

Non-Executive Report of the:  <b>Council</b>  Wednesday, 25 May 2022	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Janet Fasan, Director of Legal and Monitoring Officer	<b>Classification:</b> Open (Unrestricted)
<b>APPOINTMENT OF POLITICAL ADVISORS</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	(All Wards);

### **Executive Summary**

This report asks Council to determine whether to appoint Political Advisors to support the political groups on the Council under the Local Government and Housing Act 1989.

### **Recommendations:**

The Council is recommended to:

1. Determine whether to re-establish for the duration of the current administration, posts of political assistants (known as Political Advisors) to those political groups that qualify for such a post in accordance with section 9 of the Local Government and Housing Act 1989.
2. That if the Political Advisor posts are to be re-established, to appoint 1 FTE to the Aspire Group and 1 FTE to the Labour Group.
3. Agree that the relevant staffing budget be adjusted as necessary to cover the costs associated with the above posts.

## **1. REASONS FOR THE DECISIONS**

- 1.1 Council is required to review whether to continue to provide political assistants to the groups on the Council at the beginning of each four-year municipal cycle.

## **2. ALTERNATIVE OPTIONS**

- 2.1 Council may choose not to allocate political assistants to any group.

## **3. DETAILS OF THE REPORT**

- 3.1 The Local Government and Housing Act 1989 ('The 1989 Act') governs the appointment of political assistants (known in Tower Hamlets as 'Political Advisors') to provide assistance to political groups represented on the Council.
- 3.2 An authority may choose to establish such posts in accordance with the framework set out in the Act. This provides that, where the members of the authority are divided into different political groups, a political group shall qualify for a political assistant if:-
- a) the membership of that group comprises at least one-tenth of the membership of the authority; and
  - b) where only one group has a membership of one-tenth of the membership of the authority, then one other group which is the one with the next largest membership shall have a political assistant.
- 3.3 Political assistants must be appointed on a fixed term contract extending no further than just beyond the next council elections; each group may only have one assistant and there must be no more than three such posts in total.
- 3.4 Regulation 18 of the Local Government (Committees and Political Groups) Regulations 1990 (as amended) provides that 'where [an authority] ... makes an appointment to a post for the purposes of section 9 of the 1989 Act the authority shall from time to time review allocations made for the purposes of that section'.
- 3.5 The legislation prohibits the making of an appointment to any post allocated to a political group until the authority has allocated a post to each political group on the Council which qualifies for one. The appointment of political assistants must be in accordance with the wishes of the political group to whom the post has been appointed. The appointments process, however, must be conducted in accordance with the Council's procedures and statutory requirements.
- 3.6 Tower Hamlets Council has previously appointed Political Advisors in accordance with the 1989 Act during successive administrations. During the 2018-22 administration, posts were allocated to the Labour Group (full-time post) and the Conservative Group (part-time post (0.2 FTE)). Please note that the Executive Mayor also appointed a Mayor's Assistant in accordance with the Local Authorities (Elected Mayor and Mayor's Assistant (England) Regulations 2002.

3.7 The political composition of the authority following the Council elections on 5 May 2022 is:

- Aspire Group – Mayor and 24 Councillors
- Labour Group – 19 Councillors
- Ungrouped – 2 (the Conservative and Green Councillors)

3.8 The Council is asked to consider whether posts of political assistants should be established for the 2022-26 administration. If the Council decides to establish the positions, posts will be allocated to the Aspire and Labour Groups.

3.9 The Council is further asked to determine whether the Political Advisor posts should be allocated on a full-time or part-time basis. Previously the Council has allocated a full-time post to larger groups and part-time posts to smaller groups. There is no legal requirement for the allocation of these resources to mirror the relative size of the groups and the allocation is not subject to a strict proportionality calculation but is at the Council's discretion.

#### **4. EQUALITIES IMPLICATIONS**

4.1 None specific to this report.

#### **5. OTHER STATUTORY IMPLICATIONS**

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 None specific to this report.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 Depending on the number of FTE Political Assistant posts agreed by Council, the Medium-Term Financial Strategy would need to be updated for 2023-26 to include any required growth for the Democratic Services team budget. For example, if the maximum of 3 FTE posts were agreed by Council, this would represent growth required of circa £100k over and above existing budgets.

## **7. COMMENTS OF LEGAL SERVICES**

7.1 The legal position is set out in the body of the report.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- None.

#### **Appendices**

- None.

#### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- None.

#### **Officer contact details for documents:**

N/A