

WoE COMBINED AUTHORITY MAYORAL ELECTION 2017

GUIDANCE NOTE FOR COUNCIL OFFICERS/MEMBERS

1. Introduction

The election of a Mayor for the West of England combined authority is taking place on 4 May 2017. From 27 March until the polling stations have closed, there will be certain restrictions placed upon officers and members.

2. Publicity

Local authorities are prohibited from publishing material which appears designed to affect support for any political party, or to give financial or other assistance for the publication of such material¹. This prohibition applies at all times; however prior to an election, there is heightened sensitivity in this regard.

As Council meetings are open to the public, no meetings should be arranged during this period for direct discussion of the mayoral election. The general presumption is 'business as usual', but consideration should be given to postponing meetings that relate to services provided jointly by the West of England authorities, if to do so will not impact service delivery and/or if the matter is politically sensitive.

3. Resources and Facilities

Council resources and facilities should not be used in support any candidate in the elections. Campaign materials should not be displayed at Council premises, on library notice boards etc.

The Council email system must not be used to disseminate political material at any time.

The candidates are entitled to use Council meeting rooms, schools and any other venues hired out by the Council at reasonable times for public meetings for the purpose of furthering their campaign, provided that they meet the expenses of use (heating, lighting, cleaning)².

4. Officer Conduct

Officers should be politically impartial in their performance of public duties at all times. Campaigning materials relating to the election e.g. pin badges, rosettes, should not be worn in the work place during the pre-election period.

In the pre-election period in particular, all officers must avoid the appearance of bias in their interactions and communication with potential and actual candidates, agents and members of campaign groups. Judgement will be necessary when handling their requests for meetings and telephone discussions with officers so that these are managed (or declined) without preference or disadvantage to any candidate or political party.

¹ S.2 Local Government Act 1986

² S.96 Representation of the People Act 1983

5. Member Conduct

Members will of course have views on the candidates and there is no reason why they shouldn't make these known; however, members should be mindful that they should avoid expressing these views whilst performing special functions on behalf of the Council. Members should endeavour, when expressing their views in the public arena, to make clear that these are their individual views, as opposed to those of the Council.

6. External meetings re mayoral election

Officers should not attend any public meetings directly relating to the election during this period. This only applies to attendance of meetings in an official capacity. It is acceptable to attend in your own time. The provision of a view by an officer in an official capacity on any likely impact of the election on Council services could be perceived to be support to one side or other of the campaign.

Similarly members should not attend such meetings if they are invited by virtue of a special function that they perform on behalf of the Council e.g. sitting on a particular committee.

7. Invitations to other public meetings

The Council should not invite any candidates to public meetings that it organises during the PEP and neither members, nor officers, should pass comment on the mayoral election at any such meeting.

When invited to external meetings in their capacity as a member, councillors should not pass comment on the candidate or elections at the meeting during this period and should make the content of their speech available to all campaign groups simultaneously. Officers should remain politically neutral in any event.

8. Consultation

Unless a consultation is statutory, consideration should be given to whether or not the subject matter is politically sensitive in the context of the election. If it is, then you should consider delaying launching/publishing findings until after the election.

9. West of England Local Enterprise Partnership (LEP)

Any members or officers with any involvement with the WoE LEP should be especially vigilant during this period due to the level of involvement that the combined authority Mayor will have with the LEP.

10. Relevant consideration

Whilst clearly the Council must not spend money to influence the outcome of the election, consideration must also be given to whether it could be reasonably perceived to be doing so. If the course of action being considered is taken, will this give reasonable cause for complaint to a candidate standing in the election, or to a member of the public?

11. Further guidance

There is more detailed guidance on the [LGA website](#).

If members/officers have any questions in relation to specific circumstances, they should contact Yvonne Dawes and Nicholas Mimmack. Please note that Yvonne and Nick are unlikely to be able to give you a yes/no answer as to whether you may proceed with proposed course of action. Whilst they may be able to provide further assistance, ultimately you will need to take the decision as to whether or not to proceed.