



**co-operative  
party**

# **Complaint Handling Handbook**

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## Introduction

The Co-operative Party expects our members to abide by the spirit and letter of our rules and to exhibit our shared values of co-operation, solidarity, tolerance and respect at all times.

We encourage people to report behaviour by our members that may constitute a breach of our rules or does not reflect our shared values. We take all such reports seriously and look to investigate and resolve these matters in the most appropriate way.

This Handbook sets out the Co-operative Party's complaints process and answers the common questions that people – both those complaining, and those being complained about - may have. We will update this Handbook as appropriate in order to ensure that our members (and other interested parties) have an appropriate understanding of the way we conduct our complaint handling processes.

## Training and Resources

The Party's Rules are available on our website [here](#). The [Rule Book](#) includes our membership conditions and our complaints policies and procedures.

The Co-operative Party has commissioned on-line training on equality and diversity, unconscious bias, sexual harassment and GDPR. These courses are free to members of the Party, and officers and elected representatives are particularly urged to take them. You can register with [this link](#) and your membership number.

Additional training on antisemitism will be available for party officers in 2022.

## Definition of a complaint

A complaint is any expression of dissatisfaction with the behaviour or action demonstrated by a Co-operative Party member that also evidences a breach of our rules or conduct requirements.

## Who can complain?

Anyone can complain about the behaviour or actions of a Co-operative Party member - you do not have to be a member yourself to complain. However, there is a difference between whether you will be treated as a complainant or a third party and this will affect whether we will be able to share any information with you during our investigation, or at its conclusion.

You will be a **complainant** if the behaviour or action was directed at you. You will be a **third party** if the behaviour or action was directed generally, or at someone other than you. For example, if a discriminatory statement was posted on Twitter, naming you, and you complained to us about it, you would be treated as a complainant. If the discriminatory statement named other people (or was just a general statement) and you complained to us, you would be treated as a third party.

It makes no difference to how we deal with a complaint whether it is raised by a complainant (someone directly affected), or a third party (someone indirectly affected). The only difference is that if you raise a complaint as a third party, we will be unable to provide any ongoing information due to confidentiality and data protection reasons.

The Co-operative Party will assess every complaint received and take action where it is about an identifiable member.



## Who and what can you complain about?

We only consider complaints about our members. If the person you are complaining about is a supporter of the Co-operative Party but not a member, we will be unable to investigate as they are not bound by our rules or codes of conduct. This also applies to conduct or behaviour of current members from a time previous to when they joined the Co-operative Party as a member.

We understand that you may not know whether or not the person is a Co-operative Party member. As long as you have good reason to think that they are a member, you should submit a complaint. We will tell you if they are not a member once we have undertaken a check.

A member could be: an elected representative or candidate, a local Co-operative Party office holder such as a branch or Party Council chair or just an ordinary member of the Party.

You can complain about anything a member has done that you think breaches the [Co-operative Party's Rules](#). However, please remember that this doesn't include things such as a disagreement with Co-operative Party policy or strategy.

Our membership conditions, rules on conduct, sexual harassment, antisemitism and islamophobia are set out in the appendices below.

## What can't you complain about?

Complaints about Co-operative Party policy, strategy or a stance on a particular issue is not something that can be pursued through the complaint process. However, this type of feedback can be submitted to your NEC member, and you can find out who that is [here](#).

You can't complain about a Co-operative Party decision to take disciplinary action against you or another member. Neither can you complain about a complaint that's been made about you.

The Co-operative Party cannot consider complaints about your local Member of Parliament (MP), MSP, MS, AM, PCC, elected mayor or councillor and the service they have provided to you (for example, if your MP hasn't responded to your correspondence). For MPs, you can submit a complaint to the Parliamentary Commissioner for Standards who can investigate certain complaints about MPs that relate to breaches of their code of conduct. More information about the remit of the Parliamentary Commissioner for Standards is available [here](#).

You can't complain to the Co-operative Party about groups that are affiliated to us, such as our subscribing co-operative societies. These have their own complaints processes and should be approached directly.

We don't expect people to need to raise multiple complaints about the same behaviours or incidents. If we think your level of complaint reporting is disproportionate, we will let you know and ask you to stop. Similarly, if someone raises complaints that are considered trivial or vexatious, we will ask them to stop and may restrict their ability to complain. More information about our approach to unreasonable behaviour and vexatious complaints can be found below.



## How to complain

We would prefer that you submit your complaint using the form on our website as this is the quickest and easiest way (you will find the form [here](#)). If you cannot access our website, you can post your complaint to us. Our address is:

The Co-operative Party  
Unit 13  
83 Crampton Street  
London,  
SE17 3BQ

The form on the website is short and straightforward and asks for your contact details, as much detail as possible about the Co-operative Party member you are complaining about (so we can identify the correct person), and details of what you are complaining about. We also ask you to select what type of complaint this is.

