

Report To:	COUNCIL
Date:	25 MAY 2023
Heading:	POLITICAL ASSISTANTS
Executive Lead Member:	N/A
Ward/s:	N/A
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

The role of Political Assistant was established following the LGA Peer Challenge feedback report which was presented to Council in 2020. The recommendation was to ensure that the Council provides long-term political support to the political leadership.

Following the approval by Council for Political Assistants that reach the required criteria the post was established. This report sets out the criteria for the appointment of Political Assistants.

Recommendation(s)

- a) To note the information contained in the report
- b) That the Leaders of the Ashfield Independents and the Conservatives advise the Assistant Director - Democracy of their wishes concerning the filling of the posts.
- c) That the 2023/24 budget and Medium Term Financial Strategy (MTFS) reflect the cost of these posts.

Reasons for Recommendation(s)

The establishment of Political Assistants would enable the Council to implement a recommendation of the Corporate Peer Challenge. To comply with legislative provisions in respect of the establishment of Political Assistants. To ensure appropriate budgetary provisions are in place.

Alternative Options Considered

(with reasons why not adopted)

The Council could decide not to establish Political Assistants, however, there is no alternative way for the Council to resource political support to the political leadership and, therefore, the recommendation of the Corporate Peer Challenge would not be met.

Detailed Information

The role of Political Assistant was established in 2020 following a recommendation from the LGA Peer Challenge Group. With the current Political balance of the Council following the District Elections in 2023, and in accordance with the Local Government and Housing Act 1989 (LGHA) and Council's own agreed procedures, entitlement for political support is as follows;

- Ashfield Independents – 37 hours per week
- Conservatives – 7.4 hours per week

The Local Government and Housing Act 1989 (LGHA) governs the appointment of Political Assistants to provide assistance to political groups represented on the Council.

Under section 9 of LGHA, the Council may appoint staff for the purposes of providing assistance to the Members of any political group to which the Members of the authority belong. The terms of the appointment must comply with some qualifying criteria (see below).

As specified in the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006, the general role of political assistants is to undertake research and provide administrative support for political groups.

Political assistants are local government employees and, with two exceptions, the regime restricting the political activities of local government employees applies to them. The two exceptions being:

- a) Able to speak to the public with the intention of affecting support for a political party.
- b) Able to publish or cause to be published written work or other material intended to affect public support for a political party.

The appointment of a political assistant is at the selection of the political group to which the post has been allocated.

There is no single job description for a political assistant, since relevant authorities and political groups vary greatly in their approach to the support they seek from an assistant. Common roles for a political assistant can include:

- Researching and analysing information on behalf of the group
- Preparing reports and attending meetings of the political group and undertaking follow-up action
- Drafting briefing notes/policies for the group leader on new and emerging initiatives
- Liaising with national party and party leadership
- Liaising with national bodies, other Councils and their political groups, government bodies, other networks
- Liaising with local MPs
- Liaising with Council Officers
- Representing the group or group leader at relevant meetings

Legislative Criteria

To fall within section 9 of the LGHA a political assistant appointment must fulfil the following criteria:

- a) The purpose of the appointment must be to provide assistance in the discharge of functions of Members of any political group as Members of the authority
- b) The appointment must be at an annual rate of remuneration of less than the relevant amount if the annual rate of remuneration which is currently £34,986 excluding on-costs (for a fulltime post) by virtue of the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006
- c) The appointment must terminate before the end of the day on which the authority hold their Annual Council meeting following the District Council Elections; for the current Political Assistant this the appointment would terminate in May 2023. Future recruited positions would be in post until May 2027.
- d) Be no more than three posts throughout the authority
- e) Be selected by the political group to whom the post is to be appointed

The standing orders of a relevant authority the Members of which are divided into different political groups shall:

- a) Prohibit the making of an appointment to any post allocated to a political group until the authority have allocated a post to each of the groups which qualify for one
- b) Prohibit the allocation of a post to a political group which does not qualify for one
- c) Prohibit the allocation of more than one post to any one political group

Qualifying measures:

A political group shall qualify for a political assistant post if:

- a) The membership of the group comprises at least one-tenth of the membership of the authority – which equates to 4+ members for political groups within Ashfield District Council
- b) The number of the other groups (if any) which are larger than that group does not exceed two
- c) Where the number of the other groups which are the same size as or larger than that group exceeds two, the authority has determined that that group should be a group to which a post is allocated.

Where the Members of a relevant authority are divided into political groups only one of which has a membership that comprises one-tenth or more of the membership of the authority:

- a) The groups qualifying for a post shall be that group and one other group
- b) The other group shall be the one with the next largest membership

Applying the qualifying criteria to the current political position at the Council would mean:

- a) The Ashfield Independents political group comprises one-tenth or more of the Council's membership and would qualify for one political assistant post
- b) As the Ashfield Independents political group is the only group to comprise one-tenth or more of the Council's membership, under section 9(7) of the LGHA, the next largest political group would also qualify for a political assistant, which would be the Conservative political group
- c) The Labour political group would not qualify for a political assistant post.

It is suggested it would be reasonable to pro rata the level of political assistant support to those groups qualifying in order to proportionally reflect the comparative political group sizes. It is suggested that the allocation reflects the following proportions:

NUMBER OF MEMBERS IN A POLITICAL GROUP	NUMBER OF DAYS/HOURS
2 - 5	1 day / 7.4 hours
6 - 9	2 days / 14.8 hours
10 - 13	3 days / 22.2 hours
14 - 17	4 days / 29.6 hours
18 – 35	5 days / 37 hours

A Political Assistant cannot exercise the powers of delegation conferred on officers by section 101 Local Government Act 1972 or sections 14 to 18 Local Government Act 2000.

Implications

Corporate Plan:

The Corporate Plan sets the strategic direction of the Council.

Legal:

The Local Government and Housing Act 1989 (LGHA), section 9, governs the appointment of Political Assistants to provide assistance to political groups represented on the Council. The Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006) - the amount specified for the purposes of section 9(3) of the LGHA is £34,986. **[RLD 17/05/2023]**.

Finance: [PH 17/05/2023].

Budget Area	Implication
General Fund – Revenue Budget	To be funded from the 2023/24 budget set for this purpose. Potential future costs are factored into the MTFS. The post has been job evaluated to Grade F.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
<p>Failing to establish the role of Political Assistant could see the Council fail to implement a recommendation of the Corporate Peer Challenge. The Peer Challenge stated that the political leadership's ability to horizon scan and develop and direct strategic policy would be seriously hampered if the Council did not provide political support.</p> <p>In the event that the political make up of the Council were to change in the future, it is possible that other political groups may also become legally entitled to a Political Assistant which would see the costs of such provision increase.</p>	<p>To establish the role of Political Assistant in accordance with the legislation.</p> <p>The Council is legally required to keep the establishment of Political Assistants under review.</p>

Human Resources:

If approved, recruitment processes will be carried out in accordance with the relevant regulations and reflect the Council's recruitment processes.

Environmental/Sustainability

(to be completed by the author)

There are no environmental/sustainability issues identified relating to the recommendations in the report.

Equalities:

(to be completed by the author)

There are no equalities issues identified relating to the recommendations in the report. Recruitment processes for the role of Political Assistant will comply with equalities legislation.

Other Implications:

(if applicable)

None

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