

April 2023

To: Labour group Secretaries and Leaders

cc: Regional Directors and Scottish and Welsh General Secretaries for information

Dear Colleague,

MODEL LABOUR GROUP STANDING ORDERS

The model standing orders for Labour groups are designed to encompass a number of different options. As such, groups will need to alter some aspects to make them relevant to your local authority. These will be minor changes.

Any more substantial changes will need prior approval from the NEC. Standing orders need to be agreed by Labour groups at every AGM. A copy must then be sent to the appropriate regional, Scottish, or Welsh office.

In line with the NEC's commitment to improving equality and diversity at all levels of the Party, groups will now be required to ensure that the group's officers, executive, and any nominees to leadership positions within the council reflect, as a minimum, the gender balance of the group as a whole.

If you have any queries about the model standing orders, please contact your regional, Scottish, or Welsh office or the Governance and Legal Unit at legal_queries@labour.org.uk.

Governance and Legal Unit

The Labour Party

Version 1 (2021) – Internal sign off 010421

Version 2 (2022) – Internal sign off 070422

Version 3 (2023) – Internal sign off 060423

LABOUR GROUP MODEL STANDING ORDERS

These model standing orders encompass a variety of potential council structures. Minor changes may be made by Labour groups to make them relevant to your local circumstances. No change may contradict the rules of the Labour Party or the spirit of these model standing orders. Prior approval of the NEC is needed for any further amendments. Labour group standing orders must be agreed by the group at every AGM, and a copy sent to the appropriate regional or Scottish/Welsh office.

Clause I.

Aims and Values - See also the codes of conduct and model councillor contract

1. The group will work constructively in this authority for real improvements in the economic, social and environmental conditions of the communities and people they represent.
2. The group will operate at all times as a group in an effective and comradely fashion, to maximise participation in the group by all members.
3. Harassment or intimidation of members for any reason or on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation is unacceptable conduct and subject to disciplinary action.
4. The group will engage with the local party and wider community. Parties and groups are encouraged to secure the greatest possible degree of co-operation and consultation on all matters concerning local administration in their area. The group Leader (or Labour elected mayor) and Labour cabinet members will attend local party meetings on a regular basis to report and consult on their work. The group Leader and Deputy Leader (or other group officer as determined by the group) are members of the Local Campaign Forum.
5. The group will uphold the highest standards of integrity and probity. The group whip will establish a register of interests in the form prescribed by the NEC.
6. Members will seek to the best of their ability to be effective and influential councillors, and commit to standards as specified by their councillor contracts.
7. Members have a responsibility to take up such opportunities of training and development that may be provided by the council, group or party.
8. All appointments for officer, executive or civic office positions shall ensure equality of opportunity and encourage under-represented groups to come forward.

Clause II.

Compliance with Rules

1. These standing orders are the minimum expected of Labour groups and their members. All members must accept the rules and standing orders of this group and the general provisions of the constitution and rules of the Labour Party shall apply to this group.
2. Members shall comply fully with the statutory ethical framework, sign and abide by any codes of conduct as may be agreed by the authority and sign and abide by the councillor contract.
3. Where allegations are made of a breach of these standing orders or Labour Party rules by a Labour councillor, action shall be taken in accordance with clause 16.XIII 'Breach of Rule', of the rules of the Labour Party, NEC disciplinary guidance, and other guidance provided from time to time by the NEC. The chief whip shall be responsible for the implementation of such guidance locally.

Clause III.

Membership

1. Members of the Labour group (including Labour directly elected mayors) must be individual members of the Labour Party and must have been elected to and be eligible for membership of the local authority.
2. Registering as a member of the Labour group is a condition of membership of the Labour group.
3. Members of the Labour group must pay the Elected Representative Levy of 2% of their total council income and a recommended minimum of 5% (to be determined by the group) to the group fund.
4. Group observers may attend group meetings with the right to speak on all matters, but shall not propose or second motions or amendments, or vote. Formal group observers (appointed by the local party) shall not exceed one third of the membership of the group, and no more than six may be appointed. Groups may invite others from the local party, such as potential candidates, at their discretion. Accredited party organisers shall be ex-officio members of the group without voting power. The party's national or regional officers are also entitled to attend and speak at any group meeting, and take any appropriate action, under the powers of the NEC as delegated to the General Secretary.
5. Group observers shall have access to all information under consideration by the group, subject to any statutory or other conditions imposed on the council and individual

councillors. They may not be entitled to take part in discussions of confidential items as non-elected members.

6. All those attending a group meeting are expected to abide by the ethical behaviour requirements in 16.II.1(b).
7. All members are expected to attend every and the whole of each Labour group meeting. Members should seek the agreement of the whip before absenting themselves from any or any part of a meeting, giving as much notice as possible. The chief whip will keep a register of attendance, an annual summary of which will be provided at the AGM and to the local party.

