

Pre-election period (Purdah) guidance for Office of the Kent Police and Crime Commissioner staff

1. Introduction

The Office of the Police and Crime Commissioner (OPCC) is a non-political, impartial organisation which exists to support the work of the elected Police and Crime Commissioner (PCC).

The role of the OPCC in any election (PCC, local or general) is to remain impartial and fair. This document sets out the rules and conventions associated with the pre-election period, the time between when an election is announced and when it is completed – also known as ‘Purdah’. The exact meaning of ‘completed’ varies with different elections; in the case of a general election, the period ends when a new Government is formed.

It should be noted that this guidance does not apply to PCCs (or Deputy PCCs), who are politically unrestricted. Whilst there are key principles PCCs should bear in mind, they have a key political role to play in their local communities, and it is for them to decide whether they wish to play an active role in supporting political colleagues in an election. Fundamentally, should the PCC wish to do so, they will need to distinguish between their public office as PCC and their personal role as a local party politician.

2. Pre-election period

Given the dominance of policing issues generally, the pre-election period is a particularly sensitive time.

During this period, it is important that the OPCC does not act in a manner where its neutrality is called into question by being seen to provide proactive publicity in any form to candidates, parties, groups, associations and/or others involved in an election.

3. Conduct of OPCC staff

OPCC staff are expected to conduct normal OPCC business in a politically-impartial way at all times. However, it is important to exercise even greater care and act with scrupulous impartiality during any pre-election period.

Staff are reminded that all posts within the OPCC are politically restricted. Staff should therefore take care to ensure that any views shared, including on social media, are in context, appropriate and will not bring the OPCC into public disrepute by being seen to support or denigrate one candidate, party, group or association over another.

For the avoidance of doubt, holders of politically restricted posts are prevented from:

- Standing as a member of—
 - a) the House of Commons; b) the European Parliament; or c) a local authority.
- Acting as an election agent or sub-agent for a candidate for Parliament, European Parliament or a local authority.
- Being an officer of a political party or of any branch of such a party or a member of any committee or sub-committee of such a party or branch if his duties as such an officer or member would be likely to require him -
 - a) to participate in the general management of the party or the branch; or
 - b) to act on behalf of the party or branch in dealings with persons other than members of the party or members of another political party associated with the party.
- Canvassing on behalf of a political party or on behalf of a person who is, or proposes to be, a candidate for election to Parliament, European Parliament or a local authority.
(Local Government Officers (Political Restrictions) Regulations 1990 (SI 1990 No 851)

4. Principles

The guiding principle is that staff will refrain from undertaking any activity which could call into question the political neutrality of the OPCC. Staff should test this principle by asking themselves:

- Does the activity appear to (or actually) favour one candidate, party, group or association over another, whether in terms of information or public profile?
- Is the activity likely to affect or influence the outcome of an election?
- Would the request being made compromise the conduct of normal business?

The general principles that will be applied are as follows:

- The OPCC will continue to conduct business in the normal way.
- The OPCC will not announce significant new policies or plans (provided that deferring a decision is not detrimental to the public interest or wasteful of public money).
- Candidates, parties, groups and associations will be treated even-handedly and receive the same level of detail and right of access to information.
- Requests that are clearly political in nature (e.g. personal endorsements, invitations to party events etc.) will be forwarded to the PCC's personal email account and copied to the Head of Strategy and Engagement for information; the OPCC will not deal with the request and it will be deleted without logging.
- The OPCC will not publish material that refers to, or could in any way be construed as being designed to affect support for a candidate, party, group or association.
- Publications (e.g. Newsletters) will continue if they are produced in the ordinary course of business and meet all other pre-election period guidance requirements.
- OPCC (and Force) facilities will not be used for election purposes (e.g. rooms, buildings, IT equipment, telephones etc.)
- Staff must not do something for one candidate, party, group or association that they would not, or could not, undertake for another.
- Staff will not offer political opinions, nor make statements that do not reflect OPCC policy.
- Staff will avoid putting themselves in a position or situation which could be used by a candidate, party, group or association to support their campaign.
- Staff will make themselves aware of the political restrictions and associated responsibilities in relation to elections.
- No material associated with an election will be displayed within the OPCC office.
- Where staff have any concerns or queries, they should be discussed with the Chief Executive.

5. Requests

For information:

- Will be treated as from a member of the public – candidates are not elected representatives and there is no duty to treat them as such.
- Will be directed to the general e-mail account (contactyourpcc@kent.police.uk) or telephoned through on the office number (01622 677055) and logged as per normal.
- In formulating a response, it will be recognised that the information may be exploited for campaigning purposes.
- As per Freedom of Information requests, the cost, time and nature will be considered before providing any response.
- The OPCC will aim to deal with such requests as soon as practicably possible.
- Candidates, parties, groups and associations are not entitled to confidential or restricted information.
- All responses will be included in the Disclosure Log published on the OPCC website.

For a visit/meeting:

- Will be referred to the Chief Executive to consider on a case by case basis.
- The OPCC must continue with business as usual. This may include interaction with MPs and councillors who may become candidates and therefore care must be exercised to say or do nothing which does, or may be appear to, favour a candidate, party, group or association.
- Principle methods of fact finding will be through the OPCC website and requests for information.

For photographs/filming:

- OPCC staff must not be filmed or photographed as part of any campaign.
- All staff must maintain their independence and not be seen to be biased and/or supporting one candidate, party, group or association over another.

To use police imagery:

- Any campaign material which uses police images/livery could appear to show support for a candidate, party, group or association.
- Any requests for use should be referred to the Chief Executive.
- If police imagery is identified in campaign material, the Chief Executive should be made aware.
- Where imagery is used without prior consent, the Chief Executive/Chief Constable will consider the need to request removal or withdrawal.

Any complaint from a candidate will be managed as per current procedures.

6. Handling media enquiries

Media enquiries will be referred to the Communications Manager as per current procedures.

OPCC publicity should not report views, proposals or recommendations in such a way that associates them with, or supports the views expressed by, a candidate, party, group or association. Proactive events arranged by the OPCC in any pre-election period should not involve anyone likely to be standing in an election.

A response by the Chief Executive may be appropriate when claims by a candidate, party, group or association are based upon factually incorrect information or where it is necessary to correct misunderstandings that could impact on confidence in the OPCC and/or the Force.

This policy is subject to revision by the Chief Executive; it was last reviewed in November 2019.

This guidance has been developed taking note of advice published by the Electoral Commission and the Association of Police and Crime Commissioners.