

Party Support Handbook

The Rule Book - Section D

Co-operative Party Disciplinary Committee

Introduction

1. These Rules do not replace the registered Rules of Co-operative Party Ltd and shall at all times be consistent with the registered Rules. In the event of any inconsistency, the registered Rules of the Co-operative Party Ltd. shall apply.

Duties and Powers

2. There shall be a Co-operative Party Disciplinary Committee, to be elected in accordance with procedural rules as set out below. The CPDC shall consist of eleven members of the Party: one each Scotland, Wales and the nine English regions, each of whom has been a member of the Party for a continuous period of not less than five years.
3. 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.
4. The decisions of the CPDC in determining such disciplinary matters brought before it and imposing such disciplinary measures as it sees fit, shall be final.
5. 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.
6. 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.
7. 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.
8. Each such panel shall elect a Chair as occasion requires it. Each such panel shall 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.
9. 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.

10. The CPDC or any panel thereof in hearing and determining charges against an individual shall have regard to the Disciplinary Rules, which are set out in Section F of the 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.
11. 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.
12. 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 Rules for the Election of the CPDC

13. For the purpose of nomination and election the CPDC shall be based upon the same regions as for the election of the NEC.
14. The CPDC shall be elected every three years by ballot of affiliated Organisations and Registered Parties.
15. No more than one member shall be elected from each region.
16. Nominations for the CPDC shall be made in accordance with the following conditions:
 - Nominees must be bona fide members of the organisation/s submitting their nomination/s. Not more than one person shall be nominated by any one organisation.
 - No member of the NEC or CAC, no MP, MSP, AM or employee of the Party is eligible for nomination
 - No member with less than five years' continuous membership is eligible for nomination.
 - Persons nominated shall inform the Secretary in writing of the acceptance or otherwise of that nomination by one week before the commencement of the ballot. Failure to provide such evidence shall render the nomination null and void.
17. Any vacancy that occurs amongst members of the CPDC during the period of office shall be filled by ballot as soon as practicable after the vacancy arises. The person thus elected will be liable for re-election at the conclusion of the original term of the member who gave rise to the vacancy.