

# Annual General Meeting Report from Disciplinary Committee with proposed amendments

## Section i) Committee report

### Abbreviations

AGM:	Annual General Meeting
DC:	Disciplinary Committee
SOPD:	Standing Orders for Party Discipline

### Committee Membership

As a significant change compared to the previous AGM, membership of DC has benefitted from several individuals who have served for longer than one year, with the average length of service having increased from under 12 months to over 16 months. Their experience and confidence are strongly reflected in their contributions to committee business, which has also included guiding newer members through their DC membership, whether in hearings, on investigations, or for questions on the complaints system.

However, DC membership ~~remains somewhat volatile~~ *has fluctuated this year*. We reached 18 members ~~this year~~, its largest ever, but now has returned to the 2023 AGM size of 14 members. We encourage regions with vacant positions on DC to engage with their members and hold elections for these positions. One DC member is on a no-fault suspension and another member has been expelled, but neither sanction was imposed due to decisions made by these individuals in their capacities as investigators or hearing panel members.

*Of the x new members, x were called upon to be supported in working towards independent working as part of the team.* DC members will continue to set a good example of following the Code of Conduct.

DC would like to thank former members for their work: Frank Earp, Scott Robinson and Jenny Vernon. All three have handled complex cases with compassion, integrity and understanding, and whose contributions will be missed. We particularly thank Scott Robinson for his extensive work as Deputy Chair and Chair, and for the significant efforts he has made to reform the complaints system. We also express our gratitude to the staff members who support DC and who perform some often undervalued, thankless and gruelling tasks on our behalf, particularly Complaints Manager Rositta Priestley and Head of Governance Sarah Santos.

### Ongoing Challenges in the Complaints System

Reflecting on the report to the previous AGM, some of the previous challenges remain in place. ~~Litigation has significantly hindered the handling of complaints;~~

~~costing the party significant quantities of time and money on legal services while delaying the hearing of complaints with extra back-and-forth. The validity of such legal involvement by members is not questioned by this report, but members should be mindful of these consequences if they choose to engage in litigation during the disciplinary process. Members should not misleadingly blame delays arising from their choice of litigation upon shortcomings of DC.~~

*Litigation continues to absorb party funds and reduce the staff time available for processing members' complaints. DC are working on a plan to improve the process both for members needing to complain and those complained about and look forward to working with all appropriate bodies and the leadership to improve processes. This should have the effect of discouraging members from resorting to litigation, but changes will be audited to assess effectiveness."*

The administration of DC has become more effective as Rachel and I have grown in our leadership roles, ~~becoming better versed in the imperfect systems we work with~~ and having fostered healthy relationships with staff and other party bodies which support the work of this committee. This has led to improved resourcing of DC, including some investigations being handled by external providers in serious cases beyond the fair expectations of volunteers. *The numbers of cases heard by external providers are detailed within the costs in the Statistical Overview section below along with a discussion on this project and how efficient and cost-effective it has been for the Party.* We are grateful for this support, and we encourage the party to continue to invest in the disciplinary process as the party expands. *There are imperfections in the complaints and disciplinary processes which we are working on and to this end we will work with other governance to assess and improve our systems, reduce the backlog of complaints and restore confidence in the cultural health of our Party. There is an urgent need to increase the sharing of data in our annual reports to increase members' confidence in the processes and to ensure that GPEW can evidence non-discrimination.*

An additional challenge this year has been the General Election. DC members proudly contributed to the electoral success we achieved. *\*However, this meant that we did not have the volunteer capacity to work as normal from April to July. All hearings and investigations were put on hold, both due to lack of DC availability and as many complainants and respondents were also busy campaigning. We are aware of the delays this has caused, and we are now back to a standard working pattern and will continue to tackle the backlog. In future a plan will be put in place to prevent such a recurrence.*

*It is clear that some members are unhappy with what they see as failings in relation to the Party's disciplinary processes. They often have an uninformed picture of all the issues at hand and all the types of complaints we deal with which include serious issues racism, harassment, bullying, corruption and fraud. We want to provide clearer information and increase members' confidence in the work that we do and will endeavour to answer queries in relevant forums as this is an integral part of our duties as committee members. We will do this while observing strict confidentiality and following ~~our~~ current processes in SOPD. ~~Misinformation around the party's~~*

