

SNP 

IN CONFIDENCE

Governance and Transparency Review 2023

**REPORT TO SNP ANNUAL
NATIONAL CONFERENCE 2023**

1. Introduction

1.1

At the SNP National Executive Committee meeting on 20th May 2023, a “statement on governance” was adopted unanimously. The statement reads as follows-

“In its governance, the party will, at all times, observe the highest standards of propriety including impartiality, integrity and objectivity in relation to the stewardship of party funds and the management and conduct of party business. The party will ensure its governance culture, subject to data protection and issues of confidentiality where appropriate, is characterised by transparency, candour and openness to critical questioning and review. The party will, at all times, act lawfully and will always seek to reflect in its own operations, the standards by which it seeks to hold others to account in its wider political role. The NEC will be accountable to the party membership for upholding good standards of governance.”

1.2

This statement was adopted on the recommendation of the governance and transparency review, which was established by resolution of the National Executive Committee[1] at its meeting held on 15th April 2023. This was in the light of problems with the culture and constitution of the party, which necessitated urgent change.

1.3

This statement underpins all the recommendations in this report. It stands, however, on an older foundation of decision making and accountability in the SNP, which we reassert at the start of this report.

1.4

The SNP is a mass membership party. It belongs to its members and exists to further their collective aim of securing independence for Scotland. Members meeting at Annual National Conference are the supreme authority in the SNP. Between Annual National Conferences, that role is taken by National Council. Between National Councils, power is vested in the National Executive Committee and between National Executive Committees, responsibility lies with the elected Senior Office Bearers of the party.

1.5

The Governance and Transparency Review re-affirms this structure and hopes that the recommendations in this report will strengthen the rights of every individual member, whilst also making it easier for them to carry out their responsibilities as members, individually and collectively. All the recommendations, save one (for which a dissent by Qasim Hanif is recorded in the report) were unanimous. After discussion with the NEC, five options regarding that issue - how to reduce the size of the NEC- are presented to Annual National Conference.

1.6

The NEC agreed that the Governance and Transparency Review would be convened jointly by the SNP President and the SNP National Secretary. Subsequent to the meeting, however, the original terms of the motion establishing the review were slightly modified to allow for 9 rather than 6 other members, four of whom would also be NEC members and five of whom would be from outside the NEC. This was done to improve the range of experiences available to the group and because of the wider than anticipated scope of the group’s work. It was also agreed that practicalities prevented a full members’ survey and that alternatives would be required.

1.7

The final membership was put in place during early May 2023 and consisted of the joint conveners, along with Qasim Hanif, Cllr Alex Kerr, Cllr Frances Murray and Cllr Siobhan Tolland from the NEC and Cllr Richard Bell, Jeane Freeman, Gordon MacDonald MSP, Roger Mullin and Elaine Wylie as non-NEC Members.

1.8

The review group has met on 10 occasions, three of which have been face to face meetings. It made an early “quick wins” report to the NEC in May, presented a more substantial report of the substance of its concerns to the June NEC meeting and gave the NEC a further update in late September. That update resulted in some final adjustments, including offering options for the reduction in NEC membership.

1.9

This report is intended to outline its final recommendations. If the report is accepted, non-constitutional change will begin to be implemented by means of action by the NEC, working with a new Governance Standing Group and HQ staff. It is intended that the November NEC would consider a plan of action for those matters and would set out a timetable for a special conference in the early part of 2024, at which the constitutional changes will be debated and amended, or rejected as members see fit. Whilst the review group would have wished to institute constitutional change at an earlier date, a special conference as indicated, will now be required. This is given the pre-existing timetable for Annual National Conference in 2023, and the need for legal drafting, constitutional notice and the time required for the submission of amendments.

1.10

The group are grateful to all those who provided information, gave views and took part in discussions including at National Council in Perth in August and at the regional assemblies. They are also more than aware of the considerable work done by Keith Brown’s governance review, which reported to the NEC in December 2020. They acknowledge that many of the issues dealt with in this report were first raised by him and those working with him. They also have valued the interaction with staff, including staff consultation, which took place early in the summer.

2. Three Areas for Action

2.1

As a result of its work, the group identified three areas for action:

2.2

FIRSTLY - action is required on issues of party culture and, in particular, to reset the relationship between HQ, the office bearers, the NEC and party members. More transparent decision making, more easily accessible information and support, and more effective communication are all required.

