

Pre-Election Protocol for Employees and Elected Members

Local Government Elections - Thursday 5 May 2022

Introduction

This guidance is intended to inform both employees and elected members of the Council during the period before the Local Elections in May of this year known as the “Pre-Election Period”.

Elections to the County Council and Town & Community Councils will be held on **Thursday 5 May 2022**. Formal notice of the elections will be published on **18 March 2022** and the period between this date and the close of poll on 5 May is called the ‘**pre-election period**’. (The term ‘Purdah’ should not be used).

During the election period the Council needs to ensure it remains impartial. The Council must not use or give the impression of using public money to promote one candidate / political party or its/their policies over another.

Employees must:-

- a) Observe any advice on contact with councillors and other political figures
- b) mitigate against any suggestions of improper political use of Council resources for the purpose of the promotion of any candidate or political party
- c) avoid the publication of statements which may be regarded as controversial thereby giving political advantage or disadvantage to one candidate/party against another.

A full list of candidates will be published on the Council’s website and other media channels.

Existing Councillors will continue to act as members until Monday 9 May 2022, whilst new members elected on Thursday 5 May 2022 formally take up office.

GUIDELINES TO COUNCILLORS

Serving Councillors should not seek to use their position as Members to obtain privileged service from the Council in relation to:

- the issue and use of confidential information
- the use of Council premises
- the use of staff time
- visiting Council establishments
- The provision of favourable treatment for their constituents

Any facilities or resources provided by the Council for Members to carry out their duties as Councillors are to be used for those duties only and not for any campaigning purposes. They may continue to use Council resources for Council duties during the

period prior to an election. However, they shall not be used for electioneering or canvassing. This includes the support from Member Services. For the avoidance of doubt, Members must also not use any Council provided ICT hardware or applications, including email facilities, for any purpose connected with their election campaign.

GUIDELINES TO EMPLOYEES

Staff 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 or appear to favour any candidate or political party.

All correspondence, enquiries and any permitted provision of facilities or information should be dealt with fairly between candidates, to ensure that no particular advantage or favour is given. Generally, there is an entitlement to the same information and access to premises as is available to the public. If you have any doubts about the capacity in which a person is acting, you should check this out and speak with Returning Officer or his senior staff.

All council publicity is potentially sensitive in the run-up to the elections. Existing Coucillors may be standing for re-election and also a number of Ynys Môn elected members may be involved in election campaigns as agents or campaigners.

Employees must be careful not to give, or to be seen to give, greater prominence in any publicity to existing Councillors over other candidates for the seats they will be contesting.

No political posters or similar election material should be displayed in any Council office or establishment or on cars used by staff for official business or which are parked in the Council office car parks.

Similarly, no such political/election material should be displayed by any contractor or volunteer working with or on behalf of the Council. Staff should make this clear in any relevant contracts or SLAs with the Council.

Council premises should not be used in any way to promote or signify any favour or support for any individual candidate or political party. General photographs of the exterior of the Council premises from outside the site are permissible providing they are not used to exploit or indicate the views of the Council or any of the pupils, residents or staff working in those premises.

There are circumstances in which public buildings may be used for public meetings in connection with the elections. If you are approached to permit such usage please contact a senior member of the electoral team for advice before approving such use.

Staff in Politically Restricted Posts

Those staff whose posts have been identified as “politically restricted” are not permitted to engage in any political activity. This applies at all times both during work hours and

outside and not only during the pre-election period. The main activities prohibited to these officers are:

- being a candidate for election to the House of Commons, the National Assembly for Wales, the Police and Crime Commissioner or a Local Authority;
- acting as an agent for a candidate for the election to one of the bodies above;
- being an officer of a political party or acting on behalf of a candidate for election to one of the bodies above
- canvassing on behalf of a political party or on behalf of a candidate;
- speaking to the public or to a section of the public with the apparent intention of affecting support for a candidate or political party; and
- publishing any written work which appears to be intended to affect public support for a candidate or political party
- Engaging in active political debate with candidates or parties via social media. In this regard such restricted staff should also avoid “liking”, “following” or “befriending” candidates or political parties on social media.

Canvassing

Questions may arise over candidates wishing to canvass for support in Council-run establishments such as warden serviced accommodation. The first consideration has to be the wishes of the occupants/users; the second is fair and even-handed treatment of all candidates and political parties. So the same opportunity must be offered to all declared candidates for a particular electoral division.

Publicity / Events / Visits

Publicity is defined very widely as “*any communication, in whatever form, addressed to the public at large or to a section of the public*”. As well as covering the more obvious forms such as speeches, leaflets and newspaper articles issued by or on behalf of the Council, it can include sponsorship, meetings, even the colour of floral displays and Ministerial or other official visits which take place or are requested during the pre-election period.

Factors to be taken into account when considering whether or not an item of publicity is prohibited include:

- the content and style of the material;
- the time and circumstances of publication;
- the likely effect of the material on those to whom it is directed;
- whether the material promotes or opposes a point of view on a question of political controversy which is specifically identifiable as the view of one candidate but not all; and
- where the material is part of a campaign, the public effect that campaign is designed to have

During the pre- election period, ad-hoc meetings with candidates and other politicians should be avoided unless they are regular meetings (for example, of a partnership body) in which the individuals concerned normally take part. Officers should therefore

generally refrain from inviting politicians to meetings / conferences / openings/ launches etc. during the pre-election period.

Ministerial visits should be avoided during this election period; advice pertaining to Ministerial visits can be sought direct from the Returning Officer or his/her senior electoral or communications staff, who will advise accordingly.

All proposed council promotional activity should be cleared in advance with the Council's Corporate Communications team.

Use of Council owned premises and resources

Local authorities are barred from assisting any Councillor, AM, MP, PCC, candidate or political party in publishing publicity material. Council printing and postage facilities must therefore not be used for the printing, translating and posting of political publicity nor must the Council provided ICT support and/or resources be used to receive or disseminate political publicity materials

Whilst candidates and political parties have the right to use schools and public meeting rooms for meetings in certain circumstances, as already outlined it is not appropriate for party political posters or stickers to appear in, on or within the immediate proximity of Council offices, residential homes, depots, schools, vehicles etc.

Websites

Publicity material of a political nature will not be permitted on the Council's website or any of its social media pages.

Consultation

Major consultation exercises should be avoided during the pre-election period. An exception will be made when services need to undertake statutory consultation e.g. planning applications, or if the Council is required by an external organisation e.g. the Welsh Government, to undertake consultation during this period. If further guidance is required then you should speak with the Returning Officer or his/her senior staff.

Ordinary council business during the pre-election

There is no prohibition on conducting normal Council business or decision making during the pre election period. However, in the run-up to May 2022 it is possible that even "business as usual" may become increasingly politicised. You will need to be careful to avoid the allegation that particular officer proposals will affect support for one candidate or political party – and defer a decision if that might reasonably be the case.

Contact with the Press

All contact with the press should be via the Council's Corporate Communications team.

Normal publicity generated by the Council via the usual press releases will continue, as will media enquiries including, sometimes, those of a controversial nature.

If you require any further guidance on these matters, please contact either the Returning Officer (Chief Executive's Office) or the Communications Team

Background Information

Code of Recommended Practice on Local Authority Publicity in Wales published in January 2022: <https://senedd.wales/media/unjmzznf/sub-ld14871-e.pdf>