~~disciplinary processes was a minor but growing problem at the last AGM. Regrettably, this problem is now one of the most significant facing DC. We do not comment on individual cases, but individuals do comment on their own cases; often in a way which omits crucial information or which misattributes decisions to the wrong lines of reasoning. It is shameful that some former members are brazenly lying about the disciplinary process and sanctions applied to them, and dismaying that some current members are choosing to believe and amplify them without having sight of the evidence.~~

~~DC has handled appalling cases of racism, harassment, bullying, voter fraud, corruption, and sexual assault, all behaviours that are unequivocally un-Green and unwelcome in this party.~~

*We will be sharing better data in future about the numbers and types of cases that we have dealt with so that members can see the important work that we do and the issues that we deal with as outlined above. We do so while observing strict confidentiality and following current processes in SOPD. We stand by our decisions and are prepared to justify them and illustrate our effectiveness by presenting more detailed data to members. It is important to point out that serious transgressions of the Code of Conduct must always be appropriately addressed and suspension and expulsion will be considered when evidenced and justified.*

~~We do not shy away from removing from the party those who commit these un-Green acts.~~

~~We will not be intimidated by former members in denial over their un-Green behaviour.~~

## **Next steps**

As the party membership grows, so must our party infrastructure. The current SOPD contains significant shortcomings that are reflective of how much the party has changed *hence the need to improve our processes. and unfortunately these shortcomings worsen the complaints backlog instead of easing it. DC and the Party obviously do not want to prevent members complaining where it is necessary, but we do need to improve other ways of working towards more harmonious methods of resolving disagreement and disputes and reducing the overall numbers of complaints. The number of complaints. The number each year is a strong indication of the cultural health and morale of the Party.* DC has worked with other party bodies to develop a new SOPD with improvements including:

- changing from a “complainant versus respondent” system to a “Party versus respondent” system, in line with established disciplinary systems elsewhere and to better support *those aggrieved, victims and survivors; and those complained about. This is a commitment to endeavour to ensure the investigation has been thorough and fair and that justice has been done. This starts with carefully establishing the veracity of a complaint and continually endeavouring to establish a fair and well evidenced investigation and outcome.*

- ~~stopping the current practice of the Appeals system essentially rehearing complaints, and instead only allowing appeals based on procedural errors, in line with standard practice;~~ *We are aware that in all 3 appeals cited in the Statistical overview below, none of the DC sanctions were upheld. We are being open to scrutiny about this and therefore commit to reviewing the appeals process to ensure it is fair, effective and efficient.*
- improving transparency by reporting decisions and sanctions to the wider membership, *reporting on the ongoing analysis of complaints and* removing some confidentiality traps that erode trust and lead to speculation and misinformation being circulated as fact.

We encourage members to engage with these proposals and to support ~~them~~ *the final motions* at the next Conference.

Despite *these* challenges, DC *continues endeavours* to handle cases with integrity, due diligence, and a commitment to Green values. A trial of using external investigators this year has shown that for every complaint investigated by DC volunteers, or where DC considers no investigation to be necessary, this could be the equivalent of saving the party around £5000 per complaint (as compared to referring externally). *More details are below in the Statistical Analysis section.* We are making progress into the complaints backlog, with the number of open complaints having decreased by roughly half one fifth since the start of 2024. We will continue this process, working within our current SOPD while doing our bit to improving the party's governance, and we welcome volunteers wishing to stand for election to DC.

