

## MAY 2019 ELECTIONS: GUIDANCE ON CONDUCT

1. On Thursday 2 May 2019, 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. 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 guidance.
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 11 April 2019.** 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.

5. In all cases essential business, which includes routine business necessary to ensure the continued smooth functioning of government and public services, must be allowed to continue.

### **General principles**

6. 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.
  - Officials should not be asked to provide new arguments for use in election campaign debates.

### **Handling of requests for information**

7. 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.
8. Where it is clear that a candidate's request is a Freedom of Information (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.

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

### **Ministerial visits**

10. 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, who may then contact the Propriety and Ethics Team in the Cabinet Office.

### **Announcements**

11. 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**

12. 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 11 April and 2 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 who may then seek advice from the Propriety and Ethics Team.
13. If a consultation is ongoing 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**

14. 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.
15. It is also important to take care with official websites, including .gov.uk, 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 in the Cabinet Office.

### **Use of Government property**

16. Government property should not be used by Ministers or candidates for electioneering purposes.
17. 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**

18. During the election period, 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 (for example, 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 who may also hold public appointments or non-executive roles in government departments or public

bodies. 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.

19. 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.

### **Use of public funds**

20. During the pre-election period, departments should carefully consider the timing of decisions and announcements in relation to large and/or contentious commercial contracts or grants which 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.

### **Political activities**

21. Political activity connected with local elections falls within the definition of **local** political activity.
22. 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**

23. 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>.

24. 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)**

25. 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 and are applying the principles appropriately. Sponsor departments should be consulted by the NDPB/ALB in cases of doubt.

**Further advice**

26. In cases of doubt, in the first instance you should consult your Permanent Secretary's Office, who may then contact the Propriety and Ethics Team.

**Cabinet Office**  
April 2019

## LIST OF LOCAL ELECTIONS IN ENGLAND AND NORTHERN IRELAND 2019

In England, local elections will be taking place in 33 Metropolitan District Councils, 47 Unitary District Councils and 168 Shire District Councils.

Local Mayoral elections will be taking place in 5 Local Authorities. There will be 1 Combined Authority Mayoral election.

There will also be elections to the 11 local councils in Northern Ireland.

No local elections will be taking place in Scotland or in Wales, or in London Boroughs, Shire counties, the City of London or the Isles of Scilly.

### **Metropolitan District Councils electing by thirds (33)**

- |                         |                    |
|-------------------------|--------------------|
| 1. Barnsley             | 18. Salford        |
| 2. Bolton               | 19. Sandwell       |
| 3. Bradford             | 20. Sefton         |
| 4. Bury                 | 21. Sheffield      |
| 5. Calderdale           | 22. Solihull       |
| 6. Coventry             | 23. South Tyneside |
| 7. Dudley               | 24. St Helens      |
| 8. Gateshead            | 25. Stockport      |
| 9. Kirklees             | 26. Sunderland     |
| 10. Knowsley            | 27. Tameside       |
| 11. Leeds               | 28. Trafford       |
| 12. Liverpool           | 29. Wakefield      |
| 13. Manchester          | 30. Walsall        |
| 14. Newcastle upon Tyne | 31. Wigan          |
| 15. North Tyneside      | 32. Wirral         |
| 16. Oldham              | 33. Wolverhampton  |
| 17. Rochdale            |                    |

### **Unitary District Councils electing by thirds (17)**

- |                            |                     |
|----------------------------|---------------------|
| 1. Blackburn with Darwen   | 10. Portsmouth      |
| 2. Derby                   | 11. Reading         |
| 3. Halton                  | 12. Slough          |
| 4. Hartlepool              | 13. Southampton     |
| 5. Kingston upon Hull      | 14. Southend-on-Sea |
| 6. Milton Keynes           | 15. Swindon         |
| 7. North East Lincolnshire | 16. Thurrock        |
| 8. Peterborough            | 17. Wokingham       |
| 9. Plymouth                |                     |

### **Unitary District Councils electing by whole Council (30)**

- |  |                            |
|--|----------------------------|
| 1. Bath and North East Somerset        | 16. Medway                 |
| 2. Bedford                             | 17. Middlesbrough          |
| 3. Blackpool                           | 18. North Lincolnshire     |
| 4. Bournemouth, Christchurch and Poole | 19. North Somerset         |
| 5. Bracknell Forest                    | 20. Nottingham             |
| 6. Brighton and Hove                   | 21. Redcar and Cleveland   |
| 7. Central Bedfordshire                | 22. Rutland                |
| 8. Cheshire East                       | 23. South Gloucestershire  |
| 9. Cheshire West and Chester           | 24. Stockton-on-Tees       |
| 10. Darlington                         | 25. Stoke-on-Trent         |
| 11. Dorset                             | 26. Telford and the Wrekin |
| 12. East Riding of Yorkshire           | 27. Torbay                 |
| 13. Herefordshire                      | 28. West Berkshire         |
| 14. Leicester                          | 29. Windsor and Maidenhead |
| 15. Luton                              | 30. York                   |