You can select more than one complaint type if it is appropriate.

If your complaint relates to post(s) on social media, we ask that you send us details of the member's social media profile and the post(s) in question. You can do this by copying and pasting the web address and/or sending us a picture of the post(s). If, for any reason, you are unable to access the online form or send a complaint by post, you can call our membership team on: 020 7367 4150.

## Sexual Harassment

The Party has a separate process for dealing with complaints of sexual harassment, which you can find below.

## Safeguarding

The Party has a policy on safeguarding that you can find below. This includes the conduct that is required of all Co-operative Party staff, officers and elected representatives, and who to contact if you have concerns.

If you are concerned that a child, young person or vulnerable adult is at risk of harm, then please contact your local authority's safeguarding team. You can find your local authority [here](#). The NSPCC can provide guidance and support if you are concerned about a child or young person. Their helpline is 0808 800 5000 and is open 24 hours a day. Adults and young people can contact the Samaritans for support on 116 123, and this is available 24 hours a day.

## Our guiding principles

As a Party, our co-operative values should be reflected in our actions as well as our policies.

We wish to promote a culture where all members understand the conduct expected of them and all feel welcome and encouraged to participate in meetings, events and on social media.

All complaints are taken seriously, dealt with appropriately and where necessary acted upon.

We will:-

- Keep the complainant informed about the complaint's progress
- Provide an outcome as soon as possible
- Keep our rules, processes and outcomes under review to ensure that:



- our rules and the conduct expected of a Co-operative Party member are clearly understood
- members understand our processes for making a complaint or having a complaint made about them
- members expect and receive fairness, clarity and consistency in the way complaints are dealt with
- we continue to improve

## What happens to your complaint?

When you submit the online complaint form you will receive an email acknowledgment. This tells you that it has been received and signposts where you can access emotional support if you need it.

Occasionally we will decide not to proceed with the complaint you have raised. This might be because there is insufficient evidence of the behaviour complained about, that no rules would have been breached by the behaviour complained about, or that there are no membership sanctions that would be appropriate even if we did investigate.

Sometimes, if for example, a police investigation or a legal case is ongoing, we will also suspend any potential Party investigation into a complaint until the outcome of the relevant external process has been concluded.

If the member complained about is an elected representative and we are aware that the Labour Party is investigating the same complaint, we will suspend our investigation until that process has been concluded.

Whatever happens, we will let you know and explain the decision.

If a complaint relates to a protected characteristic (as defined in the Equality Act) the investigation will be undertaken by an external investigation consultancy. If the complaint does not relate to a protected characteristic, the investigation will be undertaken by a trained member of staff. In either scenario, the investigator will ensure they understand your complaint fully and will approach both you and the member complained about (where appropriate) to ask for any further information they may need. They may need to talk to several people and will undertake a desk-based investigation in order to get sufficient detail before they are able to come to a conclusion.

Investigations can take some time.

Once an investigation is completed, a recommendation for the outcome is passed to the General Secretary. The General Secretary may take immediate action, if appropriate, or refer the case to the National Executive Committee Disputes Sub Committee. The committee will then make a decision on all the evidence and whether they agree with the recommendation.

If the complaint involves witnesses and cannot be determined on a written report and accompanying evidence alone, it is likely to be referred to the Co-operative Party Disciplinary Committee for a hearing and determination.

There are slightly different complaint handling processes depending on the type of complaint you have submitted. The reason for this is that we recognise there are different sensitivities that relate to certain complaints such as sexual harassment or those about other protected characteristics and we want to be sure that we deal with your complaint in the most effective and sensitive way.



## **Automatic exclusion from Co-operative Party membership**

There are also certain membership conditions that, if broken, automatically exclude you from becoming or remaining a member. For example, standing for election in opposition to a Labour candidate. These are set out in the membership conditions in the Rule Book.

In such cases, the member will be removed from our membership list without need for the full disciplinary process.

## **Suspension pending investigation**

When we receive a complaint, we will assess whether the member complained about should be suspended until the process has been completed. This could mean full suspension of all membership rights, or suspension as a Co-operative Party representative or officer. Factors we will take into consideration are:

- Is the accusation so serious that failure to suspend could bring the Party into disrepute?
- Could the situation be exacerbated by further incidents during the course of the investigation?
- Could the complainant or other members need to be protected from the accused e.g. sexual harassment, intimidation or violence?

For any of the above, we are likely to fully suspend membership, pending investigation.

