the peers who do media work.

All the staff have been working under very challenging conditions during the past few weeks and months and I am hugely appreciative of how they have continued to support all parliamentarians, and the wider party, throughout.

# Updates from the State Parties

## England - Alison Rouse (Chair)

1. Turning a Structural Paper into an Action Plan
2. Supporting Regions & Regional Chairs
3. "Investing in Regions" project
4. Candidates
5. Financials
6. Compliance & Best Practice

The English Party is a federation of the 11 Regional Parties. As such it facilitates different functions and administration across those regions, with the aim of supporting them so that they, in turn, can support their local parties even more effectively.

### **1. Turning a Structural Paper into an Action Plan**

Last year the executive developed a document that clearly lays out what the responsibilities and tasks are on the local, regional and national party levels. The work continues this year to turn those papers into a workable action plan, helping to be clear about what everyone does and how we are all part of it. The original documents that we are working from were circulated to

LP Officers for comment and the resulting three papers are on the English Party website: [www.englishlibdems.org](http://www.englishlibdems.org).

## **2. Supporting Regions & Regional Chairs**

The Regions are the paving stones on our path to becoming a more successful Party across the whole of England, in areas where we have elected representation at all levels through to areas where we are working towards our first councillor.

We are working closely with ALDC and HQ to optimize the effectiveness of the 11 English Regions by sharing best practice and providing training - meaning they can help their local parties to develop their membership base and fundraising capacity.

We have introduced a “Regional Chairs Feedback Session” onto the English Council Executive agenda to encourage two-way communication, meaning that:

- (a) Regional Chairs can update the group on activities in their areas;
- (b) the English Party has a better understanding of what the Regions need and that; and
- (c) these things and the actions agreed as a result are minuted.

To facilitate the support of regions we have developed the role of Vice-Chair for Regional Development - a point of contact and sign-posting point for regional chairs.

### **3. “Investing In Regions” Project**

One of the biggest ways that we are supporting growth is through the “Investing In Regions” project.

Each region gets direct funds from the English Party, on a pro-rata basis, to fund extra Regional Development Officer and Campaign Manager staffing hours.

These roles are focussed on helping constituencies to move up the tiering system. They are in place to give a structured, clear route for becoming a more successful seat.

The job description includes the goal of increasing diversity, recognising that rather than an additional task, it is the lens that we need to view our existing activities through

By negotiating the financial aspects we have made some savings, while still being able to confirm the delivery of this program into 2021.

### **4. The Candidate Journey**

We are about to start selecting seats for the new Westminster election cycle, after passing the new candidate selection rules through English Council on 6th December. These represent the most progressive and diversity-friendly rules for selecting candidates that we have ever had.

When we initially came up with the concept of the English Party directly funding extra Regional Development Managers & Campaign Manager hours, it was recognised that one of their tasks needed to be helping local parties and regions to build a more diverse membership. It is our hope, therefore, that as these roles bed in, we will see an increasingly diverse membership coming forward to take advantage of these new rules.

## **5. Financial**

While the budget is tight this year, we have continued to focus heavily on financial aspects that we see as critical to success and the best ways that we can help the regions to help their local parties even more effectively.

After member feedback, as part of our structural review work, we have created a working group looking at how counsellor tithing is working across the party.

## **6. Compliance & Best Practice**

An increased level of joined-up working with other departments is leading to:

- Finding more efficient ways of working;
- Reducing duplication of effort;
- Refining processes to make them more efficient;
- Sharing of skills and best practice; and
- More volunteer time to spend campaigning.

Effective chairing and meeting facilitation is leading to:

- Shorter, more focussed meetings;
- An increase in effective communication; and
- Improved organisation and attention to detail.

These are all things that are crucial to maximising the impact of the valuable time that you give to the party as a volunteer.

We must utilise all methods together to expand our campaigning capacity - both on the ground and especially digitally, particularly in the current climate.

### **In Summary ....**

I look forward to working with you all to deliver results in 2021.

There'll be some changes this year as some of us are continuing in our roles whilst others have new challenges to enjoy. The English Council Executive comprises experienced campaigners (the very institutional memory Dorothy Thornhill's report showed we need to succeed) and new contributors who can bring innovative ideas to take us further – a winning combination where there is a good balance of existing and brand new faces, and ears to listen.

## **Scotland - Sheila Ritchie (Convener)**

Since last reporting to you, The Scottish Party has been focussed on organisational consolidation and professionalisation.

We also held our second very successful online Conference, and plans are well advanced for our third, in March.

### **Electing More Liberal Democrats**

Since last summer, we have watched Council by-election after by- election be cancelled due to Covid. We had 11 scheduled and only 8 actually took place- we did not stand in two island seats. These will resume again in March. Fortunately, the last one was in Perth City South, an extra seat, which we narrowly missed in a mirrored by-election 3 years earlier. This time, Liz Barrett, who has never stopped campaigning, won, and won comfortably in what was probably the longest by-election campaign in history. Honourable mention to Elaine Ford, in Edinburgh Leith, who doubled our share of the vote in Craigentenny/Duddingston.

Working with the Federal Party, we now have a matrix of digital training for members and activists across Scotland, as well as a specialist offering to candidates, agents and activists in preparation for the May elections. We are providing support to candidates and agents in a way we never have before.

We continue to be ahead of schedule in seat selections for May; they are now almost complete and we are in a better position than in previous cycles at the same stage. Some limited licensing



of candidates will help us to plug the gaps. Our gender diversity in those selections is much improved, too. Additional support to women candidates is being provided through the Scottish diversity fund.

A digital membership recruitment and retention project was started at the end of 2020 and will conclude in February this year. The aim of this project is to increase party membership across Scotland but also reach out beyond the types of people we normally attract, to gain new members from different socioeconomic backgrounds, as well as attracting people from minority ethnic backgrounds.

Our message 'Put Recovery First' has been developed in conjunction with the Federal Party and tested thoroughly through limited but effective polling and focus groups. The manifesto is drafted and will be debated at our spring Conference.

Our "Willie Rennie" survey which was promoted in literature and online, has received over 25,000 responses. We are using this data to inform our messaging, targeting and infrastructure across Scotland.

Our campaigning and staff team has grown significantly over the last 6 months. Our new Campaign Manager, presently focussed on the Highlands, has been in post since September. In addition, we now have a Digital Officer who is shared part time with the Welsh Party. He has significantly increased our digital

campaigning activity. The core team, which is now being coordinated by Paul Moat, as the Head of Campaigns for Scotland, has been supplemented with new organisers in the Highlands and Shetland. In addition, the extra support we are receiving from the federal party on bulk buy deals, artwork support and 2 campaigns staff, 1 day a week for i-seat support means our campaigning capability has been significantly improved. This will give us the much needed on-the-ground activity, as well as the infrastructure we need for 2022 and beyond. The latest Scottish polling indicates that, despite the challenges of campaigning in a pandemic, we remain on track to grow the number of our MSPs in May, and our councillors in 2022.

### **Improving Diversity**

In the last six months we have appointed a Diversity Champion, and are slowly implementing the action plan.

With some distance to go, we will shortly have 48 constituency candidates in place, 30 men and 18 women. In these same seats in 2016, we had 35 men and 13 women.

We have 39 candidates selected for Regional lists. There are 22 men and 17 women candidates. The top spots are equally divided between men and women.

Our Diversity Fund will continue to increase and be deployed in support of those with protected characteristics.

## **Improving Party Efficiency and Reform**

We have now adopted a communications plan, covering both internal and external communications, integrated with that of the Parliamentary Party.

Most of the direct responsibility for implementation of the Thornhill Review Recommendations lies with the Federal Party, as is appropriate for a Westminster Election.

We have adopted and are implementing the changes identified from the review of the last Scottish elections, and from the Thornhill review.

A complete HR package with training programmes for all staff, both new and embedded, and with a wellbeing focus has been adopted, and we have recommended processes for engaging the staff of Parliamentarians, and diversity and inclusion training for all senior officers and local Party staff. We have a rebuilt election committee, which, again, is functioning ahead of schedule.

## **Responding to Coronavirus (cont'd)**

The Party has continued with remote working and member engagement, remote training and recorded webinars.

The staff continue to look after each other, but were, for the most part, disappointed that they could not get back into the office, as planned, in October.

## **Final thoughts - the Scottish Parliamentary Elections**

The Scottish Parliamentary elections are proving an even greater challenge than we had expected. Covid has, again, halted door to door delivery, the First Minister continues to have televised daily press conferences, and the SNP's poll rating remain obstinately high, even in the teeth of their obvious mismanagement of our social services and major projects. We have superb candidates, and a great opportunity to move forward electorally, but are desperately short of resource. All offers gratefully received.

## **Wales - Paula Yates (President)**

### **Electing More Liberal Democrats**

**In the last year:** The new Welsh staff team has been working very hard under difficult circumstances to put in place support for local parties and regional committees in their campaigning for the Senedd elections and in capacity building with an eye to Welsh local government elections in 2022. Local parties each have a named staff member to support them and there has been a particular emphasis on supporting regional campaigns as well as local parties. An ambitious programme of training has been put in place, in conjunction with the Federal Party and ALDC. The Senedd Election Campaign Team has been working closely with Mimi Turner and her staff team to develop clear and convincing messaging. The party is getting close to having a full set of candidates in place and regular briefing sessions for candidates are being held.

**Next year:** This is a crucial year for the Welsh party. Our only representative in the Senedd, Kirsty Williams, is stepping down and we are putting great efforts into retaining her seat of Brecon and Radnorshire as well as carefully targeting our efforts elsewhere. Kirsty's departure will be a huge loss to the Senedd as well as to the party, though I know she will continue to help the party as she has for so long and in so many ways, once she's had time to get her breath back. Her achievements have been

enormous and her reputation will certainly help us in winning more seats.

### **Improving Diversity**

**In the Last year:** This year has been about elections. Wales has managed to ensure a diverse set of candidates at the snap General Election as well as now for the Senedd. We have much more work to do and this is starting to take shape through the reopening of our diversity fund to support people in undertaking projects with the aim of increasing diversity in our Party. Welsh dates will hopefully be once again added to the diversity calendar.

**Next year:** We will be working to ensure an increase in diversity projects within local parties. We intend to build up the team of local party diversity officers, encourage more to be appointed and offer training and support to develop their skills.

### **Improving Party Efficiency and Reform**

**In the last year:** The independent working group which was set up to make recommendations on how the findings of the Thornhill Review affected the Welsh party completed its task and presented its findings both to members and to the Welsh Board. There are numerous recommendations and they will take time to implement but the Board is clear that they correctly identify long-standing issues which need to be dealt with. It is important that priority is given to the Senedd elections at this point but the review team has agreed to continue to work with the Board and

staff to support and monitor the implementation of its recommendations.

**Next year:** A protocol is being drawn up for how the Leader, Chief Executive, President (and in Wales's case the Chair of the Senedd/ GE election campaign team) work together effectively. It is planned that the recommendations should be prioritised and a realistic plan for their implementation be adopted and carried out as quickly as time permits, given the importance of the 2022 local government elections.

## **Coronavirus**

**In the last year;** Like everybody else the Welsh party has found its campaigning activities severely curtailed by the pandemic. Focus delivery and survey work got under way once it was permitted and has continued in some areas during the autumn and into the second lockdown period. Some door knocking had begun in the late autumn but the Welsh party, while very much encouraging this until the pre-Christmas lockdown, had left the decision to local parties and individual activists. For this reason telephone canvassing has been an important priority for us and Wales-wide phone-banking sessions are held twice-weekly, as well as regular action days. Coronavirus has also had the great advantage of forcing us to use Zoom and other teleconferencing platforms. We all know the psychological and emotional disadvantages of Zoom but it gives the ability to hold Wales-wide meetings without members having to negotiate our seriously flawed transport infrastructure. Activists from across Wales have

been invited to regular planning, consultation and communication sessions and people have been able to attend the Welsh conference who have never done so before.

**Next year:** The Welsh party is doing some scenario planning in case the elections are delayed but, until we know one way or the other, we are ignoring rumours and continuing to plan and act on the assumption that the elections will take place as planned. We are encouraging continued Focus delivery during lockdown but we recognise that many members are not happy to do this. Telephone canvassing will be stepped up and we will continue to make efforts to rebuild capacity.



