

LEADERSHIP 2020



Leadership Election 2020 – Candidate Code of Conduct

INTRODUCTION

1. This code of conduct has been produced for all aspiring candidates and validly nominated candidates in the selection of Leader and Deputy Leader of the Labour Party in order to assist the smooth running of all stages of the process.
2. The provisions of this code of conduct apply to any aspiring candidate and those campaigning on their behalf, and come into force as soon as a vacancy arises or a contest has been triggered.

CONDUCT OF CANDIDATE CAMPAIGNS

1. No candidates or persons acting on behalf of a candidate will use their own material, access to publicity or any media outlets to disparage or brief against any other candidate. No abuse of any kind by candidates or persons acting on behalf of candidates shall be tolerated. Any racist, abusive or foul language or behaviour at meetings, on social media or in any other context will be dealt with according to the rules and procedures of the Labour Party. Candidates or persons acting on behalf of candidates shall refrain from abusing or publically criticising members of staff who do not have the ability to publically defend themselves.
2. Candidates who are members of the Shadow Cabinet will be expected to carry out their duties without interruption. All Shadow Cabinet ministers and Political Advisers to Shadow Cabinet Ministers will be subject to the Labour Party's election rules for leadership elections, except where they have taken unpaid leave.
3. No financial inducement to constituency parties, affiliates, MPs or MEPs or to individual members or political levy payers may be offered to attempt to secure support.
4. Candidates who reach the first threshold of PLP/EPLP nominations will be eligible to receive a list of CLP Secretaries and affiliate contact details for the purpose of gaining nominations.
5. Candidates who reach the second threshold of CLP/affiliate nominations, when declared valid at the end of the PLP/EPLP nomination process, will be entitled to receive a membership contact list containing names, telephone numbers and postal addresses upon payment of £2,500. The list of data will only be provided once a data release form has been signed by the agent and returned to the General Secretary.

6. Candidates who reach the second threshold of CLP/affiliate nominations, when declared valid at the end of the CLP/affiliates nomination process, will be entitled to receive a supporter (affiliated and registered) contact list containing names, telephone numbers and postal addresses upon payment of £2,500. The list of data will only be provided once a data release form has been signed by the agent and returned to the General Secretary.
7. Any membership, supporter, CLP and affiliate secretary contact lists provided are solely for the purpose of this election and must be disposed of immediately following the outcome of the election. All Candidates must provide the General Secretary with a certificate of secure destruction of any data belonging to the Labour Party within 30 days of the end of the campaign. Any candidate who does not adhere to these rules may be in breach of the Data Protection Act 2018.
8. Candidates are permitted to contact Labour Party members and supporters, Labour Party Units, affiliated organisations and elected representatives with any canvassing/promotional material at cost to the individual candidates.
9. Elected representatives or their staff must not use their access to members contact information to communicate about the election including the promotion of a preferred candidate. Any breach of this may result in a sanction determined by the procedure committee.
10. The data is only to be used for the purpose of contacting members for the leadership and deputy leadership election. Data must not be shared with any 3rd parties except for the supplying of services such as leaflet printing, and without the appropriate data sharing agreements being completed.
11. A guidance note for candidates will be provided about data protection laws.
12. The General Secretary will undertake the role of independent arbitrator. Once the timetable has been agreed the General Secretary will also act as Secretary to the Procedures Committee and Returning Officer.
13. Only the General Secretary or other person appointed by the NEC Procedures Committee will issue media comments in respect of the process. This does not preclude candidates undertaking press, Radio or TV interviews, though under no circumstances should any candidate disparage any other aspiring candidate.

FOLLOWING PUBLICATION OF THE TIMETABLE

1. Following the publication of the timetable by the NEC, and opening of the nomination process, formal written nominations must be submitted to the General Secretary. Nominations received after the deadline prescribed in the timetable will not be considered valid.
2. Candidates will be declared valid by the Procedures Committee only at the close of the nomination process, although they may have achieved the threshold prior to this date.
3. Validly nominated candidates will be written to by the Procedures Secretary and formally informed of their nomination.
4. Nominated candidates must inform the General Secretary of the acceptance of their nominations, once declared as validly nominated by the date outlined in the timetable.
5. Only candidates who received the required threshold of both the PLP and EPLP membership and the threshold of CLP or nominations can proceed to the ballot. Details of the threshold are laid out in Chapter 4; Clause II; 2; B; i of the Labour Party Rule Book.
6. All aspiring candidates or their designated agent must attend the compulsory PPERA briefing arranged by the Labour Party. The General Secretary will invalidate any candidates that fail to attend the PPERA briefing.
7. All nominations will remain valid once submitted unless the nomination is formally withdrawn or the nominated candidate withdraws in writing to the General Secretary or if the candidate fails to meet the requirements set out above. In this instance all MPs and MEPs who had nominated the withdrawn candidate will be entitled to submit a further nomination prior to the close of PLP/EPLP nominations.
8. Validly nominated Candidates are required to appoint an Agent. Agents will be expected to attend meetings with the General Secretary and Procedures Committee as required.

NATIONAL SUPPORT FOR VALIDLY NOMINATED CANDIDATES

1. The party will provide or offer the following support for all validly nominated candidates, should they choose to accept it:
 - a. Each validly nominated candidate will have a web page as part of the Labour Party leadership contest website. This will include the candidate's 250-word statement and photograph as supplied for the candidate booklet, list the nominations and supporting nominations, and include a link to their campaign website.
 - b. Candidates will be provided with digital communication support using the Labour's Party's systems.

