

# All National Elections and Referendums

## Pre-Election Guidance

### Frequently Asked Questions

The following are examples of questions which can arise. It must be remembered that the final advice will turn on the exact circumstances and these FAQs are given only to provide an indication of the type of issues which should be considered. They are not a substitute for specific, detailed advice and contact and prior discussion is welcomed.

**1. A Council service proposes to hold a public meeting in the pre-election period to discuss a matter of particular concern to the community. It is likely to attract interest from local politicians. Should the meeting be postponed?**

Yes. Generally, where the subject matter of the meeting is controversial, it would not be appropriate to hold such a meeting in the pre-election period.

**2. A controversial item is on the agenda for a meeting of the Council or a Committee which will be held during the pre-election period. Should consideration of the item be postponed until after the election?**

No. As a general rule, the work of the Council should continue, and the item should be considered. The general rule is in favour of business as usual for the Council and this applies especially if the item of business is urgent from a service delivery perspective. The Chief Executive can decide in certain circumstances to postpone consideration of any item but that is a decision within her discretion.

**3. A school has been approached by one elected representative who wishes to meet pupils in the pre-election period and have a general discussion with them about topics of concern to them. Is it okay to allow the visit?**

No. The issue here is you have to show even-handedness towards all political parties and independents.

**4. Officers have been asked to attend an event to give advice on Council services. Is this okay?**

The first issue is whether or not it would be appropriate for officers to attend in terms of the statutory rules on Council publicity. It would depend on the nature of the event, who was running it and when it was being held. If the event is associated with a particular political party and is being held during or immediately before the beginning of the pre-election period, then officers should not attend. If it is being held out with this period, then a decision would have to be made on whether or not the event appears to be designed to affect public support for a political party. If so, then, again, officers should not attend.

**5. Is it acceptable for a campaigner to take photographs outside a Council office or facility?**

The taking of photographs by campaigners, political party officials and other campaign staff within the grounds or within any part of any Council building is prohibited and must not be facilitated by Council staff. Campaigners and officials must be aware that photography in and around schools is prohibited. Any requests to photograph within school grounds, at any time, must be made to the Head Teacher.

**6. What do I do if a campaigner or political party refuses to accept my decision?**

Contact the Executive Chief Officer for your service, the Chief Executive or Election Manager who will consider the issue and contact the candidate/party directly.

**7. A campaigner turns up to a school as part of their campaign and there are media representatives following them. Should they be allowed in?**

No. You cannot allow a Council facility to be used for a party-political activity involving the media.

**8. A public consultation meeting is scheduled during the pre-election period as part of the formal planning process for a new school. Can it go ahead?**

Yes. This is normal business.

For meetings with invited audiences, for example a regular stakeholder group meeting on a specific project, these would be considered business as usual. However, care must be taken to avoid any politically controversial subject matter or decision-making. The test is not to present any information which may be perceived to promote political bias.

**9. A campaigner or political party wants to use a Council-managed public space (not a school, not an office building) for their campaign launch. Should it be allowed?**

There is a convention that certain public spaces are used for campaign activity. It is generally acceptable for these to take place so long as the events are limited, e.g. less than one hour and that there is equal opportunity for all parties or candidates to use them. The Council resource/effort in facilitating these must also be minimal, e.g. only the enabling of access to a space.

Requests to use facilities run by arm's length organisations including High Life Highland (HLH) and Inverness Leisure for campaign purposes should be considered in line with The Highland Council election guidance as HLH facilities are Council owned premises.

In general, visits are to be positively considered, however all other candidates must be given the same access.

Advice should be sought from the Elections Manager, prior to permission being granted.

**10. A partner organisation/Scottish Government has asked to use a Council venue for the launch of an initiative. A senior political figure will be attending, and significant media presence is expected.  
Can the Council facilitate this?**

No. A Council venue cannot be used in such a way for high profile launches which may appear to be political in nature by reason of the persons attending, even in the circumstances of it being hosted by a partner organisation.

**11. An elected member wants to give their view on a matter debated at Committee to the media. Is this allowed?**

Any Elected Member is, at any time, at liberty to do this. However, if doing so, the Elected Member must not use Council facilities for any party political or campaigning purposes. The Elected Member must not use any confidential or exempt Council information. Office Bearers must separate their party-political role from Council roles and must not campaign in their role as Council Office Bearers.

**12. There is an event scheduled for the launch of a new service. Can Elected Members be invited? And what about other politicians?**

Such events are wholly inadvisable before elections, unless it is essential for the purposes of service delivery to have the launch during this period. Avoid these situations.

**13. A Council Service wants to highlight a new initiative.  
Can the relevant committee convener be involved?**

No. Please avoid any aspect of launches or publicity during the pre-election period. If there are service needs that require to be addressed, such as publicising important public information, there should be consultation with the Corporate Communications Manager who will advise on the best means to address any service urgency.