2.3

SECONDLY - action is required to co-ordinate the various parts of the party, so that there are common practices and rules governing; such matters as the disciplinary and complaints procedures, staffing terms and conditions, and standing orders.

2.4

THIRDLY - action is required to update the constitution and rules of the party to ensure greater accountability, better reporting to members, appropriate opportunities for participation and more modernised governance.

2.5

In addition, the group are recommending that detailed job descriptions for office bearers, remits for committees and, texts as preambles to the constitution, dealing with standards of governance- as accepted by the NEC in May 2023, the rights and responsibilities of its members and a set of strategic objectives, by which the party's progress to independence can be measured.

3. Culture

3.1

Amongst the issues of culture and operation raised with the group were:

- Responsiveness to members/branch/CA queries
- Lack of effective rebuttal and pro-active SNP (as opposed to Scottish Government) press activity
- Better communications with members
- Clear and transparent reporting by office bearers and NEC on all matters, including funding and expenditure
- The need to establish a risk register
- Feedback on motions not taken for National Council and National Conference and tracking of those taken- in terms of SNP outcomes and actions.
- The need for standardised accounting and financial reporting procedures
- A review of membership numbers and agreed method of reporting them
- Drafting of a new handbook for members
- Development of training for office bearers in a range of subjects, including GDPR
- The provision of models for branch and other meetings
- Review of IT policy
- Review / refresh of electoral software
- Review of Candidate Assessment
- A calendar of national meetings to be publicised and adhered to
- A revised disciplinary and complaints procedure to be established and the backlog eliminated
- Devise and implement a whistleblowing policy

3.2

The above list is not exhaustive, but is indicative of issues which are causing concern. In general, these issue flow from the pressure caused by a huge increase in membership in 2014/15 and a failure to match this with the structural change needed to serve a mass member organisation. In recent years the party has developed, what at times can appear to be a top-down culture, which whilst producing very effective campaigns and electoral victories, has failed to meet members' expectations and needs and, increasingly, failed to measure up to contemporary best practice governance.

3.3

It is proposed that the new Governance Standing Group, working with the CEO and the NEC will address these issues, consider the concerns expressed in writing to the review group and others, and encourage a comprehensive programme of cultural change with the aim of party renewal and growth.

3.4

The Governance Standing Group will be co-convened by the President and the National Secretary and will have two members appointed by the NEC and three members appointed from outside the NEC. The CEO will be an ex-officio member. It will report regularly to the NEC and to National Council.

3.5

The Governance Standing Group will also draw up drafts of office bearer job descriptions, remits for committees and the constitutional preambles and will commission legal work to draft the details of the constitutional changes to be put to a Special National Conference. It will also lead work on the second area for action, which is co-ordination.

3.6

The group further recommends that the CEO, working with the Governance Standing Group, undertakes a matching of staff roles with the proposed office bearer and committee structures, (as recommended in section 5 of this report), with the aim of co-ordinating, as cultural and constitutional change proceeds.

3.7

Some early wins from the process of cultural change are being explored and will be brought forward at conference. It is important that members experience tangible cultural change as soon as possible.

4. Co-ordination

4.1

The review group has been concerned about the variations in staff contracted terms and conditions, as well as standing orders for elected members, disciplinary and complaints procedures within those various standing orders, differing constitutions, membership requirements and procedures for affiliated bodies and the poor matching of office bearer posts, staff posts and the remit of internal committees.

4.2

The group, therefore, recommends that work be done to establish model standing orders, contracted terms and conditions, constitutions and standing orders (including arrangements for complaints and disciplinary action) for affiliated bodies and that the implementation of these be negotiated with all those concerned with the aim of ensuring making coordination between the various parts of the party, whilst accepting that total uniformity will be impossible, given the different circumstances prevailing for each group.

5. Constitution

5.1

The review group was unanimous in its view that a major revision of the committee structures of the SNP at national level was required to secure more transparent governance, greater efficiency and more opportunities for input from experienced and concerned members.

5.2

The group is unanimous in its view that the present size of the NEC- 43 members- requires to be reduced in order to secure better meetings, clearer decision making and greater accountability. However, it accepts that, none of the means by which a reduction in numbers could be brought about will be easy to implement.

