



Association of
Democratic Services
Officers

ADSO Webinar 17/3/2021 – Rules relating to the pre-election period

Speaker: Mark Heath, Consultant with VWV

Question:

In a Council with a directly elected Mayor there is the provision for a candidate handbook at the election that is sent to electors. Can an image of the booklet in digital format be put on the Council website. It's more than just names and parties of candidates but includes their political statements.

Answer:

Yes its fine- it doesn't fall foul of the 1986 Act as its not encouraging voters to vote for a party / candidate but supplying info on them all, the provision of info about candidates is provided for in the Code as acceptable in times of heightened sensitivity on council websites. Electoral law provides Councils must give ROs such support as they need and ROs will all do this (for Mayoral and PCC elections) and hence we all do it too. So yes, fine.

Question:

Any advice on the activities of political assistants?

Answer:

The general role of political assistants is to undertake research and provide administrative support for political groups. Political assistants are local government employees and, with two exceptions, the regime restricting the political activities of local government employees (what they may /may not do outside work) applies to them.

Bear in mind politically restricted post holders cannot speak or publish written work with the apparent intention of affecting public support for a political party, or canvass on behalf of any candidate for election to a local authority or to the UK or European Parliament

Unlike other politically restricted posts, political assistants are permitted to speak to the public at large and may publish written or artistic work that gives the impression of advocating support for a political party. However, they must not give the impression that they are speaking as an authorised representative of a political party. They must not be involved in a publication that gives the impression that it is authorised by a political party

Nothing in this affects the limits imposed on the Council by the 1986 Act or Code. What the Council may do in terms of issuing publicity at the public expense is not in any way changed by the existence of / the request for the publicity coming from a political assistant.

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