

## MAY 2018 ELECTIONS: GUIDANCE ON CONDUCT

1. On Thursday 3 May 2018, elections will be taking place in a number of local authorities in England. Further information on the areas affected is attached at **Annex A**. This note provides guidance to civil servants in UK government departments, and the staff and members of non-departmental public bodies (NDPBs) and other arm's length bodies (ALBs) on their role and conduct during the forthcoming election campaign.

**2. The period of sensitivity preceding the local elections is not fixed to any particular date, but the general convention is that particular care should be taken in the three weeks preceding the elections – in this case from 12 April 2018.** This guidance does not apply to local authorities, who are subject to their own restrictions during the pre election period. The period of sensitivity for local authorities holding elections is different to that recommended for central government in this guidance.

3. These elections are different from a UK General Election. The UK Government will remain in office whatever the outcome of the elections. Ministers will continue to carry out their functions in the usual way. Civil servants will continue to support their Ministers in their work.

4. However, it needs to be borne in mind that the activities of the UK government could have a bearing on the election campaigns. Particular care will need to be taken during this period to ensure that civil servants conduct themselves in accordance with the requirements of the *Civil Service Code*. Care also needs to be taken in relation to the announcement of UK government decisions which could have a bearing on the elections. In particular, civil servants are under an obligation:

- to ensure that public resources are not used for party political purposes; and
- not to undertake any activity that could call into question their political impartiality. It is important to remember that this applies to online communication such as social media, in the same way as other activity.

## **General Principles**

5. The following general principles should be observed by all civil servants, including special advisers:

- particular care should be taken over official support, and the use of public resources, including publicity, for government announcements that could have a bearing on matters relevant to the elections. In some cases it may be better to defer an announcement until after the elections, but this would need to be balanced carefully against any implication that deferral could itself influence the political outcome. Each case should be considered on its merits;
- care should also be taken in relation to proposed visits;
- special care should be taken in respect of paid publicity campaigns and to ensure that publicity is not open to the criticism that it is being undertaken for party political purposes;
- there should be even-handedness in meeting information requests from the different political parties and campaigning groups; and
- officials should not be asked to provide new arguments for use in election campaign debates.

## **Handling of requests for information**

6. There should be even-handedness in meeting information requests from candidates from the different political parties. The aim should be to respond to requests from candidates and campaigners as soon as possible. This also applies to requests from mayoral candidates.

7. Where it is clear that a candidate's request is an FOI request it must be handled in accordance with the Freedom of Information Act 2000. The Act requires public authorities to respond to requests promptly and in any event not later than 20 working days after the date of receipt. Where it is clear that it will not be possible to

provide a quick response, the candidate should be given the opportunity to refine the request if they wish so that it can be responded to more quickly.

8. Any enquiries from the media should be handled by Departmental Press Officers.

### **Ministerial Visits**

9. In this period, particular care should be taken in respect of proposed visits to areas holding elections. Official support must not be given to visits and events with a party political or campaigning purpose. In cases of doubt, further guidance should be sought from your Permanent Secretary's office or the Propriety and Ethics Team in the Cabinet Office (see paragraph 25 below for contact details).

### **Announcements**

10. Similarly, national announcements by the UK government may have a particular impact on local areas, for example, the publication of policy statements which have a specific local dimension. Ministers will wish to be aware of the potential sensitivities in this regard and might decide, on advice, to postpone making certain announcements until after the elections. Obviously, this needs to be balanced carefully against any implication that deferral itself could influence the political outcome. Each case should be considered on its merits. Again, in cases of doubt, further advice should be sought.

### **Public Consultations**

11. Public consultations with a particular emphasis on local issues, or impact on areas where local elections are being held, should generally not be launched during the period between 12 April and 3 May. If there are exceptional circumstances where launching a consultation is considered **essential** (for example, for safeguarding public health), advice should be sought from your Permanent Secretary's office and/or the Propriety and Ethics Team in the Cabinet Office.

