

# European Parliament Elections 2014



## **Guidance note on restrictions for Officers and Members during the Pre-Election Period (Purdah) for the European Parliament Elections 2014**

From 14 April to 22 May 2014 the Council will enter what is known as the pre-election period (Purdah) in respect of the forthcoming European Parliament elections. During this period restrictions apply to Council publicity and the use of Council Resources (including staff time). The following sets out some of what can and can't be done by both Members and Officers.

### **Background**

The next election to the European Parliament will be in May 2014. The date of the election varies across the European Union. In the UK, the election will take place on Thursday 22 May.

The period immediately prior to any election is commonly known as 'Purdah' or the Pre-Election Period. This is the period of heightened sensitivity; where there are restrictions placed upon how public bodies (including this council) behave in order not to unfairly influence the electorate prior to the poll.

The Pre-Election Period in which all members and staff must act with extra sensitivity will begin on **Monday 14 April 2014** and last until the election is held on **Thursday 22 May 2014**.

### **The normal operational business of the council will continue throughout the Purdah period.**

The reason for restrictions during the election period is not to prevent the Council carrying out its normal business, but to prevent Council business carried out during the period being used to secure electoral advantage. Council business can and must continue during an election period. This includes publicity around normal Council business and events. The Council and staff must take care to ensure that publicity or any Council activities cannot be perceived as seeking to influence public opinion or to promote the public image of a particular European Parliament candidate or their party during the Purdah period.

### **Key Principles**

- There should be even-handedness in meeting information requests from different European Parliament candidates, political parties and campaigning groups.
- Special care should be taken in respect of publicity to ensure publicity is not open to criticism that it is being undertaken for party political purposes.
- Should a European Parliament candidate also be an elected member of the Council, we must cease all publicity involving the elected member.
- We should not issue publicity which seeks to influence votes
- We may publish factual information about candidates if requested to do so by the Regional Retuning Officer

- Care should be taken in relation to proposed visits to council premises by European Parliament candidates
- Staff should not undertake any activity which could call into question their political impartiality.
- Members should not use official Council communications, publicity or engagements to promote individual European Parliament candidates.

### **What does the law say?**

The law does not allow the Council to publish or to assist others to publish material, which appears to be designed to affect public support for a European Parliament candidate. The intention behind the publication does not matter – what is important is whether it “appears” to be designed to affect support. This covers broadcast items, as well as written material. The Council has a statutory obligation to have regard to the [Code of Recommended Practice on Local Authority Publicity](#) (the Code) when making decisions on publicity, (the provisions also apply to schools).

### **What does publicity mean and what are the restrictions?**

The meaning of publicity can include any communication, in whatever form, addressed to the public as a whole or to a section of the public. It includes speeches, interviews, items on the Council’s websites, notice boards, press releases, newsletters, leaflets, and newspaper articles issued by or on behalf of the Council. It can also include publicity issued by organisations the Council funds. Where the Council holds public meetings or supports or assists in meetings organised by others then this is also caught by the provisions.

### **What are Council Resources?**

The definition of Council resources includes: IT equipment including Council e-mail addresses, telephones, fax machines, photocopiers, Council stationery (headed notepaper/letterheads, envelopes, compliment slips), postage, transport and the use of Council staff time.

### **What happens to press releases during this period?**

Press releases should not be used to explain differences between European Parliament candidates or to promote a party whose candidate is standing in the election. During the Purdah period references to, and quotes from, all councillors ‘who are involved directly in the election’ will be avoided. If quotes are necessary they will, where possible, be attributed to an officer. Council funded photo opportunities that give publicity to candidates or political parties will be avoided. In all instances the Media Relations team will advise.

### **What about meetings during this period?**

All meetings in support of the Council’s functions will continue to take place as long as the meetings are not used, or cannot be seen as being used, in connection with candidature for the election. Meetings will continue to take place as normal however care should be taken to avoid agenda items, which might be seen as having the potential to be associated with

the role of the European Parliament. Where possible the agenda item should be deferred to a meeting that is to be held after the election in May. Where it can't be deferred to a later date, then a Member who is a candidate or election agent is encouraged not to attend.

### **What are the rules for Council staff?**

There is a need for greater political sensitivity. Staff must be careful not to give the impression of supporting a European Parliament candidate or set of policies. Staff should not express their personal political opinions. Staff should exercise caution if involved in activities at which political candidates or agents are present: for example, appearing in photographs with candidates should be avoided. They must not engage in political activity during working hours or by using council facilities.

No political posters or similar election material should be displayed in any Council office or establishment or on cars used by staff for official business or which are parked in the Council car parks. Similarly, no such political/election material should be displayed by any contractor working on behalf of the Council. Staff should make this clear in any relevant contracts with the Council.

Some staff hold "politically restricted posts" which limit the political activity they can be involved in outside work.

### **Where can I find more information?**

If councillors or staff have any further questions or queries regarding publicity or the use of the Council's resources during the election time they should contact:

Vanessa Whiting, Head of Legal and Democratic Services, 01244 9777802

Trudie Odaka, Senior Legal Manager (Corporate) – Legal Services, 01244 975982

Mandy Ramsden, Senior Manager - Democratic Services, Tel: 01244 975985

Ian Callister, Senior Media Relations Manager, Tel: 01244 972216

Teresa Cunningham, Senior Communications Manager, Tel: 01244 973066