

# **Guidance on Purdah for the London Mayoral and Assembly Elections and the By-Election of a local Councillor for Chase and Southbury wards on Thursday 6 May 2021**

**Purdah period: 00:01 on Monday 22 March 2021 to 10:00pm on Thursday 6 May 2021**

**The London Mayoral and Assembly Elections and the By-Election of a local Councillor for both Chase and Southbury wards will take place on Thursday 6 May 2021**

Purdah will commence on Monday 22 March 2021 when notice of the election for the London Mayoral and Assembly Elections is given and will end at 10:00pm on **Thursday 6 May 2021**, when the polls close.

Adherence to the purdah principles will ensure that democratic due process can be facilitated and standards of good governance maintained without causing unnecessary conflict at the election.

This document sets out guidance in relation to protocols to be followed with regard to:

- Publicity (including Council hosted social media);
- The attendance of officers and councillors at meetings;
- The use of Council and community buildings by candidates/political parties; and
- Visits to schools by candidates and others directly involved in the elections.

**Please distribute this document to and/or brief all those who you feel have a need to know**

This advice is based on the Council's [Communications Protocol](#) (which can be found in the Communications section of the Intranet Hub) and the National Code of Recommended Practice for Local Authority Publicity (published on 31 March 2011).

## **General Information**

As part of established day to day practice, the Council, its members and officers should be aware of the special rules designed to ensure the political impartiality of all Council publicity. However, special consideration needs to be applied to these rules in the purdah period.

Section 6 of the Local Government Act 1986 defines “publicity” as “any communication, in whatever form, addressed to the public at large or to a section of the public”. This will include the obvious forms such as newsletters, magazines, press releases, posters and leaflets issued by the Council.

It also includes Enfield Council websites, social media platforms, public meetings, local consultation exercises, exhibitions sponsored by the Council and press advertising, and can include spoken words addressed to the public or broadcast through radio, television or the Internet.

## **Communications and publicity**

The Council shall not issue:

- Proactive publicity of candidates and other politicians involved in the elections
- Any publicity that deals with controversial issues that could specifically be linked to a relevant election issue unless expressly authorised by, or under statute publish; and
- Publicity that reports views, proposals or recommendations in such a way that it identifies them with individual members or groups of members directly involved in the elections.

However, the Council can respond to events and legitimate service enquiries provided the answers given are factual and not political. It is, for example, permissible for the Council to publish factual information which identifies the names, wards and parties of candidates at elections. 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. The Council must:

- Exclude all quotes from, and photographs of members involved in the elections 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 involved in the election a platform for political comment;
- Postpone publications, events or promotions until after the election if proceeding could give the appearance of seeking to affect support for a political party or candidate involved in the elections;

- Not comment on matters of political controversy unless to refrain from comment would be harmful to the Council’s best interests;
- 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 restrictions on publicity in an election period apply equally to publicity issued by third parties if they are assisted by Council funding. For example, where it could be shown that Council funding is being used to pay for a charity’s publicity, the Council should ensure that the recipients of that assistance adhere to the principles in the Code of Recommended Practice.

It may also be necessary to suspend the hosting of material produced by third parties – even if not funded by the Council – if that material contains links to the promotion of any candidates directly involved in the election or publicity relating to politically controversial issues. For example, Enfield Council social media platforms should not follow or re-tweet e-communications involving candidates or controversial issues.

### **Public Meetings**

**To be safe, the Council must plan to avoid public meetings about locally controversial proposals or matters that could become an election issue. Events that could jeopardise our impartiality will be cancelled if they clash with the publicity restrictions during the pre-election period.**

Public or committee meetings of a “business as usual” nature, unrelated to the election, may take place. This will include the determination of the majority of planning and licensing applications. However, everyone involved will be expected to observe the purdah constraints. The Monitoring Officer must be consulted in advance if there is any doubt as to whether a meeting might breach these guidelines.

### **Elected Members**

The above restrictions generally relate to the Council and not to individual councillors. This means that individual councillors or political parties may contact the press directly, respond to their calls and set up their own photo shoots to promote a candidate or political party involved in the election.

However, they may not use the Council’s resources or facilities to do so. When at Council events, councillors must not use that platform for political purposes. This includes Ward Forums and other public meetings.

Members may wish to note the agreed convention in relation to the use of Council telephone numbers and e-mail addresses on party political literature. It is acceptable to include a note on party political literature along the following lines:

*“To contact your councillors about any matter for which the Council is responsible, phone (your Council funded line).*

*For any XXX party/election matter, please contact (political office number).”*

## **Council Staff**

Council staff should exercise extreme caution when invited to an event likely to include candidates in the election or organised by one political party. If you receive such an invitation, you should ask the person inviting you the following questions:

- What is the purpose of the event?
- Who will be in attendance?
- If politicians will be present, has the invitation been extended to all candidates/parties involved in the election?
- What is expected of you at the event? For example, will you be asked to speak or answer questions on behalf of the Council? Are you likely to be drawn into political debates?

You should then seek advice from Jeremy Chambers (Director of Law and Governance and Monitoring Officer) before proceeding.

## **Managers of Council Buildings**

Managers of all Council owned buildings should also seek similar advice before allowing the Council's resources to be used for any “official or unofficial” visit by a candidate or political party. Candidates have the right to use publicly funded buildings “free of charge” for the purpose of holding public meetings in furtherance of their candidature to promote or procure the giving of votes at that election, e.g. hustings (debates between candidates).

Officers must not give support for one political party or candidate over others as such actions could leave them open to political bias and a potential breach of the Code of Recommended Practice.

The use of any Council building while Covid-19 restrictions remain in place, is subject to approval by Jeremy Chambers.

## **Schools**

The Local Education Authority (LEA) has a responsibility to ensure that its resources (excluding meeting rooms) are not used for political purposes during an election period. This responsibility extends to schools that run independently of the Local Education Authority but who receive **any** funding from public resources, e.g. grant funding from HM Government. In all such cases, school employees also have personal responsibilities.

- Head teachers and school staff should not be involved in any activity (in their official capacity) that promotes or is perceived to promote a political party, or any candidate or politician involved in the election. This includes the endorsement of a candidate verbally or in writing. Some head teachers and staff have been asked to do this in the past. They should, for example, refrain from photo opportunities with candidates or politicians or from participating in or organising events that could give others a platform for political comment or publicity.
- Political parties may distribute leaflets outside of the school grounds providing they are not causing an obstruction or disturbance. They should not however enter the school premises.
- Approval of use of any school premises for any election purposes must be obtained from the school in relation to their policy and government restrictions on Covid-19.

**If these rules about publicity are broken, the Council could be subject to legal challenge and, in a worst case scenario, election results could be invalidated. Officers who fail to observe the rules could be liable to disciplinary action.**

#### **Further Advice**

If you need any advice or have any questions arising out of this guidance, please contact:

Jeremy Chambers  
Monitoring Officer  
020 8379 4799  
[Jeremy.chambers@enfield.gov.uk](mailto:Jeremy.chambers@enfield.gov.uk)