

Part A

Report to: Council Functions Committee
Date of meeting: 09 November 2021
Report of: Executive Head of Human Resources & Organisational Development
Title: Politically Restricted Posts Policy

1.0 SUMMARY

- 1.1 The principle of political restriction in local government is based on a long established tradition that officers involved in advising members of an authority should be seen to observe a policy of political neutrality. The Local Government and Housing Act 1989 and the Local Government Officers (Political Restriction) Regulations 1990 and the Local Government Act 1972, set out the legal basis for political restrictions.
- 1.2 Certain posts in the Council are therefore 'politically restricted' so employees who are employed in these posts may not undertake certain specified activities and relevant post holders have this noted in their job description / contract. A Politically Restricted Posts Policy has been created to provide more guidance for employees who hold relevant posts on the implications of political restriction and the limitations that apply to them under current legislation (Appendix 1).
- 1.3 All staff in a politically restricted post will be reminded by letter on an annual basis of those restrictions and how to appeal, for those in sensitive roles only, should they wish to do so. There will also be supporting eLearning available for staff and for new employees in a political restricted post, this will be mandatory during their probation period. The draft letter to affected employees is attached as appendix 2.

2.0 RECOMMENDATION

- 2.1 That the Politically Restricted Posts Policy is approved by the Committee.
- 2.2 That the draft communication by letter to relevant post holders be approved by the committee.

Contact Officer:

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Report approved by: Terry Baldwin, Executive Head of Human Resources & Organisational Development.

3.0 **IMPLICATIONS**

3.1 **Financial**

3.1.1 None.

3.2 **Legal Issues** (Monitoring Officer)

3.2.1 The Group Head of Democracy and Governance comments that this policy ensures the council complies with political restriction requirements of The Local Government and Housing Act 1989 and the Local Government Officers (Political Restriction) Regulations 1990 and the Local Government Act 1972.

3.3 **Equalities**

3.3.1 There are no known equalities implications.

3.4 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Breach of political restrictions by an Officer with insufficient awareness and understanding of the restrictions that apply to them.	1	3	3

3.5 **Staffing**

3.5.1 None

3.6 **Accommodation**

3.6.1 Not applicable

3.7 **Community Safety**

3.7.1 Not applicable

3.8 **Sustainability**

3.8.1 Not applicable

Appendices

Appendix 1: WBC Policy – Politically Restricted Posts

Appendix 2: Draft letter for relevant post holders.

Background Papers

No papers were used in the preparation of this report.

File Reference

None