Clause IV.

Meeting Timetable – See also the AGM toolkit

1. The AGM shall be held after any May elections and prior to the statutory annual meeting of the council. The AGM will elect group officers and make nominations to civic office, council leadership and allocation of members to committees.
2. Two months prior to the AGM group officers shall make recommendations on the annual meeting process, covering the AGM timetable, any changes to the standing orders (taking into account any changes to the structure of the authority), a review of job descriptions and nomination forms.
3. Notice of the AGM will be sent 14 days before the meeting, including nomination packs for group and council positions. As the AGM will be held shortly after local elections, candidates should receive notice with the condition that entitlement to attend and nominations are dependent upon election.
4. Ordinary group meetings shall be held at an agreed time between the publication of the council agenda and the full meeting of the council and on such other dates as may be agreed at the annual meeting. The timing and frequency of group meetings should take into account the employment, family and constituency commitments of members.
5. The group secretary shall send notice of ordinary meetings five days in advance if a schedule of meetings has not been agreed at the AGM. Where possible the agenda and papers, prepared by the secretary, should be sent three working days before the meeting.
6. In addition to the scheduled meetings agreed at the AGM the Officers of the group may call special group meetings if urgent business arises. Any special meeting must be called with at least 7 days notice wherever possible.

Clause V.**Group Officers and Executive** - See also the model job descriptions

1. At the AGM, the group shall appoint group officers: Leader, Deputy Leader, Chief Whip, Secretary, Treasurer and Chair of Group. These positions shall be held by no fewer than 5 people. In the case of groups with fewer than 16 members, officer positions may be combined, apart from Leader and Chair of Group.
2. In areas with a Labour directly elected mayor, he/she is the ex-officio Leader of the group, attending all group meeting in the same way as other group members with full voting and speaking rights. References to the group Leader in these standing orders include Labour elected Mayors.
3. The group may wish to appoint a group executive to arrange conduct of group business, including meeting with Labour cabinet members, on matters coming before full council. In this case, the executive will be the group officers together with other members of the group elected at the annual meeting. If a group has 16 members, the executive shall be the officers and one observer. For groups of 16-30 members, the executive shall be the officers, three group members and one observer. For groups of 31-50 members, the executive shall be the officers, five group members and two observers. For groups of over 51 members, the executive shall be the officers, ten group members and up to three observers. Appointments will be made at the annual meeting.
4. As with all appointments, as a minimum, the gender balance of the officer group and any executive should reflect the gender balance of the group as a whole.
5. The Chair and the Chief Whip shall not be members of the cabinet nor hold the chair of a scrutiny committee or panel.
6. Nominations will not be accepted for any of the group officer posts for a person currently holding a group officer post, a cabinet post or chair of a scrutiny panel on another authority.
7. All group elections shall be by secret ballot. Slates or caucuses are not permitted.
8. Elections for officer positions will be by preferential vote. In the event of a tie, it shall be broken by establishing which candidate had the highest number of first preference votes or took the earliest lead on transfers.
9. The election of executive committee members will be by a multiple vote first-past-the-post ballot. In the event of a tie the chair shall not have a casting vote. Where appropriate, the ballot shall be re-taken and in the event of a continual tie lots may be drawn.

10. At the annual meeting the chair shall preside until a successor is elected. The new chair shall take over the conduct of the meeting forthwith and proceed to the election of other officers and further business.
11. Casual vacancies among the group officers or in the executive shall be filled at an ordinary or other meeting of the group, and appropriate notice shall be given. Advice may be sought from the Governance & Legal Unit.

Clause VI.

Council appointments

1. Appointments to outside bodies should be made in line with the Council constitution.
2. Nominations to civic appointments, outside bodies and other council positions are made by the group Leader who shall first discuss her/his views with the group officers and take into account the nominations submitted for consideration. The Leader will take into account the views of the group and the local party.
3. Where civic appointments, nominations to outside bodies and other council positions are made by full council, the selection of nominations for such office shall be made by the group Leader, who shall first discuss her/his views with the group officers and take into account the nominations submitted for consideration. The group Leader will take into account the views of the group and the local party.
4. In areas with a Labour council, the selection of members of the cabinet and the allocation of portfolios within the cabinet will be made by the Leader, who shall first discuss her/his views with the group officers and take into account the nominations submitted for consideration. The group Leader will take into account the views of the group and the local party. Labour cabinets should reflect the diversity of the area represented by the authority as far as possible.
5. The selections of nominations for leadership of scrutiny committees shall be made by non-cabinet members of the Labour group only.
6. Groups may choose to have term limits for group and civic offices for four years.
7. As with all appointments, as a minimum, the Leader's nominees for civic appointments, appointments to outside bodies, and other council positions, and the non-cabinet members' nominees for the leadership of scrutiny committees, should reflect the gender balance of the group as a whole.

