

# **GENERAL ELECTION GUIDANCE 2024**

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## **GENERAL ELECTION GUIDANCE**

### **PREFACE**

1. General elections have a number of implications for the work of departments and civil servants. These arise from the special character of government business during an election campaign, and from the need to maintain, and be seen to maintain, the impartiality of the Civil Service, and to avoid any criticism of an inappropriate use of official resources. This guidance takes effect from 00:01 on 25 May 2024 at which point the 'election period' begins. The Prime Minister will write separately to Ministers advising them of the need to adhere to this guidance and to uphold the impartiality of the Civil Service.
2. This guidance applies to all UK civil servants, and the board members and staff of Non-Departmental Public Bodies (NDPBs) and other arms' length bodies.

### **General Principles**

3. During the election period, the Government retains its responsibility to govern, and Ministers remain in charge of their departments. Essential business (which includes routine business necessary to ensure the continued smooth functioning of government and public services) must be allowed to continue. However, it is customary for Ministers to observe discretion in initiating any new action of a continuing or long term character. Decisions on matters of policy on which a new government might be expected to want the opportunity to take a different view from the present government should be postponed until after the election, provided that such postponement would not be detrimental to the national interest or wasteful of public money.

4. Advice on handling such issues is set out in this guidance. This guidance will not cover every eventuality, but the principles should be applied to the particular circumstances.
5. The principles underlying the conduct of civil servants in a general election are an extension of those that apply at all times, as set out in the [Civil Service Code](#)
  - The basic principle for civil servants is not to undertake any activity that could call into question their political impartiality or that could give rise to criticism that public resources are being used for party political purposes. This principle applies to all staff working in departments.
  - Departmental and NDPB activity should not be seen to compete with the election campaign for public attention. The principles and conventions set out in this guidance also apply to public bodies.
  - It is also a requirement of the Ministerial Code that Ministers must not use government resources for party political purposes and must uphold the political impartiality of the Civil Service.

### **Election queries**

6. For any detailed queries on this guidance, or other questions, officials should in the first instance seek guidance from their line management chain, and, where necessary, escalate to their Permanent Secretary who may consult the Cabinet Secretary, or the Propriety and Ethics Team in the Cabinet Office.
7. The Propriety and Ethics Team handle general queries relating to conduct during the election period, provide advice on the handling of enquiries and any necessary co-ordination where enquiries raise issues that affect a number of departments (through their Permanent Secretary).

8. In dealing with queries, the Propriety and Ethics Team will function most effectively if it is in touch with relevant developments in departments.

Departments should therefore:

- draw to their attention, for advice or information, any approach or exchange that raises issues that are likely to be of interest to other departments; and
- seek advice before a Minister makes a significant Ministerial statement during the election period.

## **SECTION A**

### **Enquiries, Briefing, Requests for Information and attending events**

1. This note gives guidance on:
  - the handling by departments and agencies of requests for information and other enquiries during a general election campaign;
  - briefing of Ministers during the election period;
  - the handling of constituency letters received from Members of Parliament before dissolution, and of similar letters from parliamentary candidates during the campaign; and
  - the handling of FOI requests.

### **General**

2. At a general election, the government of the day is expected to defend its policies to the electorate. By convention, the governing party is entitled to check with departments that statements made on its behalf are factually correct and consistent with government policy. As at all times, however, government departments and their staff must not engage in, or appear to engage in, party politics or be used for party ends. They should provide consistent factual information on request to candidates of all parties, as well as to organisations and members of the public, and should in all instances avoid becoming involved or appearing to become involved, in a partisan way, in election issues.

### **Requests for Factual Information**

3. Departments and agencies should provide any parliamentary candidate, organisation or member of the public with information in accordance with the Freedom of Information Act 2000. Local and regional offices should deal similarly with straightforward enquiries, referring doubtful cases through their line management chain and, where necessary to their Permanent Secretary for decision.

4. Other requests for information will range from enquiries about existing government policy that are essentially factual in nature, to requests for justification and comment on existing government policy. All requests for information held by departments must be dealt with in accordance with the requirements of the Freedom of Information Act 2000. The handling of press enquiries is covered in Section I.
5. Where the enquiry concerns the day-to-day management of a non-ministerial department or executive agency and the chief executive would normally reply, he or she should do so in the usual way, taking special care to avoid becoming involved in any matters of political controversy.
6. Enquiries concerning policies newly announced in a party manifesto or for a comparison of the policies of different parties are for the political party concerned. Civil servants should not provide any assistance on these matters. See also paragraph 14.
7. Officials should draft replies, whether for official or Ministerial signature, with particular care to avoid party political controversy, especially criticism of the policies of other parties. Ministers may decide to amend draft replies to include a party political context. Where this is the case, Ministers should be advised to issue the letter on party notepaper. The guiding principle is whether the use of departmental resources, including headed paper, would be a proper use of public funds for governmental as opposed to party political purposes, and could be defended as such.

