

Pre-General Election Period advice to Officers – 12 December 2019

1. Aim of Guidance

The aim of this guidance note is to inform officers of what can or can't be done, during the Election Period ('Purdah'), and to provide some practical guidance.

The purpose of Purdah is to prevent announcements and activities by public bodies which could, or be seen to, influence the election.

It is likely that conduct of all Council business will become increasingly politicised over the weeks preceding the election, therefore it is important that you understand your responsibilities and restrictions.

This guidance takes effect from midnight on Wednesday 6th November 2019, at which point the Purdah begins.

2. Key Principles¹

- The Council retains its responsibilities during Purdah, therefore essential business must continue. However, during this period, you should not to publish material that appears to be designed to affect public support for a political party.
- You should not publish on controversial issues, or report views, or proposals, in such a way that identifies them with any individual Councillors or groups of Councillors.
- You should not issue any publicity that seeks to influence voters.
- Publicity is defined very widely as "any communication, in whatever form, addressed to the public at large or to a section of the public". This includes speeches, leaflets and newspaper articles issued by or on behalf of the Council.

The basic principle is that any activity which could call into question political impartiality or could give rise to the criticism that public resources are being used for political purposes could give rise to challenge during this period.

3. Key things NOT to do:

- Produce publicity on matters which are politically controversial;

¹ section 2 of the Local Government Act 1986 and Code of Recommended Practice on Local Authority Publicity 2011

- Undertake any activity that could be considered politically controversial or influential, or could give rise to criticism that public resources are being used for party political/campaigning purposes;
- Make references to individual politicians or groups in press releases;
- Arrange proactive media or events involving candidates;
- Issue photographs which include candidates;
- Supply council photographs or other materials to Councillor or political group staff unless you have verified that they will not be used for campaigning purposes;
- Allow use of Council resources for purely political purposes. Resources include, Council stationary, telephones, IT equipment, officers time etc.

4. Practical Guidance

- **Business as Usual**- In most cases it will be “business as usual” for the Council during the ‘purdah’ period.
- Councillors holding key political positions, such as Cabinet Members, continue to be accountable for relevant services and policy areas. They should be able to comment in an emergency or where there is a genuine need for a political response to an important development outside the Council’s control.
- However, in the run-up to any election it is likely that even “business as usual” will become increasingly politicised. There may be factors which could limit the decisions to be taken. Matters that may be politically contentious should be avoided (as these could potentially be seen as supporting a particular political party or candidate) and it may be appropriate to defer a decision if that might reasonably be the case.
- **Council Meetings** should continue in order to discharge normal council business, however for practical reasons, so that meetings are not used as a political platform, then it may be necessary to restrict the number of meetings and/or hold no meetings in the final weeks of a campaign. Also, any meeting, which might be seen as having the potential to be politically contentious should be avoided.
- **Consultation** – Consultation should be considered very carefully during Purdah, considerations include: Is it ‘business as usual’? Is it likely to influence the outcome of the elections? Has it been planned before the election period? Is it necessary to be conducted during this period?
- The general position is; you should not start a new consultation unless there is a statutory duty or publish report findings from consultation exercises which could be politically sensitive.

- **Social Media** - Officers who blog or use social networking sites in connection with their work (or hold a politically restricted role and use social media for personal use) **must not:**
 - post or share updates from political parties, politicians or political opinion;
 - tweet or post matters which are politically controversial;
 - tweet or post or share images of political parties, politicians or subject which are politically controversial, or
 - stage a significant online campaign unless it can be demonstrated that this is both necessary and non- political.

- During Purdah. use relevant lead officers rather than members for reactive media releases.
- Do not plan events and publicity around the likely dates of elections.
- Do not provide briefings on your issues to candidates and national spokesmen during Purdah.
- You must not issue photographs that include political candidates or use Council resources.
- You must not supply of information to the different political parties and campaigning groups, there should be even-handedness in providing information.
- Factors to be taken into account when considering whether or not publicity is prohibited include:
 - the content and style of the material; is it controversial?
 - the time and circumstances of publication; can the item be deferred?
 - to whom is it directed and what is the likely impact of the material?
 - whether the material promotes or opposes a point of view on a question of political controversy which is specifically identifies any individual candidate or group of candidates or particular political party.

Ultimately, you must always be guided by the principle of fairness. It is crucial that any decision you take would be seen as fair and reasonably by the public and those standing for office; and you must ensure the Council is not open to the criticism that publicity is being undertaken for party political purposes.

5. Further approvals required

- Any council promotional activity and media enquiries must be cleared in advance with the Monitoring Officer and the Communications team.

- Apart from the Chief Executive and designated officers in the Communications team, no officer is allowed to talk to the media without express permission from their Corporate Director or Communications Officer.

If you are in any doubt, seek advice from the Monitoring Officer.

Further information -There is more guidance on the Local Government Association website:
<https://www.local.gov.uk/our-support/purdah>