5.3

The Governance Review Group would emphasise that reducing the size of the NEC is seen by them as being an integral part of the refocusing of the party, to ensure the primacy of members, as exercised through National Council and Annual National Conference. In so doing, to ensure that these are the key places where key policy decisions are made. Moreover, the group supported the view that there should be a presumption in favour of as much direct election of members of the NEC as possible- either by the membership as a whole, or by delegates at National Conference- thus re-asserting the essential link between members and those they choose to run the day to day affairs of the party whilst, of course, recognising the importance of the input from, and breadth of concern brought to the table by, the affiliated organisations.

5.4

In terms of changes, the group was first of all, united in proposing a reduction in parliamentary representation to two- one from Holyrood and one from Westminster. They would encourage those groups to nominate senior members, elected by the groups.

5.5

The group believes that regional representation, with a built-in gender balance mechanism, has not yet had time to be fully bedded in. Particularly in ensuring that the regional representatives operate in a two-way manner, assisting in resolving local problems, as well as ensuring that central decision making recognises local issues. Nonetheless, having sixteen such representatives was seen as being larger than necessary or effective. Therefore, a proposal is being made, whilst retaining sixteen in total, to have only eight (one from each region) attending the NEC at any one time, using a system of alternatives/ substitutes, whilst continuing with a gender balance, confidence-elected approach.

5.6

A reduction in the number of affiliate groups was not a matter for the review. These are set up because of perceived need and form a vital function in ensuring that the interests and views of significantly underrepresented groups are articulated and acted upon. The governance review, however, felt that there was some overlap in the issues covered by some affiliates with the duties of some office bearers; particularly given the re-designation of office bearers in the governance review proposals.

5.7

For example the Association of Nationalist Councillors has an NEC representative, but there is also a proposed Local Government Convener. [2] The same might be seen to apply to YSI and SNP Students' representation- each has an NEC place at present- given the intention to establish a Youth and Student Convener. There was also seen to be some overlap between the proposal to establish an Equalities Convener and the concerns of both the LGBTQ+ and the disabled affiliate groups.

2. It should be noted that the ANC is not technically an affiliate, as it is constitutionally presently entitled to a seat on the NEC. However, it is not quite the same as the parliamentary groups, in that there is a clear overlap with the Local Government Convener's Post. It has, therefore, been included in the consideration of the affiliate issues

5.8

There are, however, three groups that would not be covered by the new responsibilities of conveners. The governance review was in favour of securing a single convener for affiliate groups, who would be a member of the NEC and the SOBS, with increased representation for each of the groups at National Council and National Conference- the place where policy decisions are rightly made. However, one member dissented from this proposal. [3] Discussion of it at the NEC also indicated that it would be strongly opposed by the affiliates themselves.

5.9

Accordingly, the group, keen to ensure as much unanimity as possible on instance of difference in the report, agreed to offer members at Annual National Conference five options which might resolve this issue. These vary with regards to the proportion of members directly elected, as opposed to nominated (the present balance is 33 elected by either the whole membership of delegates at Annual National Conference, and 10 nominated) and with regards to the size of the NEC. These are given below.

The group also hopes that members at Annual National Conference will be asked to vote for their preferred option, in addition to seeking a confirmatory vote regarding this report. The result could then be announced prior to the next stages of the review being taken forward by the National Executive Committee, which may also wish to subject any final proposal to an equalities impact assessment. Of course, any final Special National Conference proposal for constitutional change - which will be required - would be subject to amendment.

5.10

The five possible approaches are:

5.10.1

To create a single Affiliates Convener to represent the affiliate groups, but to increase the representation of affiliated groups at National Council and National Conference as previously indicated. Other changes, including to the regional representation and the parliamentary representation. This would result in an NEC of 22 members, of which 19 would be directly elected, and three nominated.

5.10.2

To reduce the affiliate representation on the NEC to two, one representing the Trade Union Group and one representing SAFI/BAME- given the new designations and responsibilities of conveners covering the other issues- and implement the reduction in regional and parliamentary places. This would give an NEC of 23 members, of which 19 would be directly elected and four nominated.

5.10.3

To abolish the directly elected convener posts, retain the number of affiliate representatives on the NEC, (each elected by their affiliated body), have 8 regional representatives directly elected by Annual National Conference, as would be (as at present) the President, National Secretary and National Treasurer, with the Leader and Depute Leader elected by the whole membership. Reduce parliamentarians to two as in other models. Then conveners of subject areas to be decided by the NEC and chosen from NEC members by the NEC itself. This would produce an NEC of 23 members, of which 13 would be directly elected and 10 nominated.