### **Speed of Response**

8. The circumstances of a general election demand the greatest speed in dealing with enquiries. In particular, the aim should be to answer enquiries

from parliamentary candidates or from any of the political parties' headquarters within 24 hours. All candidates should be treated equally.

9. Where a request will take longer to deal with, the requester should be advised of this as he/she may wish to submit a refined request.

### **FOI requests**

10. Requests that would normally be covered by the Freedom of Information Act (FOIA) must be handled in accordance with the requirements of the Act and the deadlines set therein. Where the application of the public interest balance requires more time, that is permitted under the Act but there is no general power to defer a decision.
11. Where a request needs to be considered under FOIA it will not normally be possible to get back to the parliamentary candidate, or others, within 24 hours and he or she should be advised of this as they may wish to submit a request more in line with paragraph 8 above.

### **Role of Ministers in FOIA decisions**

12. Ministers have a number of statutory functions in relation to requests for information. They are the qualified person for the purpose of using section 36 of the FOI Act for their departments. During the general election period, Ministers will be expected to carry out these functions.
13. Where there is any doubt, requests should be referred to the FOI Policy team in the Cabinet Office.

### **Briefing and Support for Ministers**

14. Ministers continue to be in charge of departments. It is reasonable for departments to continue to provide support for any necessary



governmental functions, and receive any policy advice or factual briefing necessary to resolve issues that cannot be deferred until after the election.

15. Departments can check statements for factual accuracy and consistency with established government policy. Officials should not, however, be asked to devise new arguments or cost policies for use in the election campaign. Departments should not undertake costings or analysis of Opposition policies during the election period.

#### **Officials attending public or stakeholder events**

16. Officials should decline invitations to events where they may be asked to respond on questions about future government policy or on matters of public controversy.

#### **Constituency Correspondence**

17. During the election period, replies to constituency letters received from Members of Parliament before the dissolution, or to similar letters from parliamentary candidates, should take into account the fact that if they become public knowledge they will do so in the more politically-charged atmosphere of an election and are more likely to become the subject of political comment. Outstanding correspondence should be cleared quickly. Letters may be sent to former MPs at the House of Commons after dissolution, to be picked up or forwarded. Departments and agencies whose staff routinely deal directly with MPs' enquiries should ensure that their regional and local offices get early guidance on dealing with questions from parliamentary candidates. Such guidance should reflect the following points:

- a. Once Parliament is dissolved, a Member of Parliament's constitutional right to represent his or her constituents' grievances to government disappears, and all candidates for the election are on an equal footing. This doctrine should be applied in a reasonable way. In general, replies should be sent by Ministers to constituency letters that were written by

MPs before dissolution. Where there is a pressing need for Ministers to reply to letters on constituency matters written after the dissolution by former Members, this should be handled in a way that avoids any preferential treatment or the appearance of preferential treatment between letters from the governing party and those from other candidates. It will normally be appropriate to send a Private Secretary reply to letters on constituency matters from prospective parliamentary candidates who were not Members before the dissolution.

- b. The main consideration must be to ensure that the citizen's interests are not prejudiced. But it is possible that a personal case may become politically controversial during the election period. Departments should therefore make particular efforts to ensure, so far as possible, that letters are factual, straightforward and give no room for misrepresentation.
- c. Replies to constituency correspondence to be sent after polling day should, where there has been a change of MP, normally be sent direct to the constituent concerned. It should be left to the constituent to decide whether or not to copy the letter to any new MP. Where there is no change in MP, correspondence should be returned to the MP in the normal way.

## **SECTION B**

### **Special Advisers**

1. Special Advisers must agree with the Cabinet Office the termination of their contracts on or before 30 May (except for a small number of Special Advisers who may remain in post, where the express agreement of their appointing Minister and the Prime Minister to continue in post has been given).
2. An exception to this is where a Special Adviser has been publicly identified as a candidate or prospective candidate for election to the UK Parliament, in which case they must instead resign at the start of the short campaign period ahead of the election.
3. Special Advisers who leave government for any reason will no longer have preferential access to papers and officials. Any request for advice from a former Special Adviser will be treated in the same way as requests from other members of the public.
4. On leaving government, Special Advisers should return all departmental property e.g. mobile phones, remote access and other IT equipment. Special Advisers may leave a voicemail message or out of office reply on departmental IT with forwarding contact details.
5. Special Advisers receive severance pay when their appointment is terminated, but not where they resign. Severance pay for Special Advisers is taxable as normal income and will be paid as a lump sum. The amount an individual is entitled to will be determined by their length of service as set out in the *Model Contract for Special Advisers*. Special Advisers are required to agree that if they are reappointed, they will repay any amount above that which they would have been paid in salary had they remained in

post. Any excess severance will be reclaimed automatically through payroll on reappointment.