- Does the accused hold a position of additional responsibility or leadership in the Party?
- Could the investigation be compromised by access to Party resources (e.g. membership lists, funds, influence)?

For either of the above, we are likely to suspend as an officer or elected representative, provided none of the first three conditions are also met.

- Is the member a Labour or Labour and Co-operative elected representative or candidate who is subject to investigation or disciplinary action by the Labour Party?

If so, we may suspend them from representing or membership of the Co-operative Party until the Labour Party disciplinary action has concluded.

If none of the above conditions are met, or the complaint is not credible or is malicious, it is unlikely that the member will be suspended.

## **How investigation conclusions are reached**

Conclusions are reached by weighing up all the evidence available. In order to get to this point, the investigating officer will:

- Confirm their understanding of the complaint(s) raised
- Examine the evidence supplied at the outset
- Determine what further evidence/information they will need
- Approach the person raising the complaint, the respondent (the member being complained about) and any other third parties who may be able to provide the further information required and request
- Consider the evidence and information against the complaints raised



- Consider how serious any rule breach has been, what the effect has been and what the recommended sanction should accordingly be

Rule breaches can be moderate, significant or serious. This, alongside the effect that the rule breach or conduct has had, will also be taken into account when deciding what the outcome or sanction on the member should be.

## What are the possible outcomes?

Occasionally a member will resign their membership during our investigation. If that happens then we won't be able to continue our investigation as the person complained about will no longer be a member of the Co-operative Party and there will be no sanction we can impose. This can also happen if we discover that their membership has lapsed.

We may decide that – considering all the circumstances and available evidence - we will take no further action. This might be where the complaint is unfounded.

Other outcomes of a complaint investigation might be where we issue the member with a warning and a reminder of our rules and conduct. This warning may also be accompanied by a suggestion that the member undertakes one of the Party's training modules.

Other outcomes are known as sanctions. These can include:

- A formal warning to the member based on the behaviour or conduct we have seen. This will stay on their membership record for a period of at least 12 months and can inform outcomes of any further upheld complaints
- Suspension as an elected representative, candidate, delegate or officer for a defined period of time
- Suspension from membership for a defined period of time.

The above sanctions could also be accompanied by a requirement to undertake relevant approved training.

- Expulsion from Party membership

If a member is expelled from the Party, the NEC will not normally consider readmittance within 5 years.

## Who takes the decision?

The General Secretary may suspend, warn or expel a member. They may also refer the complaint directly to the NEC Disputes Committee, who may impose any of the above sanctions.

In all cases determined by the General Secretary or the NEC, the member complained about has a right of appeal to the Co-operative Party Disciplinary Committee (CPDC). Appeals are only accepted if new evidence has become available that was not available for the previous finding, the sanction was disproportionate or there were demonstrable failings in the investigation.

## Co-operative Party Disciplinary Committee (CPDC)

The CPDC consists of 22 members, elected every three years by Party Councils and subscribing Societies. The NEC may co-opt up to 4 additional members to address issues of under-representation.





Appeals to disciplinary cases determined by the General Secretary or the NEC are considered by a panel of five members of the CPDC, with the opportunity for the member to submit evidence in writing and in person.

All members of the CPDC are required to undertake training around equality and diversity, unconscious bias and sexual harassment awareness.

## **Confidentiality**

We will abide by data protection legislation and best practice. For serious complaints about Co-op Party members who are also Labour Party members, the complaint details may be shared with the Governance and Legal Unit of the Labour Party on the basis of a legitimate interest. This is to ensure both Party's ability to respond to safeguarding and member welfare concerns, legal claims and any other litigation.

For those complaints around protected characteristics the Party may share data with our independent investigation agency. This information by its nature has the potential to include special category data

If we are investigating a complaint made against you, you will be informed and details of the complaint will be shared with those necessary to conduct the investigation e.g. relevant staff, NEC and/or CPDC panel. If you are suspended as a member or elected representative or removed from membership, the relevant officers of the local party will also be informed.

If you are a complainant, you will be informed of the decision.

If you are a third party, your complaint will be acknowledged but we will not inform you of the decision or sanctions applied.

## **Recording and Review**

All complaints and outcomes (regardless of whether an investigation proceeds) will be recorded to ensure that we can report on, analyse and learn from our complaint handling processes.

## **Suspending complaints**

Complaint investigations may be suspended if the complaint is subject to, in particular, any of the following procedures:

- Safeguarding of vulnerable adults and/or children
- Court proceedings
- Criminal proceedings
- Standards investigations (for example in local government)
- An investigation by the Labour Party into the actions of an elected representative or candidate

## **Discontinuing complaints**

The Co-operative Party can decide to stop the investigation or review of a complaint if the complainant fails to respond to requests for information. This will only happen if contact has been attempted at least three different times over a period of (at least) two months, no response has been received and it is not otherwise possible to investigate the complaint without the input of the complainant.



