

2023 pre-election period - summary guidance

An outline of the publicity rules that govern both Members and Officers of the Council during the pre-election period, leading up to local council elections in May 2023.

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Introduction

This summary guide provides a short outline of the publicity rules that govern both Members and Officers of the Council during the pre-election period that precedes Central Bedfordshire Council's **local council election**.

The local election will take place on 4 May 2023. There will also be local town and parish elections taking place within Central Bedfordshire on the same date.

The '**pre-election period**', which was previously known as '**Purdah**' starts for Central Bedfordshire Council on **13 March 2023**.

Please note that for the purposes of this guidance note, the term pre-election period will be used throughout.

During this pre-election period, restrictions on 'publicity, communication and activities' are placed on the Council. Both Officers and Members with access to the Council's communication channels, should **not** issue 'publicity' that could be construed to be aimed at influencing the public on how to vote, in this time.

It's not just publicity. Council resources must also not be used for what could be considered as influencing voters. These restrictions apply to:

- Use of Council facilities
- Holding of events (including some meetings)
- Featuring elected officials
- Taking decisions or making policy changes which are significant and may be politically contentious

Before explaining what 'publicity' is in a bit more detail and the considerations that should be had during this period. It must be remembered that the general position with regards to decision making within the Council continues to be 'business as usual' unless there are very good reasons why this should not be the case.

Publicity guidance

Publicity is defined in the Local Government Act 1986 as “any communication, in whatever form, addressed to the public at large or to a section of the public.”

During the pre-election period, the Act states that a Council “shall not publish or assist others to publish material which, in whole or in part, appears to be designed to affect public support or a political party”

‘Communication/material’ in this context is generally considered to mean content in the Council’s corporately owned channels, e.g. social media, website, publications and marketing materials, or actively facilitating content in secondary channels such as the media that has emanated from the Council.

1. The first question to ask is: ‘could a reasonable person conclude that you were spending public money to influence the outcome of the election?’
2. When deciding what can or cannot be done during the pre-election period, the following should be considered:
 - Publicity of the Council should not deal with controversial issues or repeat views, proposals or recommendations in a way that identifies them with individual Candidates, Members or groups of Members.
 - Publicity relating to Candidates involved directly in the election should not be published unless expressly authorised by statute.
 - The Council is allowed to publish factual information which identifies the names, wards and parties of Candidates and/or Members at elections, but we must not produce publicity on matters which are politically controversial.
 - All communications platforms operated by Council Officers are subject to the pre-election rules.
 - Council organised events, unless clearly political in nature or linked to a subject which has become an election issue, can progress as planned.
 - Council Officers will not normally put Members forward to attend or speak on behalf of the Council at events or meetings however Members may attend and speak of their own accord. Officers should not issue any communication to show the Member’s involvement.
3. Examples of other things the Council **should not be doing** are as follows:
 - Arrange media opportunities involving Candidates and/or Members
 - Issue photographs which include Candidates and/or Members
 - Supply Council photographs or other materials to Members or political group staff unless you have verified that they will not be used for campaigning purposes during the pre-election period.
 - Make references to individual Candidates, Members or groups in press releases, on social media or in publications.

Legal Framework

4. Section 2 of the Local Government Act 1986 ('the Act') provides that '*a local authority shall not publish or assist others to publish material which, in whole or in part, appears to be designed to affect public support for a political party*'.
5. Section 4(3) of the Act makes clear that Councils need to have regard to the [code of recommended practice that was published in 2011](#), and that particular care should be taken during the pre-election period. The code is clear that the Council should not issue any publicity, which seeks to influence voters.

Additional guidance and some tips for the use of social media during the pre-election period

6. Please note some useful tips in relation to the use of social media during the pre-election period, which can be seen on the next page.

Conclusion

7. The Local Government Association also provides some [guidance](#), which Members and Officers may find helpful.
8. More [detailed guidance](#) has been provided by the Monitoring Officer if you need further advice.
9. If further guidance or advice is needed, please contact the Council's Communications Team, via email, in the first instance so your query can be logged: communications@centralbedfordshire.gov.uk this will then be referred, if need, to the: monitoring.officer@centralbedfordshire.gov.uk.
10. Members and Officers should note that this guidance does not cover every eventuality. Please also note that this document is subject to ongoing review, in line with any government guidance and legislative changes made.

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Tips for the use of social media during the pre-election period

- Remember that **all social media platforms** operated by Officers and official accounts run by Members, are subject to the pre-elections rules.
- When using the Council social media accounts, in your official capacity as a Member or as a staff member/Officer, you are **governed by pre-election rules**.
- Officers/Members should not use the Council's social media accounts to retweet or share **political opinion** or content posted by political parties or politicians.
- Officers are reminded not to stage significant **social media-based campaigns** unless it can be demonstrated that it was planned before the election was called.
- Council Officers who contribute to social media accounts of organisations funded by or associated to the Council should be mindful that pre-election guidance applies to these accounts too.
- Comments on community social media pages on behalf of the Council are also subject to the pre-election rules.

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