# Appendices

## Appendix I - Alteration to the Committee Election Regulations

1. Subject to Conference approving the INSERT INFO ABOUT THE MOTION , we resolve to: Change the title of the appendix “COMMITTEE ELECTION REGULATIONS” to “COMMITTEE **AND VICE PRESIDENT ELECTION** REGULATIONS”.
2. In Regulation 15(a) of the Committee Election Procedures, add “a) These regulations shall be used for the triennial elections to the Federal Board, Federal Conference Committee, Federal Policy Committee, International Relations Committee, ELDR Delegation, **for the election of the Vice President responsible for working with ethnic minority communities**, and other such elections as may be specified in the various other levels of the Constitution referring to rules made under section 9.6(c) of the Federal Constitution.”.
3. Instruct the Company Secretary to alter any and all further documents as necessary for the regulation’s meaning to be consistent across Party documentation.

## **Appendix II - Alteration to the Complaints Process**

Subject to Conference approving the relevant motion brought to this Conference, the following is proposed as the new wording of the Complaints Procedure.

### **Complaints Procedure**

This is the complaints procedure adopted by the Federal Conference of the Liberal Democrats (“the Party”). The way to amend it is in paragraph 11 of the Explanatory Note below.

#### **1. Definitions / Glossary**

##### **1.1 Adjudicator**

An Adjudicator is an individual trained to assess the severity of a Complaint and to sit on a panel determining whether sanctions should be imposed. Each Complaints Panel is made up of three Adjudicators and may impose sanctions on members who are deemed to have brought the Party into disrepute. There will be a list of at least 40 individuals who undergo a robust approvals process and whose names are reported to Conference. Some Adjudicators will receive specialist training in handling cases relating to allegations of inappropriate sexual conduct, bullying, harassment or abuse of power. Adjudicators are permitted to stand as candidates or hold local government elected posts for the Party or hold office at a Local Party or Associated Organisation level but are otherwise barred from holding public office or office elsewhere in the Party.

## **1.2 Appellant**

An Appellant is a person or persons appealing against a decision of a Complaints Panel, which may be the Complainants or the Respondents in the original Complaint or, in exceptional circumstances, the Senior Adjudicators' Team, acting on behalf of the Party.

## **1.3 Bringing the Party into Disrepute**

Generally, the Party will be 'brought into disrepute' under Article 3.8 of the Party's Federal Constitution ("the Constitution") by any course of conduct, act, or omission on the part of a member, that would substantially lower the Party's reputation in the mind of a fair, objective and right-thinking observer. Specifically, this includes breaches of the Constitution, its policies, the Members' Code of Conduct, or behaviour described in any of the grounds for revocation of membership set out in Article 3.8 of the Constitution, as follows:

- (a) material disagreement, evidenced by conduct, with the fundamental values and objectives of the Party;
- (b) conduct which has brought, or is likely to bring, the Party into disrepute;
- (c) standing against the candidate of the Party in any election to public office;
- (d) membership of or support for another political party in Great Britain;

- (e) a breach of the standards set out in Article 3.1(b) of the Constitution; or
- (f) discrimination against another person on the basis of a protected characteristic as defined in the Equality Act 2010.

#### **1.4 Chief Executive**

The Chief Executive is the Chief Executive Officer of the Federal Party or relative State Party (as appropriate) at any time.

#### **1.5 The Complainant**

The Complainant is (i) a person bringing a Complaint regarding a member's behaviour or (ii) where the Complaint is made by the executive of a Party body such as a Local, Regional or State Party or an AO or SAO, that Party body. Where the Complainant is a Party body, the executive of that Party body shall identify a person who shall act as the Party body's representative in the Complaint.

#### **1.6 Complaint**

A Complaint is an allegation by any Complainant in respect of the behaviour of a member of the Party. This may include criminal behaviour, although the Standards Officer shall advise Complainants where there are circumstances in which the Complaint shall be referred to the police.

#### **1.7 Complaints Panel**

The panel of 3 Adjudicators appointed to determine a Complaint.

## **1.8 Complaints Process**

The Complaints Process is the application of this complaints procedure to any Complaint or Complaints

## **1.9 Federal Appeals Panel**

The Federal Appeals Panel is that constituted under Article 22 of the Constitution.

## **1.10 Independent Person**

Independent Persons are Party members with no personal connection to the event or conduct giving rise to the Complaint or to any of the individuals involved. They are appointed to provide independent advice and are also trained in mediating disputes to bring Complaints to an informal resolution. Such training shall either be provided by the Party or, if provided by a third party body, shall be evidenced to the Party by the Independent Person. Independent Persons may hold office within the Party at any level.

## **1.11 Investigator**

Investigators are trained to impartially investigate Complaints referred to them and are tasked with presenting the Complaints they have investigated to a Complaints Panel, where it is determined that the Complaints are serious enough to warrant such action. There will be a list of at least 15 individuals who undergo a robust approvals process and whose names are reported to Conference. As with Adjudicators, Investigators are permitted to stand as candidates for the Party or hold office at a

Local Party level but are barred from holding office elsewhere in the Party.

### **1.12 The Lead Adjudicator**

The Lead Adjudicator is responsible for the smooth running of the Complaints Processes and for reporting to the Federal Board and Conference. They are a point of contact for Adjudicators with questions about this procedure and any issues arising as a result of applying the procedure, to the extent these are not covered by or are not clear to that Adjudicator from reading this procedure and the associated guidance.

### **1.13 The Senior Adjudicators**

The Lead Adjudicator is supported in this task by 3 Senior Adjudicators, 1 from each State Party, who are selected from the list of Adjudicators. Together all are known as the "Senior Adjudicators' Team". Where the Senior Adjudicators' Team is required to make a decision they should aim to do so by majority vote. Where a majority cannot be achieved, the Lead Adjudicator shall have the deciding vote. Where this procedure and guidance places a duty on the Lead Adjudicator to make a decision and the Lead Adjudicator is temporarily unable to respond or make the decision (e.g. due to ill-health, holiday or absence) the Standards Officer shall refer that decision to the Senior Adjudicator for the State Party of the Respondent for them to make the decision instead of the Lead Adjudicator. The members of the Senior Adjudicators' Team may delegate their tasks, or any of them, to other Adjudicators. The members of the Senior Adjudicators' Team may also, sit on Complaints Panels or adjudicate on individual Complaints. It is expected that no

member of the Senior Adjudicators' Team will serve a term of more than 5 years.

#### **1.14 Party Mentor**

A Party Mentor is an individual identified by the Party to provide personal support to Respondents going through the complaints process, in a similar manner to the support provided by the Pastoral Care Officer to Complainants. The Standards Officer shall ensure Party Mentors receive adequate training on navigating the complaints procedure and that they have access to any relevant guidance.

#### **1.15 Original Adjudicator**

The Original Adjudicator is the Adjudicator appointed under paragraph 4.3 to make procedural decisions about a Complaint, to consider the reports of Investigators and Independent Persons, and to make decisions about how a Complaint is to be dealt with throughout the life of a Complaint.

#### **1.16 Pastoral Care Officer**

The Pastoral Care Officer is a staff role. They are a point of contact for those deciding whether or not to raise Complaints, and can provide signposting, confidential support and advice to Complainants as long as a complaint process is ongoing in relation to that Complaint.

The Pastoral Care Officer provides or arranges personal support to Complainants going through the complaints procedure. This means that they are not in a neutral position in relation to the complaints procedure, and so they are not involved in the

administration of the complaints procedure. This is the responsibility of the Standards Officer.

### **1.17 Respondent**

The Respondent is the Party member about whom a Complaint has been made.

### **1.18 Review Panel**

A panel of three Adjudicators who may be asked by any member of the Senior Adjudicator's Team not involved in the making the decision being reviewed, to review decisions made by an Original Adjudicator under paragraph 4.3 of this procedure or determinations made by an Original Adjudicator under paragraph 5.1.5 or 5.2.2 of this procedure. The Review Panel shall meet on a regular basis to consider any referrals made to them in the period since their last meeting.

### **1.19 Standards Officer**

The Standards Officer is the member of Party staff responsible for overseeing the administration of the complaints procedure, including publishing information and guidance on the complaints procedure from time to time on the Party's website.

#### **1.19 Warning**

A note issued by an Adjudicator or a Panel where they believe a Complaint either does not relate to matters which risk bringing the Party into disrepute, or that it is inappropriate (as too inconsequential) to be referred to a Complaints Panel or for an Expedited Complaints Process or for Informal Resolution, in and



of it itself, but that, if a further Complaint were to be received in relation to the same or very similar behaviour, it may be referred to a Complaints Panel, or for an Expedited Complaints Process, or for Informal Resolution.

## **2. Reporting**

### **2.1 Complaint management system and online form**

Any person with a Complaint may make a Complaint using the standard complaints form on the Party's website. The Standards Officer will administer a comprehensive Complaint management system to record all Complaints received on the standard complaints form. Any written communication about a Complaint sent by any person to an Adjudicator, Investigator or Independent Person allocated to that Complaint or to the Senior Adjudication Team or to the Standards Officer, shall be added to the records for that Complaint and made available to the Complainant and Respondent.

### **2.2 Party Officers**

To ensure both a consistent approach and the use of a comprehensive Complaints management system, any Party Officer to whom a matter that is a Complaint is reported should suggest the Complainant makes the Complaint using the standard complaints form. If a Party Officer is unsure if a matter raised with them constitutes a Complaint they should contact the Pastoral Care Officer for advice.

### **2.3 Linked Complaints and Multiple Complaints**

When the Standards Officer or Lead Adjudicator becomes aware that a Complaint has been made about the same or similar events or conduct against the same Respondent, as a Complaint already entered into the comprehensive case management system, they shall link the Complaints on the records of each relevant Complaint in the comprehensive Complaints management system, and inform the Senior Adjudicators' Team of that link.

It shall be open to the Standards Officer, or any member of the SAT to ask the SAT to consider whether an individual, who is seen to lodge complaints without any merit against one or more members, should be prohibited from lodging complaints. The SAT will, if so requested, carefully consider the matter, taking into account the normal right to have access to remedies, before determining whether or not to impose such prohibition. Any person so affected may ask for the matter to be reconsidered, but not more frequently than once in any twelve-month period. Further, in any specific instance, such a person may apply, via the Standards Officer, direct to the Lead Adjudicator, for consent to lodge a complaint, whilst otherwise prohibited from doing so. If a Complaints Process is ongoing for the original Complaint, the Senior Adjudicators' Team shall decide whether to deal with each additional Complaint under a new Complaints Process or to bring the new Complaints in as additional Complaints linked within the ongoing Complaints Process.

Where a Complaints Panel upholds a Complaint, it shall, when determining the level of sanction applicable, take into account any previous Complaint made and upheld about the same or similar events or conduct against the same Respondent within the previous 3 years.

Where an Original Adjudicator receives a Complaint for decision under paragraph 4.3, they shall, when determining which decision to make, take into account any Warning that has been issued to the Respondent under paragraph 4.3.2 in relation to any previous Complaint about the same or similar events or conduct within the previous 3 years .

## **2.4 Complaints against Party staff**

Where any Complaint is made about the conduct of a member who is employed in any capacity by the Party or any Party body (including, but not limited to the Federal Party, any State Party, the office of any elected representative or parliamentary or council group, or any AO or SAO) the Standards Officer shall refer the Complaint to the relevant employer to consider whether it relates to events taking place, or their conduct when acting, in the course of their employment. If so, the Complaint will not be dealt with under this complaints procedure, and will, instead, be dealt with as an employment matter in accordance with that member's terms of employment. If not, the employer shall inform the Standards Officer within 10 working days and the Complaint shall be dealt with under this procedure.

## **2.5 Complaints against Parliamentarians and other elected representatives**

2.5.1 Where any Complaint is made about the conduct of a member who is a Parliamentarian, Senator, or an elected representative as a member of the Party's group in the London Assembly, the Lead Adjudicator shall refer the Complaint to the Chief Whip (or nearest equivalent) of that group for investigation under that group's standing orders to consider whether it relates

to events taking place, or their conduct when acting, in the course of their role as Parliamentarian or elected representative. If not, the referee shall inform the Standards Officer within 10 working days and the Complaint shall be dealt with under this procedure.

2.5.2 Three months after any such referral the Standards Officer shall write to the person to whom they referred the Complaint requesting a report as to the progress of their investigation and, if a final decision has been made, (i) a report of the findings of their investigation, (ii) the final decision reached within their own procedure and (iii) a recommendation as to any additional sanction to be applied under this complaints procedure. The Standards Officer shall then report any response to the Senior Adjudicators' Team, to the Chief Executive and to the Complainant.

2.5.3 If the person to whom the Standards Officer referred the Complaint provides a report and final decision within a month of delivery of the Standards Officer's written request and recommends to the Standards Officer a sanction under this complaints procedure, the Complaint shall be referred to the Senior Adjudicators' Team who shall proceed to apply the Expedited Complaints Procedure to the Complaint, based on the report and recommendation the Standards Officer has received. If the person to whom the Standards Officer referred the Complaint does not so provide a report or final decision or recommend to the Standards Officer a sanction under this complaints procedure, the Party will investigate the Complaint under this complaints procedure.

