

GUIDANCE NOTE G

Information Activities during a General Election

1. The general principle governing information activities during a General Election is to do everything possible to avoid competition with Parliamentary candidates for the attention of the public. In addition, it has always been recognised that special care must be taken during the course of an Election since information material produced with complete impartiality which would be accepted as objective in ordinary times, may excite criticism during an Election period when feelings are running high.

2. This paper gives guidance as to how these principles should be applied. Part I deals with the work of Information Offices in regard to 'free' media and Part II with Paid Media.

3. The Election period should be taken as from the date the General Election is announced, although between that date and the dissolution of Parliament it is in order for the Government to clear business, and make announcements of decisions already taken which would not be appropriate after the dissolution.

PART I - Free Media and Departmental Activities

4. During an Election campaign the Government retains its responsibility to govern and Ministers remain in charge of their Departments. While essential business must continue, by custom Ministers should observe discretion as regards the initiation of any new action of a continuing or long-term character. Guidance on this and other matters, dealing with such things as briefing, the role of special advisers and use of Government

property, can be found in the Election Guidance pack issued by the Cabinet Office (of which this is Note G). Copies can be requested from Permanent Secretaries offices.

5. Departmental Information Services may therefore properly continue to discharge during the Election period their normal function only to the extent of providing factual explanation of current Government policy, statements and decisions. They must be particularly careful not to become involved in a partisan way in Election issues.

6. During the Election period Ministers will continue to have access to the Cab-E-Net database constituting definitive statements of Government policy. Any updating of lines to take, however, should be confined to matters of fact in order to protect the system from serving, or appearing to serve, a party political purpose: lines to take should be confined to factual explanations of existing Government policy. Similarly the strategic diary should be reviewed by private offices when the Election is called in the light of their action on their own diary and confined to Government announcements and official engagements during the campaign period (not beyond). Departments should refer to the Election Business Unit in cases of doubt.

7. Rules for the guidance of Departmental Information Officers should be broadly as follows:

Press Relations

a: In response to questions Departments should, where possible, provide factual information by reference to published material. Specific requests for unpublished material should be handled according to the Code of Practice on Access to Government Information.

b. There is no objection to issuing routine factual press notices - for example figures which are issued on a monthly or regular basis - or drawing attention to and as necessary summarising reports of publicly-owned bodies, independent committees etc which a Department is required to publish.

c. Statements which refer to the future intentions of the Government should not ordinarily be handled by a Department. It would be better if they were made by the appropriate Minister in a political speech which would be handled by the Party organisation. Where a Minister considers it necessary to hold a press conference to make clear the Government's policies on a particular subject of immediate importance, then clearly his or her Department must provide facilities and give guidance.

d. Statements or comments referring to the policies, commitments or perceived intentions of Opposition parties should not be handled by Departments.

e. There is a danger that announcements of new items of Government expenditure or commitments to invest in the future, if handled by the Press Office, would be criticised as providing support for the Party in power. On the other hand, there are bound to be fairly routine announcements of this kind, and it might be inappropriate if they were issued through a political speech and the Party machine, to avoid an outside risk of controversy. Provided a Press Notice is couched in entirely non-controversial language, there should be no objection to the normal procedure. In particular, it is preferable to avoid, in the Press Notice or in the background notes to editors, any recapitulation of the Government's past achievements in the field which is the subject of the announcement. Ultimately, each case must be judged on its merits.

Press Articles, Interviews and Broadcasts by Ministers

8. The normal rules governing press articles, interviews and broadcasts by Ministers are relaxed during the Election period but arrangements for such articles and interviews will normally be made on the political network. Care should be taken by Information staffs in arranging any press interviews for Ministers during this period because of the possibility that such interviews would have a strong political content. Information Officers should remember that the distinction between political and Ministerial broadcasts will be under very close scrutiny during this period. They should not arrange broadcasts through official channels unless they are quite satisfied that the subject is non-controversial.

Press Notices to Parliamentary Candidates

9. Press releases sent to Members of Parliament should cease on the Dissolution of Parliament.

Factual Information

10. The provision of factual information to members of the public, all Parliamentary candidates or to organisations should be in accordance with the Code of Practice on Access to Government Information and the general election guidance issued by the Cabinet Secretary. Where there is any doubt requests should be referred to the appropriate Minister's Private Office.

PART II - Paid Media

11. a. **Exhibitions** which form part of a privately sponsored exhibition should not be withdrawn; but self-contained official exhibitions or privately sponsored ones advocating a politically

contentious policy should not be kept open or opened during the Election period.

Window Displays. Normal display of factual information on official premises may continue but promotional displays should be withdrawn or withheld.