3. Qasim Hanif dissented from this decision and has given the following reason: "In my opinion it weakens democracy and pushes out under-represented groups from representation at the top tier of the party. Affiliates have contributed significantly to the operation of the party and removing them from the NEC will result in a body that is demographically unfair."

5.10.4

To maintain the number of affiliate representatives on the NEC but continue with a reduction in the regional representation from 16 to 8 and maintain the directly elected conveners. With other changes, this would produce an NEC of 28 members, of which 18 are directly elected and ten nominated.

5.10.5

To change the parliamentary representation only (giving a single place to both a Holyrood and Westminster member) and the designations and number of conveners, which would produce an NEC of 37 members, of which 27 are directly elected and 10 nominated.

5.11

The group recommends that, taken as a given a reduction of the size of the NEC, office bearers and NEC seats posts would be held for two years. These office bearer posts would all be renamed to be conveners and the designations would be Policy, Campaigns, Members' Support, Youth and Student, and Local Government [4] These conveners would be expected, where relevant, to interact closely with members, branches, constituencies, councils and affiliate groups and ensure their voices were heard. In addition, the NEC should now meet every two months and receive reports from the other committees; which it could accept, reject or amend.

5.12

The group also recommends that the Senior Office Bearers Committee be revived and that the new convenue posts be included within it. This committee would meet fortnightly. The post of Business Convener will be renamed SNP Chair. The functions presently exercised by the Business Convener, with regards to HQ and staffing; (which have been greatly, though temporarily increased in recent months, given the circumstances prevailing), will become part of the function of a new Human Resources and Operations Committee. The duties of the revised post of SNP Chair will be to chair the NEC and Senior Officer Bearers and to be a co-chair of National Council and National Conference (along with the President). The post holder will be ex-officio on the key committees and will keep the party leader informed of actions and decisions of those committees and the NEC when the leader cannot attend. The post holder will be nominated from within the ranks of the NEC by the party leader and will be subject to a confirmatory vote by the NEC.

5.13

The group recommends the establishment of a new Finance, Audit and Risk Committee. This would be convened by the National Treasurer with full scrutiny powers, reporting to the NEC but with a remit to examine NEC decisions based on affordability and with a duty to provide a monthly financial report to the NEC. The committee will liaise with the auditor, working with the National Treasurer and will make a recommendation to the NEC with regards to the appointment of auditors. Members of the committee must have financial experience and, as a result, should be appointed on the recommendations of the National Treasurer, endorsed by the NEC.

5.14

The NEC agreed at its May meeting that the National Treasurer should bring forward proposals for early changes to internal and external accounting, including nominating a Chief Financial Officer and increase democratic and financial scrutiny and improve information flow to office bearers and the NEC.

5.15

The Finance, Audit and Risk committee should further develop a standardised financial report for the NEC that compares actual spending against the budget for the current month and year-to-date (YTD), plus compared to the same period in the previous year/YTD. In addition, a forecast report to the year-end highlighting any potential cashflow issues is required. The committee should undertake particular analysis and scrutiny if any expenditure in excess of 10% of the total budget, excluding staff costs, is being incurred.

5.16

The Finance, Audit and Risk Committee should, at an early date, review the branch dividend; which should in future be set by National Council on the recommendation of the National Treasurer in order to be 25% of the average annual membership fee currently being received by HQ, or £7.00, whichever is the lower. The committee should also ensure that funding for affiliated organisations is allocated on a similar basis and, in so doing, should reflect the size of the affiliated organisation. The committee will also establish and maintain the risk register and will be vigilant regarding regulation, the submission of necessary information to outside bodies and the risk inherent in the current financial scene, including money laundering.

5.17

The group recommends that a new Human Resources and Operations Committee be established, reporting to the NEC which would have responsibility for all staffing matters, including recruitment and remuneration. This should be convened by the National Secretary and should be supported by the CEO, as the senior staff member. The committee would also have responsibility for the operation of HQ as a workplace, including responsibility for the support of members on a day-to-day basis; including efficient and effective response to members queries, bi-annual publication of membership data and the retention and recruitment of members.