If a consultation is on-going during this period, it should continue as normal. However, departments should avoid taking action that will compete with candidates for the attention of the public. This effectively means not undertaking publicity or consultation events for those consultations that are still in progress. During this period, departments may continue to receive and analyse responses. Departments should also consider extending consultation periods after the election to allow all parties sufficient time to respond. This is particularly important where a consultation will require the participation of local authorities, which are under their own pre-election restrictions during this period.

### **Communication Activities**

12. Government communicators should apply the principles set out above when planning and delivering communications activities that will take place during this period. Additional care should therefore be taken around press and marketing activity concerning local issues.

13. It is also important to take care with official websites and use of social media that will be scrutinised closely by the news media and the political parties during the election period. In cases of doubt, guidance should be sought from the Government Communications Service at the Cabinet Office (e-mail: [gcs.propriety@cabinetoffice.gov.uk](mailto:gcs.propriety@cabinetoffice.gov.uk) )

### **Use of Government Property**

14. Government property should not be used by Ministers or candidates for electioneering purposes.

15. In the case of NHS property, decisions are for the relevant NHS body, but should visits be permitted to, for example, hospitals, it should be on the basis that there is no disruption to services and that the same facilities are available to all candidates. Care should also be taken to avoid any intrusion into the lives of individuals using the services. The decisions on the use of other local authority properties should be for those legally responsible for the premises. Where it is

decided to agree to such visits, the key principle is that the same facilities should be available to all candidates, and that there is no disruption to services.

### **Statistical and Social Research Activities**

16. During the election periods, statistical activities should continue to be conducted in accordance with the Code of Practice for Official Statistics and the Pre-release Access to Official Statistics Order 2008 (and/or the equivalent Orders made by the Devolved Administrations in relation to devolved statistics), which should be read as though it is part of that Code. Regular pre-announced statistical releases (e.g. press notices or bulletin publications) will continue to be issued and published. The principles set out here are not about restricting commentary from independent sources, for example academics. It is for individual public bodies to apply this pre-election guidance within their own organisations, but in doing so they should not go beyond the principles set out in this document.

Social research activities should be in accordance with the Government Social Research (GSR) Code and supplementary guidance, including the GSR Publication Protocol. Requests for information should be handled in accordance with the principles set out in paragraphs 6-8 of this note and with the Code of Practice for Official Statistics. In cases of doubt, you should consult your departmental Head of Profession for Statistics (who should consult the National Statistician if clarity is required) or your departmental Head of Profession for Social Research. The Government Statistical Service Team can be contacted via Joe Cuddeford (e-mail:joe.cuddeford@statistics.gov.uk) or the National Statistician's mailbox (national.statistician@statistics.gov.uk), and the Government Economic and Social Research Team can be contacted via Emma Gordon (e-mail:emma.gordon@hmtreasury.gsi.gov.uk ).

### **Political Activities**

17. Political activity connected with local elections falls within the definition of **local** political activity.

18. Detailed guidance on the restrictions on civil servants' involvement in a private capacity in local political activities is set out in section 4.4 of the *Civil Service Management Code* (<http://www.civilservice.gov.uk/about/resources/civil-service-management-code>), and in departmental staff handbooks.

### **Special Advisers**

19. The rules on special advisers' involvement in local (and national) political activities are set out in the *Code of Conduct for Special Advisers* (<https://www.gov.uk/government/publications/special-advisers-code-of-conduct>).

20. After consultation with their appointing Minister, special advisers who wish to take part in the local election campaign may do so in their own time. Official resources must not be used in support of the elections.

### **Non-Departmental Public Bodies (NDPBs) and other Arm's Length Bodies (ALBs)**

21. NDPBs and other ALBs spend public money, make public announcements, use government property and may employ civil servants. It is for individual public bodies to apply this pre-election guidance within their own organisations, but in doing so they should not go beyond the principles set out in this document. Sponsor departments must ensure that staff and board members of their NDPBs and other ALBs are aware of the guidance. Sponsor departments should be consulted in cases of doubt.

