

SCHEDULE ONE

SUGGESTED AMENDMENTS TO THE CONSTITUTION.

AMENDMENTS TO PART 4 OFFICER EMPLOYMENT PROCEDURE RULES

5. Other appointment

(2) Assistants to political groups

(a) The Council can create posts for up to three assistants for political groups, subject to certain qualifying criteria as defined in Section 9 of the Local Government and Housing Act 1989.

(b) The Council can only allocate one Political Assistant post to each of the qualifying groups.

(c) The Council shall only make an appointment to any Political Assistant post once it has allocated a Political Assistant to each of the qualifying groups.

(d) Appointment of Political Assistants shall be an Officer Responsibility. The selection process may include members of the relevant Political Group.

(e) The Chair of the recruitment process shall be an Officer and the final recruitment decision shall be an Officer Responsibility, i.e. it is a matter for the Council as employer, under Section 112 of the Local Government Act 1972, to decide the terms on which the Political Assistant is employed.

(f) The Political Assistant Post is a fixed term contract which must end at the first Annual Council meeting after the person has been in post for 3 years, as set out in the Local Protocol In Relation to Political Assistants.

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

AMENDMENTS TO PART 5

EMPLOYEES' CODE OF CONDUCT

3. Political neutrality

3.1 Employees serve the Council as a whole **and not just the political group in power**. It follows they must serve all councillors and not just those of the controlling group, and must ensure that the individual rights of all councillors are respected. **The only exception to this are Political Assistants appointed in accordance with s9 of the Local Government and House Act 1989.**

3.2 The individual rights of all Councillors must be respected. On occasions senior officers may be requested to advise or brief political groups. They must make their Chief Officer aware, through their Head of Service, and seek advice to ensure that they do this in ways which do not compromise their political neutrality.

~~Subject to the authority's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.~~

3.3 Employees must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

3.4 Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraphs 3.1 to 3.3.

3.5 Under the provisions of the Local Government and Housing Act 1989 certain post holders are prevented from engaging in public political activity.

3.5.1 The Act specifies three categories of posts to which the political restrictions apply:-

(i) Specified posts:- - Head of the Authority's paid service (i.e. Chief Executive) - Statutory Chief Officers - Non-Statutory Chief Officers - Monitoring Officer - Deputy Chief Officers

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- Political Assistants - Officers designated under S100G(2) of the Local Government Act 1972.

(ii) Posts where the remuneration is or exceeds scp 44

(iii) Posts where the duties include:- - advising the Council, the Executive Committees or Sub-Committees on a regular basis; - speaking on behalf of the Authority to journalists or broadcasters.

3.5.2 Employees whose posts are listed under paragraph (ii) or (iii) above have the right to apply to be exempted from the political restrictions. Details of the procedure for claiming exemption can be obtained from the Corporate Director of Strategy and Resources.

3.5.3 The restrictions to be applied to holders of politically restricted posts are as follows:-

(i) The post holder is disqualified from membership of the House of Commons, European Parliament and Local Authorities (excluding Parish and Community Councils).

(ii) The post holder may not announce that (s)he is, or intends to be a candidate for election to the House of Commons.

(iii) The post holder shall not act as an election agent or subagent for a candidate for election.

(iv) The post holder shall not be an officer of a political party or member of any Committee, if such membership requires participation in the general management of the party or acting on behalf of the party in dealings with persons other than members of the party.

(v) The post holder shall not canvass on behalf of a political party or candidate for election.

(vi) The post holder shall not speak in public with the intention of affecting public support for a political party.

(vii) The post holder shall not publish any written or artistic work intended to affect public support for a political party (excluding the display of a poster in his/her dwelling or on his/her vehicle).

3.5.4 Where an employee holds a politically restricted post, certain restrictions on political activity are incorporated by statute into their contract of employment and must be complied with. Irrespective of whether or not they hold a politically restricted post, all employees must follow every lawfully expressed policy of the Council