2.5.4 If no Complaint has been made under this system, and instead a complaint is made directly to any of the bodies listed directly in paragraph 2.5.1 then:

(a) if the body complained to considers that the complaint relates to events taking place, or the conduct of the Parliamentarian or elected representative when acting, in the course of their role as Parliamentarian or elected representative and their final decision recommends a sanction which can be applied under this complaints procedure, they shall inform the Standards Officer on completion of their investigation or their final decision and the recommended sanction and provide a copy of their investigation report to the Standards Officer. The Standards Officer shall then register a Complaint in the case management system against the Parliamentarian or elected representative (with the body complained to as Complainant) and refer the matter to the Senior Adjudicators' Team who shall proceed to apply the Expedited Complaints Procedure to the Complaint based on the investigation report and recommendation the Standards Officer has received; or

(b) if the body complained to considers that the complaint does not relate to events taking place, or the conduct of the Parliamentarian or elected representative when acting, in the course of their role as Parliamentarian or an elected representative but there are grounds for a Complaint under this procedure, they can refer the Complainant to this complaints procedure.

2.6 Investigation of complaints by other regulatory or disciplinary bodies

If, at any point during a Complaints Process, before a Complaints Panel has been convened (see paragraph 5.2.3.1.), the Senior Adjudicators' Team is made aware that a regulatory or disciplinary body is also investigating the event or conduct giving rise to a Complaint, the Senior Adjudicators' Team may decide to delay the Complaints Process until that body has completed its investigation. The Senior Adjudicators' Team will review decisions under this paragraph on a monthly basis.

### **3. Criminal matters**

#### **3.1 Reporting**

3.1.1. Any person who believes a crime may have been committed should report it to the police.

3.1.2. Where the Lead Adjudicator or Senior Adjudicators' Team suspects a crime may have been committed but it has been reported using the standard complaints form, the Standards Officer shall report it to the Head of HR who shall, in order to comply with the Party's duty of care to its members and to members of the public, report it to the police..

3.1.3. In accordance with legal advice, where the Head of HR intends to report a suspected crime to the police, they should seek the consent of the Complainant and, if different, the victim, to disclose full details of the allegation to the police. If the Complainant and/or victim does not consent, the Head of HR shall provide a limited report to the police which covers the nature of the allegation, the identity of the Respondent, and the identity of the alleged victim. The Head of HR will not share this

information with the Respondent and does not need the consent of the Respondent to make a report to the police.

3.1.4. Whilst the Party will not investigate such allegations while a police investigation is ongoing it will consider those of unacceptable behaviour which are, in themselves, not criminal but which may be linked to criminal conduct.

## **3.2 Suspension, in the case of alleged criminal behaviour**

3.2.1. In instances where a member has been accused of criminal behaviour, the Senior Adjudicators' Team shall determine whether or not to suspend the member pending the outcome of any police investigation.

3.2.2. If any member of the Senior Adjudicators' Team is unavailable (e.g. due to ill-health, holiday or absence) then the decision may be made by the Lead Adjudicator along with the available Senior Adjudicators.

3.2.3. The Senior Adjudicators' Team shall review any such suspension quarterly thereafter, until conviction (see paragraph 3.3 below), the end of any police investigation (see paragraph 3.4 below) or, if they determine a Complaints Process should follow any of conviction, the end of police investigation, or police failure to confirm (see paragraph 3.5), the end of that Complaints Process.

## **3.3 Conviction**

Where a Complaint has been made and the member has been convicted of a criminal offence relating to the event or behaviour giving rise to the Complaint, the Senior Adjudicators' Team shall

determine if the matter warrants immediate referral to a Complaints Panel hearing. In such cases, the Expedited Complaints Process shall be used. Where the member has evidenced to the Standards Officer that they have appealed against such conviction to the relevant higher courts, the Senior Adjudicators' Team may decide to suspend their determination until such appeal is concluded. In this case, if the member is suspended, they shall remain suspended until such appeal is concluded, and if not, if they should then be suspended.

### **3.4 End of Police investigation**

If the police inform the Party that conduct reported to them is not criminal or that their investigation has concluded without charge, the Party will investigate the Complaint under this complaints procedure.

### **3.5 Police failure to confirm**

If the police do not confirm (under paragraph 3.4 above) to the Party whether or not they are taking action within 6 months from the date the Head of HR makes a report to them, then the Standards Officer shall contact them to request confirmation. If the police do not confirm within 1 month of the Standards Officer's request, the Party will investigate the Complaint under this complaints procedure.

## **4. Determination**

### **4.1 Initial Steps**

Once a Complaint has been received via the Party's website in the complaint's inbox, the Standards Officer, or in their absence



and in case of urgency, any member of the Senior Adjudicators Team, shall refer any Complaint to the Lead Adjudicator, and to the Senior Adjudicator for the State Party of the Respondent.

At this stage the Lead Adjudicator shall:

- a) Consider whether sufficient information has been received from the Complainant to understand the nature of the Complaint. If more information is required, they shall direct the Standards Officer to obtain it from the Complainant;
- b) Determine whether what has been received from the Complainant amounts to a Complaint under Article 23.2 of the Federal Constitution and this complaints procedure;
- c) Determine whether the Complaint must be referred under any of paragraph 2.4 (Complaints against Party staff), paragraph 2.5 (Complaints against elected representatives), or paragraph 3.1 (Criminal Matters) and, if so, shall direct the Standards Officer to make the necessary reference;
- d) If the Complaint does not fall within any of paragraphs 2.4, 2.5, 2.6 or 3.1 then the Lead Adjudicator shall appoint an Original Adjudicator under paragraph 4.3;
- e) Determine whether there are exceptional circumstances that justify revealing the identity of the Complainant to the Respondent at this stage. In making this decision the Lead Adjudicator shall have regard to the principles set out in the Explanatory Notes to this procedure; and

- f) Determine whether it is appropriate to inform the Head of Compliance and/or the Party's GDPR Officer of the Complaint in order to ensure compliance by the Party with electoral law, including PPERA, and data protection law, including the GDPR.

At this stage any one of the Lead Adjudicator, the Senior Adjudicator for the State Party of the Respondent or the Standards Officer may, if they consider it appropriate, refer a Complaint to the Senior Adjudicators' Team so that a decision can be made about whether to suspend the membership of the Respondent.

## **4.2 Suspension**

At any point after the Senior Adjudicators' Team is informed that a Complaint has been submitted using the standard complaints form, the Senior Adjudicators' Team may decide to suspend the Respondent. The Complaints Panel, once convened (see paragraph 5.2.3.1.), may also take the decision to suspend the Respondent. In deciding whether to suspend a Respondent, the decision shall be taken in compliance with the relevant provisions of the Federal Constitution read alongside and with the relevant provisions of the Constitution of the State Party or SAO of which the Respondent is a member.

If any member of the Senior Adjudicators' Team is unavailable (e.g. due to ill-health, holiday or absence) then the decision may be made by the available Senior Adjudicators.

Any suspension by the Senior Adjudicators' Team shall take effect immediately upon the decision being made. It shall be

reviewed by the Senior Adjudicators' Team following any investigation and by the relevant panel following any hearing. Any suspension by the Complaints Panel shall then be reviewed by the relevant panel following any hearing. The suspension shall automatically be lifted when the Complaints Process concludes, unless otherwise stated in the Complaint Panel's final decision.

### **4.3 Original Adjudicator**

The Lead Adjudicator shall , within 3 working days of completion of the steps undertaken under paragraph 4.1 (including completion of any process resulting from a referral under paragraph 4.1(c)) appoint an Adjudicator from a list of available Adjudicators who have received training appropriate to the subject matter of the Complaint. This Adjudicator shall be the "Original Adjudicator" for the purpose of the process set out in paragraphs 4.3, 5.1 and 5.2.

The Original Adjudicator shall then determine within 10 working days of receipt of the Complaint which of the following courses of action to follow:

#### **4.3.1. Dismissal**

Subject to paragraph 4.3.2, the Original Adjudicator shall dismiss the Complaint where they believe it either does not relate to matters which risk bringing the Party into disrepute, or is inappropriate (as too inconsequential) to be referred to a Complaints Panel, or for an Expedited Complaints Procedure, or for Informal Resolution.

#### **4.3.2. Warning**

The Original Adjudicator shall determine that the Complaint shall be taken no further and shall issue a Warning.

#### **4.3.3. Referral to Informal Resolution**

The Original Adjudicator shall refer a Complaint for Informal Resolution where, even if proved, there is little risk on the balance of probabilities that the event or conduct which is the subject of the Complaint would be serious enough to bring or to have brought the Party into disrepute.

Given the nature of Informal Resolution, the Original Adjudicator shall only refer a Complaint for Informal Resolution when it would be appropriate to inform the Respondent as to the identity of the Complainant. In making this decision, the Original Adjudicator shall have regard to the principles set out in the Explanatory Notes to this document.

#### **4.3.4. Referral to Investigation**

Subject to paragraph 4.3.5, the Original Adjudicator shall refer a Complaint for Investigation where, if proved, there is at least a reasonable risk, on the balance of probabilities, that the event or conduct that is the subject of the Complaint would be serious enough to bring or to have brought the Party into disrepute.

#### **4.3.5. Expedited Complaints Procedure**

If the Original Adjudicator decides that the Complaint should be referred to Investigation, but that they have sufficient evidence to make a determination without a separate investigation or the oral evidence of witnesses at a Complaints Panel hearing, or the matter is not suitable for Informal Resolution, the Original

Adjudicator shall refer the case for an Expedited Complaints Procedure (see paragraph 5.3 below).

#### **4.4. Review of dismissal decisions under paragraph 4.3.**

Complainants may, within three days of the decision being notified to them, appeal against any determination made under paragraph 4.3.1.. In such cases, the Standard's Officer shall ask a member of the Senior Adjudicator's Team to appoint a Review Panel, and shall thereafter send the Original Adjudicator's decision to the Review Panel to review within 14 days. The Review Panel may decide to uphold the Original Adjudicator's decision or to make any of the other decisions under paragraphs 4.3.2-4.3.5. The decision of the Review Panel shall be final.

### **5. Complaint Path – Informal Resolution**

#### **5.1 Independent Person**

If the Original Adjudicator refers a Complaint for Informal Resolution, they shall, within 1 week, appoint an Independent Person from a list of available Independent Persons provided by the Standards Officer. If the Complaint relates to a Local Party matter, the Independent Person may not be a member of the Local Party of either the Complainant or the Respondent. If the Complaint relates to a Regional Party matter the Independent Person may not be a member of the Regional Party of either the Complainant or the Respondent.

##### **5.1.1. Interviews**

The Independent Person shall seek to interview both parties and any witnesses within 2 weeks from their appointment. This may

be done face-to-face or remotely, either by video call or phone call. The Independent Person shall, through such interviews, ascertain the seriousness of the situation, and determine the desired outcomes for all parties.

### **5.1.2. Meetings**

Once the initial interviews have taken place, the Independent Person will, if they think it appropriate, with a view to achieving resolution, seek to arrange a meeting with the parties together within 2 weeks of completion of the initial interviews.. Prior to this meeting, the Independent Person will ensure that both parties are aware of the other's aims and will provide written guidance to them as to the behaviour expected of both.

### **5.1.3. Resolution**

If resolution is not achieved at the meeting between the parties, or if the Independent Person has determined it is not appropriate to hold such a meeting, the Independent Person shall seek to achieve resolution no later than 2 months following the referral of the matter to them. The Independent Person shall keep a written record of all discussions, meetings and any progress and shall provide it to the Standards Officer as they think fit during the Informal Resolution process, or within 2 weeks of resolution being achieved.

### **5.1.4. Extensions**

If no resolution is achieved within 2 months following the referral of the matter to the Independent Person, and if, in the opinion of the Independent Person, the matter remains

susceptible to Informal Resolution, they shall ask both parties if they agree to an extension (of no more than an extra 2 months).

### **5.1.5. Referral**

5.1.5.1. Where the Complainant or Respondent refuses consent to an extension, or the Independent Person otherwise determines that the Complaint cannot be resolved by Informal Resolution, the Independent Person shall refer the matter to the Original Adjudicator who shall determine whether the Complaint should proceed to a Complaints Panel hearing or if the Complaint should be dismissed or if a Warning should be issued to the Respondent. Where the Original Adjudicator chooses to dismiss the Complaint the Complainant may appeal to a Review Panel appointed by the Lead Adjudicator, whose determination shall be final.