The decision to discontinue a complaint will be made by the General Secretary and the complainant informed accordingly.

## **Withdrawing complaints**

A complaint may be withdrawn verbally or in writing at any time by the complainant. Where this occurs, the Party will write to the complainant confirming the withdrawal and advising them that if their intention has been misunderstood, to let us know as soon as possible.

## **Re-opening complaints**

A complainant can request that their complaint is re-opened if:

- We have misunderstood their intention to withdraw their complaint
- Their complaint was discontinued due to their non-response, but the complainant can explain why this was and is now able to engage with staff

The General Secretary will consider and, if appropriate (for example, if it is proportionate and reasonable in all the circumstances), authorise the reopening of the complaint.

## **Unreasonable behaviour or vexatious complaints**

We aim to ensure that individuals who pursue complaints in an unreasonable manner or where we deem them to be persistent or vexatious are dealt with appropriately, whilst ensuring that other complainants or staff are not adversely affected.

A complaint could be considered to be pursued unreasonably or to be persistent or vexatious where the person demonstrates (without limitation) any of the following behaviours:

- Persists in pursuing a complaint where the complaints process has been fully and properly implemented and exhausted
- Raises an unacceptable number of complaints about one, or several, members that are considered to be unjustified, trivial and/or malicious
- Refuses to accept a decision made on a complaint, repeatedly arguing points with no new evidence or insufficient evidence
- Refuses to accept that certain issues are not within the scope of the Co-operative Party's complaints procedures
- Introduces trivial or irrelevant information which they expect to be considered and commented on
- Sends repeated, persistent and/or abusive communications in connection with the same complaint (or with minor additions or variations) or makes / publishes derogatory statements about staff and/or members
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint has been addressed or is groundless)
- Makes, or has made, excessive demands on the time and resources of staff
- Has harassed, used threats to intimidate, or been personally abusive, offensive or aggressive on repeated occasions, despite being informed that this is unacceptable
- Knowingly provides falsified information



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- Publishes unacceptable, derogatory information or statements about the Co-operative Party, and/or its members and/or staff
- Has made a number of contacts and/or use of a 'scatter gun' approach by pursuing complaints with several staff members (or email addresses) of the Co-operative Party, despite being informed that this is not necessary

If the Co-operative Party considers that a complainant's behaviour is unreasonable, the following procedure will be followed:

- We will inform the complainant, in writing, why we feel their behaviours or actions are unacceptable
- We will give them the opportunity to change their behaviours within a reasonable timescale before taking any further action
- Should the behaviours persist, evidence of these will be gathered and the General Secretary will review the evidence and then decide on any restrictions to be applied to the complainant and how long these should last

The Co-operative Party can apply restrictions in the ways the complainant can access its complaint services, which may include one or more of the following:

- The Party will take no further action on their complaint
- The complainant's use of the Party's complaints system will be limited to a single point of contact
- The Party will not respond to any further contact, unless legally obligated to do so
- Legal action may be taken, including injunctions and/or court orders

The complainant will be notified of any restrictions applied to them in writing within five working days of the decision.

Information concerning the restrictions will be shared with relevant staff. This information will also be registered on the complainant's member record (if appropriate) whilst restrictions are in place.

## Glossary

**Complainant:** Someone who complains about behaviour or actions directed at them

**CPDC:** An body elected from members of the Party that hears appeals

**Equalities Networks:** the Party has 5 equalities networks – BAME, (dis)Ability, LGBTQ+, Women and Youth. Each is led by a Committee or Council elected by and from its members

**GDPR:** General Data Protection Regulation

**MP:** Member of Parliament

**MS:** Member of the Welsh Parliament/Senedd

**MSP:** Member of the Scottish Parliament

**NEC:** National Executive Committee, which oversees the governance of the Party

**NEC Disputes Sub Committee:** a Sub Committee of members of the NEC that deals with disciplinary issues and disputes

**PCC:** Police and Crime Commissioner



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**Protected characteristic:** the Equality Act 2010 states that it is illegal to discriminate against someone due to either their: age, disability, sex, gender reassignment, marriage or civil partnership status, pregnancy or maternity, race, religion or belief or sexual orientation

**Third Party:** Someone who complains about behaviour or actions that was directed generally or against someone other than themselves.



