

Local Authority Elections 2022

Guidelines for Elected Members

Local government elections are held every three years. In 2022, the elections will be held on Saturday 8 October. The period leading up to an election is a time of high interest from parties including the media, members of the public, and electoral candidates. Officially, the period three months from polling day is known as the pre-election period and runs from 15 July 2022 to 8 October 2022.

As an incumbent elected member seeking re-election, you have two roles. You will continue to make the decisions of your council as members of the Council or its community boards, while at the same time campaigning for re-election as a candidate.

These protocols provide guidance for you to balance your dual role as elected members and candidates seeking re-election. It also seeks to ensure all candidates, whether incumbents or not, have a fair and equitable opportunity to participate in the democratic process. For further guidance or for clarification, please contact your Democracy Services team in the first instance.

Key Dates for the 2022 Elections

- 15 July – nominations open.
- 12 August – nominations close.
- 16 to 21 September – voting documents delivered to households (voting starts).
- 8 October – voting closes at noon, results announced as soon as practicable after.

Summary

1. If you are standing for re-election, you must clearly and transparently differentiate between activities conducted as an incumbent elected member (e.g., business-as-usual activities) and activities conducted while campaigning for re-election.
2. Resources owned by the Council and made available to you 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 channels, email addresses and publications.
3. Council-run social media accounts are considered Council resources and must remain politically neutral during the election. You must always comply with any social media guidelines for candidates.
4. You will continue to have access to the information you need to do your job as an incumbent. Council officers will not provide assistance with electioneering activities.
5. These protocols have general application at all times but are especially relevant in the three months before the local election (Friday 15 July – Saturday 8 October). It is your responsibility to ensure your behaviour falls within these guidelines.

Protocol 1: Continuation of Council business

The normal business of Council continues during the pre-election period. Incumbents seeking re-election must balance and differentiate between these two roles.

Leading up to the election, elected members continue to have the right and responsibility to govern and to make decisions.

However, you should be mindful of an increased level of media and public scrutiny during this period and make a clear and transparent distinction between your activities as an **elected member** and your activities as a **candidate**.

Protocol 2: Use of Council resources

A local authority must not promote, nor be perceived to promote, the re-election prospects of a sitting member. The use of Council resources for re-election purposes is unacceptable.

Council would be directly promoting a member's re-election prospects if it allows incumbent elected members to use Council resources¹ explicitly for campaign purposes. This includes all Council communications facilities (such as Council branding, stationery and postage, social media channels, and communications devices).

Council communications will be restricted during the pre-election period, to remove any perception that the Council is helping incumbents to promote their re-election prospects over other candidates.

Therefore, during the pre-election period:

- Council resources must not be used for campaigning purposes (including for positions not at your Council). This includes Council-supplied computers, social media channels, email addresses, mobile phones and telephone numbers.
- Elected members' columns in Council publications will be suspended.
- Elected members will be required to comply with any Council social media guidelines for candidates in all aspects of their role.
- Opportunities for elected members to act as Council spokespersons will be minimised. In general Council communications (such as media quotes) during the pre-election period will be attributed to Council staff (who are authorised media spokespersons).

Your Council contact information will still be available (for example on the Council website or in the Annual Report) so your constituents can contact you about Council business. However, you should not be using your Council-supplied email address or mobile phone for electioneering purposes. If someone contacts you regarding the election on either of these channels, **you should reply from your personal email address or mobile phone**.

¹ Council resources include, but are not limited to, Council-owned or -controlled property and other resources including the Council logo and branding, all Council marketing and communication channels (including social media), Council-supplied business cards, stationery, computers, email, mobile phones, photocopiers, cars, Council venues (other than those available for hire to the general public), Council funds, and Council's human resources.

Protocol 3: Social media

Council's social media channels are Council resources and must remain politically neutral during the election. Elected members seeking re-election should not comment on, share, or otherwise use Council social media channels for electioneering.

Advice on how to use social media effectively and safely during the election period is contained in Appendix 1.

Council's social media channels will always remain neutral. Council will promote elections and the importance of voting but will not associate these posts with any candidates.

