



# **County Council Election**

**4 May 2017**

## **Advice for Council Members and Officers**

## **1. Election 2017 and Publicity Rules**

The County Council Election is due to be held on Thursday 4 May 2017. In the normal course of events, the Council has to observe a Publicity Code relating to political publicity and it is particularly important at election times. The rules in the Code aim to ensure that the public resources of the council are not used to promote or give any political party, political campaign, or candidate an advantage during an election period. The rules apply to both Council Members and Officers.

This is a summary of the general rules about publicity.

- The Council cannot at any time publish material which is designed to influence support for a political party;
- Councillors cannot at any time use Council resources for party political purposes;
- The Council must at all times consider carefully any publicity that it sends out and what the impact of that publicity might be in accordance with a national code on publicity;
- Whilst in the normal course of events it is acceptable for the Council to publicise the work done by individual Members and to present the views of those Members on local issues, for example where a Member when a Councillor has been the 'face' of a campaign, this is not acceptable during the election period (see paragraph 2 below);
- Council leaflets and publications should not be used by candidates to promote themselves.

## **2. The Election Period**

The notice of election will be published 20 March 2017. During the period between the publication of this notice and 4 May 2017 the Council is subject to further restrictions in relation to publicity. This period is commonly referred to as the election or 'purdah' period.

## **3. Publishing documents**

During this time the Council must not pro-actively publish any material which could be viewed as promoting an individual who is standing for election in the County, or which seeks to influence voters.

Publish means to distribute to the public or a section of the public. It affects all forms of publicity including websites, public leaflets, notices etc. Leaflets, web photographs or other advertising designed to raise awareness of Council policies and services already in existence are acceptable as normal forms of communication about the Council and its services.

In the normal course of business it is acceptable for authorities to host publicity, such as a blog, which contains links to sites over which the authority has no control, and which contain material which does not comply with the Code. During the election period however, care must be taken to ensure the rules on publicity are not breached, and it may be necessary to suspend the hosting of third party material or links during this time.

During the election period, the Council should not publish any publicity on controversial issues or report views that effect the Division on proposals in such a way as to identify with any individual political group.

The rules do not prevent responses to enquiries from the media or the issuing of press releases which do not promote candidates etc. If unforeseen events occur in the County which require a member level public response, the response should be factual and objective. Particularly, Councillors who hold positions of special responsibility within the Council, such as executive members, and who would be expected to make some public comment on important issues that arise will be able to do so, but this should be kept to an absolute minimum during the election period and should only occur if absolutely necessary. Responses should be factual and non-party political.

Sensitive or controversial matters effecting the County will need very careful handling during the election period as they may impact on public opinion. The Chief Executive or Monitoring Officer should be consulted before any publicity in relation to such issues is issued.

Publicity relating to those involved in the election should not be published during this time. However, an election web site could provide the names of candidates and their parties, details of polling stations, and voting rules provided the information is factual and does not promote individual candidates or parties.

#### **4. Events**

Proactive events due to take place during the election period, such as the launch of a new policy or the opening of a new establishment, should not involve those standing for election.

#### **5. Council Resources, Headed Paper, E-mail Addresses**

Members and Officers should not use Council resources for private or party political purposes.

During the election period Councillors should be particularly careful about the use of any Council resources. Councillors should avoid corresponding about the candidacy of anyone standing for election using the Council's email address. The use of headed paper, council facilities including accommodation, is made available to Councillors for council business only. These resources should never be used to raise the profile of a candidate or a political party.

## **6. The Use of Photographs**

The Council has a library of photographs, which include Councillors, which should not be used during this period. This includes photographs of candidates with Council staff, on Council premises and using the logo (all of which are resources of the Council).

## **7. Business goes on - Council Decision Making**

The Council does have to continue its business during the election period and decisions have to be made. The important thing is to make sure that the Council's 'machinery' is not used for private or party political purposes.

## **8. Bodies with Local Authority Funding**

The restrictions imposed on publicity produced by local authorities also apply to publicity issued by other organisations which receive local authority funding and impact upon the County. If the local authority directly funds the publicity it is caught by these rules, though not if there is specific funding for the publicity from another source. Where however there is a mixture of funding including that from a local authority it is safest to assume the publicity is subject to the rules.

## **9. Consultations**

As stated above, normal business must go on. The Council is periodically involved in undertaking consultation on matters affecting the public. In general it is better to avoid this sort of exercise if it effects the County, during the election period if at all possible. This is particularly so if a consultation exercise could be interpreted as engendering support for a particular group, or campaign, or if its timing could result in a political advantage for one party or individual.

## **10. Election and Campaign Expenditure**

Another aspect to bear in mind is that expenditure on a candidate's election campaign is also subject to the rules in relation to election expenses. Election expenses include:

- Printing and distribution of leaflets or other promotional material
- Advertising material (e.g. posters and rosettes)
- Administrative costs (e.g. campaign office)
- Postage
- Expenses relating to holding public meetings ( including payment of speakers);
- Fees paid to election agents etc
- Expenses relating to the hire of committee rooms during an election
- Miscellaneous items

All expenditure of this nature must be accounted for and is subject to a maximum limit.

Campaign Expenditure is any expenditure incurred by a party (or anyone else including a local authority) for electoral purposes; that is for the purpose of enhancing the standing of, or promoting electoral success for, a party/candidate at a forthcoming or future election. This includes publicity which is disparaging towards another party or its candidates.

Campaign expenditure includes:

- Party political broadcasts
- Advertising
- Unsolicited material to electors
- Manifesto or other policy documents
- Market research and canvassing
- Media/publicity
- Transport
- Rallies or other events.

Whether the expenditure is incurred for the purpose will be determined by the material not the intention of the parties. For example, if the County Council funds a meeting by providing free accommodation for what turns out to have been an election rally, this is an election expense even, though the Council did not know that this was the purpose of the meeting.

It also means that publicity material which has the effect of promoting a candidate, even if this was not the intention, may be an election expense. These rules are important for election purposes, and also for the reputation of the Council. All Members and Officers should strive to maintain the Council's good reputation in election matters.

If you are unsure, check with:

- Assistant Chief Executive/The Monitoring Officer - Barry Khan  
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- Democratic Services Manager - Josie O'Dowd  
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The Communications Team are also available to provide practical guidance and support regarding publicity, press releases, and so on please contact:

- Elaine Williams: T 01609 532448; E [Elaine.williams@northyorks.gov.uk](mailto:Elaine.williams@northyorks.gov.uk)
- Martin Feekins: T 01609 533109; E [martin.feekins@northyorks.gov.uk](mailto:martin.feekins@northyorks.gov.uk)

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