- b. The **Central Film Library** and the **COI Photographs Library** will operate as usual but the political party organisations will be asked, as in previous elections, to agree that films and photographs from the libraries will not be used by the parties during the Election period.
- c. **Printed material** should not normally be given any fresh distribution in the United Kingdom during the Election period, in order to avoid any competition with the flow of Election material. The effect on Departments which distribute posters and leaflets to the public is as follows:-
 - i. **Posters.** The normal display of existing posters on official premises may continue but efforts should not be made to seek display elsewhere. Specific requests by employers, trade unions etc for particular posters may, however, be met in the ordinary way.
 - ii. **Leaflets.** Small numbers of copies of leaflets may be issued on request to members of the public and to Parliamentary candidates. Bulk supplies should not be issued to any individuals or organisations without appropriate approval.

- d. Export promotion stories for the overseas services will continue to be sought by COI staff but it must be made clear on each occasion that this information is needed for use abroad.
- e. Official "filler" films and radio tapes transmitted in intervals or public service periods of TV and radio programmes may be limited in consultation with the BBC and ITC companies.
- f. Advertising. New advertising campaigns will in general be postponed and running campaigns closed. Some advertising, for example recruitment, health and safety might, however, be specifically approved to continue.
- g. Research. Field work involving interviews with the public or sections of it will be postponed or abandoned although regular, continuous and ongoing statistical surveys may continue.
- h. Internet. Similar principles to those set out above apply to material published on Internet and other open data networks.

Facilities for Overseas Visitors

12. Tours for official visitors from overseas are arranged by the Foreign and Commonwealth Office. It will be in the British interest to provide opportunities for these visitors to see how the Election is conducted; and the following instructions are being issued in connection with the arrangements to be made for them (they are on similar lines to those approved by the political parties in previous General Elections).

a. **Tours by official visitors during the election period**

Where it is practicable and acceptable to the political parties, arrangements will be included in the programmes for visits to Party headquarters and committee rooms and arrangements may also be made to attend political meetings. Transport may be provided for these purposes if necessary, but the visitors will not be accompanied.

In addition, arrangements may be made to see polling stations and attend the counting of votes; if so, Regional Officers will be authorised to ask for the assistance of the Returning Officer in providing these facilities; and may escort the party if the visitors so desire and provide transport if necessary.

b. **Other journalists from overseas**

Any foreign journalist - press, television or radio - not being an official visitor, who may ask for assistance should be given the addresses of the central or local Party offices.

Facilities for Information Material for Overseas Use

13. The permission of the political parties will be sought for any photography, filming and sound recording in particular constituencies, for use overseas.

14. In any case of doubt about the application of this guidance in a particular case, Departmental Information Officers should consult the Head of the Government Information Service (0171 273-3757), their Permanent Secretary or the Election Business Unit, Cabinet Office (0171-270 0242).

Copies of more general guidance to civil servants on answering queries from, or providing information to, the public or political parties can be obtained from any of the above sources or the office of the Cabinet Secretary.

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GUIDANCE NOTE H

Statistical Activities during a General Election

Introduction

1. This note gives guidance on the conduct of statistical activities in Government Departments and their Agencies during a General Election campaign. It is being circulated by the Head of the Government Statistical Service to Heads of Profession for Statistics and to Survey Control Liaison Officers in Departments and Agencies. It is in accordance with the general principles identified in the Election Guidance issued to Heads of Departments by the Cabinet Office, of which it forms Note H, and in keeping with the specific guidance issued to Departments on how to deal with enquiries and requests for information in the Election period. The Head of the Government Statistical Service is responsible for promoting the integrity of official statistics and should be consulted in any cases of doubt about the application of this guidance.

Key Principles

2. During a General Election period (from the day on which the Election is called to the day after polling day) statistical activities should continue to be conducted in accordance with the Official Statistics Code of Practice and the Code of Practice on Access to Government Information, while taking great care to avoid competition with Parliamentary candidates for the attention of the public. Civil servants must take care to ensure that they do not engage in

or appear to engage in party politics or be used for party political purposes. This leads to some key guidelines.

Guidelines

3. The greatest care must continue to be taken to ensure that information is presented impartially and objectively.
4. Regular statistical press notices, bulletins and publications will continue to be issued and published. Ad hoc press notices, bulletins or publications should be released where a release date has previously been published or release in the Election period has been clearly intended.
5. Special care must be taken over any face to face briefing and in producing commentary for inclusion in announcements of statistical publications issued during the Election period. Commentary which would be accepted as impartial and objective analysis or interpretation at ordinary times may excite criticism during an Election. It may therefore be prudent to limit announcements of publications to simple statements of title, coverage, price and availability, with further commentary issued after the election as necessary. Ultimately each case must be considered on its own merits and the content of the announcement left to the discretion of the departmental statistician, seeking advice from the Head of Profession for Statistics as appropriate.
6. Departments should handle requests for factual information from candidates, organisations and members of the public in accordance with general guidance issued by the Cabinet Secretary and the Code of Practice on Access to Government Information. There should be even-handedness in meeting factual information requests from candidates from different political parties. If there is any doubt about requests for information, for example if they require information which is other than factual, they should be referred to the appropriate Minister's private office. The Cabinet Secretary's office or

the Election Business Unit in the Cabinet Office should be consulted in cases of difficulty.