Please note that for the period of the election:

- Council's social media channels must not be used by anyone for campaigning purposes. Any campaign-related material (including posts related to nominations and candidacy) will be removed.
- Council social media accounts will not follow any candidates. This may result in your account being unfollowed.
- You may not reply to comments or posts on Council's social media channels encouraging people to like or follow your social media accounts.
- You may not rate, review, check-in or tag the Council's social media channels in your own posts or comments.

Protocol 4: Availability of information

Elected members will have access to the information they need to discharge their roles as incumbents and their Council contact information will still be publicly available. However, Council officers will not provide assistance with electioneering activities.

You will continue to be supported in your role as an incumbent elected member, including by your Democracy Advisor (or in the case of the Mayor, his Executive Assistant). However, information requests should be clearly related to Council business and not for re-election purposes.

Information requests for election purposes are welcome. These should be made to the CE Office and will be carried out in accordance with the Local Government Official Information and Meetings Act 1987.

Where the Council supplies information that is not already in the public domain to a candidate, the Council may consider any broader interest in this information alongside the requirement that Council resources are not used to give an electoral advantage to any candidate, and at the CE's discretion make this information available to all other candidates.

Protocol 5: Use of Mayoral resources

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

If an incumbent mayor is seeking re-election a clear and transparent distinction will be made between that mayor's business-as-usual activities and the mayor's campaigning activities.

The incumbent mayor's office will establish systems and protocols to ensure that any information or other requests from the public, media, other elected members or council employees during the pre-election period are identified as either business as usual or campaign related and to ensure that these are kept separate and responded to appropriately.

Application of protocols

As an elected member seeking re-election, it is ultimately your responsibility to ensure that your behaviour falls within these guidelines.

If you are unsure as to whether a particular action or request is in breach of these protocols, you should seek advice from your Electoral Officer (Dale Ofoske) or Deputy Electoral Officer (Caroline Wilson) as soon as possible.

Review

These guidelines will be reviewed every three years before the nomination period opens for elections.

Appendix 1

Social Media Guidance for Candidates

A big part of being a councillor or community board member is engaging with the community – social media is a useful tool for this. However, during the election period, the following guidelines for candidates apply to your interactions with council social media channels.

Candidates must comply with the following guidelines for social media use and presence related to campaigning:

Things to be aware of

- Election advertising, using any media, including social media, must identify the person under whose authority they have been produced, as per sections 113-115 of the Local Electoral Act 2001. This means in your profile photo/bio, you must have a statement saying that all content/images on your social media channel are authorised by you or your agent. You must include a physical address in the authorisation statement.
- The Council's social media accounts are not permitted to be used as a communications channel by anyone (candidates or members of the public) for promotion, electioneering or campaigning. This also applies to all social media accounts owned by Council-controlled organisations.
- The Council's social media accounts are constantly monitored, and any campaign related, or electioneering content will be removed immediately.
- If Council already follows your public social media accounts, please note you will be unfollowed 3 months prior to the election date. This protocol is in line with the Local Electoral Act 2001.
- Any social media post – positive or negative – made by any individual specifically relating to their own – or someone else's – nomination, intention to run for Council, or election campaign, will be removed immediately.
- Candidates must not link their own social media accounts (if they are used for campaigning purposes) to the Council's social media accounts.
- Candidates may engage with FNDC social media posts (react, share or comment), provided their engagement is not deemed to be campaigning. Any such activity will be removed immediately. This also applies when sharing FNDC content to a candidate's own social media. You may be asked to remove this where it breaches protocol. Refer to the Taituarā and LGNZ guide for guidance on, "Communications in the Pre-Election Period" for examples.
<https://www.lgnz.co.nz/assets/Uploads/Pre-election-communications-2021.pdf>
- The Council's social media accounts will remain neutral. Council will promote elections and the importance of voting but will not associate these posts with any candidates.
- Resources that have already been produced and made available publicly through Council's digital channels may be shared to educate or inform people about what council does. However, we will not supply original versions of these assets to candidates.