

Amendments to :

Annual General Meeting Report from Disciplinary Committee

To read amendments in context, see accompanying document, title “Complete document to read through showing amendments to DC report to AGM24”.

The amendments below are numbered in the order that they appear in the DC report.

Section i) Committee report

Committee Membership

Amendment 1: paragraph 2 delete “remains somewhat volatile” and replace with “has fluctuated” so the sentence reads “However, DC membership *has fluctuated this year*.”

- **Rationale:** less emotive language.

Amendment 2: paragraph 2 2nd sentence delete “this year”

- **Rationale:** Superfluous

Amendment 3: add in after 2nd para “*Of the x new members, x were called upon to be supported in working towards independent working as part of the team*”.

- **Rationale:** important to see that new members were involved and supported so that effectiveness of the current system can be assessed. It is also to ensure clarity i.e. there were no political biases in the selection of candidates for the panels

Amendment 4: in the section **Ongoing Challenges in the Complaints System**, in the first paragraph” delete “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.”

And replace with (directly after sentence “Reflecting on the report to the previous AGM, some of the previous challenges remain in place”.): “*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 all changes will be audited to assess effectiveness.*”

- **Rationale:** language must be clear, unbiased and not defensive. Positive message.

Amendment 5: in section **Ongoing Challenges in the Complaints System**, 2nd paragraph, after “The administration of DC has become more effective as Rachel and I have grown in our

leadership roles”, delete “*becoming better versed in the imperfect systems we work with*” and replace with a new sentence - see Amendment 7 below

Amendment 6: in section **Ongoing Challenges in the Complaints System**, add new sentence after current 2nd para ending in “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.*”

- **Rationale:** It is vital that members are kept abreast of this new project for GPEW where there are serious budgetary implications. Vital to improve confidence that initiatives are well planned and managed and that there is value for money. Although this is new information to be added to the report it should not be onerous as the lead for this project will have the information to hand and the contract will have stipulated regular updates and costs.

Amendment 7: in section **Ongoing Challenges in the Complaints System**, add new paragraph at end of paragraph 3 ending in “*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 bodies 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.”

- **Rationale:** passive sentence has been deleted and replaced with positive message so that members can more clearly understand there is an endeavour to improve transparency about any problems relating to the processes and so that members can see an acknowledge that there are just too many complaints - the barometer of well being in the Party. Evidencing non-discrimination is vital - we must not pay lip service to monitoring discrimination, evidence is required.

Amendment 8: in section Ongoing Challenges in the Complaints System, add new sentence at end of paragraph 3 ending in “tackle the backlog”.

“In future a plan will be put in place to prevent such a recurrence.”

- **Rationale:** it is not acceptable that the work of such an important committee ends because of an election and there is no mandate for GC to do this. This is particularly worrying because of the glare of publicity about NFS. General elections are of course extremely important but this committee must continue the work order to improve confidence in the process for the members and for our reputation. It is vital to address the lengthy waits for members in the processes. GPEW should perhaps consider co-opting other members with expertise onto DC

Amendment 9: at the end of section **Ongoing Challenges in the Complaints System**, “tackle the backlog” (and after Amendment 8, if agreed) Insert new paragraph:

“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 such as 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 all queries in relevant forums as this is an integral part of our duties as committee members."

- **Rationale:** The defensive and emotive language in the original report is not appropriate. Replaced by clear and positive message about endeavours in the future and transparency on data.

Amendment 10: in section **Ongoing Challenges in the Complaints System:**

Replace 'our' with 'current' in the sentence "We do so while observing strict confidentiality and following our current processes in SOPD"

- **Rationale:** depersonalising language and reminding members that DC have to work within the current not necessarily ideal processes that are going to be improved upon.

Amendment 11: in section **Ongoing Challenges in the Complaints System**, delete sentences as follows: "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."

The deleted themes are replaced by **Amendment 9** (above)

- **Rationale:** Removing unhelpful, emotive language.

Amendment 12: in section **Ongoing Challenges in the Complaints System**, add new sentence after current para ending in "*un-Green(sic) and unwelcome in this party.*" (and after Amendment 9 is accepted) add in new sentence:

"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."

- **Rationale:** positive message and action plan for the future to increase confidence in processes. Still retains important message about the serious nature of some complaints which the processes were intended for. Having statistics about the themes of complaints should be reassuring for members.

Amendment 13: in section **Ongoing Challenges in the Complaints System:** insert 2 new sentences after the sentence starting "We do so while observing strict confidentiality":

"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 also be considered when evidenced and justified. 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.

- **Rationale:** this language is not defensive but contextualises this year's work by reminding members that DC are willing to explain and justify their decisions.

Amendment 14: at the end of the section **Ongoing Challenges in the Complaints System:** delete

"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."

- **Rationale:** the language in the DC report here, is emotive and aggressive and overall unhelpful in terms of healing the Party. They should be replaced as suggested by Amendment 13 above. Intimidation of DC members if evidenced should be challenged by the Party and the police should be involved if anyone is potentially threatening and violent. Counteracting other allegations is best done by clear information, transparency of process and updating of members by the Party at regular intervals.