7. Requests for advice on the interpretation or analysis of statistics should be handled with care, and the guidance in paragraphs 5 and 6 is appropriate.

8. Requests for guidance on methodology should continue to be met.

9. Requests for small numbers of copies of leaflets, background papers or free publications which were available before the Election period may continue to be met but no bulk issues to individuals or organisations should be made without appropriate approval. Regular mailings of statistical bulletins to customers on existing mailing lists may continue.

10. Regular, continuous and ongoing surveys to individuals, households, businesses or other organisations may continue. So may ad hoc surveys which are directly related to and in support of a continuing statistical series.

11. Ad hoc surveys to individuals, households, businesses or other organisations may give rise to controversy or be related to an Election issue. Where this is likely departments may consider postponing or cancelling them. If this is inappropriate guidance should be sought from the Departmental Head of Profession and, if necessary, the approval of the Minister concerned should be sought for any such ad hoc survey during the Election period. Each case will be judged on its merits, including any costs which would be incurred through cancellation. Non-controversial surveys, not directly related to any Election issue, may proceed, subject to the usual survey control requirement to obtain Ministerial approval for surveys of businesses and local authorities.

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GUIDANCE NOTE I

Use of Government Property

1. Neither Ministers, nor any other Parliamentary candidates, should involve Government establishments in the General Election campaign by visiting them for electioneering purposes.
2. In the case of NHS property, decisions are for the relevant NHS Trust but should visits be permitted to, for example, hospitals, the Department of Health and the Scottish Office advise that there should be no disruption to services and the same facilities should be offered to other candidates. In any case, it is advised that Election meetings should not be permitted on NHS premises.
3. Decisions on the use of other public sector and related property must be taken by those legally responsible for the premises concerned - for example, for schools, the Governors or the Local Education Authority or Trust Board, and so on. If those concerned consult Departments, they should be told that the decision is left to them but that they will be expected normally to treat the candidates of all parties in an even-handed way.
4. Bodies, such as Training and Enterprise Councils, which are private companies but take civil servants on secondment and have close associations with Departments, should be reminded of the need for the civil servants in their employ to avoid compromising their political impartiality. Departments may also wish to warn such bodies that the period of the campaign will be very sensitive and they may wish to take this into account when making press announcements or devising programmes.

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GUIDANCE NOTE J

Major Public and Senior Civil Service Appointments

1. All Civil Service appointments requiring approval by the Prime Minister, other Civil Service posts likely to prove sensitive (eg Agency Chief Executives) or major public appointments (including any requiring the Prime Minister's approval) should effectively be frozen until the Election. This applies to appointments where a candidate has already accepted a written offer. The individual concerned should be told that the appointment will be subject to confirmation by the new Administration after the Election.

2. It is recognised that, should this procedure result in the cancellation (or substantial delay) of an appointment by the new Administration, the relevant Department could be vulnerable to legal action for breach of contract by a disappointed candidate who had already accepted a written offer. To reduce the risk of this happening, Departments might wish to:

- recommend to their Secretary of State the advisability either of delaying key stages in the process, or of consulting the Opposition (eg on a short-list of candidates or a single name for final selection) where an appointment is likely to take effect just before or after an Election;
- issue a conditional letter of offer, making it clear that the formal offer of the appointment will need to be confirmed by a new Administration in the event of an Election being called before the appointment takes effect.

3. In cases where an appointment is due to end between the announcement of the Election and Election Day, and no announcement has been made concerning the new appointment, it will normally be possible for the appointment to be left vacant until incoming Ministers have been able to take a decision either about re-appointment of the existing appointee or the appointment of a new person. This situation is also likely to apply to any appointments made by Letters Patent, or otherwise requiring Royal approval, since it would not be appropriate to invite Her Majesty to make a conditional appointment. In the case of Senior Civil Service posts, Departments may wish to delay the launch of any open competition during an Election period, to give any incoming Minister the option of deciding whether to follow this approach.

4. In those cases where an appointment is required to be made, it is acceptable to re-appoint the existing appointee (or, in the case of senior Civil Service positions, allow temporary promotion or substitution) for a period of up to six months. This will allow time for new Ministers to take a decision for longer term appointment. In any cases of doubt, and particularly where circumstances make it difficult to apply these temporary arrangements, Departments should consult the Prime Minister's Office, even if the appointment is not one on which the Prime Minister would normally be consulted.

