Summary and Purpose of Report

1. This report is further to a discussion on the role of political assistants that took place at the last meeting of the committee. The text of the relevant minute is replicated below. Also annexed are copies of –
   - the report considered by County Council at its Annual meeting on 18th May 2005;
   - a recent survey of authorities relating to the provision of political assistant support;
   - protocols in use elsewhere; and
   - the current job description for the post.

Recommendation

1. That the report be noted; and

2. That the committee determines whether or not there is any view that it is felt appropriate to share with County Council to assist with its consideration of a report on the appointment of political assistants at the next Annual Meeting in June (following the imminent elections).

Detailed Background Information

1. Under section 9 of the Local Government & Housing Act 1989, a local authority may appoint up to three assistants for political groups, subject to stringent conditions and safeguards, not least with regard to remuneration. The key features of this statutory provision are as follows –
   - the appointment is described as being “for the purpose of providing assistance, in the discharge of any of their functions as members of a relevant authority, to the members of any political group to which members of the authority belong”;
   - a 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;
   - to qualify, a group must have at least one tenth of the total membership of the authority;
• the posts are fixed term and run from one Annual Meeting following an election to the next (i.e. approximately four years); and
• the level of remuneration is controlled by law.

2. At present, line management of the three posts at the Council is undertaken by the Director of Law & Administration, although on a day-to-day basis, each officer works under the direction of the relevant political group. And in terms of the line management arrangements that exist elsewhere in the Council, it is unusual to have posts at such a relatively junior level reporting to a director.

3. Councils are not obliged to have political assistant posts and as the enclosed survey shows, many do not.

4. At the last meeting in January, the Standards Committee minute book shows that –

“the Committee had a discussion with regard to the role of the Political Assistants and recent email exchanges that were considered to be inappropriate in terms of conduct of behaviour. Nigel Roberts explained that the Political Research Assistants would be covered by the Member/Officer Code of Conduct, which was contained within the Constitution. Nigel Roberts explained that Political Assistants, whilst officers of the council and managed by him, carried out their day to day duties in line with their Political Group Leader. The Committee agreed that it would be appropriate for them to consider a protocol for the Political Assistants. It was agreed that a report should be considered at the next meeting of the Standards Committee together with copies of the recent email exchanges and the job description of a Political Assistant.”

5. It is indeed the case that the Protocol on the Relationship between Members and Officers contained within the Council’s Constitution applies equally to these posts, but it also appears to be the case that for some councils, other specific protocols are in place. Anonymised versions of two such protocols are attached by way of example. At present, there is no specific protocol at this Council.

6. To assist members in their deliberations, also annexed is a copy of the current job description that pertains to the post.

Nigel Roberts
Director of Law & Administration
Telephone: 01452 425201
E-mail: nigel.roberts@gloucestershire.gov.uk
REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES – APPOINTMENT OF POLITICAL ASSISTANTS

FOR DETERMINATION

Political Assistants

A1 This report invites the County Council to consider whether or not to continue with the appointment of political group assistants.

A2 Political Assistants have been employed by the County Council since 2002. Political Assistants are unique among officers of local government. The Local Government and Housing Act 1989 (Section 9) makes provision for staff to be appointed with specific regard to their political affiliation, for the purpose of giving political advice and support to the political groups that qualify for such support and which agree to have such support. The legislation also specifies the maximum salary for political assistant posts (currently £25,044 per annum).

A3 The legislation restricts political assistants to the three largest political groups and only political groups with 10% or more of the total number of seats on the council qualify for this support. There are other requirements that qualify the 10% rule relating to the number of political groups, their size and the nature of the political management arrangements in place.

A4 An authority cannot make an appointment to a post allocated to any political group unless it has also allocated a post to all of the political groups with qualify. The appointment of a political assistant is down to the political group the assistant will serve.

A5 The Political Assistants are currently line managed by the Head of Legal and Democratic Services.

A6 The legislation prescribes that these posts are appointed for a period expiring on or before the end of the day of the annual meeting of the Council in an election year. The political group leaders have indicated that they would like to continue to employ political assistants.

RECOMMENDED

THAT approval be given to the continuance of political assistants for the qualifying political groups (Conservatives, Labour and Liberal Democrats).

