

## **ANNUAL MEETING OF MEDWAY COUNCIL**

**24 MAY 2023**

### **POLITICAL ASSISTANTS**

Report from: Neil Davies, Chief Executive

Author: Bhupinder Gill, Assistant Director, Legal and Governance

#### **Summary**

This report asks the Council to make a decision in respect of the allocation of Political Assistant posts to each of the qualifying political groups represented on the Council.

#### **1. Budget and policy framework**

1.1. The allocation of Political Assistant posts is a matter for the Annual Meeting of the Council.

#### **2. Background**

2.1. A Local Authority has the power under section 9 of The Local Government and Housing Act 1989 (the Act) to create up to three assistants for political groups subject to certain qualifying criteria. Under the Act a political group qualifies for a post if:

- (a) the membership of that group comprises at least one-tenth of the membership of the authority;
- (b) the number of other groups (if any) which are larger than that group does not exceed two; and
- (c) where the number of the other groups which are the same size as or larger than that group exceed two, the authority have determined that that group should be a group to which a post is allocated.

2.2. There are currently two Political Assistants posts; one for the Labour and Co-operative group (vacant) and Conservative groups (occupied).

2.3. Section 9 of the Act and the Council's own Constitution prohibit the Council from:

2.3.1. making an appointment to any Political Assistant post unless and until it has formally allocated a Political Assistant to each of the qualifying groups;

- 2.3.2. allocating a post to a political group which does not qualify for one or;
- 2.3.3. allocating more than one post to any political group.
- 2.4. The decision on whom to select for appointment is made in accordance with the wishes of the political group in question. It is however a matter for the Council as the employer to decide the terms on which the Political Assistant is employed.
- 2.5. Following the Council election on 4 May 2023 and in accordance with the Act and the Council's Constitution, two political groups qualify for a political assistant ;the Labour and Co-operative and Conservative groups.

### 3. Risk management

- 3.1. There are no risk management implications arising from this report.

### 4. Financial implications

- 4.1. Salaries for Political Assistants are met from within existing budget provision.

### 5. Legal implications

- 5.1. The legal implications are set out in the body of the report.

### 6. Recommendation

- 6.1. The Council is asked to allocate Political Assistant posts to the Labour and Co-operative and Conservative groups.

### Lead officer contact

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### Appendices

None

### Background papers

None