



**Pre-election period advice to
officers
6 March – 4 May 2023**

**Local Elections
4 May, 2023**

Aim of guidance

It is likely that conduct of all council business will become increasingly politicised over the weeks preceding the election. The purpose of the pre-election period is to prevent announcements and activities by public bodies which could, or could be seen to, influence the electorate.

The aim of this guidance note is to inform officers of what can or can't be done, during the pre-election period and to provide some practical guidance.

The pre-election period runs from 6 March to Thursday 4 May, 2023

Key Principles¹

- As public servants we are **not permitted to be involved in activity which could call into question your political impartiality.**
- Further during the pre-election period the council **public resources cannot be used for political purposes.**
- The council retains its responsibilities during the pre-election period, therefore, **essential business must continue.**
- However, **the council cannot publish or arrange for the publication of, any material which, in whole or in part, 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

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.

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 specifically identifies any individual candidate, group of candidates, or particular political party.

¹ Section 2 of the Local Government Act 1986 and Code of Recommended Practice on Local Authority Publicity 2011
January, 2023; Herefordshire Council

Practical guidance

Business as usual

In most cases it will be “business as usual” for the council during the pre-election period.

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 it is reasonable to do so.

Councillors

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.

Council meetings

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, 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 the pre-election period. Considerations include: Is it “business as usual”? Is it likely to influence the outcome of the elections? Has it been planned before the pre-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 the pre-election period relevant lead officers should be used rather than Members for reactive media releases.

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 reasonable 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.

During the pre-election period, you should not:

- × Produce publicity on matters which are politically controversial.
- × Undertake any activity that could be considered politically controversial or influential or could lead 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 political candidates.
- × Supply council photographs or other materials to councillors 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: telephones, stationery, IT equipment, officers' time etc.
- × Plan events and publicity around the likely dates of elections.
- × Provide briefings on your issues to candidates and national spokesmen.
- × Supply information to the different political parties and campaigning groups, there should be even-handedness in providing information.

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.

Further information

If you are in any doubt, seek advice from the Monitoring Officer, who can be contacted by email at: claire.porter@herefordshire.gov.uk

There is further [pre-election period guidance on the Local Government Association website](#).

Frequently Asked Questions

Can council officers get involved in campaigning in their own time?	Officers who hold politically restricted posts, or who are likely to be involved or employed in connection with the elections, should not take part in a political campaign or canvass on behalf of a political party or candidate.
Can council press offices still put out press releases ahead of the election?	Yes. However, no publicity should deal with controversial issues or report views or proposals in a way which identifies them with election candidates or parties.
Can the council put out a consultation, for example about changes to service provision, during the pre-election period?	Consultations should be considered very carefully during the pre-election period as it is a period of heightened sensitivity and should not be put out if they contravene pre-election rules.
Do the restrictions apply to council notice boards and the council's website?	The council is required to publicise details of the election and how to register to vote. Material relating to wider political issues should not be posted on official notice boards or use the Council's website which may be seen by members of the public.
Can councillors issue their own press releases or talk to the media?	Councillors are free to talk to the media and issue press releases but must not use council resources to do so for campaigning purposes.
Can councillors still tweet or blog?	Councillors can continue to tweet or blog but must not use council resources (such as council twitter accounts, email accounts, telephones, etc.) to do so for campaigning purposes.
Can the council still publish its newsletter during the pre-election period?	Yes, if it is done in the ordinary course of business and meets all other pre-election requirements.