Amendment 15: in the section **Next Steps**, in the second sentence delete the words from *"and unfortunately these shortcomings worsen the complaints backlog instead of easing it."*

Add instead: *"hence the need to improve our processes. 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 total number each year is a strong indication of the cultural health and morale of the Party."*

- **Rationale:** removing defensive and passive language, acknowledging problems and focussing on positive improvement. The Party needs to strengthen other mechanisms and invigorate other processes such as the Healing Toolkit etc. Again, GPEW should consider co-opting other members with expertise onto DC to assist with the backlog.

Amendment 16: section **Next Steps**, at the end of the first bullet point insert after *'better support'*: *"those aggrieved,"* before *"victims and survivors"*.

- **Rationale:** not all members who use complaints process are victims or survivors. Many are aggrieved by what they perceive they have experienced and want acknowledgement and/or to have some measure of justice mediated or restored. DC need to step back from portraying all complaints as valid and proven before they are investigated.

Amendment 17: section **Next Steps** at the end of the first bullet point insert after *"survivors"*: delete the full stop and add:

"and those complained about".

- **Rationale:** the welfare of the members complained about is important to the Party as well as the welfare of those who are aggrieved.

Amendment 18: section **Next Steps** at the end of the first sentence in the first bullet point, add:

“This is a commitment to endeavour to ensure the investigation has been thorough and fair and that justice has been done and is seen to be done. This starts with carefully establishing the veracity of a complaint and continually endeavouring to establish a fair and well evidenced investigation and outcome.”

- **Rationale:** clear statement of intention and guarantee of fairness and assessing and weighting of evidence

Amendment 19: section **Next Steps** at the beginning of the 2nd bullet point delete:

“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;”

Replace with: *“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.”*

- **Rationale:** the original plan was not in line with standard practice, e.g. those that shadow ACAS etc). Problems identified with the processes and their application must be openly acknowledged and discussed. Disallowing appeals is unacceptable.

Amendment 20: section **Next Steps** in the 3rd bullet point add after *“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.

- **Rationale:** Members will find it useful and reassuring to see a table of analysis on the total number and the see of complaints and their progress.

Amendment 21: In the sentence after the 3rd bullet point delete *“them”* and insert *“the final motions”* so that the sentence reads

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

- **Rationale:** This indicates that DC have listened to members and will be open to amendments to their proposals before and during the next conference.

Amendment 22: In the 2nd paragraph after the 3rd bullet point delete *“these”* before *“challenges”* and replace *“continues”* with *“endeavours”* so that the sentence reads *“Despite these challenges, DC continues endeavours to handle cases with integrity, due diligence, and a commitment to Green values.”*

- **Rationale:** this wording reflects the reality of honest endeavour and showing humility regarding application of processes.

Amendment 23: In the 2nd paragraph after the 3rd bullet point after the sentence ending *“as compared to referring externally.”* Add:

“More details are below in the Statistical Analysis section.”

- **Rationale:** Reference to suggested new section in the Statistical Analysis of the report. Important for members to see the effectiveness and value for money of this project being continually assessed by the Party.

Amendment 24: in **Section ii) Statistical Overview** at the start, insert new section:

“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 point 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 contribute to the annual DC report re implications of processes and any 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 reported to the Safeguarding Lead so that an action plan can be made by them with the relevant bodies. Annual data for the Safeguarding Lead on protected characteristics of complainants and those complained against will be reported on. DC will report on the % of staff who have undergone 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 for political or personal purposes. 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.*
- *Analysis of themes of complaints: DC and/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 appropriate forums for consideration and action.”*

- **Rationale:** the need for the data as outlined above is clear and must be part of DC plans for translucency and clarity going forward. GPEW in general must follow through on policies once agreed and see that they are not just sound bites, but integrated obligations and actions throughout all processes and activities. **Examples:** We are all responsible for e.g. safeguarding and committees in particular must demonstrate that they are aware, alert and ready for action. If complaints concern vulnerable groups or trends of behaviour, committees must report and act on this. If governance is not being followed, committees must identify and act on this.

Amendment 25: Insert new penultimate section at end of report from Governance lead:

“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>> 3 mths</i>	<i>> 6 mths</i>	<i>> 9 mths</i>	<i>> 12 mths</i>	<i>> 15 mths</i>	<i>> 18 mths</i>

Amendment 26 At the end of the Governance Lead’s report, insert new section

“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 (numbers and brief details from DC here)*
 - *The cost to the Party was x for each case*
- *Overall using the external agencies was (details from Governance Lead/DC analysing effectiveness of this project)”*
 - **Rationale:** Repeat of info from Rationale for Amendment 6: It is vital that members are kept abreast of this new project for GPEW where there are serious budgetary implications. Vital to improve confidence that initiatives are well planned and managed and that there is value for money. Although this is new information to be added to the report it should not be onerous as the lead for this project will have the information to hand and the contract will have stipulated regular updates and costs.

Siobhan Scanlan

25 October 2024