

**PRIVATE & CONFIDENTIAL**

**Candidate Brief**

**1. New Independent Review Board**

**6 Independent Review Lawyers**

**Y1102**

**2. New Independent Complaints Board**

**4 Independent Complaints Board Lawyers**

**Y1103**

**November 2021**  
**Managing Director**  
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## INTRODUCTION

Dear Candidate,

We are delighted you have expressed an interest in being part of the new independent complaints process that is being established by the Labour Party.

I want to outline why we are taking these important steps now to ensure independence is built into how we manage complaints.

In October 2020, the Equality and Human Rights Commission (EHRC) reported into [Antisemitism in the Labour Party](#). The findings shocked us all. As a result, the Party was required, amongst other things, to set up an independent complaints process to oversee complaints of antisemitism and restore trust and confidence in the way the Labour Party handles complaints. We have decided to go further and introduce independent complaints bodies to deal with *all* complaints involving protected characteristics.

The new bodies will be established in December 2021 and will be fully operational early in 2022.

So today we are delighted to have this exciting opportunity to recruit qualified and experienced lawyers for both the Independent Review Board and the Independent Complaints Board.

If these opportunities appeal, you have the required skills and would like to be part of creating the most independent complaints process of any UK political party, we would like to hear from you.

For a confidential conversation with Thewlis Graham Associates who are managing the process, please contact Sarah Thewlis, Managing Director on 0207 850 4781 or email [applications@thewlisgraham.com](mailto:applications@thewlisgraham.com). Sarah will be happy to discuss this opportunity with you and answer any questions you may have.

Yours faithfully

David Evans  
General Secretary of the Labour Party

## SECTION 2

### The Independent Review Board and the Independent Complaints Board

The new process for handling complaints against members of the Labour Party will include the establishment of an **Independent Review Board (IRB)** and an **Independent Complaints Board (ICB)**.

By introducing the two new Boards, our aim is to integrate key principles of independence and transparency that will enhance our existing system.

Complaints will be investigated and initially heard by the Labour Party and following that, the decision will be reviewed by an independent lawyer who sits on the **IRB**. If the respondent wishes to appeal (and meets the criteria) that appeal will also be heard independently from the Party. The majority of Labour Party complaint cases are heard on paper however if there is an in-person case, from now on, this will also be heard independently.

### The Independent Review Board

The role of the **IRB** will be to either veto or verify all disciplinary decisions (which involve protected characteristics) made by the Labour Party's Disputes Panel. The **IRB** will be made up of a pool of lawyers (either solicitors or barristers) with experience in regulatory or disciplinary processes and ideally, an interest in equalities law.

We are expecting the **IRB** lawyers to review approximately 40-45 cases a month and are therefore looking for a pool of 6 lawyers.

No appointees to the **IRB** may be an active member of any political party (or have been) for at least 5 years prior to appointment. By introducing the **IRB**, we are ensuring that independence is built into the complaints process from the start.

### The Independent Complaints Board

The **ICB** is the second element of independence in the process. Their role will be to either hear **appeals** against complaint decisions or to hear complaints **in person**.

The **ICB** will consist of 12 members: 4 lawyers, 4 HR or regulatory experts and 4 Labour Party lay members. They will sit as a Panel of 3 (one from each category) to hear cases. The lawyer member will act as the chair of the Panel.

The same political party restrictions apply for both the lawyers and the HR and regulatory experts. The Labour Party lay members will need to have been a party member for 5 preceding years with an unblemished membership record.

All appointments to the **IRB** and the **ICB** are expected to be for a fixed term of 3 years.

## SECTION 3

### Role description – Independent Review Lawyer

<b>Position:</b>	<b>Independent Review Lawyer</b>
<b>Term of office:</b>	<b>3 years</b>
<b>Days per annum:</b>	<b>One day every 4 to 6 weeks plus two training days a year</b>
<b>Location:</b>	<b>Remote working only - the majority of work will be done online</b>

The new **Independent Review Board (IRB)** is responsible for providing an independent review of disciplinary decisions made by the Disputes Panel of the Labour Party's National Executive Committee (NEC). Please refer to Section 2 of this pack for more information on the IRB.

#### Overall purpose of the role:

You will be one of a pool of 6 lawyers, selected by a Standing Recruitment Committee, who will make up the Independent Review Board. The appointment will be for a term of three years.