Nigel Roberts
Head of Legal & Democratic Services
Tel: (01452) 425201
Email: nigel.roberts@gloucestershire.gov.uk
## SURVEY OF POLITICAL ASSISTANTS – Feb 2009

<table>
<thead>
<tr>
<th>County</th>
<th>How many political assistants?</th>
<th>Other Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedfordshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Buckinghamshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Cambridgeshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Cheshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Cornwall</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Cumbria</td>
<td>YES - 3</td>
<td></td>
</tr>
<tr>
<td>Derbyshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Devon</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Dorset</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Durham</td>
<td>NONE</td>
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</tr>
<tr>
<td>East Riding</td>
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</tr>
<tr>
<td>East Sussex</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Essex</td>
<td>YES - 3</td>
<td></td>
</tr>
<tr>
<td>County</td>
<td>How many political assistants?</td>
<td>Other Comments</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Hampshire</td>
<td>NONE – see note</td>
<td>Leader of the Council has a Researcher who is managed by the Head of Policy</td>
</tr>
<tr>
<td>Herefordshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Hertfordshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Isle of Wight</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Kent</td>
<td>NONE – see note</td>
<td>Kent operates a system of non political 'staff officers' appointed to the political groups and Cabinet Members.</td>
</tr>
<tr>
<td>Lancashire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Leicestershire</td>
<td>YES - 3</td>
<td></td>
</tr>
<tr>
<td>Lincolnshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Norfolk</td>
<td>YES - 3</td>
<td></td>
</tr>
<tr>
<td>North Yorkshire</td>
<td>YES – see note</td>
<td>Two smaller parties only have part time Political Assistants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 post for Con</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.5 posts for Lab and Lib Dems</td>
</tr>
<tr>
<td>Northamptonshire</td>
<td>YES - 3</td>
<td></td>
</tr>
<tr>
<td>Northumberland</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Nottinghamshire</td>
<td>See note</td>
<td>We don't have any political assistants as statutorily defined. Both of the two largest groups have a research officer. In addition the majority group has a team leader (who manages the</td>
</tr>
<tr>
<td>County</td>
<td>How many political assistants?</td>
<td>Other Comments</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Oxfordshire</td>
<td>YES - 3</td>
<td>researcher and the admin support). The opposition group has a personal assistant</td>
</tr>
<tr>
<td>Shropshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Somerset</td>
<td>YES – 2</td>
<td></td>
</tr>
<tr>
<td>Staffordshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Suffolk</td>
<td>YES - 3</td>
<td></td>
</tr>
<tr>
<td>Surrey</td>
<td>YES - 3</td>
<td></td>
</tr>
<tr>
<td>Warwickshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>West Sussex</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Wiltshire</td>
<td>NONE</td>
<td></td>
</tr>
<tr>
<td>Worcestershire</td>
<td>NONE</td>
<td></td>
</tr>
</tbody>
</table>
Protocols for Assistants to Political Groups

1 Assistants to political groups are officers of the Council. They are managed within the Chief Executive’s Department and will be subject to the same duties, responsibilities and requirements as other members of the Department. Their line manager is the Member Service Manager. The following protocols are in addition to the general Protocols covering member officer relationships set out in the Constitution.

2 Each political group will establish its own arrangements for making effective use of the time of its Assistant. These arrangements will include the clear identification of priorities and resolution of conflicting demands on the time of the Assistants. Each group will nominate one person or a sub-group for this purpose.

3 The role of the Assistants is to provide support to members in their role as County Councillors. They should not be asked as part of their jobs to attend or actively support any party political activity outside the County Council, for example:

- Party political conferences and meetings
- Preparing material to affect public support for a political party.
- Party political activity beyond that allowed to others officers.

4 The Assistant may attend County Council political group meetings or relevant conferences and events to be agreed with the Member Services manager. Their role in relation to County Council political group meetings is restricted to providing administrative support and briefing notes on policy issues, they should not participate in party political discussions.

5 It is up to each group to ensure that the activities of the Assistants stay within the boundaries appropriate for an officer of the Council. Each group should agree general work parameters with the Member Services Manager. If either the Group or the Assistant believes that a particular request may be outside these boundaries they should raise it with the Member Services Manager who will decide if the request is appropriate having consulted his/her manager(s) if necessary.

6 Attendance of the Assistant at officer meetings should be with the agreement of the officer convening the meeting.

7 If Members wish to invite the Assistants to meetings with officers, the officers should be advised of this before hand and given the opportunity to raise any concern about the proposed attendance of the Assistants I the light of the subject to be discussed.