5.18

With appropriate consideration and input from the new committee, it is further recommended that a new teams-based staffing structure should be implemented by the CEO, which will reflect the committee structure of the party. Contracts will be issued to all staff. There will be clarification of job descriptions and lines of reporting, training will be provided as required, career development opportunities will be offered, well-being support put in place, the party's code of conduct developed to include a duty to respect staff. Front line staff should always be given support, assistance, and training in dealing with party members promptly and positively.

5.19

In keeping with the requirement to ensure the best possible support for staff, as well as the best possible flow of appropriate staffing information to the NEC, the CEO should make a regular report on staffing and other matters to the Senior Office Bearers' meeting and, from there, to the NEC and be open to question by members of the NEC.

5.20

The Human Resources and Operations Committee should assume responsibility for internal IT, data and internal party communications and must establish a regular protocol for publication of membership data as already agreed. The committee, working with the CEO, should also review and activate the new TV facility in HQ as part of a renewed policy of regular contact, support, and information provision to members. However electoral IT should be the responsibility of the new Campaigns Committee and one of its priorities should be to oversee the renewal of the electoral IT systems, which are out of date.

5.21

The group recommends that a new Campaigns Committee be established and be convened by the Depute Leader. This would organise and have oversight of all political and electoral campaigning- short, medium and long-term- and all issues related to it. This would include assessment of candidates, the production and dissemination of materials and the development of electronic and IT tools for campaigning. The committee will also analyse each election and electoral event, post-facto, and report on implications for the achievement of the strategic objectives. The committee will seek ways to improve inter-branch and constituency communication, with the aim of combined campaigning by branches and constituencies in their area to improve and intensify electoral activity and, in particular, the campaign for independence. The committee will establish a candidate assessment process, with a register of approved candidates and will institute a relevant appeals process using experienced party members and former parliamentarians. The group agreed that appeals in these circumstances must be seen as appeals against process and not re-hearings of the original assessment.

5.22

The committee agrees that the Policy Committee remain in operation, but with some changes to its remit, membership and operation. It should be convened by the Policy Convener, with a membership which will include members elected at National Conference as well as office bearers and parliamentarians. The committee will seek to develop appropriate policies to achieve the strategic objectives of the party. The Policy Committee will also appoint a sub-committee from its own members to devise and supervise the policy-related agenda for National Council and National Conference. It will give brief reasons for its choices in an on-line annex to the agenda. The committee will have responsibility for arranging National Assembly sessions and political education events as it sees fit.

5.23

The committee is aware of the considerable concern expressed by members with regards to the operation of the existing complaints and disciplinary procedures. Considerable improvements to these procedures have been made by the current National Secretary, but the question of the backlog of complaints remains unanswered. The committee believes that the NEC should agree a solution to this at an early date and expects that, once the backlog is removed and the operation of the system is on a new footing, (as outlined in Annexe C), this will be in the best interests of individual complainants, party discipline and the SNP as a whole. The current Member Conduct Committee should be renamed the Complaints and Disciplinary Committee and should have a relevant appeals process contained as part of the structure. Full information regarding cases must be made available to those conducting the appeals.

5.24

The development of a staff structure at HQ that can adequately support and service this committee structure will be required, as well as a continuation of voluntary activity in that regard. Nonetheless, this new approach will, the group believes, open up the governance of the party to new influences and allow greater transparency and give members a greater confidence in the running of what is, after all, their organisation.

5.25

The review group further recommends that the statement of governance which heads this report be placed as a preamble to the constitution and rules of the party and that, in addition to this, further short preambles be drafted and agreed. The first would be a statement of strategic objectives; centred on the achieving of independence but including electoral tests to measure and review progress. The second would be a statement of members' rights and responsibilities.

6. Other Matters

6.1

A number of other matters came to the notice of the review group and have been considered. These include the need for new rules for any leadership contest, in order to allow for a challenge on an annual basis, only if supported by a sufficiently high proportion of the membership and elected parliamentarians.

6.2

There is also a need for a definitive statement of liability to ensure that office bearers and NEC members understand their role and any consequences that might flow from decisions made when exercising it.

6.3

On a positive note the re-establishment of the party's National Council at the end of August 2023 was much welcomed and had, of course, been agreed some time before by the party membership at conference and by the NEC. The fact that it eventually took place was an encouraging sign of change.