Your role will be to review every disciplinary decision made by the Labour Party's National Executive Committee (NEC) Disputes Panel concerning a complaint involving protected characteristics – approximately 40 cases a month. Cases should take around 1 hour to review and it is expected an independent review lawyer will review at least 7 cases per day.

Following review, you will declare whether or not the decision complies with the relevant rules set out in the Labour Party Rule Book, the law, and new principles of independence which are:

- **Avoid conflicts of interest:** to take decisions in the best interests of the Labour Party, not in one's own personal or political interests and, where required to exercise a subjective judgement, to take whatever action seems most likely to advance the interests of the Party.
- **Equality:** to take decisions untainted by unlawful discrimination.
- **Transparency:** to act openly and transparently.
- **Freedom from corruption:** to ensure that disciplinary proceedings are free from corruption.

- **Good faith:** to act in good faith and without arbitrariness or capriciousness.
- **Impartiality:** to act impartially and to avoid giving rise to any reasonable perception of bias.
- **Rationality:** to make decisions rationally, on rational grounds.
- **Evidence:** to make decisions based on evidence, to take into account all relevant matters and to exclude irrelevant matters.
- **Fairness:** to inform members subject to disciplinary action of the case against them, and to give them an opportunity to state their defence, before imposing a disciplinary sanction.
- **Tolerance:** to respect political opinions with which one disagrees and to safeguard freedom of speech, so long as that speech does not comprise or promote discriminatory views or hate speech or gratuitous abuse.
- **Democracy:** to promote democratic engagement in the Labour Party and wider society where possible.

If you decide it does not comply, the decision of the NEC Disputes Panel will be vetoed and sent back to a fresh NEC Disputes Panel for consideration.

If it does comply, the decision of the NEC Disputes Panel is verified, and the decision may be subsequently ratified.

You will be expected to compile a review report every six months on any themes arising from cases which are vetoed.

### **Working relationships**

You will work closely with a Board Secretary who will work with you to organise your availability and ensure you have the documentation and anything else required to complete your role.

## Person Specification – Independent Review Lawyer

### Qualifications and experience

You will be a qualified solicitor with 5 years or more experience or a practising barrister with at least 5 years' Call. You will have experience in regulatory or disciplinary processes and ideally, an interest in equalities law.

### Political affiliation

This role is only open to those who are not currently a member of a UK political party (or for the last 5 years).

### Personal skills:

- Ability to assimilate large amounts of information and remain impartial
- Ability to work under pressure and to reasonable deadlines
- Demonstrably objective and fair
- Strong report writing skills
- Comply with requirements set out in the conflicts of interest statement.

### Availability:

You need to be available at between 7 and 12 days a year.

### Remuneration

£450 per day

## SECTION 4

### Role description – Independent Complaints Board Lawyer

**Position:** Independent Complaints Board Lawyer

**Term of office:** 3 years

**No of days per annum:** This is a new body and is expected to hear cases approximately 30- 36 days a year, but this will be kept under review. Each person can expect to work approximately 10 days a year including 2 days training. The majority of your work will be done online.

The new **Independent Complaints Board (ICB)** is responsible for hearing and determining appeals for disciplinary cases heard within the Labour Party's independent complaint process. In addition, every year it is also expected to hear a number of in-person cases as determined by the NEC Disputes Panel. For more details about the ICB please refer to section 2 this pack.

As the Independent Complaints Board lawyer, you will chair a panel of three members. You will sit alongside either an HR or regulatory expert and a Labour Party lay member.

You will either hear appeals against sanctions that have been issued or you will be asked to chair an in-person complaint hearing.

The vast majority of complaints against Labour Party members are third party complaints – usually from social media. However, from time to time an incident will have occurred possibly at a constituency meeting or local event and this will need to be heard in person.

There are likely to be approximately 10 appeal cases and 20 in person hearings a year.

Independent Complaint Panel hearings are expected to last 1 day but occasionally it could be two. Every 6 months you will be asked to submit a report on Panels you have chaired.

### Working relationships

You will work closely with a Board Secretary who will work with you to organise your availability and ensure you have the documentation and anything else you need to complete your role.



**Person Specification – Independent Complaints Board Lawyer**

**Qualifications and experience**

You will be a qualified solicitor with 5 years or more experience or a practising barrister with at least 5 years' Call. You will have experience in regulatory or disciplinary processes and ideally, an interest in equalities law.

**Political affiliation**

This role is only open to those who are not or have not been a member of a UK political party either now or within the last 5 years.

