

Royal Borough of Greenwich  
Local Elections  
5 May 2022

Guidance on Council publicity and  
the use of Council resources

**John Scarborough**  
Director of Legal & HR  
Royal Borough of Greenwich

8 March 2022

## **Table of contents**

<b>Introduction</b>	<b>3</b>
<b>Election purdah</b>	<b>4</b>
<i>Publicity and events</i>	4
<i>Press statements and conferences</i>	4
<i>Briefings and policy advice</i>	5
<i>Requests for information from candidates</i>	5
<i>Candidates' visits</i>	5
<i>Ministerial visits</i>	6
<i>Use of stationery &amp; e-mail addresses</i>	6
<i>Use of pre-paid postage</i>	6
<i>Social Media</i>	6
<i>Impact of COVID-19</i>	7
<b>Publicity</b>	<b>8</b>
<i>The Law relating to publicity</i>	8
<b>Rules for Councillors</b>	<b>9</b>
<b>Rules for Officers</b>	<b>10</b>
<i>Politically restricted posts</i>	10
<i>Restricted activities</i>	10
<i>Membership of political parties</i>	12
<i>Election posters and badges etc.</i>	12
<i>Staff wanting to canvass etc.</i>	12
<i>Materials in Royal Greenwich venues</i>	12
<b>Election Timetable</b>	<b>14</b>

## Introduction

1. The Council cannot use its powers or resources for political purposes, or to promote the electoral advantage of a political party. The Council's resources include Council staff, publicity, buildings, equipment and supplies.
2. This rule applies irrespective of elections. However, public bodies have developed special rules for the period leading up to an election. This is commonly known as the 'election purdah' period.
3. The Notices of Election for Royal Borough of Greenwich Councillors will be published on Monday 28 March 2022 and the period between that date and the Elections on 5 May 2022 is known as the purdah period. **Therefore, the rules set out in this guidance should be followed with effect from Monday 28 March 2022.**
4. If officers break these rules, they may be subject to disciplinary action.
5. If Councillors break these rules, they may be in breach of the Members' Code of Conduct. Depending on the circumstances, action could also be taken by the external auditor, the Local Government & Social Care Ombudsman, the Electoral Commission and the courts.
6. The Code does not impose any restriction on the Council's ability to carry out its usual business during the pre-election period (election purdah). Decisions may continue to be taken by the Leader, Cabinet, Cabinet Member or Chief Officer, or by Planning and Licensing Committees. However, decisions which are controversial, in the sense of assisting election candidates or parties with their campaigns, should be deferred until after the election.
7. Consultation being undertaken by the Council can continue or be initiated in the pre-election period. However, consultation on controversial or sensitive issues (including policy matters), which could be viewed as assisting election candidates or parties with their campaigns, should be deferred, or suspended, until after the election. Consultation on regulatory matters such as planning and licensing applications can be held throughout the pre-election and election period.

## **Election purdah**

### **Publicity and events**

8. The Code of Recommended Practice on Local Authority Publicity says:

*During the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or report views or proposals in such a way that identifies them with any individual members or groups of members. Publicity relating to individuals involved directly in the election should not be published by local authorities during this period unless expressly authorised by or under statute. It is permissible for local authorities to publish factual information which identifies the names, wards and parties of candidates at elections.*

9. During election purdah, Councillors may respond on behalf of the Council to events and legitimate service enquiries, provided their answers are factual and not party political.
10. Similarly, Councillors holding key political or civic positions may comment where there is a genuine need for a Member response to an important event outside the Council's control.
11. When making announcements concerning Council decisions, take particular care where these are relevant to the election.
12. Do not start new publicity campaigns in an area that might be seen to be controversial in relation to the election.
13. Take special care with current or on-going publicity campaigns. These should not be open to the criticism that they are being undertaken for political purposes. Campaigns that may be misrepresented as being party political must be stopped until after the election.

### **Press statements and conferences**

14. Where relevant, take care when statements are made which refer to the intentions of the Council after the election. Generally, they should not be made by Council Officers, but should be made by the appropriate Cabinet Member in a political speech. Where a Cabinet Member considers it necessary to make a press statement to make clear the Council's policies on a particular subject of immediate importance, Council Officers should provide facilities and give guidance.

15. Take care also in arranging any press interviews for Councillors, because of the possibility that they would have a strong political content. The distinction between political and Council statements will be under very close scrutiny at this time. Do not arrange press interviews unless the subject is non-controversial and the Councillor is speaking in a Council, not Party, capacity.

