

CROS.26/01 CALL-IN OF DECISIONS – EX.078/01 – REVIEW OF MEMBER SUPPORT NEEDS

The Chairman of the Committee had called-in Executive Decision EX.078/01 – Review of Member Support Needs Resolution (3). Copies of the Town Clerk and Chief Executive's report TC.221/01 and the Executive Decision had been circulated to Members.

Mr John Mallinson, the Head of Corporate Policy and Strategy attended the meeting to answer questions on the report and Councillor Mrs Geddes, the Corporate Resources portfolio holder attended the meeting to answer questions on the Executive's decision.

Questions to Mr John Mallinson on the contents of report TC.221/01

Members then raised a number of issues and the following responses were given by Mr Mallinson:

Response to Members' Support Services Questionnaire:

35 out of 52 members is within an accepted accuracy level of plus or minus 10%. There was no reason to doubt the honesty of any responses

Additional Research referred to at the Executive meeting:

The officer had not played any part in obtaining the additional research referred to.

Job Descriptions and Workloads of Research Assistants:

Originally, when Assistants were first appointed, officers had written job descriptions, since then Group Leaders had added to these descriptions.

Group Leaders are responsible for setting workloads of Assistants and it was accepted that if an Assistant has not got enough work to do, this is down to the management of the Group Leader.

Comments of the Conservative Group Leader on the Review:

The Conservative Group Leader had not chosen to records his views separately, he had included them in his questionnaire. As the questionnaires were anonymous, his specific comments could not be identified.

Involvement of the Head of Personnel Services in the preparation of the report:

The comments of the Head of Personnel Services were included in the report. He was involved in the CMT meeting where workload was discussed and he would be involved in further consideration or pursuing of options.

Questions to Councillor Mrs Geddes on the Executive's decision:

Members then raised a number of issues and the following responses were given by Councillor Mrs Geddes:

Hours worked by Political Assistants and Management of their workloads:

As the portfolio holder responsible for Health and Safety, Councillor Geddes was concerned that the hours worked by Assistants may be excessive. Therefore, Personnel were asked if flexi hours had been logged as being owing to any of the Assistants for the work periods covered in the report. She had been advised that no hours were owing, but she stated at Executive that she was not saying that the hours had not been worked. There was agreement that management and setting of the Assistants' workload was the responsibility of respective group Leaders.

Members' awareness of Secretarial Support:

There was concern that some Members were not aware of the Secretarial Support available, its availability should be promoted. Mr Mallinson confirmed that 40-41% of questionnaire respondents indicated that they used the Secretarial services available.

Decision made by the Executive:

In response to a question as to whether the decision was part of a cost cutting exercise, Councillor Geddes answered that the Audit Commission had asked the Council to look at all sorts of areas. She then explained that any decision to make any changes in relation to Political Assistants would be the responsibility of the full Council. The Executive had only proposed a further report to be considered by the full Council.

In the past there may have been consultations with Group Leaders, but under the new political arrangements, the Executive could consider the matter and suggest a report to Council.

Requirements for Political Assistants in relation to Development Control and Licensing and Regulatory matters:

As Development Control and Licensing are non political in nature, there is not a requirement for advice of Political Assistants. If the assistance was being given eg in relation to a development control matter in a Member's ward area, this would come under a different category of Ward matters.

Part time Working Arrangements for Political Assistants:

The implications of Assistants working part time, in terms of what hours or days they would work and attendance at meetings being held at different times throughout the day and evening would be examined further in the report to go to Council.

Other authorities had introduced part time working and taken into consideration effects on attendance at conferences and training. The implications would be examined further in the report to go to Council.

Research referred to at the Executive – Extent and methods of research:

Mr Mallinson confirmed that some research had been done a number of months ago for the Local Government Reform Working Group. Of the respondents, 19 authorities said they had Political Assistants and 106 said they had not, but there had been no indication of whether they had been full or part time.

Councillor Geddes spoke about the research she had referred to at the Executive meeting. Four authorities had been consulted, namely North Yorkshire, London Borough of Hounslow, Vale of the White Horse and West Berkshire. The Councils were of different political control. Councillor Geddes had assembled the information, which she had gained through telephone calls to the authorities. She declined to give further details on how the research was obtained, but stated that she had taken the information she had been given as being reliable.

Councillor Geddes then advised that she was not aware of 35 authorities being contacted by the Conservative group.

The information gained had not been placed in front of the Executive in writing. It was done in preparation for the further report to go to the City Council. These Authorities could be looked at further, in terms of exact working arrangements for Political Assistants, whether they have evening meetings, or whether they are currently downgrading, as part of the further report to Council. The report to go to Council, would contain a lot more research.

Challenge of the accuracy of this research:

Members then challenged the accuracy of the research. They indicated that they were aware of 48 Labour authorities and almost 30 Conservative ones which have Political Assistants. The research and information on which the decision was based was said to be flawed eg West Berkshire does not employ Political Assistants within the meaning of the Local Government Act, it has a Group Support Officer.

