



**Guidance for councillors
and employees in the run up to
elections**

Introduction

This guidance applies to all council members, candidates and employees. It is effective from the date the notice of an election, by election or referendum is published and remains effective until the close of the relevant poll. This pre-election period is informally called “purdah”. However in the run up to the notice being published care should be exercised to ensure the political neutrality of employees is maintained.

This guidance is designed to ensure that council resources and facilities are not perceived by the public to have been used for election campaigning or political purposes during the purdah period and that the political impartiality of employees has been maintained.

The basic principle is not to undertake any activity which could call into question the political impartiality of employees or could give rise to the criticism that public resources are being used for party political purposes.

This guidance also contains advice for council employees about restrictions on political activities. Employees who may wish to engage in election activities in a personal capacity, where that is permitted, should ensure that they are not breaching any requirements of the rules.

Guidance

General

1. The presumption is that normal council business will continue over the election period. The exception is where a particular initiative, proposal, consultation or publication in the period could reasonably be regarded as giving a candidate or their supporters/political party an advantage in the election (i.e. it is not politically neutral). If that is the case then the initiative should be deferred until after the election. However, most routine business should continue unaffected. If in doubt, seek advice.

Special sensitivity for publicity and events

2. All council funded publicity activities must be, and must be seen to be, politically neutral. Anything that could reasonably be regarded as giving a political candidate or their supporters/party an advantage in the election is not politically neutral. This applies no matter what the justifications for the publicity are. "Publicity" refers to any communication, in whatever form, addressed to the public at large or to a section of the public and includes news releases, newsletters, consultation exercises and unsolicited letters to constituents.

3. The following conventions should be applied during the purdah period:

- (1) Council publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual politicians or their party groups.
 - However, it is acceptable for councillors and employees to respond in appropriate circumstances to events and legitimate service enquiries provided that their answers are factual and not party political;
 - Some councillors hold key political or civic positions and as such can comment where there is genuine need for such a response to an important event outside the council's control.
- (2) Proactive events arranged in this period should not involve any person standing for election.
- (3) There is a general presumption against undertaking new campaigns or initiatives during the purdah period in any area that might be considered controversial in relation to the election.
- (4) Special care should be taken in relation to current or ongoing publicity campaigns during the election period. These can continue, provided they are not open to reasonable criticism that they are being undertaken for party political purposes in relation to the election. Any campaigns or initiatives that are liable to be misrepresented as not being politically neutral in relation to the election should be stopped until after the election. Photographs of individual candidates should not appear on council publicity during the purdah period.
- (5) Council premises should not be used for campaign purposes, but can be used for public election meetings.

Requests for information from candidates

4. Requests from candidates and their parties to the council for information must be met in an even-handed manner. Employees may not provide briefings for use in election campaign debates/ literature.

Position of council employees

5. Council employees should always act fairly and impartially towards all candidates. In their professional capacity, they must not take part in any publicity which could link them with any political party.

6. In particular, the following applies:

- All council employees (politically restricted or not) must avoid any action or behaviour that is not politically neutral when carrying out employed duties or using council funded resources and facilities. This includes canvassing, giving interviews, speaking at public meetings and writing/publishing articles that appear intended to affect support for a political party;
- Those employees whose posts have been identified as “politically restricted” are subject to legal constraints. These include not:
 - Holding office in a political party, acting as an election agent or canvassing on behalf of a political party or a candidate for election;
 - Speaking in public, giving interviews or publishing any written work with the intention of affecting public support for a political party.
- These restrictions do not prevent any postholder or their families from displaying, for example, an election poster in a window of their home if they so wish;
- Other employees in non-politically restricted posts may support a candidate or political party in the elections in their own time subject to normal arrangements for agreeing such leave. They can canvass and deliver leaflets. They must not bring the council into disrepute by anything they do.

Use of council resources

7. Once an election is called, candidates are legally entitled to use publicly funded schools and other public meeting rooms for public election meetings, free of hire charge. However, they can be asked to meet the cost of caretaking etc. A fair and consistent approach must be taken.

