

## **NEC report May 2020**

This is a collective report by Yasmine Dar on behalf of NEC CLP reps: Yasmine Dar, Huda Elmi, Rachel Garnham, Ann Henderson, Jon Lansman and Darren Williams.

The first scheduled meeting of Labour's National Executive Committee under Keir Starmer's leadership took place on 19 May 2020. There have additionally been two meetings to discuss the independent investigation into the circumstances and contents of the report 'The work of the Labour Party's Governance and Legal Unit in relation to Antisemitism, 2014-2019' and a meeting to appoint a new General Secretary.

As the meeting was taking place via Zoom the chair Andi Fox announced that the agenda would be shortened.

It was noted that virtual meetings of Disputes Sub-panels would be taking place and that NEC members would be expected to take their turn in taking responsibility for their duties. There was some discussion about how these would be organised.

The Chair reported the agreement made in the NEC officers' meeting to add the BAME rep Carol Sewell to the panel of interviewers for the General Secretary (GS) position. Carol was not available to participate and it was therefore proposed that the NEC invite Huda Elmi to join the panel as she is Vice Chair (BAME) of the NEC's Equalities Committee, therefore best placed and would also increase BAME representation on the shortlisting panel, as had been the aim of the previous proposal. The majority of CLP reps recognised that she was the most appropriate replacement.

This proposal was questioned by some members and attempts were made to open up discussion around the rest of the interview panel. The Chair clarified the panel had already been agreed and as the BAME rep was not available the proposal had been made to replace her. Several individuals' comments and the tone in the discussion which ensued was disrespectful and inappropriate. Despite the Chair's ruling, several members continued to question the size of the interview panel.

The Chair and NEC members praised the hard work and commitment of Jennie Formby to the Labour Party. Obituaries were noted with a minute's silence.

A vote was then taken on who would be on the interview panel. Gurinder Singh Josan, having previously put himself forward, withdrew, leaving Huda Elmi and Shabana Mahmood with the latter narrowly receiving the higher vote.

## **Leader's Report**

Keir Starmer opened his report by mentioning the work he had been undertaking to hold the government to account during the Covid-19 pandemic. He mentioned the main challenges, including testing and that the government had been in a hopeless place since March. The government had set an ambitious 100,000 tests by April, achieved by manipulation. The government had no strategy. He mentioned the lack of PPE across the health service and care homes, furlough scheme and self-employment scheme about the benefits and the gaps.

Keir said that in the last couple of PMQs he focused on Care homes and that the government was way behind, in relation to the shocking statistics that 40% Covid deaths were in Care homes. In April alone there have been 26,000 deaths where on average in the last five years, there have usually been around 8,000 deaths.

Keir talked about the Prime Minister's speech about what happens next, which was made without a plan therefore was a complete mess especially when the PM was pressed about safety in the workplace, travel and schools.

He described how Labour was doing a wider consultation with trade unions, local authorities and experts to make sure we have a wide range of views to inform the arguments we are making.

Keir mentioned the Immigration Bill which was unfair towards our care workers deeming them unskilled and not earning enough. This presented an abhorrent link between what people earn and their value, exposing the government's hypocrisy.

Keir stated that every week on a Thursday, he had been holding virtual meetings across the country. He would have liked to have had face-to-face meetings but unfortunately due to the situation it was not possible. These meetings had been arranged to build trust and reconnection work with local people. These virtual meetings have taken place in Bury, Tees Valley, Fife, Glasgow, Wrexham and Bridgend.

NEC members had the opportunity to ask questions and thank Keir for his report.