5.1.5.2. If the Original Adjudicator or Review Panel (as applicable) decides to refer the Complaint to a Complaints Panel under paragraph 5.1.5.1, the complaints procedure from paragraph 5.2 onwards shall apply, except that, (i) if the Investigation has already been carried out before the Independent Person was appointed, no second Investigation is required, and (ii) a report from the Independent Person shall be appended to the Investigator's report, and the Complaint shall proceed directly to a Complaints Panel hearing.

### **5.1.6. Resolution**

Where all parties are content with resolution achieved as the outcome of this process (for example, a verbal apology), the Independent Person shall inform both parties and the Standards

Officer in writing of the outcome and the matter shall be considered closed.

## **5.2 Complaint Path – Standard Formal Process**

### **5.2.1. Investigation**

If the Original Adjudicator determines that a Complaint should be referred for investigation they or a member of the Senior Adjudicators' Team shall appoint from a list of available Investigators provided by the Standards Officer an Investigator, whose role will be to gather evidence impartially and to prepare a report on the facts of the case, [insofar as possible], for the Complaints Panel to consider at a hearing. During the course of this investigation the Investigator shall be expected to interview each of the affected parties (i.e. Complainants and Respondents and any witnesses). The Investigator shall accept written submissions where individuals are unavailable for interview.

If the Investigator considers that it is necessary at this stage to inform the Respondent of the identity of the Complainant to investigate properly the Complaint, the Investigator shall seek the Complainant's consent so to inform the Respondent, making clear that if no such consent is given, it may not be possible to move forward with investigation of the Complaint. A final decision on this will be referred to the Senior Adjudicators' Team. In making this decision, the Senior Adjudicators' Team shall have regard to the principles set out in the Explanatory Notes to this procedure.

### **5.2.2. Investigator's Report**



The Investigator should complete their report and provide it to the Original Adjudicator within 21 days of the Complaint being referred to them . The Investigator may request additional time to complete their report in exceptional circumstances, in which case the Original Adjudicator may provide that the deadline for the completed report is extended for up to a maximum of an additional 21 days. That report shall include a recording or a written record of each interview and any written submissions, with evidence that the written record has been approved by the interviewee as a true report of any such interview.

Their report must state each ground of the Complaint, whether there is evidence to support each ground, and what it is, whether the behaviour of the Respondent brought or might bring the Party into disrepute and why that is the case. The report shall also recommend one of the following actions:

#### **5.2.2.1. Dismissal**

If the Investigator believes the Complaint should be dismissed, the Original Adjudicator shall determine whether or not to dismiss the Complaint.

#### **5.2.2.2. Warning**

If the Investigator believes the Complaint should not be taken further and a Warning should be issued to the Respondent, the Original Adjudicator shall determine whether or not to issue a Warning to the Respondent.

#### **5.2.2.3. Referral to Informal Resolution**

If the Investigator believes that the Complaint should be referred to Informal Resolution, the Original Adjudicator shall determine whether or not to refer the matter for Informal Resolution.

#### **5.2.2.4. Progress to Panel Hearing**

If the Investigator believes that the Complaint should be referred to a Complaints panel hearing, the Original Adjudicator shall determine whether or not to refer the matter to a Complaints panel hearing.

#### **5.2.3. Review of determination under paragraph 5.2.2.**

All determinations by the Original Adjudicator under this paragraph 5.2.2 must be made within three days of the Adjudicator receiving the Investigator's report.

5.2.4. Either Complainants or Respondents may appeal to the Lead Adjudicator against any determination made under paragraphs 5.2.2.1-5.2.2.4. within three days of the determination being notified to them. In such cases, the Lead Adjudicator shall send the Original Adjudicator's determination to the Review Panel to review. The Review Panel may decide to uphold the Original Adjudicator's determination or to make any of the other determinations under 5.2.2.1-5.2.2.4. The decision of the Review Panel shall be final.

#### **5.2.4. Panel Hearing**

##### **5.2.4.1. Panel convened**

If the Original Adjudicator or the Review Panel determines that a Complaints Panel hearing should be convened, the Standards

Officer shall convene a Complaints Panel hearing for a date between 14 and 21 days from the Adjudicator or Review Panel notifying the Standards Officer of their final determination. The Complaints Panel shall consist of 3 Adjudicators appointed by the Lead Adjudicator [by random allocation], in a manner independent from interference by executive bodies. The Complaints Panel shall see an un-redacted version of the Investigator's report.

#### **5.2.4.2. Communication**

Once a Complaints panel hearing has been convened, the Standards Officer shall inform the Complainants, Respondents and any key witnesses in writing of the date of the Complaints panel hearing, and shall, at the same time, provide the Complainants and Respondents with a copy of the Investigator's report which, as far as possible without compromising the Investigator's conclusions, shall exclude identifying details relating to any witnesses, which are not relevant to the investigation.

#### **5.2.4.3. Attendance**

Complainants and Respondents may either attend in person or be represented by another Party member. If they attend in person, they may be accompanied by another person. The Party's guidelines on safeguarding measures at Party events shall apply to hearings.

#### **5.2.4.4. Postponement**

The Complaints Panel may in exceptional circumstances, and at its sole discretion, at the request of the Complainants and/or Respondents postpone a Complaints Panel hearing.

#### **5.2.4.5. Evidence**

At the Complaints Panel hearing, the Investigator shall present their report. Where appropriate, witnesses shall be asked to give evidence directly to and may be questioned by the Complaints Panel. The Complainants and Respondents or their representatives may address and may be questioned by the Complaints Panel. Complainants and Respondents or their representatives shall have a right of reply once all evidence has been presented, but they may not question witnesses or the other party to the Complaint.

No new evidence may be presented at the Complaints Panel hearing, except at the discretion of the Complaints Panel.

The Complaints Panel shall make an audio or video recording of the Complaints Panel hearing.

#### **5.2.4.6. Panel decision**

The Complaints Panel may decide (a) to dismiss the Complaint; or (b) to issue a Warning to the Respondent; or (c) to uphold the Complaint, in which case the Complaints Panel shall decide what sanction should apply to the Respondent. The standard of proof the Complaints Panel applies in a decision will be the civil standard of proof: i.e. on the balance of probabilities. The Standards Officer will publish a list of all possible sanctions in the guidance to this complaints procedure. The Complaints Panel shall send its written decision, setting out its conclusion and any

sanction. to the Standards Officer within 7 days of the Complaints Panel hearing. The Standards Officer shall provide the Complainants and the Respondents with a written copy of the decision along with information on the grounds and procedure for appeal. The Standards Officer shall also provide the Senior Adjudicators' Team with a written copy of the decision.

### **5.3 Complaints procedure - Expedited Complaints Procedure**

5.3.1 If an Original Adjudicator refers a Complaint to the Expedited Complaints Procedure, they shall include in their Decision Notice under paragraph 4.3.1 of this complaints procedure a summary of the Complaint and any response from the Respondent, explaining why there is sufficient evidence to make a determination without a separate investigation or the oral evidence of witnesses at a Complaints Panel hearing and they shall make (and justify) a recommendation as to whether the Complaint should be upheld, and what sanction (if any) should be imposed on the Respondent.

5.3.2 The Senior Adjudicators' Team shall consider that Report of the Original Adjudicator and shall decide if sufficient evidence has already been provided so that the Complaint does not require separate investigation or the oral evidence of witnesses at a Complaints Panel hearing. If the Senior Adjudicators' Team decides there is sufficient evidence, the Senior Adjudicator for the Respondent's State Party shall appoint three new Adjudicators to a Complaints Panel that shall be convened as soon as practicable to determine the Complaint.

5.3.3. The Procedure for an Expedited Complaints Panel hearing shall be the same as that for a Complaints Panel hearing (as set out in paragraph 5.2.3) save that:

- a) references to the Investigator's report shall be deemed to be references to the Original Adjudicator's report;
- b) no oral evidence shall be allowed or required from witnesses other than the Complainant or Respondent unless the Expedited Complaints Panel agree that it is required; and
- c) The Expedited Complaints Panel may decide:
  - a. to dismiss the Complaint;
  - b. to issue a Warning to the Respondent;
  - c. to uphold the Complaint, in which case the Complaints Panel shall decide what sanction should apply to the Respondent, or
  - d. to refer the Complaint for Investigation under paragraph 5.2.1.

The Senior Adjudicators' Team shall make every effort to support the Adjudicators and the Standards Officer in ensuring such an Expedited Complaints Procedure is completed within 6 weeks.

## **6. Appealing**

### **6.1 How to appeal a Complaints Panel decision**

#### **6.1.1. Lodging an appeal**

Either the Complainants, the Respondents, or the Senior Adjudicators' Team (who may, within 14 days of receiving a copy of the Complaint Panel's decision, appeal on behalf of the Party in exceptional circumstances) may appeal against the decision, by completing the standard appeals form on the Party's website. The Standards Officer will record all appeals received on the standard appeals form in the comprehensive Complaints management system. The Federal Appeals Panel may exceptionally extend time upon application by the appellant, whether before or after expiry of the time limit. The decision of the Federal Appeals Panel shall be final.

### **6.1.2. Grounds of Appeal**

Appeals may be made on any of the grounds set out in the Federal Appeals Panel procedures applicable as at the date the appeal is lodged.

### **6.1.3. Provision of material to the Federal Appeals Panel**

The Standards Officer will pass any appeal received to the Chair of the Federal Appeals Panel and provide them with a copy of the Complaints Panel's decision and the audio or video recording of the Complaints Panel hearing.

Paragraphs 3.6- 3.10 of the Federal Panel's Procedures adopted by Conference on 20<sup>th</sup> September 2020 shall apply to any such appeal.

## **6.2 Federal Appeals Panel procedure**

The appeal shall be determined, and the decision communicated, in accordance with the Federal Appeals Panel's published procedures.

**6.3 Appeal against a decision made under Articles 3.7 (failure to admit to membership), 3.8 (revocation of membership) or 19.3 (removal from the list of candidates) of the Constitution Where:**

- (i) an enrolling body refuses to admit a person to membership of the Party in terms of Article 3.7 of the Constitution;
- (ii) a State Party revokes a member's membership of the Party in terms of Article 3.8 of the Constitution; or
- (iii) a State Candidates Committee removes a member's name from the list, in terms of Article 19.3 of the Constitution,

such a refusal, revocation or removal (as the case may be) may be appealed and the procedures set out in paragraphs 6.1-6.4 shall apply, and:

- (a) the Appellant shall be deemed to be the person affected by the determination appealed against;
- (b) the enrolling body, State Party or Committee against whose decision under Articles 3.7, 3.8 or 19.3 the appeal is made, shall be deemed to be the Complaints Panel and deemed to be the Respondent;



- (c) the meeting, or other forum where the determination was made shall be deemed to be the Complaints Panel hearing (and there shall be no requirement to produce an audio or video recording of the hearing);
- (d) the decision to refuse, revoke or remove shall be deemed to be a Complaints Panel decision and the revocation or removal shall be deemed to be a sanction of such Complaints Panel; and
- (e) the reasons given by the enrolling body, State Party or Committee for the determination appealed against shall be deemed to be a Complaint.

## **7. Modifications to these Complaints Procedure in the case of resignations**

### **7.1 If a Respondent resigns their membership of their State Party:**

7.1.1. before the Lead Adjudicator completes the steps set out in paragraph 4.1(a)-(f), the Lead Adjudicator shall complete these steps and then prepare a short report on the Complaint, including a recommendation as to whether the Complaint should be upheld, which shall be recorded in the case management system. This section shall apply even if the Complaint is made after the member has resigned;

7.1.2. after the Lead Adjudicator completes the steps set out in paragraph 4.1(a)-(f), and the Lead Adjudicator has made a referral under 4.1(c) but before the referred process has completed under any of paragraphs 2.4, 2.5, 2.6 or 3.1, then the Lead Adjudicator shall wait until such process is completed,

prepare a short report on the Complaint including a recommendation as to whether the Complaint should be upheld (taking into account the results of a process under any of paragraphs 2.4, 2.5, 2.6 or 3.1), which shall be recorded in the case management system;

7.1.3. before the Original Adjudicator has made a determination under paragraph 4.3, then the Original Adjudicator shall prepare a short report on the Complaint including a recommendation as to whether the Complaint should be upheld (taking into account the results of any process under any of paragraphs 2.4, 2.5, 2.6 or 3.1), which shall be recorded in the case management system;

7.1.4. after the Original Adjudicator has made a Referral to Informal Resolution under paragraph 4.3.3 but before such Informal Resolution has been resolved in accordance with paragraph 5.1, the Standards Officer shall remove the Complaint from the Independent Person and refer it back to the Original Adjudicator who shall prepare a short report on the Complaint including a recommendation as to whether the Complaint should be upheld (taking into account the results of any process under any of paragraphs 2.4, 2.5, 2.6 or 3.1), which shall be recorded in the case management system;

7.1.5. after the Original Adjudicator has made a Referral to Investigation under paragraph 4.3.4 or the Expedited Complaints Procedure under paragraph 4.3.5, then this complaints procedure will be completed as set out above except that paragraphs 7.2 and 7.3 shall apply.