**Personal skills:**

- Ability to chair meetings effectively
- Ability to encourage open discussion and reach consensus
- Ability to assimilate large amounts of information and remain impartial
- Ability to work under pressure and to reasonable deadlines
- Demonstrably objective and fair
- Strong report writing skills
- Comply with requirements set out in the conflicts of interest statement

**Remuneration**

£600 per day

## SECTION 5

### How to apply

To apply for either of these roles, please email in word format to: [applications@thewlisgraham.com](mailto:applications@thewlisgraham.com) the following documents quoting the correct reference number.

Y1102 – Independent Review Lawyer for the IRB

Y1103 – Independent Complaints Board Lawyer for the ICB

- CV (no more than two sides of A4) setting out career history with relevant responsibilities and achievements. Please ensure any gaps over the last two years are accounted for.
- A supporting statement of suitability of no more than 1000 words outlining:
  - Which role you are applying for.
  - How your personal skills, qualities and experience are suited to the role with particular reference to person specification criteria.
  - Confirmation of the completion of the diversity and monitoring form (details in the next section).
  - A completed declaration of conflicts of interest statement. You can see the example here in this pack, the word document to complete is on our microsite under ‘How to Apply’.

Please also provide the following information:

- Details of your social media accounts
- Your political affiliation (or none)
- Any potential conflicts of interest
- Details of two professional referees with a brief statement of capacity and over which period of time they have known you.

***Please submit and complete all documents listed as failure to do so will unfortunately result in your application not being considered. Please ensure that you include your mobile phone number and email address in your application. Do not hesitate to contact Claire Drummond on 020 7850 4781 if you have any queries***

If you require this document in an alternative format, such as large print or a coloured background, please contact [applications@thewlisgraham.com](mailto:applications@thewlisgraham.com).

## SECTION 6

### Indicative timetable and arrangements

Closing date for receipt of applications for the Independent Review Board:  
6 December 2021.

Closing date for receipt of applications for the Independent Complaints Board:  
6 December 2021.

Short-list interviews for Independent Review Board: w/c 13 December 2021.

Short-list interviews for Independent Complaints Board: w/c 10 January 2022.

If you are short-listed, you will be interviewed by a Standing Recruitment Committee.

Regardless of the outcome, we will notify all candidates as soon as possible after the final interview.

Throughout the process, we will advise you about the outcome of your application at the earliest opportunity.

### Questions?

If you have any questions or encounter any issues with your application, please contact Sarah Thewlis, Managing Director of Thewlis Graham Associates, Recruitment Agency on 0207 850 4781 or email: [applications@thewlisgraham.com](mailto:applications@thewlisgraham.com).

## SECTION 7

**Conflicts of interest statement and declaration – there is a word version of this declaration on the bespoke microsite for completion.**

Members of the Independent Review Board and the Independent Complaints Board have a duty to ensure that they are not placed in a position where their personal interests are in conflict with their duty to act in the interests of the Independent Review Board or the Independent Complaints Board.

Factors which may affect an applicant’s suitability include, but are not limited to:

- criminal convictions or outstanding criminal charges;
- disqualification from a profession or as a company director; or bankruptcy
- having an unspent conviction for a money laundering, bribery or terrorism or related offence;
- having ever been found to be in contempt of court;
- having ever been removed as an officer or employee of a charity for misconduct or mismanagement;
- being subject to notification requirements under sexual offences legislation (i.e., they are on the sex offenders register); or being a “designated person” under anti-terrorism legislation.

Role holders must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence their decision making when dealing with Labour Party complaints.

You should not act or take decisions in an attempt to influence your work or for financial or other material gain for yourself, your family or friends.

You must declare membership of any UK political party. **Anyone holding such a membership in the previous 5 years will not be eligible to apply.**

You must declare any other interest which may be relevant and not covered by the above including any association through close family members or associates which might lead a fair-minded observer, having considered the facts, to conclude that such an interest might influence an individual’s judgement in matters relevant to the Independent Review Board and the Independent Complaints Board.

You must declare any close personal relationships with any serving member of the Labour Party NEC.

### Social and other media

Role holders must comply with the Labour Party’s requirement to treat all people with dignity and respect. This is particularly relevant to any online presence and we would expect individuals to follow the Labour Party’s [social media policy](#) at all times. This applies to both current and past posts as well as content you may like or share.

If you are unsure whether something you post online could compromise your role on the Independent Review Board or Independent Complaints Board, you should consider how the information affects your responsibilities in connection with your role and if you are unsure, you can ask for advice.