### **Shire District Councils electing by thirds (47)**

- |                          |                         |
|--------------------------|-------------------------|
| 1. Amber Valley          | 25. Mole Valley         |
| 2. Basildon              | 26. North Hertfordshire |
| 3. Basingstoke and Deane | 27. Pendle              |
| 4. Brentwood             | 28. Redditch            |
| 5. Broxbourne            | 29. Rochford            |
| 6. Burnley               | 30. Rossendale          |
| 7. Cambridge             | 31. Rugby               |
| 8. Cannock Chase         | 32. Rushmoor            |
| 9. Castle Point          | 33. South Lakeland      |
| 10. Cherwell             | 34. St Albans           |
| 11. Chorley              | 35. Stevenage           |
| 12. Colchester           | 36. Tamworth            |
| 13. Craven               | 37. Tandridge           |
| 14. Eastleigh            | 38. Three Rivers        |
| 15. Elmbridge            | 39. Tunbridge Wells     |
| 16. Epping Forest        | 40. Watford             |
| 17. Exeter               | 41. Welwyn Hatfield     |
| 18. Harlow               | 42. West Lancashire     |
| 19. Hart                 | 43. West Oxfordshire    |
| 20. Havant               | 44. Winchester          |
| 21. Hyndburn             | 45. Woking              |
| 22. Ipswich              | 46. Worcester           |
| 23. Lincoln              | 47. Worthing            |
| 24. Maidstone            |                         |



## Shire District Councils electing by whole Council (121)

1. Allerdale
2. Arun
3. Ashfield
4. Ashford
5. Babergh
6. Barrow-in-Furness
7. Bassetlaw
8. Blaby
9. Bolsover
10. Boston
11. Braintree
12. Breckland
13. Broadland
14. Bromsgrove
15. Broxtowe
16. Canterbury
17. Carlisle
18. Charnwood
19. Chelmsford
20. Chesterfield
21. Chichester
22. Copeland
23. Cotswold
24. Crawley
25. Dacorum
26. Dartford
27. Derbyshire Dales
28. Dover
29. Eastbourne
30. East Cambridgeshire
31. East Devon
32. East Hampshire
33. East Hertfordshire
34. East Lindsey
35. East Staffordshire
36. East Suffolk
37. Eden
38. Epsom and Ewell
39. Erewash
40. Fenland
41. Folkestone and Hythe
42. Forest of Dean
43. Fylde
44. Gedling
45. Gravesham
46. Great Yarmouth
47. Guildford
48. Hambleton
49. Harborough
50. Hertsmere
51. High Peak
52. Hinckley and Bosworth
53. Horsham
54. King's Lynn and West Norfolk
55. Lancaster
56. Lewes
57. Lichfield
58. Maldon
59. Malvern Hills
60. Mansfield
61. Melton
62. Mendip
63. Mid Devon
64. Mid Suffolk
65. Mid Sussex
66. Newark and Sherwood
67. New Forest
68. North Devon
69. North East Derbyshire
70. North Kesteven
71. North Norfolk
72. North Warwickshire
73. North West Leicestershire
74. Norwich
75. Oadby and Wigston
76. Preston
77. Reigate and Banstead
78. Ribble Valley
79. Richmondshire
80. Rother
81. Runnymede
82. Rushcliffe
83. Ryedale
84. Scarborough

85. Sedgemoor	104. Teignbridge
86. Selby	105. Tendring
87. Sevenoaks	106. Test Valley
88. Somerset West and Taunton	107. Tewkesbury
89. South Derbyshire	108. Thanet
90. South Hams	109. Tonbridge and Malling
91. South Holland	110. Torridge
92. South Kesteven	111. Uttlesford
93. South Norfolk	112. Vale of White Horse
94. South Oxfordshire	113. Warwick
95. South Ribble	114. Waverley
96. South Somerset	115. Wealden
97. South Staffordshire	116. West Devon
98. Spelthorne	117. West Lindsey
99. Stafford	118. West Suffolk
100. Staffordshire Moorlands	119. Wychavon
101. Stratford-on-Avon	120. Wyre
102. Surrey Heath	121. Wyre Forest
103. Swale	

### **Mayoral elections (6)**

1. Bedford
2. Copeland
3. Leicester
4. Mansfield
5. Middlesbrough
6. North of Tyne (Combined Authority Mayoral election)

### **Northern Ireland (11)**

1. Antrim and Newtownabbey District Council
2. Armagh City, Banbridge and Craigavon District Council
3. Belfast City Council
4. Causeway Coast and Glens District Council
5. Derry City and Strabane District Council
6. Fermanagh and Omagh District Council
7. Lisburn and Castlereagh District Council
8. Mid and East Antrim District Council
9. Mid-Ulster District Council
10. Newry, Mourne and Down District Council
11. Ards and North Down District Council