6. If the Prime Minister agrees exceptionally that a Special Adviser should remain in post during the election period, their appointment will be automatically terminated the day after polling day. In those cases, Special Advisers may continue to give advice on government business to their Ministers as before. They must continue to adhere to the requirements of the Code of Conduct for Special Advisers and may not take any public part in the campaign. Section A is also relevant in relation to the commissioning of briefing.
7. Different arrangements can be made for Special Advisers on, or about to begin, maternity leave when a UK general election is called. These arrangements are set out in the Maternity Policy for Special Advisers, and Special Adviser HR are best placed to advise on specific circumstances.
8. If there is no change of government following the election, a Special Adviser may be reappointed. The Prime Minister's approval will be required before any commitments are made, and a new contract issued, including for any advisers who have stayed in post.

## **SECTION C**

### **Contacts with the Opposition Party**

1. The Prime Minister has authorised pre-election contact between the main opposition parties and Permanent Secretaries from 11 January 2024. These contacts are strictly confidential and are designed to allow Opposition spokespeople to inform themselves of factual questions of departmental organisation and to inform civil servants of any organisational or policy changes likely in the event of a change of government.
2. Separate guidance on handling such contacts is set out in the Cabinet Manual.

## **SECTION D**

### **Contact with Select Committees**

1. House of Commons Select Committees set up by Standing Order continue in existence, technically, until that Standing Order is amended or rescinded. In practice, when Parliament is dissolved pending a general election, membership of committees lapses and work on their inquiries ceases.
2. House of Lords Select Committees are not set up by Standing Orders and technically cease to exist at the end of each session.
3. The point of contact for departments continues to be the Committee Clerk who remains in post to process the basic administrative work of the committee (and prepare for the re-establishment of the Committee in the next Parliament).
4. Departments should continue to work, on a contingency basis, on any outstanding evidence requested by the outgoing committee and on any outstanding government responses to committee reports. It will be for any newly-appointed Ministers to approve the content of any response. It will be for the newly-appointed committee to decide whether to continue with its predecessor committee's inquiries and for the incoming administration to review the terms of draft responses before submitting to the newly appointed committee.
5. It is for the newly-appointed committee to decide whether to publish government responses to its predecessor reports. There may be some delay before the committee is reconstituted, and an incoming government may well wish to publish such responses itself by means of a Command

Paper. In this event, the department should consult the Clerk of the Committee before publication of the report response.

## **SECTION E**

### **Political Activities of Civil Servants**

1. Permanent Secretaries will wish to remind staff of the general rules governing national political activities. These are set out in the Civil Service Management Code and departmental staff handbooks.

#### **Scope**

2. For this purpose, the Civil Service is divided into three groups:
  - a. the “politically free” – industrial and non-office grades;
  - b. the “politically restricted” – members of the Senior Civil Service, civil servants in Grades 6 and 7 (or equivalent) and members of the Fast Stream Development Programme; and
  - c. civil servants outside the “politically free” and “politically restricted” groups
3. Civil servants on secondment to outside organisations (or who are on any form of paid or unpaid leave) remain civil servants and the rules relating to political activity continue to apply to them. Departments should seek to contact individuals on secondment outside the civil service to remind them of this. Individuals seconded into the Civil Service are also covered by these rules for the duration of their appointment.

#### **Civil Servants Standing for Parliament**

4. All civil servants are disqualified from election to Parliament (House of Commons Disqualification Act 1975) and must resign from the Civil Service before standing for election. Individuals must resign from the Civil Service on their formal adoption as a prospective parliamentary candidate, and must complete their last day of service before their adoption papers are completed. If the adoption process does not reasonably allow for the



individual to give full notice, departments and agencies may at their discretion pay an amount equivalent to the period of notice that would normally be given.

### **Other Political Activity**

5. “Politically restricted” civil servants are prohibited from any participation in national political activities.
6. All other civil servants may engage in national political activities with the permission of the department, which may be subject to certain conditions.
7. Where, on a case by case basis, permission is given by departments, civil servants must still act in accordance with the requirements of the Civil Service Code, including ensuring that they meet the Code’s values and standards of behaviour about impartiality and political impartiality. Notwithstanding any permission to engage in national political activities, they must ensure that their actions (and the perception of those actions) are compatible with the requirements to:
  - serve the government, whatever its political persuasion, to the best of their ability in a way which maintains political impartiality and is in line with the requirements of the Code, no matter what their own political beliefs are; and
  - act in a way which deserves and retains the confidence of ministers, while at the same time ensuring that they will be able to establish the same relationship with those whom they may be required to serve in some future government.

