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8 MARCH 2019

L01-19 | CODE OF RECOMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY (ENGLAND)

A code of recommended practice on local authority publicity ('the Code') was issued on 31 March 2011. By virtue of s.6 of the Local Government Act 1986, the Code applies to parish councils.

It is recommended that parish councils follow the Code, which is available via the following link: https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity .

Paragraph 28 of the Code says:

"Local authorities should not publish or incur expenditure in commissioning in hard copy or on any website, newsletters, newssheets or similar communications which seek to emulate commercial newspapers in style or content. Where local authorities do commission or publish newsletters, newssheets or similar communications, they should not issue them more frequently than quarterly, apart from parish councils which should not issue them more frequently than monthly. Such communications should not include material other than information for the public about the business, services and amenities of the council or other local service providers".

Paragraphs 34 and 35 of the Code apply in the lead up to parish council elections. They are set out below.

"During the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or report views or proposals in such a way that identifies them with any individual members or groups of members. Publicity relating to individuals involved directly in the election should not be published by local authorities during this period unless expressly authorised by or under statute. It is permissible for local authorities to publish factual information which identifies the names, wards and parties of candidates at elections.

In general, local authorities should not issue any publicity which seeks to influence voters. However this general principle is subject to any statutory provision which authorises expenditure being incurred on the publication of material designed to influence the public as to whether to support or oppose a question put at a referendum. It is acceptable to publish material relating to the subject matter of a

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referendum, for example to correct any factual inaccuracies which have appeared in publicity produced by third parties, so long as this is even-handed and objective and does not support or oppose any of the options which are the subject of the vote".

The Local Government Association has published a short guide to publicity during the pre-election period in respect of the forthcoming local government elections in May. This confirms that for elections on 2 May 2019, the latest date the pre-election period (that is, the purdah period) could start is 26 March 2019. The guide is available via the following link: https://www.local.gov.uk/our-support/purdah

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