## **Appendix: Policies and Procedures**

### **Disciplinary Procedure**

A complaint concerning a breach of the Rules, Policies or Procedures of the Party should be made in writing to the General Secretary.

#### **Action by the General Secretary**

In relation to any alleged breach of the Rules, Policies or Procedures of the Party the General Secretary may:

- a) Inform the member that they have breached the Rules of the Party and (subject to appeal to the Co-operative Party Disciplinary Committee) are no longer eligible to be a member, or
- b) Inform the member that they have breached the Rules of the Party and issue a warning, or
- c) Suspend that individual or individuals from membership of the Party and/or office or representation of the Party pending the outcome of any investigation and charges (if any). A suspended member shall not be eligible to seek any office in the Party, nor shall they be eligible for nomination to any panel of prospective candidates nor to represent the Party in any position at any level, and/or
- d) Investigate the complaint and refer it to the NEC.

#### **Action by the NEC**

The NEC (or Sub Committee) will consider possible breaches of the Party's rules, policies or procedures and may impose such disciplinary measures as it thinks fit and appropriate.

These may include:

- a) Reprimand and/or warning
- b) Exclusion from membership for a defined period
- c) Exclusion from holding office in the Party, or being a candidate or elected representative or delegate to or from any Party body
- d) Expulsion from membership of the Party.

At its discretion, the NEC may refer cases directly to the Co-operative Party Disciplinary Committee (CPDC) to determine.

In cases determined by the NEC, the member(s) shall have the right of appeal to the CPDC.

When a person applies for readmission to the Party following an expulsion by the NEC or CPDC on whatever basis or automatic exclusion under the membership rules, the application will be submitted to the NEC for consideration and decision. Such applications will not normally be considered by the NEC until a minimum of five years has elapsed since the member's expulsion. The decision of the NEC shall be binding on the individual concerned and on the local Party relevant to the application.

To uphold and enforce the Constitution, Rules and Standing Orders of the Party, the NEC may take any action it deems necessary for such purpose, including disbanding, suspension or otherwise disciplining any Party organisation.



The NEC shall have the power to adjudicate in disputes that may arise at any level of the Party including between affiliated and other Party organisations; between Party organisations and individuals in those organisations; and in disputes that occur between individual members within the Party's organisations. Where the Rules do not meet the particular circumstances, the NEC may have regard to national or local custom and practice as the case may require. The NEC's decisions shall be final and binding on all organisations and individuals concerned.

## **Sexual Harassment Complaints Procedure**

The Co-operative Party believes that our co-operative values should be reflected in our actions as well as our policies. We want all members to feel safe, welcome and respected in our Party.

The Co-operative Party takes seriously all complaints of harassment and discrimination and will not tolerate such behaviour by our members or at our events or meetings.

All complaints of inappropriate behaviour by members of the Co-operative Party including elected representatives are considered under our Membership Rules, which make it clear that members must not engage in conduct that discriminates against groups or individuals on the basis of a range of characteristics including sex. Sexual harassment is defined as a form of discrimination on the basis of sex.

### **What is sexual harassment?**

Sexual harassment is action of a sexual nature which is not welcomed by the person suffering it. It can include, but is not limited to:

- a) Unwanted physical contact
- b) Sexual teasing or suggestive remarks
- c) Sexual assault
- d) Requests for sexual favours
- e) Sexist jokes
- f) Display of explicit or indecent images

Any member of the Co-operative Party who wishes to make a complaint about sexual harassment by another member of the Party can do so by using the complaints portal or by contacting the Party's Assistant General Secretary (Membership and Organisation). This is Emma Foody and her email address is [safeguarding@party.coop](mailto:safeguarding@party.coop) or alternatively the complaints portal can accessed [here](#)

An independent specialist helpline is available for any person who has any questions about the Co-op Party's sexual harassment procedure, or who wishes to report a complaint of sexual harassment and wishes for support. This is available at any stage for those who have made or are considering making a complaint.

Where a complainant wishes to proceed with a formal complaint under the Party's rules an investigation will be conducted by an Independent Specialist Investigator. The investigator will prepare a report for the NEC Disputes Sub Committee which anonymises the information, summarises the evidence and provides a recommendation for action.



Decisions by NEC disputes will be reported to the full NEC including whether the recommendation of the Independent investigator is followed. If it is not followed, a detailed written decision explaining the reasons why must be provided.

The members concerned shall have the right of appeal to the CPDC only where new evidence has been made available, the sanction is demonstrably disproportionate or there are demonstrable failings in the investigation.

If a complaint has also been made to the Labour Party, the Independent investigation will be conducted as one investigation and report the findings to both parties to avoid duplication and ensure complainants are not having to go through multiple processes. A single recommendation will then be provided to both Parties.