### **Reinstatement**

8. Departments and agencies must reinstate former civil servants who have resigned from “politically free” posts to stand for election and whose

candidature has proved unsuccessful, provided they apply within a week of declaration day.

9. Departments and agencies have discretion to reinstate all other former civil servants who have resigned to stand for election and whose candidature has proved unsuccessful. Former civil servants in this category seeking reinstatement should apply within a week of declaration day if they are not elected. Departments are encouraged to consider all applications sympathetically and on their merits. For some individuals, it may not be possible to post them back to their former area of employment because, for instance, of the sensitivity of their work and/or because their previous job is no longer vacant. In these cases, every effort should be made to post these staff to other areas rather than reject their applications.

## **SECTION F**

### **Cabinet and Official Documents**

1. In order to enable Ministers to fulfil their continuing responsibilities as members of the Government during the election period, departments should retain the Cabinet documents issued to them. Cabinet documents refers to all papers, minutes and supplementary materials relating to Cabinet and its committees. This is applicable to meetings of and correspondence to Cabinet and its committees.
2. If there is no change of government after the election, Ministers who leave office or who move to another Ministerial position must surrender any Cabinet or Cabinet committee papers or minutes (including electronic copies) and they should be retained in the department in line with guidance issued by the Cabinet Office. Ministers who leave office or move to another Ministerial position should also not remove or destroy papers that are the responsibility of their former department: that is, those papers that are not personal, party or constituency papers.
3. If a new government is formed, all Cabinet and Cabinet committee documents issued to Ministers should be destroyed. Clearly no instructions can be given to this effect until the result of the election is known, but Permanent Secretaries may wish to alert the relevant Private Secretaries.
4. The conventions regarding the access by Ministers and Special Advisers to papers of a previous Administration are explained in more detail in the Cabinet Manual. Further guidance to departments will be issued by the Cabinet Office once the outcome of the election is known.

5. More detailed guidance on managing records in the event of a change of administration will be held by your Departmental Records Officer. The Head of Public Records and Archives in the Cabinet Office can also provide further advice and written guidance can be found here:

<https://www.gov.uk/government/publications/guidance-management-of-private-office-information-and-records>

## **SECTION G**

### **Government Decisions**

1. During an election campaign the Government retains its responsibility to govern and Ministers remain in charge of their departments. Essential business (including routine business necessary to ensure the continued smooth functioning of government and public services) must be carried on. Cabinet committees are not expected to meet during the election period, nor are they expected to consider issues by correspondence. However there may be exceptional circumstances under which a collective decision of Ministers is required. If something requires collective agreement and cannot wait until after the General Election, the Cabinet Secretary should be consulted.
2. However, it is customary for Ministers to observe discretion in initiating any action of a continuing or long term character. Decisions on matters of policy, and other issues such as large and/or contentious commercial contracts, on which a new government might be expected to want the opportunity to take a different view from the present government, should be postponed until after the election, provided that such postponement would not be detrimental to the national interest or wasteful of public money.

### **Statutory Instruments**

3. The principles outlined above apply to making statutory instruments. Departmental lawyers can advise in more detail, in conjunction with the Statutory Instrument Hub.
4. The general principle that Ministers should observe discretion in initiating any new action of a continuing or long-term character applies to the making of commencement orders, which during the election period should

be exceptional. As is usual practice, statutory instruments are required to go through the Parliamentary Business and Legislation Committee process before they can be laid.

## **SECTION H**

### **Public and Senior Civil Service Appointments**

1. All appointments requiring approval by the Prime Minister, and other Civil Service and public appointments likely to prove sensitive (including those where Ministers have delegated decisions to officials or other authorities) should be frozen until after the election, except in exceptional circumstances (further detail below). This includes appointments where a candidate has already accepted a written offer (and the appointment has been announced before the election period), but where the individual is not due to take up post until after the election. The individual concerned should be told that the appointment will be subject to confirmation by the new Administration after the election.
  
2. It is recognised that this may result in the cancellation (or delay) of an appointment by the new Administration, and that the relevant department could be vulnerable to legal action by a disappointed candidate. To reduce the risk of this, departments might wish to:
  - recommend to their Secretary of State the advisability of bringing forward or delaying key stages in the process, where an appointment would otherwise likely take effect just before or after an election;
  - issue a conditional offer letter, making it clear that the formal offer of the appointment will need to be confirmed by a new Administration.
  