6.4

At the heart of the changes recommended and the new structure for decision making and accountability, is the need to ensure that those who are chosen by members to be office bearers and NEC members, are always mindful of those they have been elected to serve. Office Bearers are meant to report to the National Conference, to National Council and to the NEC, but in recent years this has been more honoured in the breach than in the observance. Failure to report on these occasions by any office bearer should, therefore, become a matter for official censure and be noted in the minutes of the relevant National Council and National Conference. A mechanism for the recall of office bearers and NEC members should be considered.

6.5

In addition, in order to facilitate the smooth process of decision making and supervision, an annual calendar of all meetings of National Council, Annual National Conference, NEC and, where possible, of committees is required and should be published at the start of each year. Dates and publicised venues for meetings should not normally be changed and timescales for the issuing of papers, provisional and final agendas and other milestones must be adhered to, not least to allow adequate time for consideration and, if necessary, proposed amendment.

6.6

The use of on-line software for meetings, such as Zoom and Microsoft Teams, has greatly assisted participation from those with disability or rurality challenges, amongst others. It is recommended that, wherever possible, hybrid access options are offered to all standing committees, accepting that to do so for larger meetings such as National Council and Annual National Conference remains challenging, though that should be kept under review.

Submitted on behalf of the SNP Governance and Transparency Review Group
October 2023



Michael Russell
President



Lorna Finn
National Secretary

Resolution of the National Executive Committee - 15 April 2023

Governance & Transparency Review Group

The National Executive Committee confirms that it is committed to improving governance and transparency using party expertise and, where appropriate, external input, including, if appropriate, forensic accountants.

Consequently, and in keeping with its resolution of 1 April 2023, it now agrees to the appointment of a short life working group, consisting of:

- a) Four representatives of the NEC, one of whom will be nominated by the NEC as convener of the group.
- b) Four members of the party with experience of governance in other organisations, but who are not currently members of the NEC or national office bearers

in order to take forward a review of party governance and in particular to:

- a) consider the report of the governance review in 2021 and the work of the NEC sub-group established to implement that review;
- b) consider best practice in the governance arrangements for similarly sized membership organisations;
- c) identify useful lessons in governance and transparency, including financial transparency that can be learned;
- d) where necessary, identify and recommend changes to the SNP's constitution and party Rules which would improve transparency, effectiveness, robust debate and good governance across the party;
- e) consider the structural position of headquarters, and its interaction with the party at all levels

and to

- f) consult party members, existing NEC members and staff representatives on any provisional recommendations.

The working group is tasked to prepare an interim report to be available in advance of the June meeting of the National Executive Committee, focusing on recommendations, which can be implemented without changes to the constitution and signalling what recommendations should be consulted on and considered for a final report.

The final report will be produced in advance of Annual National Conference, which may include any constitutional amendments necessary to implement the recommendations of the working group.

The working group may seek input, advice and assistance from within and outwith the party as it sees fit, subject to an agreement with the National Treasurer regarding any costs that might be incurred.

New Structure for Committees

Committees of the party, convened by:

- National Conference - SNP Chair/President
- National Council - SNP Chair/President
- National Executive Committee - SNP Chair
- Senior Office Bearers - SNP Chair
- Finance and Audit Committee - National Treasurer
- HR and Operations Committee - National Secretary/ Member Support Convener
- Policy Development Committee - Policy Convener/ Equalities Convener
- Campaigns Committee - Depute Leader/ Local Government Convener
- Discipline and Complaints Committee- Chairs for various parts of the process elected from those on the committees. Appeal structures to include external input from outwith the committees.

NEC Membership

Subject to decision in an options process by the Annual National Conference. This model relates only the group's original recommendation, which would have reduced the membership from 43 to 22.