### **Briefings and policy advice**

16. Staff may properly be called upon to provide support for any official or statutory function that Councillors perform. They may also provide factual briefings and policy advice that is necessary to resolve issues that cannot be deferred until after the election. They may be asked to check statements for factual accuracy and consistency with established Council policy. They may not, however, be asked to provide briefings for use in election campaign debates or literature.

### **Requests for information from candidates**

17. Requests for information from candidates must be met in an even-handed manner.

### **Candidates' visits**

18. Requests for visits by candidates to Council premises may be agreed, provided
- Council support is not given to them,
  - There is no disruption to services, and
  - The same facilities are offered to all other candidates.
19. Staff, and children or adults in the care of the Council, must not be used for publicity which could be seen as supporting a candidate or party.
20. Requests for visits by candidates to schools during school hours are a matter for the governors. If they are agreed, the governors are expected to ensure there is no disruption to services and the same facilities are offered to all other candidates.
21. Candidates do have the right to use 'suitable' rooms in schools and Council premises for holding public meetings to support their campaign if those rooms are available (such as after school / work hours). Contact the Elections Department for more information if needed.

### **Ministerial visits**

22. The test is whether the visit is for government purposes or for party/electoral purposes. Council support must not be given to visits and events with a party political or campaigning purpose. They should be treated in the same way as for candidates' visits.

### **Use of stationery & e-mail addresses**

23. Council headed stationery (letterheads, compliment slips and headed or plain envelopes), printing/photocopying facilities and other equipment are provided at public expense and may only be used in connection with Council business. The same applies to Council e-mail addresses.

### **Use of pre-paid postage**

24. Postage paid for by the Council must not be used for any non-Council business, such as:
- Communications of a business, commercial or personal nature;
  - Correspondence of political groups which include persons other than councillors; or
  - Correspondence or circulars for party political purposes, eg in connection with fund raising for the benefit of a political party, advocating membership of a political party, or supporting the return of any person to public office.

### **Social Media**

25. Social media platforms operated by the Council are subject to purdah rules.
- When using Twitter, Facebook, YouTube or Flickr, explain that as a Council channel of communication you are governed by purdah. It may be helpful to tweet a link to an explanation of purdah for guidance.
  - Do not retweet or share political opinion or content posted by political parties or politicians.
  - Do not tweet, post images or share updates on matters which are politically controversial.
  - Monitor Council pages & delete content which is politically controversial.
  - Social media by and about the Mayor may be retweeted, shared or used as long as it is not of a political nature.
  - Disable the ability to download images of politicians during purdah.

- Third party social media profiles, including business partnership profiles which the Council supports, are also governed by purdah. Council staff who update these profiles can either continue to add content in line with purdah restrictions or hand over all admin to a non-Council member of the partnership during purdah.

### **Impact of COVID-19**

26. The pandemic has necessitated a significant increase in communication activity aimed at conveying public health messages, including but not limited to promoting the take up of testing and vaccinations and signposting residents and businesses to the support available to them. There is no need for this activity to be curtailed during purdah although the contents of this guidance should be carefully followed when asking Councillors to “front up” these messages.

## **Publicity**

*These rules apply at all times, including during election purdah.*

### **The law relating to publicity**

27. The Council must not publish material which, in whole or in part, appears to be designed to affect public support for a political party.
28. In determining whether material falls within this prohibition, regard must be had to its content and style, the time and other circumstances of publication and the likely effect on those to whom it is directed, and in particular to the following:
  - Whether the material refers to a political party or to persons identified with a political party
  - Whether the material promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not another
  - Where the material is part of a campaign, the effect which the campaign appears designed to achieve
29. The Council must not give financial or other assistance to a person to publish material which the Council is prohibited from publishing itself.
30. In coming to any decision on publicity, the Council must have regard to the Code of Recommended Practice on Local Authority Publicity.



## Rules for Councillors

*These rules apply at all times, including during election purdah.*

31. The following provisions of the Members' Code of Conduct are especially relevant to elections, Council publicity and the use of Council resources.

**Paragraph 8** You must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Royal Borough.

**Paragraph 12** You must, act in accordance with the Royal Borough's reasonable requirements when using or authorising others to use the Royal Borough's resources. You must not use those resources improperly for political purposes, including party political purposes.

**Paragraph 14** You must not use or attempt to use your position to give or secure for yourself or any other person an advantage or disadvantage.

In general you must have regard to the Local Authority Code of Publicity made under the Local Government Act 1986.