CLP reps asked about Keir's pledge to end factionalism and his strategy for building unity – he had a clear mandate to bring together a divided party but since coming to office some concerns have been raised regarding his appointments to the investigation, apparent abandonment of our democratically agreed party policies, for example on Kashmir, and appearing to be too close to the government in relation to the pandemic crisis. When would we see his strategy to unite the party and win elections? Other questions were around Covid-19 and the need to be clear about devolved powers; the crisis in care homes; and local government finance. Housing and renters' policy were mentioned, including Young Labour's disagreement with the policy as presented. Questions were raised around backing teachers' unions and the BMA who were saying it was not safe to send children back to schools; protection for non-teaching staff as well as teachers; and opposing recent statements on the issue by Lord Adonis.

Keir's response in regards to the investigation and unity, was that the majority of the NEC voted on the appointees to the enquiry. He said that lockdown was the right thing to do and we would support the government on that, we will challenge where we need to, and that we need to get the balance right. With regards to Kashmir, he clarified that the position was the same as Ian Lavery's position had been in November last year. He said we could and should speak out on human rights abuses anywhere in the world.

He mentioned unity within the four nations and working together. He also agreed there should be more support for local authorities and has had several zoom calls on this. In regards to renters, Keir mentioned a broader package not just a rent package, he would reflect on what had been raised.

In regards to schools, Keir said he was working closely with Rebecca Long Bailey, NEU and other unions. He wanted children to go back and be safe. Presently, schools are open at the moment for key workers and for vulnerable families. He was looking at how quickly we can get more children back into school in a way that protects them and staff.

Further questions were around surveillance testing, young children and social distancing measures, local government funding, particular issues in Scotland, and mental health issues in relation to isolation and grief.

Questions were raised around disciplinary matters and suspensions in relation to the 860-page Report. Further concerns were raised about the letter Keir had sent out regarding Kashmir,

including publicity stating Kashmir was a bilateral issue between India and Pakistan. Points raised included Kashmir's right to self-determination, and the strength of feeling expressed by many members contacting NEC members about the escalating issues in Indian occupied Kashmir and the need for this to be properly recognised as a humanitarian crisis. Members felt the Labour Party needs to lead the way in standing up against injustice and human rights violations – other world issues were resolved with the international community taking the lead, for example in Ireland and ending Apartheid in South Africa – the Labour Party needs to recognise it has to stand up against governments promoting fascist and racist ideologies; and ensure our policy reflects our commitment to human rights.

Further concerns were raised regarding the Panel for the Report investigation. Although this had previously been agreed, because the names were presented at the meeting there had not been time for NEC members to carry out due diligence. An individual appointed to the panel was subsequently revealed to have endorsed deeply factional comments and it was suggested that their membership of the Panel should now be reconsidered.

Further contributions from NEC members focussed on the job retention scheme and valuing workers, asking about Labour's alternative economic model. Building a new different type of economy is more important now more than ever coming out of this pandemic. We need to oppose Tory attempts to impose public sector cuts, public sector pay freezes, or any other form of austerity; it is not just an opportunity but an imperative coming out of this crisis.

Members were extremely concerned about the disproportionate impact of Covid-19 on BAME communities; recognition of frontline workers; insurance payments; and calls for an enquiry into disproportionate deaths. The plight of migrant domestic workers was mentioned – Labour had changed their status in the 1990s, and ever since then the Tories have attacked their rights. Since Covid-19 and many losing their jobs, homes etc are not covered.

The leadership's engagement with trade unions was welcomed, but it was noted that the Party needs to recognise that 61% staff working in schools are not teachers. Several members raised the despicable comments of a Labour Peer bringing the party into disrepute on this issue.

Keir was concise in his response to the questions raised, responding on testing, schools and social distancing and mental health. He said inconsistencies with disciplinary procedures will be looked at and that he is engaging with trade unions in regards to what is happening in the care sector; adding that the Labour whips will deal with any inappropriate behaviour of individual MPs and Peers.

