

## **Publicity and the 2005 Elections**

The purpose of this note is to explain the constraints placed upon the Council and its Officers in an election period and how the Council proposes to address its obligations whilst working with politicians and/or their representatives.

The Council is under a statutory duty to have regard to the Code of Conduct on Local Government Publicity. It is also under a duty not to do anything that compromises or is likely to compromise the impartiality of those who work for the Council. This includes the creation of perceptions that Officers support any political party by way of contribution to or involvement in any electioneering by a politician and/or their representative(s) as part of their employment. Any proposed visits to Council premises have to be seen in this context.

The Code contains provisions that deal with the period between publication of the Notice of an Election and the election itself ('the election period').

The Code precludes proactive events and publicity involving politicians who are candidates and other politicians involved directly in the election during the election period. "Other politicians involved" is a reference to anyone likely to speak in support of candidates and includes those from outside the Council (e.g. MPs and those standing as MP's). The Code also applies where the Council assists others to issue publicity.

In the election period, as a general rule, the Council's Officers will not be able to host nor facilitate (whether on or off Council premises) any proactive events involving candidates and or other politicians involved in the 2005 elections. Each request from politicians and/or their representatives for access to Council premises will be carefully considered individually to determine whether I, or my representative, considers it creates a risk to the perception of political impartiality. To enable me/my representatives to consider these requests the objectives, timing, nature, involvement of individuals, media coverage and proposed involvement of staff during such access should be provided at least three working days prior to the proposed visit with the request to be considered. I and my representatives will adopt a commonsense approach to the assessment of such requests for access to Council premises.

Visits to Council premises without my/my representative's prior consent may lead to future requests for access to Council premises being refused and the consideration of appropriate legal action.

If you are planning any events and publicity in the election period I/my representatives will be happy to discuss them with you at the earliest opportunity.

**Malcolm Morley**  
**Returning Officer**  
**16<sup>th</sup> March 2005**