## **Rules for Officers**

*These rules apply at all times, including during election purdah. They apply to all staff who are directly employed by the Council, and also to locum staff engaged through employment agencies.*

32. You must not carry out any activity which could call into question your political impartiality, or which could give rise to the criticism that public resources are being used for party political purposes.
33. You must avoid any action or behaviour which is not politically neutral when you are in working hours or when you use Council or Council-funded resources and facilities.
34. Provided you do not hold a politically restricted post, you may support a candidate or political party in the elections in your own time, subject to normal Council arrangements for agreeing leave.
35. If you hold a politically restricted post, you cannot carry out restricted activities even in your private time, and you cannot take unpaid leave or use your leave to carry out restricted activities. This does not prevent you from being an active member of a political party, provided you do not engage in restricted activities.

### **Politically restricted posts**

36. You are in a politically restricted post if:
  - (a) you are a chief or deputy chief officer, or
  - (b) you give advice on a regular basis to Council committees, Cabinet or Cabinet members, or
  - (c) you speak on behalf of the Council on a regular basis to journalists or broadcasters.

### **Restricted activities**

37. If you are in a politically restricted post, you must not take part in restricted activities, whether in work related time or in your private time. If you do, you will be in breach of your contract of employment.
38. If you are not in a politically restricted post, you must not take part in restricted activities in work-related time. If you do, you will be in breach of your contract of employment.

39. Restricted activities apply to independent politicians and their supporters and supporting organisations in exactly the same way as they apply to political parties and their members or candidates.

40. You must not

*Being a candidate or election agent*

- (a) Announce, or cause or permit anyone else to announce, that you are or intend to be a candidate for election as a member of a range of elected public bodies including the House of Commons, the GLA as Mayor of London and/or a member of the London Assembly, a London Borough Council, the Common Council of the City of London, and any other local authority as defined by the relevant legislation.
- (b) Act as an election agent or sub-agent for a candidate for any of the above.

*Holding office in a political party*

- (c) Be an officer of a political party, or of any branch of such a party, or a member of any committee or subcommittee of such a party or branch, if your duties would be likely to require you to –
  - Participate in the general management of the party or the branch; or
  - Act on behalf of the party or branch in dealings with persons other than members of the party or members of another political party associated with the party.

*Canvassing for candidates and parties*

- (d) Canvass on behalf of a political party or on behalf of a person who is, or proposes to be, a candidate for election to any of the bodies listed in (a) above.

*Speaking to the public and giving interviews*

- (e) Speak to the public at large or to a section of the public, with the apparent intention of affecting support for a political party. This is allowed to the extent that doing so is necessary for the proper performance of your official duties. “Speaking to the public” includes giving an interview, which to your knowledge is likely to result in the publication of statements made, or opinions expressed, during the course of the interview.

## *Writing and publishing political material*

- (f) Publish any written or artistic work of which you are the author (or one of the authors), or any written work or collection of artistic works in relation to which you have acted in an editorial capacity, if the work appears to be intended to affect public support for a political party. Again, this is permitted to the extent that doing so is necessary for the proper performance of your official duties.
- (g) Cause, authorise or permit any other person to publish such a work or collection mentioned in (e) or (f) above if the work appears to be intended to affect public support for a political party.

## **Membership of political parties**

- 41. Nothing in the rules prevents politically restricted staff from being a member of a political party and carrying out activities which are not restricted activities. However, being an officer, such as a party or branch chair, treasurer or spokesperson etc. will probably contravene paragraph (c) above.

## **Election posters and badges etc.**

- 42. The rules specifically allow politically restricted staff to display campaigning posters in their windows at home on their own cars, or to wear political badges on their clothing without breaking the rules on restricted activities. However, the Council, as an employer, does not allow the display of political posters at desks or its staff to wear badges etc. that support candidates, parties or political causes whilst on work premises or in work-related time.

## **Staff wanting to canvass etc.**

- 43. The rules for politically restricted staff are legal requirements. They are automatically implied by law into your contract and cannot be contracted out. As a result, managers may not agree any arrangement, such as a secondment or unpaid leave, that would allow you to remain in Council employment and at the same time to engage in any restricted activity in your private time. If you are in a politically restricted post and you want to do anything that is a restricted activity, you must resign.

## **Materials including posters & leaflets in Royal Greenwich venues**

- 44. Only material that is authorised by the Council may appear in Royal Borough of Greenwich public areas such as libraries, contact centres and other venues. Staff should refuse to accept any leaflets, posters or advertisements from any outside person or organisation including community groups or

companies unless they have been approved by the Communications Team. Any materials found should be immediately removed from public view. This is particularly important during the purdah period.

**Election Time-Table**  
**Royal Borough of Greenwich Local Elections**  
**5 May 2022 Key Dates**

Date	Milestone	Notes
Monday 28 March 2022	Notices of Election to be published for RBG Local Elections	Start of purdah period for the elections
Thursday 5 May 2022	RBG Local Elections	