

Politically Restricted Posts Policy

South Oxfordshire and Vale of White Horse District Councils





Change Record

Change Record	
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1 Vision & Values

Our Vision

We are customer focused and approachable. We are honest and open and are committed to providing high quality cost-effective public services.

Our Values



Working Together

We are a committed professional team, who embrace change and help one another improve



People and Planet

We care about each other and the environment we share



Respect

We act with integrity, and champion diversity and inclusivity



Accountability

We take ownership, do what we say, strive for clarity and welcome feedback



Approachability

We are open, honest and accessible



2 Introduction

2.1 Purpose

This document details the councils' Politically Restricted Posts Policy and Procedure.

2.2 Scope

This Policy applies to any permanent or temporary employee of the council(s), Contractors/Agency Workers, and staff on casual contracts.

For the avoidance of doubt where we refer to 'employees' within this Policy, this applies to all of the above-mentioned types of contracts.

This document supersedes any previously existing or alternative policies, agreements or arrangements relating to Politically Restricted Posts Policy & Procedure at council. This includes details within the historic Employee Conduct Policy, where this detail was previously held.

2.3 Contractual Status

The councils reserve the right to revise, withdraw, or replace the content of this policy at any time and to introduce new policies from time to time to reflect the changing needs of the organisations.

The Politically Restricted Posts Policy & Procedure will be regularly reviewed to ensure legislative compliance and best practice and may therefore be subject to adjustment from time to time.

2.4 Alternative formats

Please do not hesitate to contact a member of the Equalities Team if you would like this policy in an alternative format, via: equalities@southandvale.gov.uk

2.5 Relevant legislation

- [Local Democracy, Economic Development and Construction Act 2009 \(Chapter 6 Section 30\)](#)
- [Local Government and Housing Act 1989 \(Part 1 Section 2\)](#)



3 Policy

3.1 Summary

This policy and procedure outlines the restrictions held on specified and politically sensitive posts, and the process expected to be followed by those impacted. It also outlines expectations of political neutrality for all employees of the councils.

All local government staff are expected to practice The Seven Principles of Public Life 1995 (Nolan Principles) and be politically neutral, regardless of whether a post is politically restricted. Further information on the [Nolan principles can be found on the government website.](#)

Failure to adhere to the steps outlined in this policy and procedure may result in further action, including the application of disciplinary proceedings. The process followed will be dependent on the type of behaviour exhibited and the seriousness of the breach. The process followed may also consider whether the behaviour has continued after an initial notification that it is unacceptable.

3.2 Restrictions on political activity

There are restrictions on council employees carrying out political roles and on politicians (who are prevented from working in their own local authority) to avoid conflicts of interest and a potential lack of political impartiality. South Oxfordshire and Vale of White Horse District Councils will not appoint a councillor as an employee who is currently a member of either council, or who has been a member in the previous 12 months.

If you are employed by either South Oxfordshire or Vale of White Horse Councils, you cannot continue with your employment if you stand for election and are elected as a councillor for either council. There are additional restrictions if you hold a 'politically restricted post' as outlined below.

However, for clarity, employees in politically restricted posts, remain able to publicly articulate, support, promote and engage with the policies and approaches of the councils and indeed many roles are required to do so. On the basis that officers are expected to carry out their roles in a politically neutral way, all officers are expected to support and promote the policies and approaches that are in the interest of our councils. This is not deemed to be political activity.

All employees should treat all political groups and individual councillors in a fair and consistent manner. You must maintain political neutrality and not allow your own personal or political opinions to interfere with your work. You should not advise on matters which are political party business unless you are working as a political assistant.



3.3 Politically restricted posts

A politically restricted post is a role where the job holder can potentially influence political decisions. As such, there are restrictions placed on your political activity if you hold one of these posts. There are two types of politically restricted posts: specified posts (section 3.4) and politically sensitive posts (section 3.5).

3.4 Specified posts

The Council is required to produce and regularly review a list of politically restricted posts, which is as follows.