### **Who is covered?**

Any member of the Independent Review Board and the Independent Complaints Board.

### **Gifts / hospitality**

Members of the Independent Review Board and Independent Complaints Board must not accept gifts, hospitality or benefits, offered in relation to this work.

### **Cases of non-compliance**

There will be a Code of Conduct for members of the Independent Complaints Board. Any breach of this Code of Conduct may result in your removal from that role.

### **Members of the Independent Review Board and Independent Complaints Board will not be employees of the Labour Party.**

### **DECLARATION**

I confirm that I do not fit within any of the factors listed above and that there are no other grounds under which I would be ineligible for appointment. If successful in this process, I undertake to notify the Labour Party immediately about anything that may affect my eligibility to remain a member of the Independent Review Board or the Independent Complaints Board.

I wish to declare the following information which may be relevant to my eligibility for this role:

Signature name and date:

## SECTION 8

### Diversity and Inclusion Monitoring

Diversity and Inclusion Monitoring is independent of the recruitment process but please do complete the form. Thewlis Graham Associates is committed to monitoring and analysing diversity and inclusion information so that we can ensure that our processes are fair, transparent, promote equality of opportunity for all, and do not have an adverse impact on any particular group.

The link to this form is below:

**Y1102 – Independent Review Lawyer for the IRB – [click here](#)**

**Y1103 – Independent Complaints Board Lawyer for the ICB – [click here](#)**

If you have any problems with this, please contact Tracey on: [tct@thewlisgraham.com](mailto:tct@thewlisgraham.com).

Any information provided on this form will be treated as strictly confidential and will be used for statistical purposes only. It will not be seen by anybody directly involved in the selection process. No information will be published or used in any way which allows any individual to be identified.

Thank you

## SECTION 9

### Advert

#### Independent Review Board and Independent Complaints Board

Following the Equality and Human Rights Commission report in October 2020 into [Antisemitism in the Labour Party](#) the Party is setting up an independent complaints process to ensure we maintain the highest levels of trust and confidence in the way we handle complaints regarding protected characteristics.

This means setting up two new bodies that will be an integral part of the complaints process. These are an **Independent Review Board (IRB)** that will verify each complaint decision that involves protected characteristics and an **Independent Complaints Board (ICB)** that will hear appeals and if required, hold in-person hearings.

We are delighted to have this exciting opportunity to advertise for qualified and experienced lawyers for both the Independent Review Board and the Independent Complaints Board.

#### Independent Review Board (IRB) – Y1102

We are seeking 6 qualified and experienced solicitors or barristers with a track record in regulatory or disciplinary processes and ideally an interest in equalities law to review a case load of around 40 cases a month between them.

The role of the IRB will be to either veto or verify all disciplinary decisions (which involve protected characteristics) made by the Labour Party's Disputes Panel. The pool of lawyers will work on a rotational basis with each working approximately once every 4 – 6 weeks.

The remuneration for this remote working role will be a day rate of £450. You will be paid by, but not employed by the Labour Party. Additionally, these roles are only open to those who are not, and have not, been a member of a UK political party within the last 5 years.

#### Independent Complaints Board (ICB) – Y1103

We are looking for 4 independent complaints lawyers to chair independent complaints panels of three members. You will be joined at the panel by either an HR or regulatory expert and a lay member of the Labour Party.

You will be a qualified solicitor with 5 years or more experience or a qualified barrister with 5 years' Call or more. You will have experience in regulatory or disciplinary processes and ideally, an interest in equalities law.

The role of the ICB will be to hear and determine appeals for disciplinary cases heard within the Labour Party's independent complaint process and to hear a small number of in-person cases. There are likely to be approximately 10 appeal cases and 20 in person hearings a year which are expected to last 1 day but occasionally it could be two.

The remuneration for this role will be a day rate of £600. You will be paid by, but not employed by the Labour Party. Additionally, these roles are only open to those who are not or have not been a member of a UK political party either now or within the last 5 years.

Full details of requirements and competencies required are in the link below.

Please apply by visiting [www.thewllsgraham.com/assignment-briefings](http://www.thewllsgraham.com/assignment-briefings) and following the instructions in the candidate brief quoting the relevant reference number – Y1102 or Y1103. The closing date for both roles is 10am on 6 December. For a confidential conversation with Sarah Thewlls or for any other information please email [applications@thewllsgraham.com](mailto:applications@thewllsgraham.com)