3. In cases where an appointment is due to end between dissolution and election day, and no announcement has been made concerning the new appointment, it will normally be possible for the post to be left vacant or the current term extended until incoming Ministers have been able to take a

decision either about reappointment of the existing appointee or the appointment of a new person. This situation is also likely to apply to any appointments made by Letters Patent, or otherwise requiring royal approval, since it would not be appropriate to invite His Majesty to make a conditional appointment.

4. In exceptional cases where it is not possible to apply these temporary arrangements and there is an essential need to make an appointment during the election period, departments may wish to advise their Ministers about consulting the Opposition before a final decision is taken. Departments should consult the Public Appointments Policy Team in the Cabinet Office.
5. In the case of public and Senior Civil Service appointments, departments should delay the launch of any open competition during an election period, to give any incoming Administration the option of deciding whether to follow the existing approach.
6. In those cases where an appointment is required to be made, it is acceptable, in the case of sensitive Senior Civil Service positions, to allow temporary promotion.



## **SECTION I**

### **Communication Activities during a General Election**

1. The general principle governing communication activities during a general election is to do everything possible to avoid competition with parliamentary candidates for the attention of the public, and not to undertake any activity that could call into question civil servants' political impartiality or that could give rise to criticism that public resources are being used for party political purposes. Special care must be taken during the course of an election since material produced with complete impartiality, which would be accepted as objective in ordinary times, may generate criticism during an election period when feelings are running high. All communication activity should be conducted in line with [Government Communication Service \(GCS\) guidance on propriety](#) and [propriety in digital and social media](#).
2. Departmental communications staff may properly continue to discharge their normal function during the election period, to the extent of providing factual explanation of current government policy, statements and decisions. They must be particularly careful not to become involved in a partisan way in election issues.
3. During the election period, access to departmental briefing systems will be restricted to permanent civil servants who will produce briefing, and answer requests for information, in line with the principles set out in Section A of the election guidance. Any updating of lines to take should be confined to matters of fact and explanations of existing government policy in order to avoid criticism of serving, or appearing to serve, a party political purpose.

## **News Media**

4. In response to questions departments should, where possible, provide factual information by reference to published material, including that on websites. Specific requests for unpublished material should be handled in accordance with the requirements of the Freedom of Information Act.
5. Routine factual press notices may continue to be issued – for example statistics that are issued on a regular basis or reports of publicly-owned bodies, independent committees etc., which a department is required to publish.
6. There would normally be no objection to issuing routine factual publications, for example health and safety advice, but these should be decided on a case by case basis, in consultation with the Director or Head of Communications, who should take account of the subject matter and the intended audience. A similar approach should apply to blogs and social media.
7. Press releases and other material normally sent to Members of Parliament should cease at the point at which this guidance comes into effect.
8. Statements that refer to the future intentions of the Government should not be handled by a department and should be treated as party political statements. Where a Minister considers it necessary to hold a governmental press conference to make clear the Government's existing policies on a particular subject prior to the election, then his or her department should provide facilities and give guidance. Ultimately, each case must be judged on its merits, including consideration of whether an announcement needs to be made, in consultation with the Director or Head of Communications.

9. The Propriety and Ethics Team in the Cabinet Office must be consulted before a Minister makes an official Ministerial statement during the election period.
10. Statements or comments referring to the policies, commitments or perceived intentions of Opposition parties should not be handled by departments.

#### **Press Articles, Interviews, and Broadcasts and Webcasts by Ministers**

11. During the election period, arrangements for newspaper articles, interviews and broadcasts by Ministers, including online, will normally be made on the political network. Care should be taken by communications staff in arranging any press interviews for Ministers during this period because of the possibility that such interviews would have a strong political content. They should not arrange broadcasts through official channels unless they are satisfied there is a need to do so and that the Minister is speaking in a government, not party, capacity.

#### **Paid Media**

12. **Advertising, including partnership and influencer marketing.** New campaigns will in general be postponed and live campaigns will be paused (across all advertising and marketing channels). A very small number of campaigns (for example, relating to essential recruitment, or public health, such as blood and organ donation or health and safety) may be approved by the Permanent Secretary, in consultation with GCS and the Propriety and Ethics Team.
  - a. **International activity.** Where marketing is delivered outside the UK and targeting non-UK citizens, the campaign can continue during the election period, subject to Permanent Secretary approval and as long as consideration has been given to the potential for the campaign to garner interest within the UK and to reach UK

diaspora. If continuing the campaign is likely to generate domestic interest, it should be paused.

- b. **Official radio ‘fillers’** will be reviewed and withdrawn unless essential.

13. **Films, videos and photographs** from departmental libraries or sources should not be made available for use by political parties.