Politically Restricted Posts (Specified)	Post
The Head of Paid Service	Chief Executive
Chief Finance Officer (section 151 officer)	Director of Finance
Monitoring Officer	Director of Legal and Democratic
Non-Statutory Chief Officers (Those who report directly to the Head of the Paid Service and are not a Statutory Chief Officer)	Deputy Chief Executive -Place Deputy Chief Executive - Corporate & Communities
Deputy Chief Officers (a person who, as respects all or most of the duties of their post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers)	Deputy Chief Executive - Corporate & Communities Deputy Chief Executive - Place Director of Development and Corporate Landlord Director of Planning Director of Housing and Environment Director of Corporate Services Director of Policy and Programmes Director of Legal & Democratic Director of Finance Director of Communities



Other	Local Nature Partnership Manager Enterprise Zones Partnership Manager Partnerships Contract Manager Deputy Head of Legal Democratic Services Manager Information Governance Officer (DPO) Exchequer Procurement Manager Internal Audit Manager Strategic Finance Officer Revenues Benefits Client Manager Principal Accountant Strategic Partnership Manager
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Should you be unsure whether your post, or activity you are taking outside of the council(s) is politically restricted, please speak to your line manager or Strategic Human Resources Business Partner Team (hr@southandvale.gov.uk), for advice.

3.5 Politically sensitive posts

A politically sensitive post is one in which the job holder meets one of the following criteria:

- They give advice on a regular basis to the council(s) itself, or to any committee, sub-committee, or joint committee on which the council is represented (providing purely factual information is not viewed as giving advice).
- They give advice to the executives (the councils’ cabinets), to any committee of the executives, or to any member of either executive.
- They speak on behalf of either council on a regular basis to journalists or broadcasters, e.g., staff holding positions within Communications Team.



Sensitive posts	
Giving advice on a regular basis to council, executive, committee, sub-committee, or any joint committee the Council is represented at	<p>Legal & Democratic - (note all officers employed in these areas are politically restricted)</p> <p>Senior Democratic Services Officer</p> <p>Risk and Insurance Team Leader</p> <p>Future Oxfordshire Partnership Assistant Democratic Services Officer</p>
Speaks on behalf of the council on a regular basis to journalists or broadcasters	<p>Communications and Engagement – (note all officers employed in these areas are politically restricted)</p> <p>Comms Officer in service areas other than Communications and Engagement Team</p>

Should you be unsure whether your post, or activity you are taking outside of the council(s) is politically restricted, please speak to your line manager or Strategic Human Resources Business Partner Team (hr@southandvale.gov.uk) for advice.

3.6 Restrictions on specified and politically sensitive posts

If you hold either a specified or politically sensitive politically restricted post, you are prevented by national legislation ([Part one of the Local Government and Housing Act 1989](#)) from having any form of active political role either in or outside the workplace. You are automatically disqualified from standing for or holding elected office as any of the following:

- **A local councillor** in any form of local authority (e.g., district, county, or borough councils) with the exception of parish and town councils. If you do intend to stand for election to a parish or town council, you will need to declare this and gain permission from your manager.
- **Member of Parliament**
- **Member of the Welsh or any regional assembly**
- **Member of the Scottish Parliament**

Please note that if you resign your post to stand in an election which you subsequently lose, you do not have a right to be re-appointed to your job.

You are also restricted from:

- Participating in political activities, publicly expressing support for a political party, or undertaking other activities on behalf of a political party or someone seeking to be a candidate. This includes canvassing.



- Being an officer of a political party (or any branch of a party); or becoming a member of any committee or sub-committee where the duties might require you to:
 - (a) participate in the general management of the party or the branch,
 - (b) act on behalf of the party or branch in dealing with people other than members of the party or members of another associated political party
- Speak to the public or publish any written or artistic work that could give the impression that they are advocating support for a political party or someone seeking to be a candidate, where the intention is to affect public support for a political party. This includes giving an interview that is likely to result in the publication of statements made or opinions expressed.

The effect of these restrictions is to prevent politics from coming into play where an employee is in a politically influential position. This could arise where an employee implements the councils' policies, gives advice to the councils, or speaks on behalf of the councils, but as mentioned above, employees in politically restricted posts remain able to publicly articulate, support, promote and engage with the policies and approaches of the councils.

3.7 Appealing a specified or politically sensitive post

3.7.1 Appealing a specified post

The holders of specified posts do not have a right of appeal for a post to not be designated as specified.

3.7.2 Appealing a politically sensitive post

The Chief Executive (as Head of Paid Service) has the authority to grant exemptions from restrictions for politically sensitive posts. Employees wishing to appeal should write to the Monitoring Officer ([Director of Legal and Democratic Services](#)), setting out the reasons they feel their post should not be politically restricted and provide a copy of their job description. The Monitoring Officer will then provide a view on the request to the Head of Paid Service for consideration who will determine the application and notify the employee of the outcome, normally within 28 calendar days.