Where we believe a criminal offence may have taken place, the complainant will be encouraged to report the incident to the Police; and the Party will provide appropriate on-going support in this process.

All complaints will be dealt with in the strictest confidence. Any complaint will be dealt with confidentially, information will be shared with the Independent Investigator so that they can make contact directly with the complainant. Information on complaints is stored in a protected area with restricted access. Local Parties and representatives are not involved in the investigation. At the NEC disputes decision, all details are redacted. If the complaint was to proceed to the point of appeal, a complainant would need to provide permission for their identity to be shared ahead of any hearing and for evidence to be provided unredacted to the respondent.

The Co-op Party does not provide information to third parties except where it is required to by law. The Party may disclose information to comply with its safeguarding obligations.

The procedures followed by the Disciplinary Committee are set out in in the Disciplinary Procedure.

At no point will the complainant be required to confront the respondent face to face.

The National Executive Committee will receive regular reports on the number of complaints being made of sexual harassment, and on the sanctions.

## **Remit of the Co-operative Party Disciplinary Committee**

There shall be a Co-operative Party Disciplinary Committee (CPDC), to be elected in accordance with procedural rules set out.

The duties and powers of the CPDC shall be:

- To determine by hearing or otherwise such disciplinary matters as are presented to it by the officials of the Party on the instructions of the NEC.
- To determine appeals by members in respect of decisions by, or on behalf of the NEC, on disciplinary matters.

Where a determination has been made as a result of a case brought under either of the above, to impose such disciplinary measures as it thinks fit whether by way of reprimand or suspension from holding office in the Party, or being a delegate to or from any Party body, or expulsion from membership of the Party or removal or qualification of any right of membership.



The decisions of the CPDC in determining disciplinary matters brought before it and imposing such disciplinary measures as it sees fit, shall be final.

The CPDC shall elect its own Chair and two Vice-Chairs. The Secretary to the CPDC shall be appointed by the General Secretary acting on behalf of the NEC.

The quorum for full meetings of the CPDC or hearings in front of the full CPDC shall be not less than four members, who shall be present for the entirety of a hearing involving any individual.

The CPDC may, for the better ordering of its business from time to time and as it thinks fit, divide into panels of not less than three members, who shall have the full powers of the CPDC.

Each such panel shall elect a Chair as occasion requires it. Each such panel will consist of members from regions other than the source of the dispute. If a member of such a panel is unable to attend a hearing, the Chair of the CPDC may appoint another member of the CPDC to the panel as a replacement.

The CPDC or any panel thereof shall meet at such time and such place as it thinks fit, having regard to the convenience of the individual concerned, the members of the CPDC or panel, any witnesses, the effective and proper conduct of any hearing, and cost.

The CPDC or any panel thereof in hearing and determining charges against an individual shall have regard to the Disciplinary Rules. The CPDC shall have the power to supplement such guidelines from time to time and to modify its procedures in order to meet the circumstances of any particular case to ensure fairness to both the individual and the Party.

The CPDC shall have the right to dismiss, without full hearing or at any point, any case presented to it or the panel appointed to hear the case it considers by a majority vote to be frivolous, vexatious, an abuse of the process of the CPDC, or where it considers no case to answer has been established.

The CPDC can refuse to hear or deal with any case referred to it if such referral is more than 90 days after the events to which it relates.

## **Procedural Guidelines in Disciplinary Cases brought before the CPDC**

### **Cases referred by the NEC:**

Each individual should be contacted by letter and email with the charge and full details of the evidence.

They will be asked to provide a written statement and, if relevant, witness statements or other supporting evidence with 28 days.

They will be required to inform the Secretary of the CPDC within 14 days if they wish to contest the charge and that, if they do not wish to contest the charge or fail to respond, the CPDC may proceed with the case and impose the appropriate sanction.

### **Appeals to cases determined by the NEC:**

Each individual should be contacted by letter and email with the charge and full details of the evidence.

They will be asked to provide a written statement and, if relevant, witness statements or other supporting evidence with 28 days.

### **Witnesses**

Should any individual wish to apply to the CPDC for it to hear the oral evidence of witnesses on their behalf, they should apply in writing no later than 14 days before the date of the





hearing; and the CPDC should consider as soon as practicable after the application is made, but in any event no later than four days before the date of the hearing, whether fairness to the individual requires that this should be approved, having regard to the following:

- a) The reasons given in support of the application
- b) The relevant evidence that the witnesses are said to have to give.
- c) The evidence already given in writing by the individual making the application
- d) Whether that individual has taken the opportunity to submit a witness statement containing the evidence of the witness whom the individual is now applying to be heard orally.
- e) The content of any such witness statement and any other considerations that appear to the CPDC to be relevant to determining whether fairness to the individual requires that any witness the subject of such an application be heard by the CPDC.