8. Except for the use of public premises as outlined above, candidates, including sitting members, have no additional rights to any other member of the public. Reasonable use of facilities and information available to the general public should be available to them, and at the rates chargeable to the general public if applicable.

9. No political posters or similar election material should be displayed in any council office or establishment or on cars used by employees for official business or which are parked in council car parks. Elected members should refrain from displaying campaign material in their cars when using a car parking pass provided for use when on council business.

10. Similarly, no such political/election material should be displayed by any contractor working on behalf of the council. Employees should make this clear in any relevant contracts with the council.

11. Council premises should not be used in any way to promote or signify any favour or support for any individual candidate or political party.

Publicity

12. The code of recommended practice on local authority publicity gives guidance on publicity issued in the period between the notice of an election and the election itself. Publicity not only includes news releases issued to print, broadcast and social media, but also:

- Most printed materials, which are sent to a wide audience;
- Newsletters;
- Information added to websites during the period;
- Posters and leaflets;
- Badges, t-shirts and other 'giveaways';
- Advertising;
- Exhibitions;
- Conferences;
- Consultation.

13. The council's communications team can assist in all dealings with the media and will, on request, advise on briefing journalists, arranging interviews and escorting press and camera crews on tours of buildings.

14. Individual candidates should not be invited as speakers or guests at any school or other function which may be organised for or on behalf of the council, unless all other relevant candidates have been offered a similar opportunity.

15. Any public or private debate/talk organised through a school or other council premises as part of the curriculum should only be held if all political parties fielding candidates in the relevant area are given the opportunity to take part. Such events should be structured on an all-party basis.

16. In summary:

- No publicity will be given to matters which are politically controversial;
- The general presumption will be that no references will be made to individual politicians/candidates in news releases (except where there is a valid emergency);
- Caution will be exercised before undertaking any significant media exercise unless it can be demonstrated that this was included in the forward diary before the election was called;
- No photographs of candidates in the election will be issued;
- Before any request for council photographs and other materials is considered, enquiries will be made as to the use to which they are to be put and an appropriate restriction on use imposed if supplied;
- Council events arranged in this period should not involve candidates likely to be standing for election.

Social media

17. Employees and councillors who blog or use social networking sites in connection with their work should take extra care during this period and comply with the following guidance when undertaking councillor or officer duties:

- Please explain that as a council channel of communication you are governed by purdah in a period before an election. It may be helpful to tweet or post a link to an explanation of purdah for guidance;
- Do not tweet, post or share updates from political parties, politicians or political opinion;
- Do not tweet or post on matters which are politically controversial;
- Do not tweet, post or share images of political parties, politicians or subjects which are politically controversial;

- Do not stage a significant online campaign unless it can be demonstrated that this is both necessary and non-political;
- Monitor your page and delete any content which is politically controversial with an explanation that this has been done because of the rules that govern purdah linking to this advice;
- For employees whose posts are classed as politically restricted, note that the legal bar on “publishing any written work with the intention of affecting public support for a political party” includes writing, sharing or retweeting such content on any social media platform, even if the item is published in a restricted or closed group;
- Council employees who update third party social media profiles as part of their job are governed by purdah guidance. These profiles include business partnership profiles which the council supports. In these cases employees may either:
 - Opt out: For the duration of the purdah period hand over all administration to a non-council member of the partnership and allow them to add purdah-restricted content that council employees are unable to post. Resume adding content and managing after the election; or
 - Opt in: council employees can continue to add content or share administration duties but all content is governed by the purdah restrictions.

Questions

18. If you have any questions about this guidance please contact:

Claire Ward, monitoring officer on 01432 260657 or claire.ward@herefordshire.gov.uk

Annie Brookes, head of corporate governance on 01432 260605 or ab1@herefordshire.gov.uk

Communications team on 01432 260006 or communications@herefordshire.gov.uk