14. **Printed material** should not normally be given any fresh distribution in the United Kingdom during the election period, in order to avoid any competition with the flow of election material. The effect on departments that distribute posters and leaflets to the public is as follows:

- a. **Posters.** The normal display of existing posters on official premises may continue but efforts should not be made to seek display elsewhere. Specific requests by employers, trade unions etc for particular posters may, however, be met in the ordinary way.
- b. **Leaflets.** Small numbers of copies of leaflets may be issued on request to members of the public and to parliamentary candidates, in consultation with the Director or Head of Communications, who should take account of the subject matter and the intended audience. Bulk supplies should not be issued to any individuals or organisations without appropriate approval.
- c. **Export promotion stories and case studies** for overseas use may continue to be sought in the UK but it must be made clear on each occasion that this information is needed for use abroad, and permission must be sought from the Permanent Secretary before proceeding.
- d. **The use of public buildings** for communication purposes is covered in Section L.

15. **Exhibitions.** Official exhibitions on a contentious policy or proposal should not be kept open or opened during the election period. Official exhibitions

that form part of a privately sponsored exhibition do not have to be withdrawn unless they are contentious, in which case they should be withdrawn.

### **Social Media and Digital Channels**

16. Official websites and social media channels will be scrutinised closely by news media and political parties during the election period. All content must be managed in accordance with GCS propriety guidance.

### **Publishing content online**

17. [Content Design: planning, writing and managing content guidance](#) should be consulted when publishing any online content.

18. Material that has already been published in accordance with the rules on propriety and that is part of the public domain record can stand. It may also be updated for factual accuracy, for example a change of address. However, while it can be referred to in handling media enquiries and signposting in response to enquiries from the public, nothing should be done to draw further attention to it.

19. Updating the public with essential factual information may continue (e.g. transport delays) but social media and blogs that comment on government policies and proposals should not be updated for the duration of the election period.

20. Ministers' biographies and details of their responsibilities can remain on sites, no additions should be made. Social media profiles should not be updated during this period.

21. Site maintenance and planned functional and technical development for existing sites can continue, but this should not involve new campaigns or extending existing campaigns.

22. News sections of websites and blogs must comply with the advice on press releases. News tickers and other mechanisms should be discontinued for the election period.

23. In the event of an emergency, digital channels can be used as part of [Crisis Communication](#) activity in the normal way.

### **Further Guidance**

24. In any case of doubt about the application of this guidance in a particular case, communications staff should consult their Director or Head of Communications in the first instance, then, if necessary, the Chief Executive, Government Communication Service, Chief Operating Officer, Government Communication Service, or the departmental Permanent Secretary who will liaise with the Propriety and Ethics Team in the Cabinet Office.

## **SECTION J**

### **Guidance on Consultations during an election period**

1. In general, new public consultations **should not** be launched during the election period. If there are exceptional circumstances where launching a consultation is considered **essential** (for example, safeguarding public health), permission should be sought from the Propriety and Ethics Team in the Cabinet Office.
2. If a consultation is on-going at the time this guidance comes into effect, it should continue as normal. However, departments should not take any steps during an election period that will compete with parliamentary candidates for the public's attention. This effectively means a ban on publicity for those consultations that are still in process.
3. As these restrictions may be detrimental to a consultation, departments are advised to decide on steps to make up for that deficiency while strictly observing the guidance. That can be done, for example, by:
  - a. prolonging the consultation period; and
  - b. putting out extra publicity for the consultation after the election in order to revive interest (following consultation with any new Minister).
4. Some consultations, for instance those aimed solely at professional groups, and that carry no publicity, will not have the impact of those where a very public and wide-ranging consultation is required. Departments need, therefore, to take into account the circumstances of each consultation. Some may need no remedial action – but this is a practical

rather than propriety question so long as departments observe the broader guidance here.

5. During the election period, departments may continue to receive and analyse responses with a view to putting proposals to the incoming government but they should not make any statement or generate publicity during this period.



## **SECTION K**

### **Statistical Activities during a General Election**

1. This note gives guidance on the conduct of statistical activities across government during a general election period.<sup>1</sup>
2. The same principles apply to social research and other government analytical services.
3. Under the terms of the Statistics and Registration Service Act 2007, the UK Statistics Authority, headed by the National Statistician, is responsible for promoting and safeguarding the integrity of official statistics. It should be consulted in any cases of doubt about the application of this guidance.

#### **Key Principles**

4. Statistical activities should continue to be conducted in accordance with the Code of Practice for Official Statistics and the UK Government's Prerelease Access to Official Statistics Order 2008, taking great care, in each case, to avoid competition with parliamentary candidates for the attention of the public.

#### **Statistical publications, releases, etc.**

5. The greatest care must continue to be taken to ensure that information is presented impartially and objectively.
6. Regular pre-announced statistical releases (e.g. press notices, bulletins, publications or electronic releases) will continue to be issued and published. Any other ad hoc statistical releases should be released only in exceptional circumstances and with the approval of the National

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<sup>1</sup> This includes departments and their agencies and other relevant public bodies including all public bodies deemed to be producers of official statistics by dint of an Order in Parliament.

