

POLITICALLY RESTRICTED POSTS – POLICY UPDATE

Purpose of Report

1. The purpose of this report is to update Staffing Policy Committee on changes to the policy on Politically Restricted Posts following the introduction of the Local Democracy, Economic Development and Construction Act 2009.

Background

2. The legislation changes the requirement to keep four lists of roles and the staff performing those roles, to two lists.
3. The two lists are now – Specific and Sensitive. There is now no longer a requirement for the council to keep a list of roles and staff based on a salary scale point of 44 and above i.e. £37,306 and above.
4. Human Resources aims to create policies which are consistent in format, easy to read and understand and are fit for purpose. This policy is in the new format which supports these aims.

Main Considerations for the Council

5. In amending the policy key stakeholders were consulted including the Monitoring Officer, the Black Minority Ethnic and Disability forums and the Trade Unions.
6. The main changes to the policy on Politically Restricted Posts (attached at Appendix 1) have been:
 - Making it clear that the council is now required to keep two lists of posts in which the job holder is deemed to be ‘politically restricted’, in other words they may not undertake an active political role whilst also working for Wiltshire Council in a politically restricted role.
 - Formatting the policy in line with the new policy template.
 - Simplifying some of the language to make it clearer and easier to understand.
 - Providing links to relevant forms and to associated policies.
7. Employees in politically restricted roles may not, in addition to performing their role, become an MP, a councillor, an MEP or a member of the Welsh or Scottish Assemblies. Nor may they canvas on behalf of a political party or a person who is already, or who seeks to be, a candidate. In addition, they may not speak to the public or publish any written or artistic work that could give the impression they are advocating support for a political party.
8. Following approval of the policy, the legislation requires the council to implement a process in order to compile and maintain the two lists.

Environmental Impact of the Proposal

9. None.

Equalities Impact of the Proposal

10. An Equality Impact Assessment was undertaken on 17 August 2010 and no negative impacts were identified. A recommendation was made however, to ascertain after the implementation of the policy, whether particular groups of employees are more likely to be politically active than others e.g. disabled, black, those in a particular religious group.

Risk Assessment

11. None

Options Considered

12. None.

Recommendation

13. To recommend Council approve the revised policy on Politically Restricted Posts and that the constitution be updated.

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The following unpublished documents have been relied on in the preparation of this Report: None