

GUIDANCE FOR SCHOOLS

Pre-Election Guidance: Tain and Easter Ross By-Election Ward 7

A by-election will be held for the Tain and Easter Ross Ward on Thursday 13th June 2024. The pre-election period commences from Thursday 2nd May 2024.

These guidance notes apply to all elections run by the Highland Council: local government, Scottish Parliament and UK Parliament, as well as by-elections. The guidance can also be applied to referendums.

The main points of guidance are:

- Council staff must always by law act in a politically neutral way, when representing the Council there is particular sensitivity around this political neutrality in the run-up to an election
- Particular care needs to be taken to ensure that any events, publicity or other communications are politically neutral during a pre-election period. Council facilities and resources must not be used in support of a political party or election candidate.
- Unless otherwise stated, it should be assumed that normal Council business will continue and unless otherwise covered by this guidance or in the view of a particular Council in relation to a particular query, staff will most likely respond positively to requests for information or advice from parties or candidates.
- Officers should not permit Council staff and children and adults in our care to be used in any election material or election publicity surrounding any candidate.

Political Neutrality

- Employees must carry out their duties in a politically neutral way, regardless of any personal political views they may hold.
- If, in the course of their job, an employee is asked to provide assistance with a matter which is party political or is designed to secure the election of any particular candidate, they should politely decline and refer the matter to the Assistant Chief Executive of People.

Use of Council Resources

- Council resources must not be used by employees, councillors or any other person for party political or election campaigning activity. Resources include stationery, typing, printing, photocopying, telephones, faxes, postage, use of computers, e-mail, transport and accommodation.
- Party political or campaign material should not be placed on notice boards or displayed in council buildings.

Use as offices and for public meetings

- If no reasonable alternative can be found, the Council may allow political parties to use its premises as offices, where such facilities are provided on a first-come, first-served basis on normal commercial terms.
- Parties or candidates may use a school room or other listed 'meeting rooms' for a public meeting, in a school within the candidate's constituency. The let will be free of charge, but the Council is entitled to be reimbursed for heating, lighting and other utilities, as well for any damage caused to the room by the let.
- Candidates or their agents are required to give reasonable notice in booking a room and any booking should not interfere with existing arrangements such as prior bookings or school opening hours.
- The Council must also prepare and keep for each constituency which is wholly or partly in its area, a list of rooms in school premises and a list of 'meeting rooms' which candidates are entitled to use. Candidates are also entitled to inspect a list of these rooms during working hours.

Publicity

Councils are prohibited by section 2 of the Local Government Act 1986 from publishing any material which appears to be designed to affect public support for a political party. Publicity is defined very widely. It includes 'any communication, in whatever form, addressed to the public at large or to a section of the public.' It should be noted that these obligations apply year-round, but are particularly sensitive during a pre-election period. In the Highland context this should also be applied to any independent candidate.

Visits to Council Premises by Election Candidates

- As the election approaches, prospective candidates and candidates may wish to visit educational establishments. Every effort should be made to accommodate visits provided that such visits are organised to avoid disruption to the operation of the establishment being visited. If the media is involved in a visit, employees and clients of the Council must not be photographed, recorded or televised with prospective candidates.
- Such visits should be cleared by the Assistant Chief Executive of People and the election team should be informed of the visit.
- Staff and children or adults in the council's care should not be used in any way for publicity which could be construed as supporting any particular candidate.
- However, an individual who lives in a Council residential home or hostel has a right, as an elector, to invite candidates and the media into their own room and, should they wish, be photographed or recorded.
- Whatever decision is reached, it should be applied equally to all parties and candidates.

Employees who wish to support Candidates

- If a council employee subscribes to a nomination paper or is otherwise involved in a personal capacity in supporting the campaign of any candidate for election to the Council, they should not become involved in assisting with the conduct of the polls or the election counts.

If you need clarification of any of the points raised above, please email election@highland.gov.uk