7.2 If a Respondent resigns their membership of their State Party at any point before the Investigator's report or Original Adjudicator's report (as applicable) has been completed, such report shall still make a recommendation as to whether the Complaint should be upheld but shall not recommend any sanction.

7.3 If a Respondent resigns their membership of their State Party at any point before a Complaints Panel hearing has made its determination then:

7.3.1. A Complaints Panel or Expedited Complaints Panel (as applicable) shall still determine whether the Complaint should be upheld and whether the actions of behaviour of the Respondent has brought the Party into disrepute but shall not recommend any sanction. The relevant Panel shall submit its decision to the Standards Officer who shall inform the membership team to ensure that if the Respondent reapplies for membership of any State Party this decision is taken into account when considering whether to accept their application; and

7.3.2. The Appeals Process set out in paragraph 6 shall not be available to the Respondent.

## **Explanatory Notes**

The paragraphs below are intended to assist members of the Party in the interpretation and application of the complaints procedure explained above. If there is a conflict between any part of these paragraphs and any part of the complaints procedure, the complaints procedure shall take precedence.

### **1. Anonymity**

No personal or identifying information about any party to a Complaint should be shared with other parties to the Complaint (whether Complainants, Respondents and or witnesses) unless express consent has been given by the originator of such information to share that information. Such consent will be sought when the Complaint is submitted, on the complaints form. If it is not given at this stage, either the Lead Adjudicator may request it under paragraph 4.1 or the Investigator may request it under paragraph 5.2.1 of this procedure.

Complainants and witnesses will often ask (including for reasons of personal safety and privacy) for their details to remain anonymous throughout all stages of this procedure. However, the decision to maintain anonymity must be balanced with the need properly to investigate the details of a Complaint and there are commonly circumstances in which details of the Complainants and any witnesses need to be shared with the Respondents during the Complaints Process.

For example, often it will not be possible to fully investigate a Complaint without providing personal details about the Complainants to the Respondents. In such cases, if the

Complainants have requested to remain anonymous, the Original Adjudicator, Investigator or Lead Adjudicator should make the Complainants aware of the details they may need to share with the Respondents and allow the Complainants to decide whether they wish to prioritise their anonymity, or pursue the Complaint. If the Complainant prioritises their anonymity, then any investigation, and the Complaints Process as a whole, may have to cease and the Complaint may be marked as "withdrawn" on the comprehensive case management system.

For those Complaints which progress to a Complaints Panel hearing, there will need to be a further consideration of the extent to which witnesses' details, in particular, can remain anonymous in advance of the hearing. In the most sensitive cases, the Senior Adjudicators' Team shall determine the extent to which names and details can continue to be withheld and, in doing so, will seek to strike an appropriate balance between the Complainants' or witnesses' request to maintain anonymity, and the Respondent's ability to submit a defence in the absence of full details of the allegations. It will not usually be possible to maintain anonymity at the Complaints Panel hearing, but this will again be determined by the Senior Adjudicators' Team.

There are a number of ways in which individuals' anonymity can be protected following a Complaint. Examples include: Complainants' and witnesses' names and personal details being redacted from any details of the Complaint provided to Respondents and their representatives; and not sharing Respondents' and Complainants' names and personal details with potential witnesses or interviewees during the investigation stage.

Where any personal or identifying information about any party or witness to a Complaint is shared with any other party or witness, they are expected to keep such information confidential and to respect the privacy of the individuals concerned. The Party may consider any breach of confidentiality as a disciplinary matter itself, and will consider any misuse of such information to harass, bully or intimidate Respondents, Complainants or witnesses as grounds for an Expedited Complaints Procedure and shall expect serious sanctions to be imposed. The Party will also report any potentially criminal harassment, bullying or intimidation of which it is made aware to the police.

## **2. Confidentiality**

While a complaints process is ongoing, details relating to that Complaint and the procedure are confidential. This means they should only be shared with those persons required to have access to the information (which will normally be limited to the Chief Executive, Standards Officer, the Head of HR and Compliance (if required), the Lead Adjudicator, the Senior Adjudicators (if required), any Adjudicators, Investigator or Independent Person directly involved in administering the Complaint, and any member of the Federal Appeals Panel (if required), the Complainants, the Respondents and witnesses (as required)). In exceptional circumstances, the Party may agree to share information about Complaints more widely (such as to allow the Party to comply with its legal or regulatory obligations, or where a suspension decision has been made by the Senior Adjudicators' Team, ensuring it is acted upon requires other people are informed (e.g. a candidates' chair or Local Party chair or where it is determined by the Lead Adjudicator that it is in the Party's interests to make public such suspension)). In such cases,

the Party will limit the information shared to what it considers necessary to comply with its obligations.

Whilst the Party requests that Complainants, Respondents, witnesses or any other member who become aware of the Complaint, maintain confidentiality and not share information about the individuals involved or events or conduct that are the subject of the Complaint while any complaints process (including any appeal) is ongoing. This is to allow the Complaints Process to move forward efficiently and effectively and to protect all parties involved from avoidable emotional distress and reputational damage. Where an individual breaches confidentiality while a Complaints Process is still ongoing that, in itself, may be grounds for a further Complaint. This does not constrain parties from making it public that they have lodged a Complaint, or have had a Complaint lodged against them.

Once a complaints process has concluded, where a Complaint has been upheld the Complaints Panel will suggest who and how relevant parties should be informed about the outcome and any sanction imposed in their decision notice. At this point, it is no longer necessary to maintain strict confidentiality about the Complaint and parties may make it public that a Complaint has been upheld or dismissed. Nonetheless, we advise against discussing the details, as opposed to the outcomes, of concluded Complaints other than as strictly required.

This section is in addition to and subject to any restrictions made to protect anonymity in accordance with paragraph 1 above.

### **3. Extensions and Postponements**

An extension to the timeline shall be allowed only in exceptional circumstances, such as where witnesses who could provide evidence which might sway the outcome of the Complaint are unavailable for interview within the timeframe. Such extensions shall be provided for Complainants or Respondents only in the most exceptional circumstances. Examples of what may constitute exceptional circumstances include death of a close friend or family member, serious illness or pre-existing commitments, the cancellation of which would incur significant costs, severe emotional or physical distress and/or reputational damage.

Applications for an extension in the timeline must be communicated to the Standards Officer and shall then be considered by the relevant panel, whose decision shall be final.

### **4. Legal representation**

The Party's Complaints Process is not a legal process: it relates to the membership of an organisation. As such the Party shall always communicate directly with any person going through the Complaints Process until that process has been exhausted. Members may request advice from a legal professional at any stage of the process, and may choose a representative who has legal training at any Complaints Panel or Federal Appeals Panel hearing.

### **5. Rights of Appeal**

Both Complainants and Respondents may apply to appeal a decision. In exceptional circumstances, where it is deemed that



the Party's reputation is at risk, the Senior Adjudicators may appeal on behalf of the Party.

## **6. Suspension**

Suspension of the Respondent's membership of the relevant State Party is a neutral act which protects both parties to the Complaint as well as the Party as a whole while the necessary steps in the complaints process are undertaken.

## **7. Expedited Complaints Procedure**

The Expedited Complaints Procedure described in paragraph 5.3 should be used for all Complaints where factual information has been presented to the Party which has been evidenced. Common examples of this are screenshots or copies of publicly posted messages which breach the Constitution or Members' Code of Conduct, evidence of criminal convictions which are confirmed by official sources, or evidence that the Respondent has applied to stand against a candidate of the Party as confirmed by local electoral services. Determination of such cases should not need the evidence of third-party witnesses. These will be cases where the facts are clear it only the consequences of those facts that are in dispute. The vast majority of cases reported to the Party, particularly those arising from online interactions, are expected to be dealt with via an Expedited Complaints Procedure.

## **8. Resignation of parties to the Complaint**

Respondents or Complainants may seek to resign their membership of the relevant State Party before the complaints process is complete. This should not alter the administration of

the complaints process, as the Party must ensure it investigates all Complaints properly to protect the public, the Party and its members in future.

If a member submits a resignation, then this should be taken into account as appropriate in the process. For example, if a party to the Complaint resigns before the Complaint has been investigated and subsequently refuses to cooperate with the investigation process, other witnesses should be sought where possible.

If the Respondent resigns before the decision of the Complaints Panel has been made, then this will have different impacts at different stages of the process, so detailed rules are set out in paragraphs 7.1-3 of this complaints procedure. If the Complainant resigns before the decision of the Complaints Panel has been made, this will make informal resolution impossible, so this has been excluded under paragraph 7.4 of the Complaints Procedure, but otherwise the Complaints Procedure should continue as normal.

## **9. Linked Complaints and Multiple Complaints**

It is possible that a single act may not, in itself be deemed by an Adjudicator to be sufficiently serious to merit further action, but where the act, if repeated might become worthy of concern. In such circumstances, rather than simply dismissing the Complaint, the Adjudicator may determine to issue a Warning, and, in such circumstances, in the event of any repetition of the same or a similar act, the terms of the first Complaint will be taken into account.

Adjudicators will take into account evidence of patterns of behaviour by the same Respondent when considering any Complaint. If a Complaint has previously been upheld against a Respondent and a second similar Complaint is also upheld, the Adjudicators will take into account this evidence when choosing whether to impose heavier sanctions than they otherwise might for individual Complaints, to reflect the additional damage done by the pattern of behaviour to the wellbeing of its members and the public and to the reputation of the Party.

Where the Senior Adjudicators' Team decides to link Complaints under one complaints process (see paragraph 2.3 of the main complaints procedure) the Adjudicators will nevertheless make a determination on each Complaint separately, unless the complaints relate to the same behaviour where in such case only one determination will be necessary, which will be recorded by the Standards Officer separately on the comprehensive Complaints management system. This will allow the Party more easily to identify patterns of behaviour.

## **10. Support at Complaints Panel hearings**

Additional support may be provided to any Complainants or Respondents attending a Complaints Panel hearing, notably in cases relating to allegations of inappropriate sexual conduct, bullying, harassment or abuse of power. In such cases, provision shall be made for the parties to give evidence remotely should they so choose, particularly in cases where safeguarding concerns have been raised. In such cases the Party's safeguarding procedures on Party events shall apply.

## **11. Sanctions**

The possible sanctions for an offence include, but are not limited to any one or more of the following:

- revocation of membership and expulsion from the relevant State Party;
- suspension of membership of the relevant State Party for a fixed period or until after a specific event has occurred (for example, completion of additional training);
- ban from standing for or holding external office as a Liberal Democrat either permanently, for a fixed period or until after a specific event has occurred;
- ban from holding office within the Party permanently, for a fixed period or until after a specific event has occurred;
- recommendation to the relevant State Party candidates' chair that the member is removed from the approved list of candidates, either permanently for a fixed period or until after a specific event has occurred;
- mandatory training (in which case a timetable for completion of such training shall be scheduled at the time of request);
- request for an apology to be given (in which case the date by which such apology should be given shall be scheduled at the time of request).

## **12. Amendments by Federal Board**

### **12.1 Consultation**

When considering any amendments to this complaints procedure, the Federal Board shall always consult the State

Parties and any other relevant Party bodies including Associated Organisations or Specified Associated Organisations in advance of any decision.

Where substantial amendments to this complaints procedure are being proposed, the Federal Board shall also consider how best to consult the membership as a whole.

## **12.2 Decision**

The final decision on any amendments to this complaints procedure shall be made by the Federal Board.

## **12.3 Reporting**

The Federal Board shall include in its report to Conference any amendments it makes to this complaints procedure.

## **12.4 General Elections**

During the period of any UK, Scottish or Welsh General Election the Federal Board, in the case of a U.K. General Election, and the Scottish and Welsh Executives, respectively, in the case of a Scottish or Welsh General Election, may make temporary amendments to these Procedures and Guidance to ensure urgent decisions are made with expedition during the campaign and less urgent matters can be postponed until after polling day. Such changes will be set out in any General Election Protocol or regulations established by the Federal Board or Scottish or Welsh Executive, respectively.

## **12.5 Reports to Conference**

The Lead Adjudicator shall submit an annual report to each autumn Federal Conference which shall include for each year:

- information on the nature and numbers of Complaints;
- the number of Complaints which were dismissed, referred to Informal Resolution referred to a Complaints Panel via Investigation, or referred to a Complaints Panel under an expedited procedure;
- the number of Party members suspended;
- the number of cases appealed to the Federal Appeals Panel;
- the number of cases ongoing and the number concluded;
- the average number of days taken to conclude each Complaints Process; and
- the sanctions imposed, if any, in each concluded case.

