

Political Restrictions

A Guide for Managers and Employees

Certain local government employees are debarred, by law, from taking part in public political activity. Those affected are the Chief Executive, Strategic Directors, deputies of Strategic Directors and any person who is directly accountable or reports directly to the Chief Executive, with the exception of secretarial, clerical or other support staff.

It also includes those who are directly accountable to, or who report directly to, any committee or sub-committee, with the exception of secretarial, clerical and other support staff. Political Assistants are also caught under this list.

Posts are also politically restricted if they involve the following activities,

- giving advice on a regular basis to any formal member bodies (e.g. Council, Cabinet, Committees) including authority any joint committee on which the authority is represented or to individual Cabinet members, or
- speaking on behalf of the authority on a regular basis to journalists or broadcasters

What are Political Restrictions?

Political restrictions mean that those who are covered by them may not:

- Stand for election or become a member of a county council, district council, fire and rescue authority, police authority or similar authority as defined by law (town and parish councils are permitted), House of Commons, Scottish Parliament, Welsh Assembly or European Parliament.
- Act as an election agent or sub-agent for a candidate for election as a member of one of the above.
- Hold office in a political party or any branch of a party.
- Canvass on behalf of a political party or on behalf of an individual who proposes to stand for election to any of the bodies mentioned in 1.
- Speak or write publicly on matters with the apparent intention of affecting public support for a political party.

Identifying Politically Restricted Positions

Whenever a role is created and job description drafted, the nature of the job needs to be considered and political restrictions identified at that stage. Where a position is politically restricted then this will be stated on the job description and all candidates who apply will be informed. It is important that it is made clear to all candidates, at the earliest opportunity, that a job is politically restricted in order to minimise the risk of embarrassment at a later stage in the recruitment process.

Where a role is not politically restricted then there is no further action required.



Maintaining the Politically Restricted List

Human Resources manage the process of identifying, monitoring and maintaining political restrictions. A Politically Restricted 'List' is maintained in the HR Administration Centre, and each year this is reviewed. New positions which are deemed to be politically restricted are added to the 'list' whilst those posts that are removed from the organisational structure are removed from the list.

Periodically, around every two years, the HR Administration Service will perform a data cleanse and permit those who are in roles that are classified as politically to appeal against that status should they wish, and any amendments made to the Politically Restricted 'List' as appropriate.

Appealing Political Restriction Status

All posts at a senior level (Chief Executive, Strategic Directors etc) cannot appeal against the political restrictions. However, all others may appeal that their post should be exempted from political restriction.

If an employee feels that their post does not involve regularly giving advice to committees or speaking on behalf of the authority to the press or media, and this view is supported by their manager, then they should complete and return the Political Restriction Exemption Form.

This form will be reviewed and the removal of the classification of 'politically restricted' from your post will be considered by the HR Advisory Service.

Once the decision has been made, confirmation will be sent to the individual, providing confirmation of the status being removed, or providing a further opportunity to appeal to the Audit & Standards Committee, as appropriate.

We are here to help

For assistance please contact the HR Administration Centre;

Email: hradministration@warwickshire.gov.uk or Tel.: 0845 155 0107

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