Keir agreed that Kashmir is an international matter. He noted that he was a human rights lawyer for 25 years and all UN resolutions mean a lot to him – no human rights abuse of any country or region can ever be a matter for any one, two or three countries. If you abuse human rights then you are accountable to the rest of the world, he said, and nothing in what he has said undermines that principle. Keir felt it may be beneficial if the second letter he wrote after a discussion with MPs via zoom call was circulated in which he expressed his understanding of some of the concerns raised. Debbie Abrahams, Andrew Gwynne and many other MPs were on that call and this letter will allay some concerns.

Keir said that he and Angela are determined that the enquiry into the leaked report is an independent enquiry that will get to the bottom of what happened. He wants to use this opportunity to promote cultural change in the organisation.

Keir talked about Labour alternatives to the government's actions in relation to the pandemic. They were looking at the South Korea example, where a similar size population and has got through this with just a few hundred deaths compared to the situation we have found

ourselves in. Keir stated we cannot come through this and go back to business as usual or back to austerity. For the last ten years, austerity has crippled our economy and taken down our public services. We will be looking at a new economic model.

He wanted to make sure schools were as safe as possible, noting that parents and teachers have to be comfortable with how things are working, and Rebecca Long Bailey was putting forward the Party's position on this. In regards to the BAME communities, he noted that it is clear that there are disproportionate deaths and Doreen Lawrence would be leading on this investigation for Labour.

### **Deputy Leader's Report**

Angela kept her report brief as Keir had covered a lot of issues. In relation to Covid-19, Angela praised the contribution of the Labour Party including Trade Unions, other organisations and the wider membership.

Angela mentioned community organising pilots, asking our MPs to do similar type of events as Keir. Angela thanked Jennie Formby for all her hard work for the Party and as a leading woman in the trade union movement. She also thanked Jon Lansman for his work following his announcement that he would be standing down as chair of Momentum. She described them as great mentors.

Angela talked about the successful 'Join a Union' campaign. She expressed the importance of standing in solidarity with workers and supporting trade unions.

Angela mentioned that she had been working with senior staff in regards to the concerns raised regarding the leaked report and reassured the meeting that disciplinary procedures and processes will continue. She explained that all internal processes are confidential, but disciplinary processes would not be held back by the work of the independent enquiry and action is being taken. She stated that standards that are expected of our staff, adding that issues around racism, sexism and bullying are taken seriously. She will report back any relevant information to the NEC.

NEC members asked several questions including her strategy for party unity, about trade union campaigns, about disciplinary actions in regards to individuals no longer employed by the party, about campaigning during the pandemic, about legal advice for NEC members, and further questions on the Report and suspensions. Several points were raised regarding discipline and allegations of individuals working against the Party and the need for strong action against any form of racism or sexism in the Labour Party, whatever the forum.

Angela's response highlighted the need to be professional not factional. She reiterated that we cannot accept any form of racism and sexism. and mentioned the role taken up by Alex Barros-Curtis in the Governance and Legal Unit. She explained issues around staff confidentiality and said that action has to be proportionate, professional and support our values as an organisation.

Angela accepted there had been some difficulty in regards to some messages for example on Kashmir and housing policy. She will be looking at an election strategy including Scotland in particular.

### **Local and regional democracy during the pandemic**

A paper was presented proposing a way forward in a number of areas in relation to selections, NEC elections, regional conferences and policy consultations. Unfortunately, this missed out a proper proposal on the crucial issue that would predicate whether these were possible or not – the question of enabling CLPs to meet formally using an online platform. Several NEC

members pointed out that the discussion was happening the wrong way round – particularly as by this stage, no decision had yet been made about annual conference, which came further down the agenda.

The NEC discussed the multiple issues that have impacted on local and regional democracy due to the corona virus and commented on the restrictions on the ability of local parties to operate. Emergency guidelines had been agreed by Chair of the NEC's Organisation Committee for operation of CLPs during the initial days of lockdown. This empowered CLP Executive Committees to make urgent decisions, for example approval of CLP accounts. Many NEC members were of the view that it was now time for these guidelines to be updated to enable formal meetings to take place online, while acknowledging that many members, in particular those with limited access to digital technology, key workers and members struggling with illness, bereavement and increased pressure from caring responsibilities, would be excluded from meetings. At the same time, some members who would not usually be able to access meetings were able to attend online. Unfortunately, there was no specific proposal about enabling formal meetings so this decision could not be made.