## **Appendix III - Financial compliance escalation policy**

Rules are created under article 9.6(d) of the Federal Constitution. Where possible, the Federal Party will resolve delays informally with the relevant state/regional/local party.

### **Background**

Each accounting unit of the Party, legally responsible for compliance with the Political Parties, Elections and Referendums Act 2000 (PPERA), has its own treasurer who is accountable for compliance jointly with their chair.

Treasurers are volunteers, asked to commit a significant amount of time to the Party - for which we are deeply thankful.

Supporting those treasurers, and avoiding the legal penalties we continue to encounter when financial reporting anywhere in the party falls below the required standard, matters to us.

Non-compliance, which has occurred in some cases, has led to the party being penalised and a growth in sustained non-compliance must be taken seriously in light of the more severe interventions which will likely be drawn from the regulator in future.

Just as our hard working volunteers go to herculean lengths to ensure our compliance with election rules, so we must meet our financial reporting challenges.

This policy sets out an internal framework governing accounting unit level compliance with their legal obligations. It accompanies an ongoing programme of work to **give treasurers the tools and support they need to perform their roles and, ideally, enjoy the time they graciously give to the party.**

Recent work delivered to support treasurers includes:

- New training structures and induction materials;
- Compliance clinic sessions, run by HQ staff which are opportunities to support and encourage treasurers and introduce them to one another as activists with shared experiences and challenges;
- A training and support plan to roll out in 2020/2021 for new and existing treasurers; and
- A communications plan with local parties to follow the current election cycle.

In the next year, HQ is also working to deliver:

- An automated system for reminding local party treasurers that their returns are due;
- More dedicated training to treasurers;



- A 'nil return' button within our system so accounting units wishing to make nil returns can do so easily (a nil return is not the same as giving no return); and
- Easier reporting pathways for SAOs and County Coordinating Committees who currently are not on Lighthouse.

## **What financial information is required?**

### **Local Party Accounts**

Any Local Party whose consolidated accounts exceed the £20,000 threshold must complete them, have them agreed by the Local Party Executive and submit them to the Compliance Department at Party HQ prior to 15th March in the following year.<sup>1</sup> They must also provide monthly accounts by a date set by the Compliance team.

### **Donation reports**

Accounting units shall supply donation reports or nil return declarations to the Head of Compliance on a monthly basis

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<sup>1</sup> independent examination does not have to be completed at this point: submitted accounts can be corrected later. However, those examinations must be submitted to the AGM for the reporting year so must be completed by then. All accounts must be signed by the treasurer and chair who were in charge for the financial year reported on. Deadlines for reporting to compliance are earlier than national (legal) deadlines to allow for checking, spot audits, and to allow accounts to be consolidated as part of a 'Party Submission'.

within ten days of the end of the last calendar month (or as required, e.g. weekly during a General Election).

### **National Expense Return**

[UK Wide] Accounting units are legally required to supply expense returns for the relevant expenses during the twelve month period prior to a General Election. This is for the national expense return and therefore needs to be done within the deadlines set by Compliance. These deadlines will be set earlier than the national deadline to allow Compliance to prepare the return. (NB: The Federal Party is the registered participant for all referendums).

[SCOTLAND & WALES ONLY] Accounting units within Scotland / Wales are legally required to supply expense returns for the relevant expenses during the four month period prior to a Scottish Parliament / Senedd election for the national expense return within the deadlines set by Compliance. (NB: The Federal Party is the registered participant).

### **How will inaccurate or late returns be handled?**

As per the table below. Should a new type of election call for a national expense return (e.g. an English Parliament) this procedure will apply until otherwise stated.

Arriving...	<b>Local Party Accounts</b> (monthly and annual)	<b>Donation reports</b>	<b>National Expense Returns</b>
before the deadline but inaccurate	Report returned to the Accounting Unit for correction.	Report returned to the Accounting Unit for correction.	Report returned to the Accounting Unit for correction.
after Compliance team-set deadline	<p>A letter is required from the accounting unit treasurer (or chair) to explain.</p> <p>[Optional] Compliance team to inform the relevant state/regional party and request they consider intervention under their own rules.</p>	<p>A letter is required from the accounting unit treasurer (or chair) to explain.</p> <p>[Optional] Compliance team to inform the relevant state/regional party and request they consider intervention under their own rules.</p>	<p>A letter is required from the accounting unit treasurer (or chair) to explain</p> <p>[Optional] Compliance team to inform the relevant state/regional party and request they consider intervention under their own rules.</p>

<p>3+ months late</p>	<p>Letter requested again.</p> <p>All federal party funding provided to the local party directly or indirectly shall cease.</p> <p>The Federal Party contacts the relevant state/region requesting they consider action under the relevant articles of their constitution and their own internal processes.</p>	<p>Letter requested again.</p> <p>All federal party funding provided to the local party directly or indirectly shall cease.</p> <p>The Federal Party contacts the relevant state/region requesting they consider action under the relevant articles of their constitution and their own internal processes.</p>	<p>Letter requested again.</p> <p>All federal party funding provided to the local party directly or indirectly shall cease.</p> <p>The Federal Party contacts the relevant state/region requesting they consider action under the relevant articles of their constitution and their own internal processes.</p> <p>Hd of Compliance to report to the Registered Treasurer with recommended action, which may include seeking the treasurer's voluntary resignation.</p>
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<p>5+ months late (ideally in time to ensure a report is made within the quarter)</p>	<p>Funding suspension continues.</p> <p>Accounting unit treasurer requested to voluntarily resign.</p>	<p>Funding suspension continues.</p> <p>Accounting unit treasurer requested to voluntarily resign.</p>	<p>Funding suspension continues.</p> <p>Accounting unit treasurer requested to voluntarily resign (if they have not already been asked to do so)</p>
<p>6+ months late and continued inaction OR repeat offences of more than 3 months</p>	<p>Funding suspension continues.</p> <p>Federal Party to officially request that further action be taken under the relevant articles of the English, Scottish and Welsh Constitutions respectively.</p> <p>If a body reporting directly to the Federal Party, action to be taken pursuant to the relevant articles of the Federal Party</p>	<p>Funding suspension continues.</p> <p>Federal Party to officially request that action be taken under the relevant articles English, Scottish and Welsh Constitutions respectively.</p> <p>If a body reporting directly to the Federal Party, action to be taken pursuant to the relevant articles of the Federal Party</p>	<p>Funding suspension continues.</p> <p>Federal Party to officially request that action be taken under the relevant articles English, Scottish and Welsh Constitutions respectively.</p> <p>If a body reporting directly to the Federal Party, action to be taken pursuant to the relevant articles of the Federal Party</p>

Fines levied by the Electoral Commission for non-compliance are normally levied on the accounting units themselves but, in the event HQ is fined, every accounting unit shall reimburse to the Federal Party any fine, costs or legal expenses incurred by the Party or by the Party's registered treasurer (the Chair of the FFRC) as a result of a breach of PPERA by the Party caused by any default (including any incomplete, inaccurate or late donation reporting) by that accounting unit, and any monies otherwise due to that accounting unit shall be applied towards such reimbursement.

The party will take seriously any failure to meet this legal standard while providing material support, as appropriate and reasonable, when accounting units are unable to meet their obligations.

The party reserves the right to take whatever action deemed necessary and legally available to it if and when it believes an accounting unit has purposefully broken, or intends to break, the law.

Any action taken by the Federal Party under this procedure will be included in the reports to the Federal Finance and Resources Committee.

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## **Appendix IV - The roles of Leader, CEO and President**

Following the recommendations made by the Thornhill Election Review, the following definitions of the role of Leader, CEO and President have been through the Federal Board (FB) and the Federal Audit and Scrutiny Committee (FASC).

### **Definition of roles of Leader, CEO and President**

The Election Review highlights significant problems over how these roles have been defined relative to each other previously.

There are definitions of the roles of varying levels of detail in the party constitution. Given the problems identified, it is proposed that we create a new assignment of responsibility between the roles.

This document focuses on the federal level of the Liberal Democrats. References to hung Parliaments, general elections, seat deals, defections etc. are references to the Westminster Parliament and are not intended to include the Scottish Parliament or Welsh Senedd, for example. The President, in particular, has an important role to play in ensuring consultation with state parties and that the federal party respects their areas of responsibility.

Both the Federal Board and the new Steering Group include senior representatives from each state party, and therefore

references to either of these bodies therefore also include taking input from each state party. It is for each state party to decide how that input is best arranged, and in particular what additional internal decision-making may be desired in order to inform the views taken by its representatives on the Board and Steering Group.

## **Defining the roles**

### **Party Leader**

Provides overall executive political leadership for the party, and directly so in the UK Parliament. In doing so s/he:

- Leads the political vision for the party
- Provides the key public face for the party
- Leads the Parliamentary Party

### **Federal Board / Steering Group<sup>3</sup>**

The principal representative body of the party's wider membership, alongside Conference (which is the sovereign body), and supervises the executive arms of the party. In doing so it:

- Oversees the creation and implementation of the party's strategy

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<sup>3</sup> The exact demarcation between the FB and SG is left out of this paper as it can be covered by the separate work being done to define the work of the SG relative to that of the FB. See Federal Board Standing Orders.



- Coordinates implementation of the party's strategy across the work of the CEO, the other federal committees, the three state parties and other parts of the party
- Provides scrutiny and challenge for the Leader, CEO and President in each of their roles, including the delivery of an efficient federal party operation

### **The President**

Acts as non-executive chair of the party, to represent the interests of the wider membership. In doing so s/he:

- Chairs the Board and Steering Group, to deliver on the above
- Acts as line manager for the Chief Executive

### **The Chief Executive**

Provides executive leadership of the Federal Party organisation. In doing so s/he:

- Leads the professional staff operation
- Ensures the input of staff expertise into key decision making

## Assignment of responsibilities

Area	Leader	President	CEO	Federal Board/ Steering Group	Conference	Other
<b>STRATEGY AND PLANNING</b>						
<b>Vision</b>	Leads work on setting political vision	Ensures voice of members is heard			Approves vision	
<b>Strategy</b>		Ensures voice of party bodies outside the federal party is heard	Coordinates vision and strategy	Leads work on creating, updating and overseeing strategy	Approves strategy once per Parliament	

<b>Organisation</b>		Line manages CEO Leads formal appraisal and performance management of CEO	Leads work on organisational requirements to meet strategy	Scrutiny and challenge of CEO and President Appoints group to do CEO appraisals with President	Approves FB/SG reports on progress	
<b>Hung Parliaments</b>	Leads negotiations, appoints negotiating team Ensures involvement of Parliamentary Parties	Ensures voice of members is heard	Advises on practical implications of possible arrangements	Appoints members of reference group	Approves any proposal to join/support a government made by MPs	Reference group from FB, FPC and MPs/Peers <i>Note: see Article 24 for exact process</i>

<b>WHAT WE SAY</b>						
<b>Message</b>	Delivers the message	Delivers the message	Ensures federal party able to deliver message and stays on message			FCEC: leads work on creating message to fit strategy
<b>Policy</b>	Inputs to policy process, including making requests for policy work to fill in political strategy		Facilities support for policy process		Approves individual policies	FPC: leads work on policy, including manifesto

<b>GOVERNANCE</b>								
<b>Budget, etc.</b>				Leads work to prepare and recommend annual budgets	Signs off on annual budgets	Approves membership fees and allocations	FFRC: detailed scrutiny of annual budget and performance through year  Staff Reps: consulted on finance issues impacting staff	
<b>Accounts</b>				Prepares annual accounts in accordance with PPERA	Overall oversight of processes, delegated to FFRC and FASC	Informed and approves	FFRC Chair is registered Treasurer and formally signs off	
<b>Donation</b>				Maintains processes for	Overall oversight of		FFRC Chair takes final	

<b>compliance</b>			recording and accepting donations. Advises on compliance. Files returns with EC	processes, delegated to FFRC		decision on donation compliance Major Donors Protocol run by directors of Lib Dems Ltd
<b>Data and other compliance</b>			Establishes and maintains processes to ensure compliance. Advises on matters of interpretation	Overall oversight of processes, delegated to FFRC and FASC. Proposed data protection rules to Conference	Approves data protection rules	
<b>Constitution</b>		Leads work to recommend changes to Conference		Signs off on 'official' proposals for changes	Approves changes	

<b>Internal rules</b>				Leads work to recommend rules on internal elections etc.	Approves changes	
<b>Appointments (volunteer posts)</b>		Leads work to ensure high-quality set of applicants		Agrees appointments	Ratifies some appointments	
<b>ELECTORAL TACTICS</b>						
<b>Snap election authorisation</b>	Triple lock of Leader, President and CEO, subject to readiness criteria set out by Board being fulfilled	Triple lock of Leader, President and CEO, subject to readiness criteria set out by Board being fulfilled	Triple lock of Leader, President and CEO, subject to readiness criteria set out by Board being fulfilled	Approves election readiness criteria	Consulted by President over triple lock	FCCE: advises on criteria and, in the event of a possible decision, on state of election preparedness





			reports on target seats and councils plan			priorities to Board; oversees process once these are agreed
<b>Election planning and campaign management</b>			<i>TBC - change recommended in election review. Revised version will include budget responsibility</i>			<i>TBC - change recommended in election review. Revised version will include budget responsibility</i>
<b>Core election script</b>			Overseas drafting and testing of script versions			Triple lock of Leader, President and FCEC Chair

## **Appendix V- Published procedures of the Federal Appeals Panel**

Under Article 22.6 of the Federal Party Constitution

### **A: Mission Statement**

The Federal Appeals Panel (“FAP”) exists under Article 22 of the Federal Party Constitution to resolve internal disputes falling within Article 22.3.

