

Non-Executive Report of the:  <b>Council</b>  23 May 2018	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance	<b>Classification:</b> Unrestricted
<b>Appointment of Political Advisors</b>	

<b>Originating Officer(s)</b>	Beverley McKenzie, Head of Members' Support
<b>Wards affected</b>	All Ward

### Executive Summary

This report concerns the appointment of Political Advisors to support the political groups represented on the Council.

### Recommendations:

The Council is recommended to:

1. Consider 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, in order to contract the total cost of the posts within the budget, this should be on the basis of 1.0 FTE post for the Labour Group and 0.20 FTE for the Conservative Group.

## 1. REASONS FOR THE DECISIONS

- 1.1 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. 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) and 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 each have a political assistant.
- 1.2 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. 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'.
- 1.3 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.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Council may choose to not allocate a political assistant to any group.

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

- 3.1 Tower Hamlets Council has appointed Political Advisors in accordance with the 1989 Act during successive administrations. During the 2014-18 administration, posts were allocated to the Labour Group (full-time post), Aspire Group (full-time post) and Conservative Group (half-time post). 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.
- 3.2 The political composition of the authority following the Council elections on 3<sup>rd</sup> May 2018 is:
- |                                                |   |                |
|------------------------------------------------|---|----------------|
| Labour Group                                   | - | 42 Councillors |
| Conservative Group                             | - | 2 Councillors  |
| Ungrouped / People's Alliance of Tower Hamlets | - | 1 Councillor   |
- 3.3 The Council is asked to consider whether posts of political assistants should be established for the 2018-2022 administration. If the Council decides to establish the positions, Political advisor posts will be allocated to the Labour and Conservative Groups.

- 3.4 The Council is further asked to determine whether the Political Advisor posts should be allocated on the basis of full-time or part-time posts. Previously the Council has allocated a full-time post to the two largest groups and a half-time post to a political group with significantly fewer councillors than other qualifying group(s). 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 Not 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.

- 5.2 Not specific to this report.

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

- 6.1 The report seeks a Council decision on whether or not to re-establish, for the duration of the current administration, political advisor posts. The budget for Democratic Services includes provision that would cover the 1.2 FTE posts proposed in this report.

#### **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**

- None

**Officer contact details for documents:**

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