Councillor Geddes advised that she had taken the information which she had been given as being reliable. She had built up a network of contacts through her involvement with the North West Employers organisation. There would be a lot more research undertaken by officers in the preparation of the further report to go to the Council. If Members were questioning the credibility of research, it would have to be looked at.

Sliding Scale for Political Assistants:

In response to question on which authorities used sliding scales, Councillor Geddes stated that other authorities used it and named North Yorkshire. This was disputed by Members, who claimed that North Yorkshire did employ a full time person and two part time, but that it was set up differently, with Groups being allocated money on a proportional basis and being allowed to decide what to do with the money.

Sliding scales came into consideration as a result of a suggestion. Lots of other things are done by percentage in Councils e.g. representation on Committees. In response to a question about whether sliding scales had been discussed at the Group meetings, Councillor Geddes stated that what happens at group meetings is confidential and there had been no Party Whip.

Issues in relation to legality and specifically the Local Government and Housing Act 1989:

Councillor Geddes stated that she had not looked at the relevant parts of the Act covering these posts. Although she was not aware of the details of paragraph 9.2.d of the Act, she would look closely at it and it could be examined as part of the further report. Other Authorities would not have other arrangements for these posts in place if they were illegal.

Councillor Geddes stated that Standing Orders indicated that if an Assistant is provided for one Group then Assistants have to be provided for the others. She was not aware, without taking legal advice, of any court case or legislation which might apply to the part of the Act regarding posts being filled from time to time in accordance with the wishes of the Group to which the posts have been allocated.

There was no reason to believe that the Political Assistants had not been appointed appropriately and given appropriate contracts. She undertook to draw Personnel's attention to the part of the Act that refers to a period of 12 months beginning with the third anniversary of the appointment to the post.

Options rejected by the Executive:

The option of no change had been rejected as the Audit Commission had suggested that Councils should reflect on the role of Political Advisers, in view of the new political arrangements in place. The abolition of Political Assistants posts was also rejected as their work was valued and 80% of respondents to the questionnaire had stated that they wanted to keep political assistants.

Other members then stated that Political Advisers are different from Political Assistants. Councillor Geddes stated that she would have to take advice on this.

Good employment practice:

In response to whether the introduction of a sliding scale was good employment practice, Councillor Geddes advised that it may be good for some and not for others. The implications of changing an employee's working hours as a result of what happens in elections, would have to be looked at in the further report to Council. Current contracts are full time renewable contracts and although it was not legal to change someone's contract, it is legal to draw up a new one at the end of the contract.

In relation to the attraction of good quality people to posts, Councillor Geddes stated that there were good quality people who preferred to work part time.

Executive Decision Resolution 2 re separate budgets for Members surgery and stationery and Member training:

Councillor Geddes was not aware that this was part of the call-in. Mr Mallinson advised that surgery advertising was not considered to be appropriate for a cash limited budget.

Training of Portfolio Holder:

Councillor Geddes stated that she had received training in employment and industrial law but not as a researcher. Further advice had not been taken on employment law as Executive were only suggesting that a further report be submitted to the Council, not making a decision on the posts.

Arrangements for Consultation to take place on options as part of the report to Council:

The options would be fully looked at and consulted on as part of the report to go to Council. The usual consultation arrangements with staff, Trade Unions and other relevant organisations would take place. Trade Unions' views would be included in this report.

Role of Political Assistants in light of modernisation:

In response to a Member's suggestion that modernisation means the role of Assistants in undertaking research for Members is even more vital as members are at less Committee meetings, Councillor Geddes replied that support could be provided in other ways e.g. support to the Executive, to Overview and Scrutiny and Administrative support. She did not believe that members would not have research assistance at all.

Executive Decision was only in relation to the further consideration of options and not a final decision on the future of the posts:

In response to a question as to whether it was right to consider the matter at this meeting as the Council is the place where a final decision will be made, the Chairman advised that Overview and Scrutiny was the appropriate place

to scrutinise Executive decisions. The decision had been to ask that a further report go to the City Council and that decision had been called in as some of the evidence considered at the Executive meeting had not been made available to Members.

The Town Clerk and Chief Executive then commented that it was appropriate to look at the matter now, and to make comments. The Executive could have asked for another report to Executive or referred it straight to Council. The route taken of the report going straight to Council wouldn't allow another opportunity for Executive or Overview and Scrutiny to look at the matter. He advised that the Committee could ask Executive that the report go back to the Executive and not to the Council.

A Member then moved, it was seconded and after a vote agreed that: The decision EX.078/01 Resolution (3) be referred back to the Executive with a request that the further report on the review of Member Support Needs go to the Executive and not directly to the City Council.

The Chairman then thanked Councillor Geddes and Mr Mallinson for attending the meeting and answering questions.

RESOLVED - That the decision EX.078/01 resolution (3) be referred back to the Executive with a request that a further report on the Review of Member Support needs goes to the Executive and not directly to the City Council.