The NEC agreed to allow procedures to enable local government selections to go ahead – with a proposal for these to be deferred until CLP meetings were up and running online and not put 'the cart before the horse' narrowly defeated. Most candidate selections for the Metro-Mayors, Police and Crime Commissioners and London Assembly are complete or almost complete. There are big gaps in local government selections and procedures discussed included video conference to interview those putting themselves forward. CLPs and LCFs will fill vacant seats and some viable options were put forward. There are two Metro Mayor elections taking place in 2021 where there is not yet a Labour candidate. A timetable was agreed but immediately subject to change because the NEC elections had not yet been agreed. The left proposed an amendment to the procedures for local government elections to enable branch meetings rather than a small panel to shortlist, and this was narrowly passed.

A discussion regarding the transition from Local Campaign Forums to Local Government Committees took place. This change was agreed at annual conference 2019 but a proposal in the paper to delay this implementation was removed, following the narrow passing of an amendment from left NEC members.

Questions were asked about outstanding trigger ballots for 2021 and there was a wide-ranging discussion about what's possible, what guidance for CLPs should be, issues around electronic ballots and particular concerns about equality. Members stressed that the guidance for CLPs has to be right and developed as soon as possible.

There followed a discussion about NEC elections where discussion touched on similar points, including the inappropriateness of looking inwards and accentuating division in the current crisis. There was widespread support for a delay, but then a proposal from Unison's Wendy Nichols that rather than wait for a discussion at Organisation Committee on 7 July there should be an 'emergency' NEC in June to discuss a new timetable. NEC members pointed out that many members were volunteers and had to take time off work to attend meetings alongside all the other responsibilities and there had been many 'emergency' NECs recently, which appeared to be an entirely factional course of action. It was noted that it was completely unnecessary to meet any earlier than already planned – and in fact the 'emergency' meeting is now booked in for 7 days earlier than the scheduled meeting where the discussion could have taken place.

There was a unanimous decision to postpone Regional conferences to 2021 due to the Covid-19 pandemic and unanimous agreement for the Policy team to progress with NPF policy

consultation and to develop some guidance for CLPs to be empowered to discuss online via an electronic communications platform – although it was pointed out that this had already begun in advance of a decision being made.

### **Conference 2020**

Following discussion, the NEC agreed to cancel annual conference due to the Covid-19 pandemic. It was not an easy decision to make but presently there are no other options. Basically, it is not viable, but the Party will be looking into some imaginative policy-based online events. This will also include cancelling the Women's conference.

### **National Policy Forum Commissions**

Some vacancies were noted and new co-convenors were appointed to Health and Social care, Housing, Local Government and Transport, and International Commissions. It was noted, not for the first time, that there were no CLP reps in the position of co-convenor and that no CLP reps had been elected to the Joint Policy Committee. A request was made that if the JPC is to meet that CLPs should be represented. There was no response to the request.

### **Local government report**

Nick Forbes gave the local government report and thanked Keir for his tone of inclusion of local government over the last few weeks. Many meetings have taken place with council leaders, opposition group leaders and councillors, and this has been appreciated.

Nick informed NEC members of local government's Covid-19 response in regards to joint working with shadow cabinet members, inputting the local government view to ensure there is a better understanding of policy issues, so that there is no gap.

He raised issues around the financial challenges and government providing the compensation promised to help councils bridge the financial gap.

Nick spoke about the preparations for the important 2021 local elections and mentioned the importance of campaign plans.

The NEC thanked local government for their support and having gone the extra mile to keep our communities safe at this difficult time.