Clause VII.

Operating on the council

1. Where no one party has an overall majority on the council, the group shall operate under guidance produced by the NEC, and seek advice from the Governance & Legal Unit. The NEC shall produce further binding guidance on this matter from time to time.
2. Labour groups must not enter into any arrangements with other parties, to determine the political control and management of the local authority, which do not comply with the NEC's approved options, and without specific prior approval of the NEC. Groups and members must stand down from multi-party arrangements on the instruction of the regional or Scottish/Welsh office, after discussion with the NEC.
3. Where the council Leader (or elected mayor) is from a different political party or no political party, no Labour group member shall participate in the cabinet without prior discussion and prior approval by the NEC and group. This should only happen if there is a clear political agenda to which all members of the cabinet are signed up and which will enable Labour to achieve its aims and objectives.
4. Where the council leader (or elected mayor) is from a different political party or no political party, and there is no Labour participation in the cabinet, Labour members shall seek as a priority to play a key role in the council's scrutiny process, including seeking to take the chair of any scrutiny committees or panels.
5. A Labour council Leader (or elected mayor) may include members from other political groups in their cabinet, according to the council's standing orders, following discussion with the local party and subject to prior approval by the NEC and the group.
6. It shall be the responsibility of the Labour group on the council to set the strategic policy and political framework for the Labour agenda on the council.
7. The group (and any Labour elected mayor) have the responsibility to consult with the local party on progress with the implementation of policy and to arrange a rolling programme of policy development leading up to the production of the next election manifesto. The form of this rolling programme will be jointly agreed by the group and local party. In consultation with the local party, Local Government Committee and wider community, the group will produce its election manifesto.
8. In areas with a Labour council, group officers or executive will arrange business meetings with the council leader (or Labour elected mayor), and Labour cabinet members to plan the efficient, effective and comprehensive conduct of group business, with the objective of delivering Labour's agenda. The minutes of such meetings will be available at the next group meeting.

9. In areas with a Labour council, the council leader (or Labour elected mayor) and cabinet have the responsibility to take decisions on matters in the annual council programme once that has been agreed by full council, and on other matters as council standing orders may specify. Such responsibility may be delegated to cabinet members individually or collectively. They shall ensure effective communication with the Labour group, but the principle of separation of powers means that the council leader and cabinet should have the freedom to take executive decisions without a group veto.
10. The policy of the Labour group shall be determined by the group on the recommendation of the executive or otherwise. In cases of emergency, where action is required by motion or otherwise, such action may be taken by the executive. If the urgency does not allow delay, the leader of the group, in consultation wherever possible with other officers, shall have power to act. In either instance, the action shall be reported for approval to the next group meeting.
11. Meetings of the cabinet and any arrangements made by council for the audit and scrutiny of service quality, equity, efficiency, effectiveness, propriety and policy development shall not be subject to binding group decisions. All Labour members are expected to carry out debate in these circumstances in a polite and comradely manner, and to consider the implication of such discussions and any consequent press coverage for other individuals, the Labour group and the Labour Party as a whole.
12. Members of the Labour group, including the leader and cabinet members, are expected not to speak or vote at meetings of full council in opposition to the decisions of the Labour group unless the group has decided to leave the matter in question to a free vote.
13. Individual members of the Labour group shall not submit or move motions or amendments at any meeting of full council, unless such motions or amendments have first been submitted to and received the approval of the group through the executive, or in the case of urgency, through the group leader or a deputy.
14. To fulfil their scrutiny function, the chair of any scrutiny committees may without consultation speak and ask questions on matters relevant to their scrutiny work at meetings of the council. Where the tendency of such interventions is likely to be in conflict with the policy of the group, it shall be the responsibility of the individual member to ensure that the relevant lead member is consulted.
15. Labour recognises that individual members, to fulfil their representative duties, may without consultation speak and ask questions in meetings of the council on behalf of their constituents or other community interests. Where the tendency of such interventions is likely to be in conflict with the policy of the group, it shall be the

responsibility of the individual member to ensure that the relevant lead member is consulted.

16. Where matters of conscience arise (e.g. religion, temperance) individual members of the group may abstain from voting provided they first raise the matter at a group meeting in order to ascertain the feeling of the group. In matters where the council or its committees or sub-committees are acting in a quasi-judicial capacity (e.g. licensing of premises or the consideration of planning applications) each member shall form his or her own judgement according to the evidence.

Clause VIII.