The FAP acts as guardian of members’ rights under the Federal Party Constitution, and is accountable to Federal Conference which is the sovereign representative body of the Party.

The FAP shall make its determinations with integrity, impartiality, and independence from the parties to any dispute, executive bodies, officers or staff of the Party.

In discharging its duties the FAP shall act in accordance with the principles of natural justice; and shall be accessible, transparent and expeditious.

Where appropriate, the FAP shall encourage mediation; where necessary, it will make firm decisions by proper process.

In dealing with any complaint the FAP shall have regard where relevant to the general law of the land including standards of due process protected by Article 6 of the European Convention on Human Rights.

### **B: Officers of the Federal Appeals Panel**

There shall be a Chair of the Federal Appeals Panel elected in accordance with Article 22.1.

There shall be 2 Vice-Chairs, approved by the FAP.

There shall be a Registrar of the FAP approved by the FAP, and there may be one or more Deputy Registrars). The Registrars shall normally be a employees of the Federal Party. The Chair of the FAP shall consult with the Chief Executive of the Party in relation to any such appointment and either the Chair or one of the Vice Chairs of the FAP will sit on any selection process for a new Registrar.

## **C: Rules of Procedure**

The FAP shall follow the following rules, effective from the date of their adoption by Conference.

References to article numbers are to article numbers in the Federal Party Constitution. Text in square brackets does not form part of these Rules of Procedure and is included for information only.

Where a party to a case before the FAP is not a member of the Party (for instance in the case of an appeal from a complaint by a member of the public), they shall be deemed to have consented to the jurisdiction of the FAP in the event of any appeal, and shall be bound by these rules.

### **1. General Principles**

1.1 The overriding objective of the FAP in the application of its procedures and in the interpretation of its procedural rules shall be the resolution of disputes justly, fairly and proportionately. It

shall in particular have regard to the desirability of the following factors:

- A. ensuring that the parties are on an equal footing;
- B. resolving disputes expeditiously;
- C. promoting amicable settlement of disputes;
- D. saving costs, effort and FAP resources;
- E. ensuring that its procedures are accessible, simple and easy to understand or participate in;
- F. enforcing compliance with its rules, directions and rulings.

1.2. The parties to FAP proceedings are required to co-operate, both with each other and with the FAP, to assist the FAP to further its overriding objective.

1.3 At all stages the parties' duty of co-operation shall extend to making a reasonable search or check for, preserving and supplying relevant evidence to the other parties and to the FAP where this tends to undermine their own case or assist the case of another party, bearing in mind the grounds that the FAP will consider.

1.4 The FAP shall actively manage cases so as to further the overriding objective. It may in particular, upon the application of the parties or on its own initiative:

- A. identify the issues that it requires to resolve and the parties it will hear;
- B. exclude issues or evidence from consideration;

- C. determine the order in which issues will be resolved;
- D. stay proceedings, adjourn or bring forward hearings;
- E. combine or split up sets of proceedings;
- F. encourage or assist the parties to settle the dispute informally;
- G. give procedural directions and set timetables;
- H. proceed without the participation of a party if that party has failed to co-operate;
- I. make use of technology; and
- J. adapt or vary any of its own time limits or procedures if and to the extent necessary in the interests of fairness or justice in the case.

1.5 The FAP cannot vary any procedure or non-extensible time-limit which is fixed by the Federal Constitution. Nor can it extend any time limit for appealing to it which is contained in a rule compatible with and duly made under the Federal Constitution, which confers jurisdiction upon it in a particular case.

## **2. Lodging an Application**

2.1 Any party seeking a ruling from the FAP ('the Applicant') must lodge their request ('Application') with the Registrar, on any relevant application form published on the Party website in accordance with any guidance published by the FAP.

2.2 If the request for a ruling impugns a particular act, omission/default, ruling or decision by a person or body, the application form must be lodged within 6 weeks of the act, omission, ruling or decision that is challenged. The Case Manager may extend this time limit in exceptional circumstances.

[The Case Manager is the member of the FAP who initially reviews and manages the case, appointed under rule 3.2 below.]

2.3 If an application or appeal is brought in accordance with a provision of the Constitution setting a shorter time limit, or a provision of constitutional subordinate rules or regulations setting a shorter time limit, the application or appeal must be made within that timescale.

[The Article 23 Complaints Procedures, the Presidential Elections Regulations and the Leadership Election Regulations set 14 day time limits for appeals to the Federal Appeals Panel. It may be open to parties to argue whether time limits are constitutional.]

2.4 The Application must indicate clearly and concisely:

- A. who the Applicant is, their State Party and their contact e-mail address;
- B. which ground of Article 22.3 of the Federal Party Constitution is alleged to give the FAP jurisdiction;
- C. what the dispute relates to;
- D. in the case of a reference from a State Appeals Panel, the issue that has arisen and the necessary context;

E. any act, omission/default, ruling or decision which is being challenged or appealed; its date; and the person(s) or body who made or were responsible for it and the Applicant is alleging were at fault or in error;

[E.g. the complaints panel that made a ruling the Applicant wishes to appeal. Note: this person is likely to be the First Respondent to the application or appeal.]

F. any other person(s) or party body whom the Applicant considers particularly affected by or interested in the outcome of the Application and their contact details, where known;

[E.g. the complainant, prosecuting party and respondent will be affected by an appeal against a decision of a complaints panel. These persons may be Respondents to the application or appeal]

G. if the request for a ruling is made after the relevant deadline, any application to extend time which must give an explanation and good reason for such extension;

H. any procedural directions that the Applicant would like the FAP to make, with an explanation why;

I. what ruling(s) the Applicant would like the FAP to make;

J. the grounds for the Application (i.e. why the FAP should make the ruling(s) sought); and

K. any other details specified in any relevant form or guidance published on the Party website from time to time.

The Applicant must include a copy of any decision that is challenged and any relevant notes or official minutes of this, as well as any other supporting materials specified in the FAP's guidance.

### **3. Initial Stage for Applications received**

3.1 The Registrar shall acknowledge the date of receipt of the Application. They may check that any application is in a form which is both coherent and acceptable to the Applicant, and may request further information in order to identify whether the FAP has jurisdiction and who the appropriate Respondents may be. If the Application appears to be out of time and this has not been addressed, the Registrar shall so inform the Applicant who shall be permitted a further 14 days if they wish to make representations as to why time should be extended. In the case of an appeal from a decision, the Registrar shall ensure that the FAP has a complete set of the material before the person or body who made that decision.

3.2 The Registrar shall contact the Chair, who shall designate their self, one of the Vice-Chairs, or another member of the FAP as the Case Manager.

3.3 The Case Manager may:

- A. seek further information from the Applicant;
- B. determine the appropriate Respondent(s), notify them of the application and request information or invite submissions from them; and



- C. determine the procedures to be used, and the issues to be adjudicated, by the Case Panel appointed to determine the case.

3.4 The Case Manager may give informal advice, and may recommend (and, if so, assist) with mediation; however, if the Case Manager conducts an unsuccessful mediation, they may take no further part in the determination of the complaint, and the Chair shall appoint a different Case Manager.

3.5 The Case Manager will determine:

- A. whether an Application shall have permission to proceed to a Case Panel hearing, and in doing so shall consider
  - i. whether or not the case falls within the jurisdiction of the FAP;
  - ii. whether the case is untimely, insubstantial, totally unmeritorious, vexatious or academic;
  - iii. whether the Applicant has exhausted their remedies elsewhere;
  - iv. whether the Application discloses a properly arguable case; and
  - v. whether it is highly likely that the outcome for the Applicant would have been the same and if so whether there is a compelling reason to proceed to determine the case; and
- B. the timetable and preliminary procedures for that case.

3.6 In respect of any misconduct appeal from the Complaints Procedures set out in Article 23 of the Constitution, the Case Manager will only allow appeals permission to proceed to a determination by a Case Panel where the appellant can demonstrate that it is arguable that:

- A. there was a serious failure of process or reasoning that was likely to render the determination of the complaint unsafe or unsatisfactory in all the circumstances; or,
- B. relevant evidence, which could not reasonably have been adduced at the time of the determination of the complaint, has since come to light which is likely to render the determination of the complaint unsafe or unsatisfactory in all the circumstances; or,
- C. the sanction determined was manifestly excessive or manifestly lenient in all the circumstances.

[‘Manifestly’ means clearly outside the range of reasonable sanctions.]

3.7 The permission stage is intended solely to sieve out and swiftly determine cases that do not merit a full Case Panel hearing. Respondents will be notified that an application has been lodged, but shall not be required or expected to make any representations at the permission stage. The FAP may however have regard to any representations that are made from Respondents addressing the permission-stage tests and, where those raise issues that the Applicant has not had an opportunity to comment on, will invite comments from the Applicant.

3.8 A determination by the Case Manager at the permission stage is final and binding; it is not subject to a further appeal. It must be accompanied by reasons, which may be brief.

3.9 Any application must, unless the Case Manager extends this deadline in exceptional circumstances, be concluded within three months of being lodged, and a timetable shall be set accordingly.

3.10 If a party does not co-operate with the timetable or other directions given, or does not participate in the proceedings, the FAP may proceed in their absence or in the absence of evidence or representations that were to have been filed by a missed deadline.

#### **4. Permission for an Application to continue**

4.1 Once an Application has been lodged, the Case Manager shall consider whether it is within jurisdiction and should be granted permission to proceed.

4.2 The FAP is in most areas of its jurisdiction a tribunal of last resort. It will be careful not to hear disputes which are in the first instance outside its jurisdiction, for instance where another remedy exists that has not been exhausted, such as an appeal to a State Party body.

4.3 The FAP will not grant permission to proceed with any Application that is untimely, vexatious, insubstantial, totally unmeritorious, academic, or alternative remedies elsewhere have not been exhausted.

4.4 The FAP will not grant permission to proceed with an Application that is considered to be unarguable, or if it is highly

likely the points taken would not have affected the outcome for the Applicant, unless there is some compelling reason why the application should be heard.

## **5. Independence of Case Manager and Case Panel**

5.1 The members of the FAP to hear a particular case (“Case Panel”) shall be selected by the Chair, in accordance with Article 22.4 of the Federal Party Constitution and, if appropriate, in consultation with the Applicant.

5.2 Unless application of the Federal Party Constitution compels it, the Chair shall not select a member as Case Manager nor appoint a member to hear an application if they have any personal connection to the parties or personal involvement in the subject of a particular dispute.

5.3 If it emerges that a Case Manager or member of the Case Panel has a personal connection or involvement to a party or to the subject of the dispute, they must declare this as soon as they become aware of the connection or involvement, and if they do not choose to recuse themselves forthwith, then:

- A. they must give the parties a fair opportunity to ask questions about the connection or involvement,
- B. they must ask all parties if they have any objections, and
- C. they must recuse themselves unless all the parties waive any objection.

If a member has recused themselves, then the Chair shall either select a substitute or, if at least 3 members remain, then the remaining members may continue to determine the case.

## **6. Records and Communications**

6.1 Communications between parties and the FAP must be conducted through the Registrar, who shall keep a record of the communications.

6.2 The FAP shall not entertain any representations about the substance of a case before it that are not conducted in writing through the Registrar or at a hearing.

6.3 All parties to a dispute shall normally be entitled as of right to copies of representations made by other parties and rulings made by the FAP, if they request these from the Registrar, unless the FAP otherwise orders in the interests of justice.

