



# Pre-Election Period Guidance 2024

# Information for States Members and Staff

These guidance notes apply to all elections administered by the States of Alderney:

States Members and President as well as By-elections.

The guidance may also be applied to referendums (plebiscite), although specific additional guidance may be required.

It is crucial that projects, initiatives, or organisations funded by the States do not create the potential for allegations that public money is being used in support of a particular candidate.



## Key Points

**While some areas may require more detailed advice, the general guidance during any pre-election period is as follows:**

- ▶ States employees must act in a politically neutral way at all times and there is particular sensitivity around this in the run-up to an election.
- ▶ Extra care must be taken to ensure that any events, publicity or other communications are politically neutral during a pre-election period.
- ▶ States facilities and resources must not be used in support of an election candidate or for political purposes.
- ▶ Unless otherwise stated, normal States business will continue.
- ▶ Staff will respond positively to requests for information or advice from candidates unless stated otherwise in this guidance, or under instruction from the Chief Clerk.

# Statutory Provisions

**The period before an election is sometimes referred to as 'purdah'. This is a period which restricts how the States behave during an election campaign. However, purdah does not mean that all work stops.**

There will however be restrictions on communication activity.

Any communication in whatever form, addressed to the public, or to a section of the public is included.

This is a wide scope and includes:

- Press releases
  - Verbal briefings to the press (with the exception of specific requests for information)
  - Social media updates
  - Letters from States Members to constituents
  - Committee agendas
  - Committee reports
  - Committee minutes
  - Organising events
  - Correspondence
  - Webcasting
- (This list is not exhaustive)*

The States will not publish any material which, in whole or in part, appears to be designed to affect public support for a particular candidate.

Prior to any States related activity, staff should always consider whether a particular act could be perceived as seeking to influence public opinion or to promote the public image of a particular candidate – this is known as the 'Key Test'.

Although these rules apply at all times, there is particular sensitivity in the run-up to an election/referendum.

This is known as the 'pre-election period'. For the 2024 elections this period will begin on Monday 7 October and end on Saturday 16 November.

# Effect of the Restrictions

**The States will continue to operate as close to normal as possible during this period. However, we need to be careful about what messages we communicate to the public.**

The law does not set out in detail what is/is not permissible. This means that a judgement call has to be made on a case by case basis.

The key thing to remember is that if you think a particular activity could appear to be designed to influence the outcome of an election, then you should not do it.

Whilst the guidance does not explicitly rule out facilitating contact between elected members and the public, particular care should be taken if you are considering this.

You should always consider whether there is a need for the communication to be in the name of a States Member, and if it is essential that it's communicated during this period.

As a general rule, we cannot facilitate contact between States Members and the public on matters which are politically controversial.

In the case of States elections, this means we cannot quote Members in media statements; social media; websites and other publications, or involve them in any media events.

However, there is nothing to prevent States Members speaking directly to the media as long as they do not use States facilities to do so.

# Publicity

**The States will continue to publicise its activities and services during a pre-election period in the usual way. However, this must be balanced against the requirement for sensitivity during this period and by applying the 'Key Test'.**

Unless exceptional circumstances apply, statements will be attributed to, or delivered by, the relevant Senior Officer (Chief Clerk, States Treasurer, States Engineer) rather than States Members.

You should consider:

- The content and style of the material.
- The time and circumstances of publication.
- The likely effect of the material on those to whom it is directed.
- Whether the material promotes or opposes a point of view which could be identified as the view of one candidate but not another.
- Whether or not the material contains references to a person identified as a candidate.
- Where the material is part of a campaign, the effect that the campaign appears to be designed to achieve.
- The extent to which the activity is 'business as usual' or where the timing might be beyond the reasonable control of the States.

Prior to arranging any publicity during the pre-election period, staff should in the first instance contact **ceo@alderney.gov.gg**

Any final decision on whether to proceed with the publicity will be taken by the Chief Clerk.

# Opening Ceremonies & Other Events

Official openings, events or major announcements, whether or not specifically designed to attract publicity, should not take place during the pre-election period.

However, on the agreement of the Chief Clerk, such events can be considered 'business as usual' if they can be justified on the grounds of exceptional, unavoidable and / or unforeseen circumstances.

Approved events should generally not include formal roles for States Members and candidates, and they will not feature in any related publicity.

# Media Requests

All media requests for filming or photo opportunities during the pre-election period should be handled as normal via the Press Officer.

Consideration should always be given to ensure there is no chance that the media outlet could be perceived as taking a particular stance in favour of one candidate.

Requests to organise or cover hustings events will normally be permissible on the basis that they are open to all relevant candidates and are organised by the President.