Detailed Remit (To be drawn up):

- President (elected by National Conference)
- Leader (elected by the party membership)
- Depute Leader (elected by the party membership)
- SNP Chair (Nominated by the Leader from the NEC membership and ex-officio on all standing committees)
- National Secretary (elected by National Conference)
- National Treasurer (elected by National Conference)
- 5 Conveners (Policy, Equalities, Local Government, Youth and Student, Member Services, all elected by National Conference)
- Affiliates Convener (Elected by the affiliates)
- Convener of the Holyrood group, or senior representative (Nominated by that group)
- Leader of the Westminster Group, or senior representative (Nominated by that group)
- 16 Regional representatives, gender balanced (Elected at National Conference as eight sets of member/alternates. Members to serve for the first year and alternates to serve for second)

In attendance - Chief Executive and relevant senior staff

SOB's (12 members)

Detailed Remit (To be drawn up):

- President
- Leader
- Depute Leader

- SNP Chair
- National Secretary
- National Treasurer
- Policy Development Convener
- Equalities Convener
- Local Government Convener
- Members Support Convener
- Youth and Student Convener
- Affiliates Convener

In attendance - Chief Executive

Finance and Audit (7 members)

Detailed Remit (To be drawn up):

- National Treasurer
- Five members appointed by the National Treasurer and approved by NEC
- One member nominated by NEC

In attendance - Chief Executive and Finance Officer

Human Resources and Operations (7 members)

Detailed Remit (To be drawn up):

- National Secretary
- Members Support Convener
- National Treasurer
- 4 Members nominated by the NEC

In attendance - Chief Executive and relevant senior staff

Policy Development Committee (16 members)

Detailed Remit (To be drawn up):

- Policy Development Convener
- Equalities Convener
- Affiliates Convener
- Youth and Student Convener
- Depute Leader
- One member from each of the eight regions, elected by conference
- Representative of the Holyrood Group, the Westminster Group and Local Government.

In attendance - Chief Executive and relevant senior staff

(A committee to set the agenda and standing orders of National Conference and National Council to be a sub-committee of the Policy Committee and to be drawn from there.)

Campaigns Committee (7 members)

Detailed Remit (To be drawn up):

- Depute Leader
- Local Government Convener
- Youth and Student Convener
- Two members nominated by the NEC
- Two parliamentarians- one from Holyrood and one from Westminster

In attendance - Chief Executive and Finance Officer

(A Candidate Assessment Committee to be a sub-committee of the Campaigns Committee, to be convened by one of the members of the Campaigns Committee, with a membership agreed by the NEC. An appeals mechanism for decisions made by this committee to be developed, including a final decision by the NEC when required)

Complaints and Disciplinary Committee

Detailed Remit (To be drawn up):

The present structure of election by conference to be retained, with the new elements, including panels be continued, but that there be greater transparency about the roles and have greater use of external support, especially at the appeals stage. National Secretary to be responsible.

Complaints and Disciplinary Recommendations

Complaints and Disciplinary

Towards a transparent and objective complaints process

The Governance review made a good start in outlining a stronger, fairer and more objective complaints process. There is, in my opinion, pockets of good practice – for example the sexual harassment panels – but the current risk remains that many recommendations were not enacted. At this stage, the assessment of any political and ethical risk is one of inaction. To do nothing at this time would be disastrous for the party.

The Governance Review noted that real dissatisfaction of the complaints process itself has exacerbated issues and led to “increased injustice and harm” to some members. A few changes have been made; the complaints officer at HQ has been a good result. Ultimately, however, our complaints process remains inaccessible, lacking the transparency and fairness that our party needs to have.

One of the issues raised by the Governance review was one of better clarity. In addition to the Governance review recommendations, this report considered the advice and guidance on a robust complaints process from the Scottish Legal Complaints Commission and the Scottish Public Services Ombudsman. It additionally considered the Plaid Cymru’s independent report on complaints handling and harassment.

Recommendations

- Set up a clear, robust and accessible complaints process. This simply does not exist within the current structures of the party and is required urgently. This process should be clear, rights based and trauma informed, and offer individuals confidence in a process that has a defined process with clear timescales towards resolution.
- Create a dedicated online portal on the website to hold all information relating to the complaints process and links to submit complaints clearly available. Guidance should detail what constitutes a formal complaint and what constitutes a malicious and vexatious complaints.
- Ensure there is clarity and guidance to indicate complaints that fall under the jurisdiction of the SNP and those that may fall under the jurisdiction of other bodies. Complaints of a criminal nature should for example be reported to the police.
- Recommendation that for cases that are particularly complex or sensitive in nature that we seek specialist advice and guidance, including as a minimum, when required legal advice.
- Recommendation that support for victims of bullying and harassment - such as Victim Support is offered. The party passed a resolution on this and should enact the procedure for this.
- The Members Conduct Committee is made up of 9 party members who are elected at Annual National Conference. Recommendation that no changes are made to that but details of what being a member of this committee entails should be published on the party website to ensure that individuals apply are aware and can offer relevant knowledge and skills required.