6.4 The FAP may publish on the Party website a list of the cases pending before it, the names of the parties, and a short summary of the issues raised in the pending application or appeal.

6.5 The FAP may redact or restrict the circulation of sensitive or personal information where this is compatible with fairness and the interests of transparency are outweighed by other considerations.

6.6 The parties to any case before the FAP must keep all information and documents received in connection with the proceedings strictly confidential and use them for the sole purpose of the proceedings.

6.7 Communications must be conducted directly between the parties and the FAP, and cannot be conducted with third party agents or solicitors.

6.8 FAP determinations shall be published, at least in summary form, on the Party website and in a report to Conference. The form of publication shall be determined by the FAP. Sensitive or personal information may be redacted where the interest in confidentiality outweighs the presumption in favour of transparency. The parties may make representations as to the form of publication after a ruling has been delivered.

## **7 General Procedures**

7.1 Upon permission being granted, the Applicant shall be directed by a deadline to provide a detailed Statement of Grounds and any supporting evidence to the FAP (through the Registrar) and to the Respondents. They shall be entitled to state that they wish to let their Application stand as their Statement of Grounds. The Applicant shall also provide any further additional material falling to be disclosed under rule 1.3 above.

7.2 Upon receipt of the Statement of Grounds, or upon expiry of the deadline for this, Respondents shall thereafter be directed by a deadline to provide their own Response to the FAP (through the Registrar) and to the other parties, setting out which aspects of the Application are conceded or contested, and the detailed grounds for resisting each of the grounds of the Application. They must provide any documentary evidence on which they rely with their Response. The Response must be on any form published for the purpose on the Party website and accord with any guidance published on the website. The Respondents shall also provide any further additional material falling to be disclosed under rule 1.3 above.

7.3 The Applicant shall have an opportunity to file any representations or evidence in response to new points raised by the Respondents.

7.4 The Case Manager may determine that a case may be dealt with by the FAP in writing, where all the parties agree or where there are no significant factual disputes.

7.5 Where a dispute turns on the interpretation of the Federal Party Constitution or some other document, the Case Manager may subject to any provision of the Federal Party Constitution give a preliminary determination themselves, which shall become final and binding unless it is appealed to a full Case Panel within 14 days. In that event, the Case Panel hearing the appeal shall not include the Case Manager.

7.6 The FAP shall ensure that the procedures adopted to hear a case are fair, and in particular:

- A. it shall ensure that the time allowed to make representations or submit material is fair and reasonable;
- B. it shall ensure that parties are treated fairly as between each other;
- C. it shall ensure that all parties have an opportunity to respond to relevant points made by opposing parties; and
- D. if it is minded to find against a party by reference to a factual matter not already squarely in issue in the case, or by reference to an argument not previously canvassed, it shall provide the party with a fair opportunity to address it on that point.

## **8. Succession**

8.1 Where a new FAP is elected by Conference, but there are outstanding determinations before the old elected FAP, members of the old FAP will in the first instance retain jurisdiction to deal with those matters until they are finally determined, unless due to resignation or illness it is impossible for that to occur.

8.2 In the event that the Chair resigns, dies or is through illness unable to perform their functions, the remaining members of the FAP shall as soon as practicable elect a new Chair from amongst those members elected by the Federal Board in accordance with Article 22.1, pending which the functions of the Chair may be exercised by the Vice-Chairs. In the event of the illness, death, resignation or unavailability of a member of the FAP other than the Chair who is the Case Manager of or sits on a Case Panel for a pending case, the Chair may select a substitute and may, where necessary, require a case to be re-heard. Vacancies may be filled in accordance with Articles 22.1 and 22.2 of the Constitution.

## **9. Procedural applications and objections**

9.1 The parties may at any time apply to the FAP for procedural directions, or to vary any directions already made.

9.2 Applications for a procedural direction, or to vary one already made, should be submitted as soon as possible to avoid prejudice to other parties or the FAP's schedule. If there has



been delay, the application should explain why this took place, and be accompanied by any supporting evidence.

9.3 Members of the Liberal Democrats, AOs, SAOs, party officers or party bodies not currently a party to a case may apply to be added as a party, or to submit representations by way of intervention. They must state what their interest is, and what they propose to say. The Case Manager may permit their participation having regard to how far they are affected, whether submissions would be helpful, and the impact of such intervention on the timetable and on the current parties. A direction permitting participation may subject this to limits, conditions or deadlines.

9.4 The parties may apply to object to the fairness of the FAP's procedures at any time. Final determinations by the Case Manager and/or Case Panel on the substance of the case are binding and are not subject to further appeal or rehearing, so any party prejudiced by an alleged unfairness must raise this as soon as possible and state what they propose as the remedy.

9.5 Applications under this part of the procedure rules must state what ruling they would like the FAP to make, and why, be supported by evidence where appropriate (e.g. when requesting an extension of time), and (unless they are made at a hearing) be made in writing and on any form published for the purpose on the Party website.

9.6 Applications for procedural directions must normally be made with notice to the other parties so that they have 3 clear working days to respond before a decision is made. For instance, an application shall be submitted to the FAP and copied to the other parties on a Tuesday if it is to be considered the

following Monday. The FAP may make exceptions but only for good reason.

9.7 The Registrar will routinely make copies of procedural applications available for a response by other parties. Exceptionally, there may be occasions where this would defeat the purpose of the application (e.g. an application for permission to withhold sensitive personal information from another party), in which case the application must clearly state this and inform the Registrar accordingly. The Case Manager will determine whether an application shall be decided without hearing from another party, and will only permit this where it does not compromise the fairness of the proceedings.

## **10. Hearings**

10.1 Where there is any significant dispute of fact or the FAP's determination would be assisted by oral submissions, the Case Manager shall direct that a hearing be held.

10.2 Hearings may take place in person, virtually through the use of information technology, or by some hybrid of these, in a fair and accessible manner. If parties have difficulties in participating in physical or virtual hearings for any reason (such as where they have a disability that requires reasonable adjustments, or problems with their home broadband), they should inform the Registrar and submit a procedural application explaining how they consider they could be assisted to participate.

10.3 The members and chair of the Case Panel that will hear the case shall be selected by the Chair of the FAP.

10.4 The chair of the Case Panel shall be responsible for the procedure at the hearing, in accordance with these rules. At the oral hearing, procedural applications or objections must be made to the Case Panel.

10.5 The procedure at an oral hearing shall normally follow that set out in the Appendix to these rules. A copy shall be provided to the parties before the start of the hearing, together with any proposed deviations from the normal procedure.

## **11 Determinations**

11.1 Following or in the absence of an oral hearing, the chair of the Case Panel shall produce a draft determination for approval by the other members of the Case Panel. Such draft determination shall also be sent to the Chair of the FAP and Registrar by way of consultation on matters of law and procedure (but not fact), and the Case Panel shall have regard to any comments they make.

11.2 The determination shall be reasoned. It shall summarise what the Case Panel members consider to be the principal facts and arguments, and explain why the Case Panel is making its ruling. The determination, or a summary thereof, shall be made available to all parties within 21 days of any oral hearing.

11.3 The parties shall have an opportunity to make submissions as to the form in which the determination shall be published. They may also make representations as to any obvious errata, such as errors of names, facts or dates not in dispute, or

typographical errors. Save for corrections of errata, the determination shall be final.

## **12 Grounds on which the FAP will interfere with decisions**

12.1 The FAP not a policy-making body. It is not a democratically elected rule-making body. It is not an elected executive body of the Party. It is a creature of the Federal Party Constitution. The FAP's function is supervisory: to interpret and enforce the Constitution, and protect members' rights under the Constitution. The FAP may imply terms into the Constitution or subordinate rules, regulations or procedures where this is necessary or must have been intended. Only Conference may rewrite the Constitution.

12.2 The FAP shall not normally interfere with acts, omissions, decisions, rules, practices or procedures save where these are unauthorised by or in conflict with the Constitution.

This may arise in the following circumstances (which are not intended to be an exhaustive list):

- A. conflict with the Constitution or subordinate rules, regulations or procedures;
- B. procedural or substantive unfairness or impropriety;
- C. apparent bias or closed mind;
- D. unjustified or arbitrary breach of a legitimate expectation;

- E. proceeding upon a misunderstanding of the law; the Constitution, rules, regulations or procedures; of a person or body's role within the Party; or of uncontroverted facts;
- F. acting for an improper purpose;
- G. having regard to irrelevant matters or failing to have regard to relevant matters;
- H. unreasonableness or irrationality in all the circumstances;
- I. failure to give any or any adequate reasons where those are required.

12.3 The FAP will not interfere with a decision on the grounds that excessive or insufficient weight was placed on a particular factor in the decision-making, where an evaluative judgment was required and the factor was a legitimate one to consider, unless weight is dictated by the Constitution or subordinate rules and regulations, or the judgment was unreasonable.

12.4 Where the FAP is entrusted with an appeal jurisdiction (such as in a misconduct case from a Complaints Panel), which is not a full rehearing of the merits of the case, it will interfere with the decision under appeal where:

- A. there was a serious failure of process or reasoning that was likely to render the determination of the complaint unsafe or unsatisfactory in all the circumstances; or,
- B. relevant evidence which could not reasonably have been adduced at the time of the determination of the complaint, has since come to light which is likely to render the determination of the complaint unsafe or unsatisfactory in all the circumstances; or

- C. the sanction determined was manifestly excessive or manifestly lenient in all the circumstances.

## **13 Remedies**

13.1 The Case Panel may in its final decisions make declarations (including declarations that a rule, regulation, procedure, practice, act, omission or decision is invalid or unauthorised by or under the Federal Constitution and must be set aside), and give directions to do or refrain from doing something.

13.2 The FAP shall not make monetary awards, whether of costs, damages or compensation.

13.3 The remedy available on a successful appeal from the Article 23 Complaints Procedures is limited to a direction remitting the case back for a fresh Complaints Panel to rehear under the Article 23 procedures, together with any further direction that is considered appropriate or necessary in that respect.

## **14 Status of Decisions**

14.1 A final determination of the FAP is final and binding upon all members of the Party concerned, pursuant to Article 22.7 of the Federal Party Constitution. This means in particular that the FAP cannot re-open a particular decision once a final ruling has been issued.

14.2 Among the fundamental values underpinning the Liberal Democrats' Federal Party Constitution are respect for the rule of

law and good governance, respect for our democratically accountable Party institutions, and individual justice. If a party to a case knowingly or recklessly fails to obey or abide by a specific ruling in a particular case, that conduct is inconsistent with the fundamental values of the Party for the purpose of Article 3 of the Federal Party Constitution. It may constitute grounds for complaint, sanction or revocation of membership.

14.3 Federal Party Conference may overrule any determination of the FAP on a point of interpretation by amending the Constitution or subordinate rule, regulation or procedure concerned, and members of the Party are free to campaign for this provided that they abide by the determination.

14.4 The FAP shall not be bound by points of interpretation determined in its previous rulings, and a party in a subsequent case may argue that a previous case was wrongly decided; however the FAP will follow its own previous rulings of which it is aware, unless it is satisfied that they were wrong.

14.5 Any party to proceedings before the FAP may rely on previous rulings of the FAP, but they must provide the FAP and all other parties with copies of all relevant rulings relied upon in good time, as well as all those determinations at least arguably adverse to their own case.

## **Appendix to the Rules of Procedure of the Federal Appeals Panel**

### **Normal Process during an Oral Hearing**

1. Any party may be assisted or represented by a friend, who may be a lawyer and may speak for the party at any time. If they both choose to speak, they should avoid repeating points already made by the other person.
2. Normally, the Applicant will speak first, to put their case. This should address any issues that have been identified as important in advance by the Case Manager or Case Panel.
3. The Applicant may call witnesses as to disputed fact only, although these may also give their evidence in written form. An appeal from a Complaints Panel is not a fresh re-hearing and the FAP would not normally hear evidence unless this could not reasonably have been adduced at the time of the Complaints Panel hearing.
4. Each Respondent or representative may cross-examine a witness, the friend or the Applicant, as directed by the Chair of the Case Panel.
5. The case for the Applicant should not last longer than 45 minutes, unless the Chair believes that the case has not been properly put in this time.
6. The Respondents shall speak next and have equivalent rights as to witnesses, a representative to aid her or him and time limit.



7. The Applicant may also cross-examine as directed by the Chair of the Case Panel.
8. Members of the Case Panel may ask for clarification or cross-examine at any time. They may warn parties or their representatives not to repeat points and curtail any arguments that are irrelevant or simply repetitious. They may also, following a warning, refuse to hear anyone who persistently acts in a disruptive or unruly way.
9. Each side may sum up, taking no more than five minutes. The Applicant shall speak last.
10. The Case Panel will then consider their conclusion.