

WEST NORTHAMPTONSHIRE COUNCIL

COUNCIL

15th July 2021

Councillor Jonathan Nunn, Leader of the Council

Report Title **Appointment of Political Assistants**

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List of Appendices

Appendix A – s9 Local Government and Housing Act 1989 relating to political assistants

1. Purpose of Report

1.1. The purpose of this report is to seek the views of members on the appointment of political assistants for the Leading Groups of the Council in accordance with the opportunity afforded by the provisions in the Local Government and Housing Act 1989 set out at Appendix A.

2. Executive Summary

2.1 The Local Government Act 1989 governs the appointment of Political Assistants to provide assistance to political groups represented on the Council. Under its terms and following the Local Elections on 6th May 2021 two political groups meet the qualifying criteria for the allocation of a Political Assistants. Council is invited to consider the appointment of Political Assistants to the Conservative and Labour Groups on the Council. There is currently no budget allocation for the appointment of political assistants and therefore during the first year budget would come from reserves.

3. Recommendations

3.1 It is recommended that Council:

- a) Agrees to the appointment of political assistants under the terms of the Local Government Act 1989 with effect from this Annual Council until to be reviewed at the next Annual Council meeting and subject to a maximum renewal to the Annual Council following the elections in 2025.
- b) Agrees that in accordance with the qualifying criteria posts are allocated to the Conservative and Labour Groups.
- c) Requests that the Leaders of the Conservative and Labour Groups advise the Director of Legal and Democratic Services of the wishes of their Groups on the filling of those posts.

4. Reason for Recommendations

4.1 Following the outcome of the election in May 2021 the Labour and Conservative groups meeting the qualifying criteria for having a political assistant.

- The Leaders of the Conservative and Labour Groups have expressed an interest in having support from a political assistant the appointment is described as being made “for the purpose of providing assistance, in the discharge of any of their functions as members of a relevant authority, to members of any political group to which members of the authority belong”;
- any Council may have only three such posts at any given time, but appointments can only be made if posts are allocated to all of the groups who qualify – in West Northamptonshire this is the Conservative and Labour Groups.
- to qualify, a group must have at least one tenth of the total membership of the authority – in West Northamptonshire this is a minimum of ten Members.
- the posts are fixed term and operate on an annual renewal basis with a maximum renewal of four years ie to the Annual meeting following the Local elections (i.e approximately four years) - the next one being 2025.
- the level of remuneration is controlled by law.

5. Report Background

5.1 Under Section 9 of the Local Government and Housing Act 1989, a local authority may appoint assistants for political groups, subject to specific conditions including their remuneration. The key features of this statutory provision (set out in full at Appendix A) are as follows;

5.2 Further provisions within the Act ensure that, where such posts are established no appointments can be made until posts have been established for all qualifying groups.

5.3 Northampton Borough Council was the only predecessor Council that employed political assistants. As a result of the restrictions outlined above any existing contracts ended on 20th May 2021 at the Annual Meeting following the election.

5.4 Any decision to appoint political assistants sits with the new administration of the qualifying groups. The Leaders of both groups have expressed an interest in appointing political assistants.

- 5.5 The budget for these political assistants ie both Conservative and Labour was on the basis of a salary of £31,118 with on costs taking the total budget allocation to just over £80,260. This budget is available to fund the proposed posts. The salaries of political assistants have a set maximum salary level prescribed by law. The maximum salary (£34,986) is determined by the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006.
- 5.6 The legislation also requires that the Council's standing orders must provide for the restrictions set out and therefore the Council's Constitution will be amended to ensure that it includes reference to the restrictions in relation to political groups as set out in Appendix A.
- 5.7 The legislation also makes it clear that the Council cannot delegate its functions to Political Assistants and that Political Assistants cannot manage any of the Council's staff. This is to ensure that the role of political assistants is confined to providing assistance to political groups as set out in the legislation and nothing else.

6. Issues and Choices

- 6.1 The proposal is to appoint political assistants for the two largest groups on the authority. The legislation is very prescriptive about the appointment. The choices are therefore to decide to appoint the political assistants or not. The appointment of political assistants will result in additional costs not previously budgeted for. However, the two group leaders of the leading groups have both indicated that they wish to appoint political assistants on the basis that this will support the members of their group in carrying out their roles.

7. Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 There are financial implications as set out in the body of the report. The current budget for these posts is £80,260 which is sufficient to fund two posts at £31,118 with on costs. If a third group were to reach 10% of the membership they would be entitled to a political assistant and there is no provision for this however this is not anticipated.

7.2 Legal

- 7.2.1 There are specific legal implications which are set out in the body of the report. Appointments must be in accordance with the regulations and at a level which is on or below the prescribed maximum. The period of employment and a range of other matters in relation to the appointments are prescribed in legislation. The provisions are attached at Appendix A.

7.3 Risk

- 7.3.1 There are no significant risks arising from the proposed recommendations in this report.

7.4 Consultation

7.4.1 Consultation has been undertaken with the leading political groups on West Northamptonshire Council.

7.5 **Climate Impact**

7.5.1 No specific impacts have been identified.

7.6 **Community Impact**

7.6.1 No specific impacts have been identified.

8. Background Papers

8.1 None.