## Section ii) Statistical overview

*Going forward and working with the Governance Lead we will aim to ensure that all complaints:*

- will be categorised into themes to increase transparency about the issues affecting members and to support GPEW endeavours to evidence non-discrimination*
- will record the protected characteristics of both complainants and those complained about and will be reported on annually (see Safeguarding below)*

*Included in future DC annual reports will be new sections on:*

- **Data protection:** brief report from Data Protection lead on complaints and disciplinary process compliance with the law and % of staff and complaints team who have undergone relevant training (See governance - below)*
- **Governance:** DC will report re compliance with Governance stipulations including publishing of minutes, data protection, timeliness of investigations and decisions and the updating of the record of time members have spent on waiting lists for investigations and on NFS*
- **Safeguarding:** the safeguarding lead will comment annually on implications of processes and complaints in the year which involve vulnerable groups. Any safeguarding implications for individuals and the reputation of the Party that are identified during the complaints process must be flagged and an action plan made. Annual data for the Safeguarding Lead on protected characteristics of complainants and those complained against. DC will report on the % of staff who have undergone relevant safeguarding training.*
- **Unreasonable, persistent, abusive, malicious and vexatious complaints (UPVAM):** it is essential that a political party promotes transparency, improves confidence in processes and guards against misuse of disciplinary systems. Therefore DC will report on how the policy has been used each year and the number and % of cases deemed to be ruled as UPVAM, and their breakdown.*
- **Analysis of themes of complaint:** DC or Governance staff will analyse and comment on themes of complaints annually. Ongoing, emerging themes or issues may need to be flagged during the year and passed onto relevant forums for consideration and action.*

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### **Disciplinary Committee statistics**

SOPD require the Complaints Manager to report to Conference all decisions of censure, suspension and expulsion taken by DC.

DC has held seven business meetings between 1st July 2023 and 30th June 2024, on the following dates:

- 30 September 2023

- 29 October 2023
- 29 November 2023
- A31 January 2024
- 25 February 2024
- 25 March 2024
- 15 May 2024.

In the period 1st July 2023 to 30th June 2024, DC heard 10 complaints, of which:

- 3 complaints not upheld and were dismissed, and
- 7 complaints upheld.

Of these upheld complaints:

- 1 complaint upheld but discharged with no sanctions, and
- 6 complaints resulted in sanctions of some kind.

Of these complaints resulting in sanction:\*

- 5 complaints resulted in censure,
- 3 complaints resulted in conditions being placed on the respondent's participation in Green Party activities,
- 5 complaints resulted in suspension of membership,
- 1 complaint resulted in expulsion.

\*More than one sanction may have been applied, so the numbers here add to up to more than total cases heard.

### **Appeals Subcommittee statistics**

The Complaints Manager is also required to report all Appeal decisions to Conference.

The Green Party Regional Council Appeals Sub Committee has considered three appeals from 1st July 2023 to 30th June 2024:

- 2 appeals: the sanction applied by DC was overturned.
- 1 appeal: the sanction was replaced with a less severe action with all other elements of the appeal not upheld.

### ***General complaints data section***

*In the period 1 July 2023 to 30 June 2024, the total number of new complaints made were x.*

- *Of these x were not accepted and therefore dismissed*
- *X were diverted to mediation*
- *X were referred to local party mechanisms*
- *X were accepted onto the complaints process waiting list*
- *The total number of complaints in the complaint process waiting list is now x*
- *The longest waiting time for a complaint to be heard to date is: x months*
- *Total number of members on suspension = x*
  - *The table below shows how long each suspended member has been waiting for their case to be heard*

<i>&gt; 3 mths</i>	<i>&gt; 6 mths</i>	<i>&gt; 9 mths</i>	<i>&gt; 12 mths</i>	<i>&gt; 15 mths</i>	<i>&gt; 18 mths</i>

***Use of external agencies in the complaints process.***

- *This year external agencies were used to progress (x number of) complaints*
- *Of these:*
  - *X were finalised and the average length of time for each case heard was x*
  - *Those that were not finalised (details from DC here)*
  - *The cost to the Party was x for each case*
- *Overall using the external agencies was (details from DC analysing effectiveness of this project)*

We wish to record our thanks to all involved in the disciplinary and disputes process, including those working in the Referral Group, at a regional level and in appeals, and to the ongoing work of the Alternative Dispute Resolution Committee. In particular, we'd like to acknowledge the commitment all volunteers make to the process, even when working under difficult conditions.