# Further Restrictions on Staff Activity

## Use of States Premises

**In general, the rule is that we are prevented from allowing premises and other resources to be used in a manner that could be perceived as giving support to a particular candidate.**

This includes IT equipment, telephones, stationery, secretarial support and mailing facilities. This is not an exhaustive list and States Members should check if they are not sure what is appropriate.

There are some exceptions:

- ▶ The States may allow candidates to temporarily use its vacant premises as offices where such facilities are provided on a first-come, first-served basis on normal commercial terms.
- ▶ Candidates may use a States Hall or other listed meeting room for a public meeting. The let will be free of charge, but the States will seek to be reimbursed for heating, lighting and other utilities, as well as for any damage caused to the room by the let.
- ▶ Candidates are required to give reasonable notice in booking a room and any booking should not interfere with existing arrangements, such as prior bookings.



## Visits to States Premises by Candidates

**As the election approaches, candidates may wish to visit States owned premises to, for example, meet residents in our residential home, or to be seen within the area, or to become more familiar with States facilities. The following applies in relation to these visits during the pre-election period:**

- ▶ Visits to any States facility/premise must be arranged in advance with the relevant senior manager and through them, with the manager of the facility/premise concerned.
- ▶ Visits must not interfere with the efficient and proper running of the service or facility, taking into account the best interests of the residents/users of the facility.
- ▶ Visits must be of short duration i.e. one – two hours.
- ▶ If, during a visit, it becomes apparent to the manager of the facility/premise that the visit is interfering with the running of the service, then the manager has the right to immediately terminate the visit. In such cases the manager must inform the Chief Clerk.
- ▶ A fair and consistent approach on a States-wide basis must be taken to such visits to ensure that they are not used to signify favour for any candidate. All candidates should have the same or similar opportunities at their request.

It is normal practice for elected representatives to visit States premises as invited guests to organised events. Such events and visits should be avoided until after the close of poll on election day, unless exceptional circumstances apply.

'Business as usual' visits to States premises from sitting politicians on constituency business will generally be permitted; however, these visits should not give rise to references to the election or be used to generate publicity related to the election.

## Visits to States Premises by Candidates

### Young Voters

**With the exception of any centrally organised hustings event, candidates will not be allowed direct access to young voters in St Anne's school during the pre-election period. This is to ensure balance and neutrality and to minimise any potential disruption to learning.**

Some further exceptions where restrictions on visits to States premises will not apply include:

- ▶ States-owned premises rented/leased on a commercial basis, where entry is at the discretion of the tenant/leaseholder.
- ▶ Visits at the direct request of an individual resident of a States-owned house or a resident of the States-owned residential premises.
- ▶ Visits to States premises for business and States meetings.
- ▶ Any activity in a States-managed public open space approved by the Chief Clerk (or nominated deputy).

## **Use of States Premises for Publicity**

**In general, no visits by sitting politicians or candidates to States premises during the pre-election period can be used for publicity purposes, and the media will not be allowed access during any permitted visits. Exceptions may apply in very particular circumstances.**

Any such media request should be directed to the Press Officer who will consult with the Chief Clerk. If the media is involved in an approved visit, States staff must not be photographed, recorded or televised with politicians or candidates.

At no time can States premises be used for the filming of political broadcasts, candidates' posters and campaign materials.

Political posters and election campaign publicity material are not permitted on any States property, including lighting columns, traffic sign poles and street furniture. Any materials that breach this will be removed as a priority.

No political material can be placed on States notice boards or displayed in States buildings. Also, any vehicles that display election or political materials will not be permitted to park within the front yard of Island Hall.

# Other Issues

## Staff Candidature

If a States employee in a law-designated post (chief clerk, states treasurer, states engineer) wishes to stand for election, they must resign their post prior to submitting their nomination.

Other States employees may stand for election to the States without resigning their post, but must resign within one day of the declaration of the results, should they be elected, otherwise they cease to be an elected member and will cause a by-election.

## Staff Other Political Activity

Staff in law-designated posts should not undertake any political activity at any time. Other staff may carry out political activity in their own time.

However, if they are otherwise personally involved in support for a particular candidate, they must not be involved with polling or counting.

## Working Relationships between Staff and Elected Members

Some employees may have a close working relationship with States Members. It is important that this close working relationship is not compromised.

If an employee is asked by a States Member to provide assistance with a matter that is clearly political, or which does not have a clear link with the work of the States, they should politely refuse and inform the States Member they are referring the matter to the Chief Clerk.

This rule also applies if a States Member seeks assistance on behalf of a candidate.

This rule applies at all times, not just during the pre-election period.



States of  
Alderney