Statistician, consulting with the Propriety and Ethics Team in the Cabinet Office where appropriate. Where a pre-announcement has specified that the information would be released during a specified period (e.g. a week, or longer time period), but did not specify a precise day, releases should not be published within the election period. The same applies to social research publications

### **Requests for information**

7. Any requests for unpublished statistics, including from election candidates, should be handled in an even-handed manner, in accordance with the Freedom of Information Act. Guidance on handling FOI requests can be found in Section A.

### **Commentary and Briefing**

8. Special care must be taken in producing commentary for inclusion in announcements of statistical publications issued during the election period. Commentary that would be accepted as impartial and objective analysis or interpretation at ordinary times, may attract criticism during an election. Commentary by civil servants should be restricted to the most basic factual clarification during this period. Ultimately the content of the announcement is left to the discretion of the departmental Head of Profession, seeking advice from the National Statistician as appropriate.
9. Pre-election arrangements for statistics, whereby pre-release access for briefing purposes is given to Ministers or chief executives (and their appropriate briefing officials) who have policy responsibility for a subject area covered by a particular release, should continue, in accordance with the principles embodied in the UK Government's Pre-release Access to Official Statistics Order 2008.
10. In general, during this period, civil servants involved in the production of official statistics will not provide face to face briefing to Ministers. Only if

there is a vital operational need for information, (e.g. an out of the ordinary occurrence of market-sensitive results with significant implications for the economy, or some new management figures with major implications for the running of public services), should such briefing be provided. Any such briefing should be approved by the National Statistician.

11. Requests for advice on the interpretation or analysis of statistics should be handled with care, and in accordance with the guidance in paragraphs 6 and 7.

12. Requests for factual guidance on methodology should continue to be met.

13. Requests for small numbers of copies of leaflets, background papers or free publications that were available before the election period may continue to be met but no bulk issues to individuals or organisations should be made without appropriate approval. Regular mailings of statistical bulletins to customers on existing mailing lists may continue.

#### **Censuses, Surveys and other forms of quantitative or qualitative research enquiry**

14. Regular, continuous and on-going censuses and surveys of individuals, households, businesses or other organisations may continue. Ad hoc surveys and other forms of research that are directly related to and in support of a continuing statistical series may also continue. Ad hoc surveys and other forms of research that may give rise to controversy or be related to an election issue should be postponed or abandoned.

#### **Consultations**

15. Statistical consultations that are on-going at the point at which Parliament dissolves should continue as normal, but any publicity for such consultations should cease. New public consultations, even if

preannounced, should not be launched but should be delayed until after the result of the election is officially declared.

### **Further Advice**

16. If officials working on statistics in any area across government are unsure about any matters relating to their work during the election period, they should seek the advice of their Head of Profession in the first instance. Heads of Profession should consult the National Statistician in any cases of doubt. Queries relating to social research, or other analytical services should similarly be referred to the relevant Head of Profession or departmental lead and Permanent Secretary's office in the first instance. Further advice can be sought from the Propriety and Ethics Team in the Cabinet Office.

## SECTION L

### Use of Government Property

1. Neither Ministers, nor any other parliamentary candidates, should involve government establishments in the general election campaign by visiting them for electioneering purposes.
2. In the case of NHS property, decisions are for the relevant NHS Trust but should visits be permitted to, for example, hospitals, the Department of Health and Social Care advise that there should be no disruption to services and the same facilities should be offered to other candidates. In any case, it is advised that election meetings should **not** be permitted on NHS premises. NHS England publishes its own information to NHS organisations about the pre-election period.
3. Decisions on the use of other public sector and related property must be taken by those legally responsible for the premises concerned – for example, for schools, the Governors or the Local Education Authority or Trust Board, and so on. If those concerned consult departments, they should be told that the decision is left to them but that they will be expected to treat the candidates of all parties in an even-handed way, and that there should be no disruption to services. The Department for Education will provide advice to schools on the use of school premises and resources.
4. It is important that those legally responsible for spending public funds or the use of public property ensure that there is no misuse, or the perception of misuse, for party political purposes. Decision-makers must respect the *Seven Principles of Public Life* when considering the use of public funds or property during the election period. The principles include an expectation

that public office holders take decisions impartially, fairly and on merit and maintain their accountability to the public for their decisions and actions.

## **SECTION M**

### **International Business**

1. This guidance specifically addresses the principles that will apply to international business.
2. International business will continue as normal during the period of the general election.