### **Accompanying Friend**

Any individual charged should have a right at the hearing concerning them to be accompanied by a member of the Party of their choice, who may not address the CPDC in the course of the proceedings.

### **Representation**

Any individual charged shall have a right to be represented by their advocate of choice, but any costs incurred by this advocacy shall be borne by the individual charged and not by the Party.

### **The procedure for each individual should be as follows:**

Meetings and hearings of the CPDC shall take place by video conference wherever practical

The panel shall consist of five members of the CPDC who shall not represent the same nation or region as the member(s) charged or complainant(s).

The panel shall consist of at least two men and two women.

Each member of the CPDC or any panel thereof should have, prior to the hearing, before them, separately for each individual charged, the charge or charges together with any written statement by that individual and any witness statements supplied by that individual or to be relied upon by the presenter.

Each individual's case should be dealt with separately, except where the same charges are being brought by an organisation and the individuals concerned have agreed to be heard collectively.

At the conclusion of the hearing of the case against each individual, the hearing against the next individual should proceed as a separate hearing.

### **Process**

The investigating officer should open and present the charge by making a short oral presentation explaining the particulars and evidence relied upon and calling any witnesses in support of the case.

After opening and presenting the charge or charges the panel should invite the individual(s) to reply, which they may do in writing, orally, or both and by calling witnesses to give evidence in accordance with the ruling on the application referred to above.

The individual charged and any witnesses may be subject to questions from any member of the CPDC, relating to the charges as particularised and on no other matters.



The individual charged shall be given the opportunity to make a further statement at the end of the hearing of the charge, during which neither shall introduce any new material.

At the conclusion of the hearing for each individual there should be a period for consideration by the CPDC followed by a vote on the question whether the charge or charges or any of them be found proved. Such question to be determined, if need be, by a simple majority vote.

If the CPDC finds the charge, or any of the charges, to be proved then the meeting should reconvene. The individuals should be informed and invited to address the CPDC (orally, in writing, or both) by way of mitigation on the disciplinary action to be taken against them.

Before addressing the CPDC the individual should be informed by the Chair of the meeting that one of the options to be considered may be that of expulsion from the Party. At the conclusion of an address by an individual in mitigation, members of the CPDC may question the individual on that issue.

At the conclusion of the address in mitigation and any questions to the individual there shall be a period for further consideration by the CPDC followed by a decision on the disciplinary action to be taken. Such decision shall be taken, if need be, on a simple majority vote.

No member of the CPDC or panel thereof may vote on the charge against any individual or on any disciplinary action to be taken unless they have been present for the whole hearing of the charge or charges against that individual and the address in mitigation by that individual or their advocate.

The presenter of the case shall not have a vote on the CPDC or any panel thereof nor shall they participate whilst the CPDC is considering the case against any individual or disciplinary action to be taken.

Decisions in cases shall be announced by the CPDC or panel thereof as it considers fit and such decisions shall be final.

## **Conduct**

As a Party, our co-operative values should be reflected in our actions as well as our policies.

All members should feel welcome and encouraged to participate, in meetings, events and on social media. There is no place in the Co-operative Party for intolerance or abuse.

To enable this, we will:

Make meetings and events accessible and welcoming, encouraging maximum attendance and participation

Conduct all meetings in a friendly and co-operative way, in accordance with the rules & standing orders and in a manner that enables all views to be heard

Not tolerate harassment or discrimination based on age, gender, sexual orientation, marital status, disability, colour, race, ethnic origins or religion, or any form of personal abuse in meetings or on-line.

### **Statement on Social Media Conduct**

The Co-operative Party recognises that social media and other forms of digital communications are a vital part of modern campaigning and communications.

We have an important part to play in political and public debates and a vital contribution to make in discussions about how to create a more co-operative United Kingdom. We should be loudly and proudly making the case for co-operation using all appropriate channels.

We are absolutely clear that the rules of the Co-operative Party apply just as much to activity that takes place on-line as it does to more traditional political activities like Party meetings.



Our co-operative values dictate that we will treat others with respect and not make personal attacks or abusive or intimidating remarks. Individual members not meeting these high standards in their conduct online may be subject to disciplinary action under the Party's Rule Book.

High-profile members of the Party and those holding official positions within the Party including Party Officers, NEC members and elected representatives should be particularly mindful that their conduct online has the potential to reflect on the Party. Views expressed could be interpreted as reflecting the view of the Party even where this is not the intention.

