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| 24 November 2021 | | ITEM: 11 |
| Council | | |
| Political Assistants | | |
| Wards and communities affected: Not Applicable. | Key Decision: No | |
| Report of: Councillor R Gledhill, Leader of the Council | | |
| Accountable Assistant Director: Not Applicable | | |
| Accountable Director: Not Applicable | | |
| This report is public | | |

Executive Summary

This report outlines the details relating to the employment of political assistants to support identified political groups.

1. Recommendation(s)

- 1.1 **That Full Council decide whether to employ political assistants to support the Conservative and Labour Groups (referred to in this report as the 'qualifying groups').**
- 1.2 **If agreed, the Council, in consultation with group leaders effected, set out the contract terms and conditions for such posts in line with the statutory requirement for these posts.**

2. Introduction and Background

- 2.1 On 17 October 2019 the General Services Committee received a report of the Leader of the Council entitled: 'Review of Constitution and Process'. Part of this report recommended that political assistants be appointed to political groups with more than six members to aid in research and support. The General Services Committee resolved to defer a decision on this to allow further discussions to take place.
- 2.2 Local authority political assistants are local government employees who undertake research and provide administrative support for the main political groups within an authority. The existence of these posts allows a separation of professional officer and political roles and can enable the provision of advice to councillors that local authority officers are prevented from providing.

Part I of the Local Government and Housing Act 1989 sets out the framework regulating the appointment and conduct of political assistants.

- 2.3 Under section 2 of the 1989 Act, the post of political assistant in a local authority is politically restricted. This means that, like other politically restricted posts, the post-holder cannot stand for election, act as an election agent or sub-agent, be an officer of a political party, manage a party or branch of a party, and cannot canvass on behalf of a political party or candidate for election. Political advisers are, however, permitted to speak to the public with the intention of affecting support for a political party, but their actions must not give the impression that they are acting as the representative of the political party. Political advisers are also able to publish or cause to be published written work or other material intended to affect public support for a political party, but they must not give the impression that the publication is authorised by the political party. These rules were adopted to address concerns about political impartiality, conflict of interest and the use of taxpayer funds for political purposes in councils.

3. Issues, Options and Analysis of Options

- 3.1 The Local Government and Housing Act 1989, Section 9, sets out the rules and procedures governing the proper appointment of political assistants.
- 3.2 It is for Full Council to decide whether qualifying political groups should be eligible for support from political assistants. The legislation limits the maximum number of political assistants for a council to three, allocated on the basis of one to each of the three largest groups who have a minimum of 10% of elected Councillors (in the Councils case 5). Therefore at present the Conservative and Labour groups only would qualify.
- 3.3 The council is reforming the staff base to reflect the post pandemic situation. To help reduce the requirement for members to rely on existing officers for policy interpretation, this recommendation will provide members with a separate policy resource, outside of the current restricted officer corps, releasing them to spend more time delivering a leaner organisation.
- 3.4 The employment of political assistants will have an impact on staffing budgets dependant on their agreed working hours, grading and other terms and conditions. If Members agree to employ political assistants then the Chief Executive will present an employment case through HR to be agreed by effected group leaders. Any appointed political assistants have some specific statutory terms in respect of their employment; their salary cannot exceed the spinal point 38 on the National Joint Council's agreed pay scales (currently £40,760). Their contract of employment must terminate at or before the first annual council meeting after the person has been in post for 3 years where the council is elected by thirds. However, this does not prevent the post holder being reappointed for a further term after the reappointment is agreed at the annual council meeting.

4. Reasons for Recommendation

- 4.1 Some Members have expressed, through the October 2019 report to General Services Committee that political assistants would help their political groups keep abreast of government policy better and improve their ability to engage with meetings and activities in the Council more fully.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 Not applicable.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 Arguably the employment of political assistants for the qualifying political groups in the council will allow them to prepare for and engage with council business at a more strategic and informed level, allowing them to ultimately become more efficient and effective representatives for their communities.

7. Implications

7.1 Financial

Implications verified by: **Sean Clark**
Corporate Director of Resources and Place Delivery

Reports to Cabinet and Overview and Scrutiny Committees in recent months have been clear on the financial difficulties that Thurrock Council is facing. Whilst significant progress has been made in balancing the budget for 2022/23, there still remains a budget gap circa £3m with a further gap of circa £11m in 2023/24, both of which will require savings in the staffing budgets.

The report sets out that the cost of each post could be as high as £40k but this will be circa £50k when various oncosts such as National Insurance, superannuation, licences, etc are added in. As such, agreeing this report will increase the budget gaps by circa 100k and require further reductions in staff from other services.

7.2 Legal

Implications verified by: **Ian Hunt**
Assistant Director Law and Governance

The appointment of Political Assistants for groups is a matter for consideration by Full Council, these posts are subject to specific statutory restrictions which relate to the way they operate and the terms of their employment, the report highlights these.

Recent Government Guidance (issued on the 11th October 2021) sets out the following considerations for the decision to appoint political assistants:

“When considering how best to manage their resources, councils should be certain to take into account their use, potential use, or necessity of local authority political assistants.

While these politically restricted advisers can provide elected members with a different perspective, offering the type of advice other council staff cannot, local authorities should remember that they are taxpayer-funded employees and should not be exempt from wider discussions about how to make the authority as efficient and effective as possible.

All local authorities, and individual political groups themselves, should therefore have particular regard to financial considerations when determining the need for a political assistant.”

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
**Community Engagement and Project
Monitoring Officer**

If the Council agreed to employ political assistants, they would receive the same benefits and conditions as other council staff. The recruitment process, as managed by HR, conforms to equalities legislation.

7.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, or Impact on Looked After Children

None.

8. Background papers used in preparing the report (including their location on the Council’s website or identification whether any are exempt or protected by copyright):

- General Services Committee Agenda and Minutes – 17 October 2019.
Available at www.thurrock.gov.uk

9. Appendices to the report

None.

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