### **International meetings**

3. Decisions on Ministerial attendance and representation at international meetings will continue to be taken on a case by case basis by the lead UK Minister. For example, Ministers will be entitled to attend international summits (such as meetings of the G20).
4. When Ministers speak at international meetings, they are fully entitled to pursue existing UK Government policies. All Ministers, whether from the UK Government or the Devolved Administrations, should avoid exploiting international engagements for electoral purposes. Ministers should observe discretion on new initiatives and before stating new positions or making new commitments (see Section G for further advice on Government decision-making).
5. Where a Minister is unable to attend an international meeting that has been assessed as of significant interest to the UK, the UK may be represented by a senior official. In this case, where an item is likely to be pressed to a decision (a legislative decision, or some other form of commitment, e.g. a resolution, conclusions), officials should engage in negotiations and vote in line with the cleared UK position and in line with a detailed brief cleared by the lead UK Minister. Officials should engage

actively where there will be a general discussion or orientation debate, but should seek to avoid taking high profile decisions on issues of domestic political sensitivity. If decisions fall to be taken at an international summit that risk being controversial between the UK political parties, departments should consult their Permanent Secretary about the line to follow who may in turn wish to consult the Cabinet Secretary.

### **Changes to International Negotiating Positions**

6. There may be an unavoidable need for changes to a cleared UK position that require the collective agreement of Ministers. This may arise, for example, through the need for officials to have sufficiently clear negotiating instructions or as a result of the agreed UK position coming under pressure in the closing stages of negotiation. If collective agreement is required, the Cabinet Secretary should be consulted (see Section G). The Cabinet Secretariat can advise departments where they are unsure whether an issue requires further collective agreement.
7. Departments should note that the reduced availability of Ministers during the election period means that it will be necessary to allow as much time as possible for Ministers to consider an issue.

### **Relations with the Press**

8. Departmental Communication staff may properly continue to discharge, during the election period, their normal function only to the extent of providing factual explanation of current government policy, statements and decisions. They must be particularly careful not to become involved in a partisan way in election issues.
9. Ministers attending international meetings will no doubt wish to brief the press afterwards in the normal manner. But where officials attend



meetings in place of Ministers, they should be particularly circumspect in responding to the press on any decision or discussion in the meeting that could be regarded as touching on matters of domestic political sensitivity. If departments wish to issue press notices following international meetings on the discussions or decisions that took place, they should be essentially factual. Any comment, especially on items of domestic sensitivity, should be made by Ministers. In doing so, consideration will need to be given as to whether such comment should be handled by the department or the party. This must be agreed in advance with the Permanent Secretary.

### **International Appointments**

10. The UK should not normally make nominations or put forward candidates for senior international appointments until after the election. It remains possible to make nominations or put forward candidates for other positions. Departments should consult their Permanent Secretary and the Propriety and Ethics Team in Cabinet Office on appointments that risk being controversial between the UK political parties.

## **SECTION N**

### **The Devolved Administrations**

1. The general election does not affect the devolved administrations in the same way. The devolved legislatures are elected separately to the House of Commons. Devolved Ministers in Scotland, Wales and Northern Ireland will continue to carry out their devolved functions in those countries as usual.
2. Under the Civil Service Code, which also applies to all civil servants, civil servants in the devolved administrations serve Ministers elected through elections in Scotland, Wales and Northern Ireland and do not report to the UK Government. Accordingly, this guidance does not apply to them. They will continue to support their Ministers in their work.
3. However, the devolved administrations acknowledge that their activities could have a bearing on the general election campaign. While the devolved administrations will continue largely as normal, they are aware of the need to avoid any action that is, or could be construed as being, party political or likely to have a direct bearing on the general election. Staff in the devolved administrations will continue to refer requests for information about reserved issues from MPs, parliamentary candidates and political parties to the relevant UK department. Requests for information about devolved issues will be handled in accordance with relevant FOI legislation, taking account of the need for prompt responses in the context of an election period.
4. Officials in the devolved administrations are subject to the rules in Section E as regards their personal political activities, in the same way as UK Government officials.

5. Discussions with the devolved administrations during the election period should be conducted in this context. For more general details on how best to work with the devolved administrations see the Cabinet Office guidance: <https://www.gov.uk/government/publications/devolution-guidance-for-civil-servants/devolution-guidance-for-civil-servants>

## **SECTION O**

### **Public Bodies**

1. The general principles and conventions set out in this guidance apply to the board members and staff of all NDPBs and similar public bodies. Some NDPBs and ALBs employ civil servants.
2. NDPBs and other public sector bodies must be, and be seen to be, politically impartial. They should avoid becoming involved in party political controversy. Decisions on individual matters are for the bodies concerned in consultation with their sponsor department who will wish to consider whether proposed activities could reflect adversely on the work or reputation of the NDPB or public body in question.