Group Meetings

1. The elected chair of group shall preside at all meetings, and in their absence, any vice-chair or other person nominated by the group may take the chair of the meeting.
2. Meetings will close ... hours from the notified starting time, unless two-thirds of present members support an extension.
3. The quorum for meeting of the Labour group and group executive shall be 40 per cent of those entitled to vote. The meeting shall not be held if a quorum is not present within 30 minutes of the appointed time.
4. Group meetings shall give priority to issues of political importance in delivering Labour's agenda. There shall be standing items of business encompassing reports from the leader and cabinet members and from lead members on any scrutiny committees and panels, to ensure collective group awareness of council business.
5. Items for consideration should be received in writing by the group secretary not less than seven days before the meeting. The group secretary will prepare the agenda after considering the items with the group officers or executive. If an item tabled for consideration in the proper fashion is not on the agenda for the next meeting, the group may vote by majority to determine that the item will be considered at that meeting.
6. Emergency motions will be sent in writing to the group secretary as soon as the nature of the emergency allows before the start of the meeting. Emergency business may be accepted by the majority of the meeting on the recommendation of the chair who will interpret the term 'emergency' in a bona fide manner. The chair should invite no more than two speakers each in favour and against the proposal to accept an emergency resolution and then proceed to the vote.
7. Recommendations relating to each item of business will be moved and seconded before discussion. The mover will normally be allowed up to five minutes. No other speakers will normally be allowed more than three minutes, unless agreed by the

meeting to be “further heard” for a specified period. Speakers will address the chair and only speak once on each item, except by permission of the chair, providing that the mover of a motion or an amendment may reply to the discussion without introducing new matter for debate; such reply will close the discussion. The chair is responsible for ensuring that the meeting is conducted in an efficient and effective manner, and has discretion to ensure that proper consideration is given to each item and issue, but that repetition of arguments is avoided.

8. Amendments to any recommendation may be moved and seconded, but shall also be handed to the secretary in writing.
9. Any breach of or question to the rules or standing orders may be raised by a member rising to a point of order. The chair’s ruling on any point arising from the rules or standing orders is final unless challenged by a fifth of members; such a challenge shall be put to the meeting without discussion and shall only be carried with the support of two-thirds of the members present.
10. Any motion of ‘next business’, ‘that the vote be taken’ ‘to adjourn’, ‘no-confidence in the chair’ shall be moved, seconded and put to the vote without discussion; after such a vote the chair need not accept a further procedural motion for a period of 15 minutes.
11. No motion to rescind a resolution of the group shall be valid within three months from the date on which the resolution was carried, except where significant new information has come to light since the original decision was reached.
12. Voting shall be by a show of hands except where these standing orders provide for a ballot vote or where the group decides otherwise. In the event of there being an equality of votes on any matter decided by a show of hands, the chair may give a casting vote. If the chair does not wish to give a casting vote, the motion is not carried.
13. The proceedings, agenda papers and minutes of Labour group meetings are confidential and should not be disclosed by any member without the approval of the group.
14. In the absence of any Labour group decision otherwise, the responsibility for communicating or making public the views and decisions of the group rests with the Leader of the group or her/his nominee.

Clause IX.

Finance

1. Groups will operate a financial year of 1 January to 31 December in common with the national party and party units.

2. The treasurer will keep financial records which are sufficient to enable a report to be made at any time, and with reasonable accuracy, about the financial position of the Labour group.
3. An annual statement of accounts will be presented for approval to each AGM.
4. The group, as a Members Association for the purposes of the Political Parties, Elections and Referendums Act 2000 (PPERA), will have systems in place to ensure that all donations or loans of more than £500 are identified promptly and checked to ensure the donor/lender is permissible and report donations/loans of more than £7500 in a calendar year from the same donor/lender directly to the Electoral Commission within 30 days of acceptance.
5. Where a Labour Group makes contributions to a unit of the party (i.e. CLPs or branches) that add up to more than £25,000 in a calendar year, the group will register with the Electoral Commission and directly report all contributions as required by PERA and in accordance with guidance issued by the Electoral Commission¹.
6. The group will co-operate with the officers of CLPs and other party units to enable them to comply with their obligations under PERA. In particular, the Labour group treasurer should ensure that the commercial value of in-kind donations (such as printed materials supplied to a CLP or branch) is communicated promptly to the CLP or other party unit treasurer.

Clause X.

Amendments to standing orders

1. These rules, or any part thereof, may be amended, altered or additions made thereto by resolution carried at an Annual General Meeting or special meeting by a vote of two thirds of members present
2. NEC approval via the regional, Scottish, or Welsh office for any amendments must be gained prior to amendments being put to the group.
3. Any amendments must not contradict the Labour Party Rule Book or the spirit of these model standing orders.

¹ <https://www.electoralcommission.org.uk/find-information-by-subject/political-parties-campaigning-and-donations/donations-and-loans-to-other-individuals-and-organisations/guidance-for-regulated-organisations>