

# Council Policy

## Public Communications by Elected Members in a Pre- Election Period

Effective date: 1 June 2022  
Review date: March 2025  
File reference: 101200

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# 1. Background

Elected Members seeking re-election will continue to make decisions as members of the Council while at the same time campaigning as candidates for re-election to Council. If Council promotes the re-election prospects of any Elected Member, it would be in breach of the Local Electoral Act 2001 and the election result could be overturned. This policy gives effect to the principles for managing public communications during a pre-election period developed by the Controller and Auditor General and sets out the best practice guidelines associated with those principles as well as the protocols developed by the NZ Society of Local Government Managers.

## 2. Definitions

**Communication** means any communication where Council meets the cost (either wholly or in part), or the Elected Member makes the communication in an official capacity on behalf of Council. Examples include the Council newsletter, Council's website or social media, media releases and media statements.

**Elected Member** means any incumbent member elected to the Kawerau District Council as a Councillor or the Mayor.

**Pre-election period** means the period beginning three months before polling day and ending with the close of polling for any election for the Kawerau District Council.

## 3. Objectives

The objectives of this policy are:

- To give effect to principles 12 and 13 for public communications in a pre-election period contained in the publication 'Good Practice for Managing Public Communications by Local Authorities' by the Controller and Auditor General, and
- To set out protocols to enable Elected Members to balance the dual role of being an incumbent member of Council and a candidate for re-election to Council.
- To provide clear guidelines, which clearly direct Elected Members, staff and advisers how these principles and the protocols developed by the NZ Society of Local Government Managers are to be applied to the public communications of Kawerau District Council.

## 4. Principles

This policy is based on the following principles:

**Principle 12** Council must not promote, nor be perceived to promote, the re-election prospects of any Elected Member.

**Principle 13** Council's policy should recognise a risk that communications by or about Elected Members in their capacities as spokespersons for Council, during a pre-election period could result in the Elected Member achieving electoral advantage at ratepayers' expense. The chief Executive Officer (or his or her delegate) should actively manage the risk in accordance with relevant electoral law.

## 5. Application

This policy applies to public communications by incumbent Elected Members during the pre-election period of any election held for the Kawerau District Council. In 2022 the period begins on Friday 8 July 2022.

## 6. Policy Statement

### Protocols

6.1 Elected Members seeking re-election must clearly and transparently differentiate between activities conducted as an incumbent Elected Member and activities conducted while campaigning for re-election.

6.2 Resources owned by the Council and made available to Elected Members should only be used for Council purposes. The use of Council resources for election purposes is unacceptable. This includes Council-owned computers and mobile phones, social media, email addresses and publications.

6.3 Council-run social media accounts are considered Council resources and must remain politically neutral during the pre-election period.

6.4 Elected Members will continue to have access to the information they need to discharge their roles as incumbents. Council staff will not provide assistance with electioneering activities.

6.5 Council resources provided for Mayoral use should not be used for any electioneering activities associated with any candidate. Guidelines

6.6 Staff will have editorial control over the Council Newsletter and any other Council publications produced during the pre-election period.

6.7 Elected Members will not produce Mayoral or Members' columns in the Council

Newsletter or any external publications during the pre-election period.

6.8 Any material on Council’s website that could be perceived as breaching principles 12 or 13 will be removed for the duration of a pre-election period.

6.9 Elected Members seeking re-election must not comment on, share or otherwise use Council social media channels for electioneering.

6.10 Mayoral staff should identify any information or other requests during the pre-election period as either business as usual or campaign related and ensure that these are kept separate and responded to appropriately.

6.11 Elected Members should check with the Chief Executive Officer or the Electoral Officer before using any Council resources to communicate with constituents.

## 7. Relevant Delegations

The Chief Executive Officer or his/her nominee has delegated authority for the implementation of this policy.

## 8. References and Relevant Legislation

- The Controller and Auditor General (April 2004); ‘Good Practice for Managing Public Communications by Local Authorities’
- SOLGM (2019); ‘Election Protocols for Elected Members’.
- Local Electoral Act (2001)

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