We increasingly encourage local Co-operative Parties and networks to use digital and social media to build support for the Party and our ideas. However, Party Officers responsible for placing such content online must ensure that content is relevant to the work of the Co-operative Party; and that no content is placed on an official Co-operative Party communications channel which could bring the Party into disrepute or that is not consistent with the policy of the Party.

Content on official Co-operative Party social media channels in particular during both internal and external elections and selections must comply with the rules of those elections and selections. Communications using these channels must not be used to promote candidates in internal Co-operative Party elections or to promote Co-operative Party candidates in Labour Party selections unless the individual has been formally nominated as the Co-operative Party's candidate.

## Safeguarding

The welfare of children and adults at risk is paramount and it is the responsibility of all staff, volunteers, members and elected representatives to behave with integrity, maturity and good judgement.

### **Abuse of a position of trust**

Staff, members and volunteers, including elected representatives, should be aware that they may be seen as role models by children, young people and adults at risk and therefore they must act in an appropriate manner at all times.

They must not engage in sexual activity or allow a sexual relationship to develop with any member under the age of eighteen years old.

### **It is essential that staff, volunteers, members and elected representatives do not:**

- Conduct a sexual relationship with a child or have any form of sexual contact with a child involved in Co-operative Party activity. Any such behaviour between an adult member of staff, member, volunteer or elected representative and a child involved in Co-operative Party activity represents a serious breach of trust on the part of the staff member, party member or volunteer;
- Physically, emotionally or sexually abuse, maltreat or exploit any child or an adult at risk or neglect their basic physical and psychological needs;
- Exaggerate or trivialise child abuse or the abuse of adults at risk;
- Make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to, or in front of, children or discuss adult sexual relationships in front of them;
- Rely on their reputation or that of the Co-operative Party or any elected office that they hold to protect them;
- Give or receive gifts and/or substances such as drugs, alcohol, cigarettes, e-cigarettes to or from a child;



- Encourage or appear to encourage children to drink alcohol or take drugs;
- Allow their judgment to be impaired by alcohol or any other substance when acting in a position of trust

### **Definitions**

**Child:** A person under the age of eighteen years old. The fact that a young person has reached the age of sixteen, is living independently, is in further education, is a member of the armed forces, is in hospital or is in custody does not change their entitlement to protection.

**Adult at risk:** A person aged eighteen years old or over, who is, or may be, in need of community care services by reason of mental or other disability, age or illness; and who is, or may be, unable to take care of him themselves, or unable to protect him or herself against significant harm or exploitation.

## **Antisemitism**

Party Officers must ensure that meetings and event speaker invitations are carefully considered so that they do not provide a platform for individuals or organisations that are known to hold anti-Semitic views. If you are not sure, please contact Head Office before issuing the invitation to speakers or accepting invitations from other organisations to host joint meetings – we are happy to help or advise.

The Co-operative Party's political representatives are asked to consider very carefully before sharing platforms with individuals or organisations that may hold views that by association could bring the Party into disrepute; and not to share platforms with individuals or organisations that are known to hold anti-Semitic views.

The Party will use the International Holocaust Remembrance Alliance definition of anti-Semitism and the examples that go alongside it to inform decision making about disciplinary cases or in other circumstances in which the Party is called upon to determine whether actions amount, in the Party's view, to anti-Semitism.

**'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'**

Source: International Holocaust Remembrance Alliance

To guide IHRA in its work, the following examples may serve as illustrations:

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that levelled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the



myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.

- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.'

Source: [International Holocaust Remembrance Alliance](#)

## **Islamophobia**

The NEC has adopted the working definition of Islamophobia recommended by the All-Party Parliamentary Group on British Muslims

**Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.**

Following the principles used by the International Holocaust Remembrance Alliance (IHRA), the APPG has used guidelines and examples to illustrate the definition:

Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, taking into account the overall context, include, but are not limited to:



- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist/ fascist ideology, or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism, and claims of a demographic 'threat' posed by Muslims or of a 'Muslim takeover'.
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.
- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- Accusing Muslim citizens of being more loyal to the 'Ummah' (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- Denying Muslim populations the right to self determination e.g., by claiming that the existence of an independent Palestine or Kashmir is a terrorist endeavour.
- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, e.g. loyalty tests.
- Using the symbols and images associated with classic Islamophobia (e.g. Muhammed being a paedophile, claims of Muslims spreading Islam by the sword or subjugating minority groups under their rule) to characterize Muslims as being 'sex groomers', inherently violent or incapable of living harmoniously in plural societies.
- Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.

The APPG also lists reported cases to further illustrate ways in which Islamophobia is experienced. These can be seen in the report [here](#).