### **Further Advice**

22. In cases of doubt, in the first instance you should consult your Permanent Secretary's Office, or the Propriety and Ethics Team in the Cabinet Office (e-mail: [proprietyandethicsteam@cabinetoffice.gov.uk](mailto:proprietyandethicsteam@cabinetoffice.gov.uk)).

**Cabinet Office**  
April 2018

**LIST OF LOCAL ELECTIONS 2018**

- **In England, local elections will be taking place in all 32 London Boroughs, 34 Metropolitan District Councils, 17 Unitary District Councils and 69 Shire District Councils**
- **In addition, a number of Mayoral elections will be taking place in London, as well as the elected Mayor of the Sheffield City Region.**

**London Boroughs**

**Barking and Dagenham  
Barnet  
Bexley  
Brent  
Bromley  
Camden  
Croydon  
Ealing  
Enfield  
Greenwich  
Hackney  
Hammersmith and Fulham  
Haringey  
Harrow  
Havering  
Hillingdon  
Hounslow  
Islington  
Kensington and Chelsea  
Kingston upon Thames  
Lambeth  
Lewisham  
Merton  
Newham  
Redbridge  
Richmond upon Thames  
Southwark  
Sutton  
Tower Hamlets  
Waltham Forest  
Wandsworth  
Westminster**

## Metropolitan District Councils

**Barnsley**  
**Birmingham**  
**Bolton**  
**Bradford**  
**Bury**  
**Calderdale**  
**Coventry**  
**Dudley**  
**Gateshead**  
**Kirklees**  
**Knowsley**  
**Leeds**  
**Liverpool**  
**Manchester**  
**Newcastle upon Tyne**  
**North Tyneside**  
**Oldham**  
**Rochdale**  
**St Helens**  
**Salford**  
**Sandwell**  
**Sefton**  
**Sheffield**  
**Solihull**  
**South Tyneside**  
**Stockport**  
**Sunderland**  
**Tameside**  
**Trafford**  
**Wakefield**  
**Walsall**  
**Wigan**  
**Wirral**  
**Wolverhampton**

## Unitary District Councils

**Blackburn with Darwen**  
**Derby**  
**Halton**  
**Hartlepool**  
**Kingston upon Hull**  
**Milton Keynes**  
**North East Lincolnshire**  
**Peterborough**  
**Plymouth**  
**Portsmouth**  
**Reading**  
**Slough**



**Southampton**  
**Southend-on-Sea**  
**Swindon**  
**Thurrock**  
**Wokingham**

**Non-Metropolitan District Councils**

**Adur**  
**Amber Valley**  
**Basildon**  
**Basingstoke and Deane**  
**Brentwood**  
**Broxbourne**  
**Burnley**  
**Cambridge**  
**Cannock Chase**  
**Carlisle**  
**Castle Point**  
**Cheltenham**  
**Cherwell**  
**Chorley**  
**Colchester**  
**Craven**  
**Crawley**  
**Daventry**  
**Eastleigh**  
**Elmbridge**  
**Epping Forest**  
**Exeter**  
**Fareham**  
**Gosport**  
**Great Yarmouth**  
**Harlow**  
**Harrogate**  
**Hart**  
**Hastings**  
**Havant**  
**Huntingdonshire**  
**Hyndburn**  
**Ipswich**  
**Lincoln**  
**Maidstone**  
**Mole Valley**  
**Newcastle-under-Lyme**  
**North Hertfordshire**  
**Norwich**  
**Nuneaton and Bedworth**  
**Oxford**  
**Pendle**  
**Preston**

**Redditch**  
**Reigate and Banstead**  
**Rochford**  
**Rossendale**  
**Rugby**  
**Runnymede**  
**Rushmoor**  
**South Cambridgeshire**  
**South Lakeland**  
**St Albans**  
**Stevenage**  
**Tamworth**  
**Tandridge**  
**Three Rivers**  
**Tunbridge Wells**  
**Watford**  
**Welwyn Hatfield**  
**West Lancashire**  
**West Oxfordshire**  
**Weymouth and Portland**  
**Winchester**  
**Woking**  
**Worcester**  
**Worthing**  
**Wyre Forest**