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THE PRIME MINISTER

Personal Minute

DEPUTY PRIME MINISTER

In accordance with custom when Parliament is about to be dissolved, I am
issuing general guidance for the use of Ministers during the General Election
campaign. This guidance should be considered to be effective from the
announcement of the Election, although between now and the dissolution of
Parliament it is in order for the Government to clear business and make
announcements of decisions already taken.

2. During the campaign the Government retains its responsibility to govern and
Ministers remain in charge of their Departments. Essential business must be
carried on. It is, however, customary for Ministers to observe discretion over
announcing any new action of a continuing or long-term character.

3. For example, while attendance by Ministers at some international meetings
will probably be essential, Ministers should observe discretion on new initiatives
and consider carefully before giving any international commitments whether they
are able to speak on the subject with the authority proper to a representative of
Her Majesty's government. Ministers attending eg the Council of Ministers of
the European Union are, of course, fully entitled to continue to pursue existing
Government policies.

4. Similarly, Ministers should exercise discretion over making new appointments, eg to statutory boards, for which they are responsible - Ministers should not proceed with major public or Civil Service appointments. These should wherever possible be frozen until after the Election. In any cases of doubt, Ministers should consult me even if the appointment is not one on which I would normally be consulted.

5. During the Election campaign, particular care should be taken by Ministers to ensure that they adhere to section 55 of Questions of Procedure for Ministers - ie that "civil servants should not be asked to engage in activities likely to call in question their political impartiality or to give rise to the criticism that people paid from public funds are being used for Party political purposes". In discharging any Government engagements, Ministers should seek to avoid creating the impression that they are using the engagements for Party political purposes. Neither Ministers (nor any other Parliamentary candidates), should visit Government property for electioneering purposes during the campaign. The use of official transport during the Election campaign should adhere to the following guidelines.

6. During the General Election period, Ministers may continue to use, for official purposes, Government funded transport - ie official cars provided from the Government Car Service, or scheduled or special flights paid for by the Government. Official transport should not be used for journeys connected with the Election, or in a Minister's constituency, except:

- a. when a Minister is in his or her constituency or at another Election engagement and is unexpectedly called back on urgent official business;

b. when it would be more expensive to travel from London (or the Minister's office where this is outside London) to an official engagement and back again, than to travel directly from the Election engagement to the official engagement. In these circumstances, however, Ministers should consider using Party or private transport to travel between the Election and official engagements, and charging the cost of this to the Government if this would be cheaper;

c. when a Minister is travelling from an official engagement to an Election engagement in the Minister's own constituency, within a reasonable distance of London (or the Minister's office where this is outside London), where the Minister has a house in which he or she intends to spend the night, and other means of transport are not conveniently available. In this case, the journey by official car should be to the Minister's house, and other transport should be used for the journey from the house to the Election engagement.

Where the security authorities exceptionally consider it essential for Ministers to continue to use their official cars for private or Party purposes, they may do so. Such a Minister should only very rarely have to use a special flight rather than an official car to travel to an Election engagement, and, with the exception of NIO Ministers, they should not do so without my express permission.

7. The principle of collective responsibility continues to apply during the campaign, although Ministers may wish to range wider in their speeches than normal. The normal rules governing press articles and interviews by Ministers are set out in Questions of Procedure for Ministers, paragraphs 90-96. After Parliament has been dissolved greater freedom is allowed. Ministers may give

interviews to the press and, as during previous campaigns, when Parliament has been dissolved they may also write articles in any newspaper promoting the Government's aims or defending its policy. No payment may, however, be accepted for such articles. As soon as the Election is over, the normal rules will again apply.

8. Candidates and spokesmen will be invited to broadcast on behalf of their Party during the Election. All arrangements for such broadcasts should be made through Conservative Central Office, not through Departments. Ministers may be asked, particularly after Nomination Day, to take part as candidates in constituency broadcasts on local radio or television. Ministers are free to accept such invitations as they think fit; but should not accept payment for them. While there may be the occasional case where it would be right for a Minister to accept an invitation to broadcast on overseas radio or television during the Election period, such invitations should not be sought and should normally be declined.

9. I am establishing an Election Business Unit in the Cabinet Office, under the supervision of Robert Cranborne. As well as providing general advice to Departments on the handling of enquiries, the Election Business Unit will co-ordinate enquiries from Conservative Central Office and others on issues requiring inter-departmental checking of statements to ensure their factual accuracy and consistency with Government policy. Detailed guidance will be issued separately to all Departments giving advice on the handling of all correspondence and enquiries during the Election period.

10. I am copying this minute to Ministers in charge of Departments.

John Major