**COUNCIL PUBLICITY DURING THE ELECTION PERIOD**

**Important Guidance**

There is statutory guidance for local authorities about publicity and information issued during the period just before local elections, contained in the Code of Recommended Practice on Local Authority Publicity issued under section 4 of the Local Government Act 1986. **Section 6 of the Act makes it clear that this also applies to town and parish councils.**

The pre-election period is defined as beginning with the last date for the publication of notice of the election (30 March) to the close of poll at 10pm on polling day (7 May). During this period a council, its members and officers should be aware of the special rules designed to ensure the political impartiality of all council publicity - this includes newsletter, magazines, press releases, posters and leaflets, websites, public meetings, local consultation exercises, exhibitions sponsored by the council and any press advertising, and also includes spoken words addressed to the public or broadcast through radio, television or the Internet.

**Generally, the Council as a body must avoid:**

  Proactive publicity of candidates and other politicians directly involved in the elections

  Publicity that deals with controversial issues that could specifically be linked to a relevant election issue (where this cannot be avoided, any publicity should present issues clearly and fairly with all opposing points of view represented

  Publicity that reports views, proposals or recommendations in such a way that it identifies them with individual members or groups of members who may be directly involved in the election

However, the Council can respond to events and legitimate service enquiries providing the answers given are factual and not political. It can also comment on a relevant issue where there is a genuine need for a member level response to an important event outside of the Council’s control.

**This means that during the election period the Council will need to:**

  Exclude all quotes from and photographs of members directly involved in the election campaign in press releases, publications and other published material

  Refrain from organising photo opportunities or events which could be seen as giving candidates, members or other political office holders directly involved in the election process a platform for any political comment

  Postpone publications, events or promotions until after the election if proceeding with these could give the appearance of seeking to affect support for a particular political part or candidate directly involved in the election

  Avoid commenting on matters of political controversy unless to refrain from comment would be harmful to the Council’s best interests

  Avoid references in publications to the period the current Administration has been in office or the Council’s future after the elections

  Not undertake any other activity which could be seen as designed to benefit a particular political party or candidate directly involved in the election

The Code does not affect the ability of local authorities to assist charities and voluntary organisations which need to issue publicity as part of their work, but it does require local authorities, in giving any such assistance, to consider the principles on which the Code is based, and to apply then accordingly.

**In conclusion**

*Councils are obviously permitted to serve their electorate in the way they feel best, and can continue to function efficiently during the pre-election period. However, common sense and a little caution are needed at this sensitive time to ensure that public funds are not used in any form to seek the promotion of individuals, a group of councillors, or any particular political party and its views.*