EXPLANATORY MEMORANDUM TO

THE LOCAL GOVERNMENT (ASSISTANTS FOR POLITICAL GROUPS) (REMUNERATION) (ENGLAND) ORDER 2006

2006 No. 1509

1. This explanatory memorandum has been prepared by the Office of the Deputy Prime Minister and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This instrument increases the maximum amount political assistants may be paid from £25,044 to £34,986.

2.2 As respects relevant bodies in England, the Local Government (Assistants for Political Groups) (Remuneration) Order 1995 is revoked.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 Section 9 of the Local Government and Housing Act 1989 provides that each relevant authority can appoint up to three persons to provide assistance to members of political groups in the authority. Their pay is subject to a ceiling set by the Secretary of State. In England, county, district and London borough councils are relevant authorities.

4.2 By the Local Government (Assistants for Political Groups) (Remuneration) Order 1995 the Secretary of State set the maximum amount political assistants may be paid as £25,044.

5. Extent

5.1 This instrument applies to relevant authorities in England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 Each of the three largest political groups on a relevant authority (subject to the third largest having at least 10% of the members of the authority) is entitled to have one political assistant. The general role of political assistants is to undertake research and provide administrative support for political groups. Political assistants are local government employees and, with two exceptions, the regime restricting the political activities of local government employees applies to them. The two exceptions enable them to speak to the public with the intention of affecting support for a political party and to publish or cause to be published written work or other material intended to affect public support for a political party.

7.2 This Order provides for an increase in the pay limit that local authorities may pay to political assistants. Like the 1995 Order, the limit is aligned with the salary rate at which political restrictions start to apply to officers generally in local authorities (spinal column point 44 of the salary scales for local government officers incorporated in the National Joint Council's Scheme). The limit has fallen significantly behind spinal column point 44 threshold and it is therefore considered appropriate to give local authorities the power to increase pay to this threshold if they judge that this necessary.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is negligible.

9. Contact

Cathryn Evans at the Office of the Deputy Prime Minister (Tel: 020 7944 4262 or e-mail: cathryn.evans@odpm.gsi.gov.uk) can answer any queries regarding the instrument.