Recommendations

- The Appeals Committee is made up of 7 party members and a clerk who is suitable qualified in appointed by the NEC. It is recommended in line with changes made to best practice across other political parties that this committee also includes external members, legal, HR professional etc.
- Establishing Bullying and Harassment and Sexual Harassment Panels is something NEC has already passed. We must now appoint members of these panels and complete relevant training.
- Once agreed, any new complaints process must be proactively communicated to membership.
- A full review of the parties code of conduct is required to ensure it is fit for purpose and up to date.
- A full review of all group rules must be undertaken to ensure a consistent approach to conduct and discipline is taken throughout every area of the party.
- Recommend that a meeting takes place between the National Secretary and Parliamentary Group Whips every six months.
- Recommendation that complaints statistics are reported to NEC monthly at all National Council and National conferences. This should be high level stats only not including case specific details.

Example Complaints Process

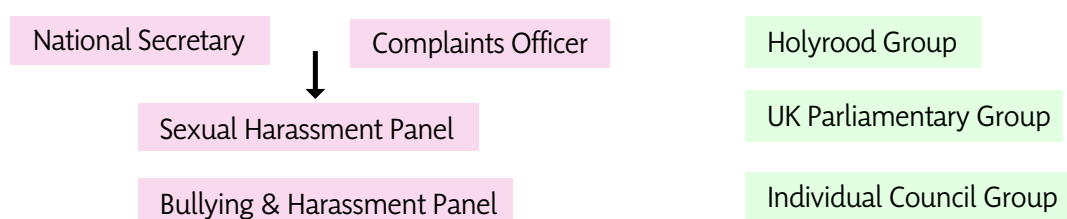
Stage One

Informal - at stage one the complaint will be assessed by the National Secretary and the Complaints officer to ascertain if a breach in the rules has taken place. The issue will be discussed with the complainant. If there is a clear path to resolution this can take place without the requirement for a case to be presented to the Members Conduct Committee. The National Secretary has the ability to write to members in the event that no rules have been broken but behaviour does need to be addressed. There are also a number of sanctions available to the National Secretary. These include restrictions to membership rights.



Complaint Received

- Complaint received via online form.
- Complaint received via email to Complaints Officer in cases of bullying and harassment and sexual harassment.
- Holyrood Group Process (see group rules)
- Westminster Group Process (see group rules)
- Council Group Process (see group rules)



→ Acknowledgement

All complaints received should be acknowledged and allocated a complaint reference number within 7 working days. All complaints and concerns will be input in to the casework management system and filtered to the relevant person/s responsible for resolving. This process will be managed by the Complaints Officer.

Stage Two

→ Investigation

All complaints will be investigated by the National Secretary and Complaints Officer within 20 days of receipt and either refused or passed to the Members Conduct Committee for them to make a decision on the outcome of the complaint. The National Secretary has the power to apply sanctions without the need to refer to the Members Conduct Committee and will exercise when appropriate to do so.

The nature of the complaint will dictate who is responsible for carrying out the investigation. The party complaints officer supports both the National Secretary the Bullying and Harassment Panel and Sexual Harassment Panel.

If the National Secretary or the Panels find that a valid complaint has been made it will be referred to Members Conduct Committee. It is for the members conduct committee to decide on the outcome and impose any sanctions. The respondent will be advised in writing of the outcome of The Members Conduct Committee hearing, detailing the process for them to appeal any decision.

The party complaints officer will communicate the outcome of Members Conduct Committee to the complainant.

Stage Three

→ Independent External Review

The SPSO recommend an independent external review. Currently we have a Member Conduct Appeals Committee who function as the end process for complaints. We also have the Appeals Committee made up of 7 party members elected at Annual National Conference. They currently function as stage three of the complaints process.

Circumstances around anti-Semitism within the Labour Party and sexual harassment within Plaid Cymru have led to recommendations for an external panel. Labour have set up an Independent Complaints Board in cases of unresolved complaints involving protected characteristics, and will include lawyers, HR managers and lay party members. Plaid Cymru's Powb report has additionally recommended the addition of an Independent Complaints investigator for cases of sexual harassment. I would be our recommendation that changes are made to the Appeals Committee in line with the practice of other parties.