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### Report title – Supporting Information

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#### 1. Introduction/Background

- 1.1 The Policy has been revised in line with s 30 of the Local Democracy, Economic Development and Construction Act 2009, which amended the Local Government and Housing Act 1989. This removed the salary criterion for defining a post as restricted. The remaining criteria for classing a post as politically restricted are; 'specified' (as defined in the Act); or 'sensitive' (to be determined by the authority in accordance with the definition in the Act).
- 1.2 The revised guidance updates the Council's policy to ensure that the list of specified and sensitive posts is up to date and that staff have clear guidance on the restrictions this places on them. The list of sensitive posts has been compiled with the assistance of Heads of Service.

#### 2. Supporting Information

- 2.1 The revised Politically Restricted Posts Policy and Guidance.

#### 3. Options for Consideration

- 3.1 Policy provided to Personnel Committee for information only.

#### 4. Proposals

- 4.1 The revised Policy is brought to Personnel Committee for information; it will be taken to the Chief Executive for approval.

#### 5. Conclusion

- 5.1 Personnel Committee should note the revised Policy and guidance.

#### 6. Consultation and Engagement

- 6.1 Heads of Service have been involved in drawing up the list of politically restricted posts.
- 6.2 Legal Services and Democratic and Electoral Services have been consulted in revising the Policy and guidance.
- 6.3 The draft Policy was taken to Corporate Board on 11<sup>th</sup> October 2016.

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#### Background Papers:

Local Government and Housing Act 1989, as amended.

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**NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Operations Board.**

#### Subject to Call-In:

Yes:  No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

**Wards affected:**

\*(add text)

*Please put a cross in the appropriate box(es) by double-clicking on the box and selecting 'Checked':*

**Strategic Aims and Priorities Supported:**

The proposals will help achieve the following Council Strategy aim(s):

- BEC – Better educated communities**
- SLE – A stronger local economy**
- P&S – Protect and support those who need it**
- HQL – Maintain a high quality of life within our communities**
- MEC – Become an even more effective Council**

The proposals contained in this report will help to achieve the following Council Strategy priority(ies):

- BEC1 – Improve educational attainment**
- BEC2 – Close the educational attainment gap**
- SLE1 – Enable the completion of more affordable housing**
- SLE2 – Deliver or enable key infrastructure improvements in relation to roads, rail, flood prevention, regeneration and the digital economy**
- P&S1 – Good at safeguarding children and vulnerable adults**
- HQL1 – Support communities to do more to help themselves**
- MEC1 – Become an even more effective Council**

The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by \*(add text)

**Officer details:**

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## Appendix B

### Equality Impact Assessment - Stage One

**NOTE: Strategic Support is not able to accept your report without the following section being completed and an Equality Impact Assessment (EIA) being attached where required. For advice please visit <http://intranet/EqIA> or contact the Principal Policy Officer (Equality & Diversity) on Ext. 2441 or Team Leader/Solicitor - Corporate Team on Ext. 2626.**

**We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.**

**Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.**

<b>Name of policy, strategy or function:</b>	Politically Restricted Posts Policy and Guidance
<b>Version and release date of item (if applicable):</b>	Version 2
<b>Owner of item being assessed:</b>	Katie Penlington
<b>Name of assessor:</b>	Katie Penlington
<b>Date of assessment:</b>	7 <sup>th</sup> July 2016

Is this a:		Is this:	
<b>Policy</b>	<b>Yes</b>	<b>New or proposed</b>	<b>No</b>
<b>Strategy</b>	<b>No</b>	<b>Already exists and is being reviewed</b>	<b>Yes</b>
<b>Function</b>	<b>No</b>	<b>Is changing</b>	<b>Yes</b>
<b>Service</b>	<b>No</b>		

<b>1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?</b>	
<b>Aims:</b>	To provide clear information to employees and managers about which posts are politically restricted , and to explain the implications of this for holders of these posts.
<b>Objectives:</b>	<p>This policy and guidance sets out the political restrictions that apply to certain posts within local authorities and what the restrictions mean for employees holding these roles in West Berkshire Council.</p> <p>It also sets out a list of those posts which West Berkshire Council has determined are subject to political restriction.</p>

<b>Outcomes:</b>	Employees and managers should be clear about which posts are politically restricted, and about what those holding such posts can and cannot do.
<b>Benefits:</b>	Local Authorities are required by law to maintain a list of politically restricted posts.

<p><b>2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b></p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)</p>		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
All groups	The changes are based upon a change in legislation and will apply to all groups equally.	The legislation defines 'specified' posts and describes what makes a post 'sensitive'. Holders of posts deemed as sensitive by West Berkshire Council are able to appeal to the Governance and Ethics Committee.
<b>Further Comments relating to the item:</b>		

<b>3. Result</b>	
<b>Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b>	
<b>Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b>	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

<b>4. Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	No
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	
<b>Stage Two not required:</b>	

**Name:**

**Date:**

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Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.

# Appendix C

\*(add text)