8 The Assistants will be entitled to the information which they need to enable them to do their jobs. They will have access to committee papers and meetings except where a specific decision is taken to the contrary. They are entitled to copies of all the Council’s policies. Other information will be provided on a need to know basis.
9 The Assistants will not, as a matter of course, attend the Leaders Liaison Group and similar meetings. Their attendance at these meetings will only occur if the Group Leaders agree that it would be appropriate because of the nature of the items being discussed.

10 The performance of the Assistants and the operation of these protocols will be reviewed quarterly between the Leader or nominee of the Group and the member Services Manager.
Protocols for Political Assistants

1. Status
Political Assistants are officers of the Council and are subject to the same code of conduct as all other officers. They differ from other officers only in that regard was had to their political activities or affiliations when appointed, and that they were appointed in accordance with the wishes of a political group.

2. The Job
The job of a political assistant is to assist a political group of members in their work as Councillors. Political assistants are not permitted to undertake party political activity and, in particular, are not permitted to speak in public or party matters nor publish party material. Further, political assistants are not permitted to manage staff (other than his or her own secretary or personal assistant).

3. Line Management
Although day-to-day management of political assistants is in the hands of the political group they are members of the Legal and Administration in the Resources Directorate. Their line manager is the Principal Committee Administrator for all employment issues, including pay and appraisal and application of Council policies and procedures. Political assistants have the same rights and responsibilities as all other members of staff in the Resources Directorate.

4. Press Releases
One of the tasks of political assistants will be to issue press releases on behalf of the Group in relation to the work of the Council. Press releases on behalf of the Council (including those issued by the Leader) will be issued by the Head of Public Relations. Copies of press releases issued by political assistants will be sent to the Head of Public Relations, who will reciprocate with copies of the Council press releases.
5 Access to Information
Political assistants for this purpose are to be regarded as having the same rights as a member of the Council (these rights are set out in the Member / Officer protocol). This means that they must respect the terms on which confidential information is supplied and on occasion will be required to demonstrate a need to know that information before access is granted.

6 Access to Senior Officers
Political assistants for this purpose are to be regarded as if they were members of the Council in having access to Strategic Directors and Service Heads. Access to officer meetings will be by invitation only and the confidentiality of such meetings, where appropriate, must be respected.

7 Access to Cabinet / Committees
Attendance at Cabinet and the private part of the agenda of committees will be on the basis of need at the discretion of the Chair. Political assistants have no right to speak at meetings.

8 Equality
Political assistants will for most purposes be treated as equal save that the political assistant to the opposition group may not be invited to attend cabinet meetings nor officer meetings where administration policy is under formulation.
GLOUCESTERSHIRE COUNTY COUNCIL
JOB DESCRIPTION

**Job Title:** Political Research Assistant

**Grade:** (£25044 pa)

**Work Location:** Shire Hall

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1. **JOB PURPOSE**

   1.1 Carry out research and evaluation on all current issues for local government (both national and local) on behalf of Members, using own initiative and without supervision. Where appropriate, monitor and evaluate service delivery, assessing its efficacy and compliance with the law, Council policy and the national agenda for local government.

   1.2 Produce reports, undertake specific research projects and advise the Group Leader or Members on all areas of Council business, including the national policy agenda for local government. React rapidly to new developments to ensure councillors fully appraised and briefed at all times, where appropriate responding at short notice and at any time outside normal working hours.

   1.3 Take the lead on behalf of the Group Leader and Members in all matters of communication with Officers, the public, press, stakeholders and opinion formers. Take responsibility for coordinating Group communications.

   1.4 Liaise with other elements of the Liberal Democrat Party, including national party and party leadership, MPs and MEPs, with local and national bodies and with senior officers of the County Council.

2. **MAIN DUTIES AND RESPONSIBILITIES**

   2.1 To gather, collate, analyse and distribute information on behalf of the Group, including the preparation of appropriate reports and briefing notes to ensure that Members of the Group are well informed on the Council’s business and other appropriate issues, including the national policy agenda for local government.

   2.2 Identify opportunities for research and policy development, including areas of potential political and budgetary interest, across the full range of the council’s services, to include the expanding agenda for the creative use of permissive powers. Undertake such other project work and research as required by the Group Leader or other Members of the Group.