- c. In addition to the official ballot mailing, each validly nominated candidate will be supplied contact details for a Labour Party approved printer. Candidates will be able to print and post material to members and supporters at their own cost within the expenditure cap as set out below.
- d. All hustings events associated with the election organised directly by the Labour Party will be open to all validly nominated candidates.
- e. The Press Office will coordinate media interviews/bids with validly nominated candidates at centrally-organised events. At all other times, the Press Office will direct all media bids to the agents of validly nominated candidates.
- f. The Labour Party will supply to all eligible electors a candidates' statement booklet along with the ballot, at no additional cost to candidates.

THE BALLOT

1. The ballot itself will be distributed only through the official machinery. No candidate or supporter(s) of any candidate will attempt to unduly interfere in the application for, casting, and return of votes.
2. No candidate or members acting on her/his behalf will interfere with or put under duress any member in regard to how they vote.

CANDIDATE SPENDING AND REPORTING

1. Candidates are regulated by the Political Parties, Elections and Referendum Act (PPERA) 2000 and are required to fully comply with the rules for accepting and reporting donations and loans.
2. Candidates in this election are defined as 'regulated donees' under Schedule 7 of PERA therefore donations and loans made to them in connection with their political activities - including seeking election to a position within the party - are regulated.
3. Donations (cash or non-cash) and loans of more than £500 are controlled. A regulated donee can only accept donations and loans of more than £500 from permissible donors or lenders. PERA defines permissible donors and lenders as:
 - a. an individual registered on a UK electoral register;
 - b. a UK registered political party;
 - c. a UK registered and trading company;
 - d. a UK registered trade union;
 - e. a UK registered building society;
 - f. a UK registered Limited Liability partnership;
 - g. a UK registered friendly/building society;

- h. a UK based unincorporated association.
4. The Isle of Man and the Channel Islands are not part of the UK for PPERA purposes.
5. Donations must be checked for permissibility within 30 days of receipt. Lenders must be confirmed as permissible at the time the loan is made. There is no 30 days grace. It is an offence to accept donations or loans of more than £500 from an impermissible source. In addition, donations or loans of more than £500 must not be accepted from anonymous or unidentifiable sources.
6. Donations of more than £500 from impermissible sources must be returned to the donor and reported to the Electoral Commission within 30 days of receipt. Impermissible donations which cannot be returned to the donor must be sent to the Electoral Commission.
7. In addition to cash gifts PPERA specifies that sponsorship of events, meetings, publications etc, are treated as a donation, as are non-cash donations such as seconded staff, free or reduced rate use of premises, transport or printed materials. Non-cash (notional or in-kind) donations must be valued at the market rate. The Labour Party Governance and Legal Unit will provide advice on non-cash donations to candidates on request.
8. Donations and loans of more than £1500 from the same donor/lender in a calendar year must be reported to the House of Commons Register of Members Financial Interests within 4 weeks of receipt under Category 4 of the MPs Code of Conduct. This applies even if the House of Commons is in recess.
9. The House authorities will pass details of donations or loans to the Electoral Commission for publication on the website in the register of donations and loans to regulated donees. Publication is on a monthly basis, including during the parliamentary recess.
10. Donations and loans may need to be reported either because a single donation or loan of more than £1500 has been received or because a donor or lender has given several smaller amounts (of more than £500) in the same calendar year which when aggregated exceed £1500.
11. In the case of multiple donations or loans from the same donor/lender exceeding £1500 in a calendar year, the report to the House of Commons Register of Members Financial Interests must be made within 4 weeks of the date on which the aggregated amount exceeded the threshold.
12. The legal requirement under PPERA 2000 to check donations and loans are permissible and to report relevant donations or loans to the House of Commons Register of Members Financial Interests begins as soon as a candidate (either an aspiring or validly nominated candidate) receives any donation or loan. In other words this requirement is

not dependent upon the publication of the election timetable. It is the personal responsibility of each candidate to ensure that a full and accurate record is kept of all donations and loans to their campaign and reported in compliance with the House of Commons rules and PPERA.

13. All candidates are expected to appoint an agent who will document income and outgoings throughout the campaign including the period prior to their nomination. At the end of the campaign all accounts must be submitted to the Governance and Legal Unit of the Labour Party no later than 60 days after the announcement of the result. These accounts should detail all income and expenditure, including notional income/expenditure and itemise all donations or loans (cash or in-kind) of more than £500.
14. A cap on all cash expenditure, resources and donations in kind will be set at the equivalent of £1 per Labour Party member as of the last audited figure for each validly nominated candidate and 50p per affiliated or registered supporter. The General Secretary, on behalf of the Procedures Committee, will act as arbiter of any queries regarding the cap. Given that the number of registered and affiliated supporters will be increasing throughout the process the General Secretary will update the overall cap on a regular basis. The final spending cap will be produced on the date specified in the timetable.
15. The cap will include:
 - a. All candidates' printed material
 - b. All mailings to electors and elected representatives from or on behalf of the candidate, mailings to party officers, affiliated organisations, and other representatives of third party organisations from or on behalf of the candidate.
 - c. Any other promotional material, including that produced for and on behalf of any candidate, by any third party designed to secure the election of the candidate in question.
 - d. Phonebank lines and calls
 - e. Costs of electronic communication
 - f. Husting meetings organised by affiliates or other third party organisations where not all candidates are invited.
 - g. Other promotional material designed to secure the election of the candidate in question.
 - h. The market value of any of the above items given free of charge.
16. The cap will not include.
 - a. Staffing
 - b. Office costs
 - c. Affiliate member to member communications e.g. Union member to member, or communications by an affiliate to its members.

17. Any surplus in total cash donations received to support the Leadership campaign of any candidate shall be paid to the Labour Party with the submission of the return of election expenses.

18. Any breach of this code, including the misuse by any candidate of membership data provided by whatever means will be reported to the Procedures Committee by the General Secretary. The decision of the Procedures Committee will be considered final in all regards.