   2.3 Monitor all areas of the council’s business, identifying potential problems and opportunities and suggesting solutions to the Group. Where appropriate, assist Member oversight and scrutiny, making suggestions for their development.
2.4 Build productive relationships at all levels with external bodies on Group
business, including other local authorities, the Local Government Association,
the local Members of Parliament, MEPs, relevant Government bodies and
press & broadcast media, locally, regionally and nationally. Advocate group or
council policy where appropriate.

2.5 Develop innovative draft policies. Where appropriate discuss their implications
with senior council officers and/or party members in other branches of local
and nationally elected government.

2.6 Represent the Group Leader and/or Group in dealing with external bodies as
appropriate. Where necessary, advocate Group or council policies and/or
negotiate to support Group or Council aims.

2.7 To provide support to the Group Leader to assist in the management of the
Party Group and ensure the efficient operation of the Party Group's business
and affairs. Prepare reports, attend meetings of the Group, take necessary
follow up action to ensure the smooth running of the Party Group.

2.8 Develop implement and coordinate a proactive programme of press and media
relations work to assist the group. Provide the Leader and Group Members
with high quality professional advice on all aspects of press and media
relations.

2.9 To provide and co-ordinate effective response to media enquiries as
appropriate, including the organisation of press launches, conferences,
briefings and interviews.

2.10 Respond to enquiries from the public and assist Members in resolving
constituents’ problems and enquiries.

2.11 Attend selected Council, Cabinet and other meetings of any County Council
decision-making function to provide advice to Members and monitor the
proceedings. Attend Group meetings, to provide advice and assistance to the
Group Leader and/or Members of the Group.

2.12 To liaise with senior officers of the County Council to ensure that local and
national developments of significance (or proposed by) the Party Group are
identified and the appropriate briefing is provided.

2.13 Maintain a detailed awareness of issues and developments in local
Government policy, process and procedure nationally. Maintain a good level
of knowledge on all local government issues, including the Council’s
Constitution, local Government Finance, local Government law and issues of
local Government policy and community development.

2.14 Take responsibility for the training and development of Members in fulfilling
their role as councillors. Advise Members of relevant conferences, seminars
and other training opportunities. Manage the Member’s training budget.

2.15 Develop and coordinate Members’ council websites as appropriate.
2.16 To attend appropriate conferences, seminars and meetings and reports back to
the Group Leader or Members of the Group as appropriate.

2.17 To undertake those duties which support the achievement of the County
Council’s Equal Opportunities objectives, with particular reference to the
targets/positive actions included in the Annual Positive Action Plan and
aspects of service delivery.

2.18 The postholder will adhere to all health and safety instructions and to take all
reasonable care not to do anything that might endanger themselves or others;
to report to their line manager any dangerous situations in the workplace or
any shortcomings in health and safety arrangements.

### 3. QUALIFICATIONS/EXPERIENCE

3.1 High standard of general education – essential

3.2 The capacity to be imaginative of thought and able to maintain complex+
relationships with many different stakeholder organisations - essential

3.3. Degree or equivalent - desirable

### 4. SUPERVISORY RESPONSIBILITY

None, but the ability to work without supervision and by exercising a high degree of
initiative will be essential.

### 5. SUPERVISION RECEIVED

5.1 Day to day supervision and work planning is the responsibility of the Group Leader.

5.2 All employment matters relating to the post will be the responsibility, initially, of the Head of Legal & Democratic Services, who also provides line management and is the main point of contact within the County Council’s staff.

### 6. PRINCIPAL CONTACTS

Group Leaders and Members of the Group. Senior officers of the County Council.
Relevant MPs and MEPs, and, within the Political Party, contacts at both national
and local level with both elected and appointed individuals

### 7. SPECIAL CONDITIONS

7.1 Under Section 9 of the Local Government and Housing Act 1989, this post is politically restricted. The successful candidate may not be a member of any local authority, s/he may not be a candidate or announce their intention to be a candidate in any national or local elections. S/he shall not be an officer of a political party or any branch of the party and shall not canvass on behalf of a political party or candidate in any election.

7.2 Some evening and weekend working is likely to be required.
7.3 It is a requirement that there is no smoking in the workplace.

This job description sets out the main duties of the post at the date when it was drawn up. Such duties may vary from time to time without changing the general character of the post or the level of responsibility entailed. Such variations are a common occurrence and cannot of themselves justify a reconsideration of the grading of the post.