

Election protocols for elected members

Updated for the 2022 local elections

Context

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 for many people in the community including the media, members of the public, and electoral candidates.

Incumbent elected members seeking re-election have two roles.

- First, continue to make the decisions as a member of the Council or its Community Boards.
- Second, simultaneously campaigning for re-election as a candidate.

The two roles can, at times, appear to be in conflict and require careful management.

The protocols in this document provide guidance to successfully and appropriately balance these dual roles as an elected member and a candidate seeking re-election. For further guidance or clarification, please contact the Electoral or the Deputy Electoral Officer. Contact Mark Low, Electoral Officer, on mark.low@timdc.govt.nz in the first instance.

Summary

1. Incumbent members standing for re-election 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 incumbent members should only be used for Council purposes. The use of Council resources for election purposes is unacceptable and includes social media channels, email addresses and publications. An exception is made for technology devices such as mobile phones, iPads, laptops or computers (see clarification under Protocol 2). However, where these are used, responses must clearly be via a private email address (e.g. xxx@gmail.com) and not use the incumbent elected member's Council email address (if applicable).

3. Council-run social media accounts are considered Council resources and must remain politically neutral during the election. Incumbent members must comply with any social media guidelines for candidates at all times (see Appendix 1 of this document).
4. Incumbent members will continue to have access to the information needed to do their job as an incumbent elected member. Council officers must not provide assistance with electioneering activities, nor is it acceptable to request that Council officers provide support for electioneering activities. It is important to note the role of a Councillor does not stop three months before polling day – they should and are expected to fulfil their elected member and "business as usual" duties on behalf of the Council up until polling day. There is no lacuna or gap in an elected member's three-year term.
5. These protocols have general application at all times, but are especially relevant in the three months before the local election (Friday 8 July – Saturday 8 October), which is the **‘pre-election period’**. It is the sole responsibility of all candidates to ensure that their behaviour falls within these guidelines at all times.

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.

Elected members seeking re-election cannot use a Council funded slot via any medium (e.g. newspaper, radio or social media) for electioneering purposes. If elected members are invited to use an existing Council funded slot for “business-as-usual” work to fulfil their ongoing responsibilities as a member of the incumbent Council and without undertaking any electioneering, they cannot reasonably be seen to be receiving an, "electoral advantage at ratepayers' expense". Consequently, these opportunities may be restricted over the election period.

Similarly, whether or not a mayoral column in a Council newsletter represents a form of electioneering needs to be judged on the nature of the content and how it is presented. However, elected members should be mindful of an increased level of media and public scrutiny during this period and make a clear and transparent distinction between activities as an **elected member** and activities as a **candidate**.

All employees are expected to act with political neutrality to ensure the work of Council is not disrupted. Employees will continue to support incumbent elected members in their ongoing Council roles. During an election year and particularly during the pre-election period, additional care must be taken to ensure that activities are not seen, in any actual or perceived way, to support or prefer one candidate over another.

Governance staff who provide dedicated support to Chairpersons and Elected Members will continue this support for the purpose of assisting elected members in their current role. However, Council employees must not and will not provide any assistance relating to electioneering activities.

The Chief Executive is responsible for setting appropriate Election protocols for employees.

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, postage and social media channels).

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 at other councils) (see clarification below)
- Elected members' columns in Council publications will be suspended
- Elected members' radio slots will be suspended
- Elected members will be required to comply with any Council social media guidelines for candidates in all aspects of their role (see Appendix 1 of this document)
- Support for writing speeches, media releases, etc, for elected members by Council employees or contractors will be restricted to Council supported activities or events

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.

- Access to Council resources for members to issue media releases will be limited to what is strictly necessary to communicate current Council business. Comments or quotations from the Mayor, chairpersons, and portfolio leaders will continue to be used in media releases setting out the Council's position on an issue (for example, where a decision has been made at a committee meeting). Officers will comment on or issue media releases as required

For clarification:

- Elected members can use council-provided technology devices but must use a private email address (e.g. xxx@gmail.com)
- Elected members can use the work mobile phone, if applicable, provided that the Council is not meeting the cost of calls relating to campaigning as part of the Council monthly reimbursement
- Elected members must not link their own Facebook page and social media channels (if they are used for campaigning purposes) to the Council's Facebook page and social media channels, and must ensure that they have the appropriate authorisation at all times on these pages
- If elected members choose to use their mobile phone for campaign related calls, they need to review their bill to identify calls that related to the campaign, to ensure that the Council paid allowance is not used to cover them. In other words, the onus is on the elected member to satisfy themselves that the allowance they get from Council is for Council-related business, and not for campaigning. If it is not, then please advise the Governance and Executive Support Manager so that they can ensure that the correct Council allowance is paid
- If elected members prefer not to have to review their mobile accounts in this way, then it is recommended they use a different mobile phone/number for campaign purposes
- Elected members may refer to their mobile phone number in campaign related materials as long as it is not identified with the Council, for example, it would be inappropriate to use text like 'call me on my Council mobile number xxx'
- Elected members may not use the main council office address as their business address for the purpose of campaign advertisements in terms of the Local Electoral Act
- Where information is supplied to a candidate for campaign purposes, the information should be made available to other candidates on request (see Appendix 2 for procedure)

The Council contact information for elected members will still be available (for example on the Council website or in the Annual Report) so that constituents can contact them about Council

business. Elected members should not be using their Council-supplied email address for electioneering purposes. If someone contacts an elected member regarding the election on this channels, **they should reply from their personal email address.**

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 must follow any Council social media guidelines (see Appendix 1 of this document) for candidates at all times, and not comment on, share, or otherwise use Council social media channels for electioneering.

Council have produced a set of social media guidelines for candidates, attached as Appendix 1 to this protocol. Elected members should comply with these guidelines at all times.

Council's social media channels will remain neutral at all times. 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 the accounts of elected members being unfollowed
- Elected members may not reply to comments or posts on Council's social media channels encouraging people to like or follow their social media accounts
- Elected members may not rate, review, check-in or tag the Council's social media channels in their 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.

Elected members will continue to be supported by Council officers for the purpose of fulfilling their responsibilities as an incumbent. This includes their ability to seek and be provided with information relating to "business-as-usual" activities of Council.

However, where an incumbent elected member standing for re-election requests Council information that is deemed to be for electoral purposes, a separate process will apply.

These requests should be made to the relevant Executive Support Assistant and will be carried out in accordance with the Local Government Official Information and Meetings Act 1987. Appendix 2 outlines the process by which these information requests will be treated.

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 its discretion make this information available to all other candidates. Where such information is made available publically it will be posted to Council's website, via www.timaru.govt.nz/elections. See Appendix 2 for more details.

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. An incumbent Mayor seeking re-election will establish a separate office, with separate employees, for any campaigning activities at their own expense.

The incumbent Mayor's existing Council 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 ensure that these are kept separate and responded to appropriately.

Application of protocols

It is ultimately the responsibility of elected members seeking re-election that their behaviour falls within these guidelines.

If elected members are unsure as to whether a particular action or request is in breach of these protocols, they should seek advice from the Electoral Officer or the Deputy Electoral Officer as soon as possible.

Appendix 1 - Timaru District Council Social Media Guidelines for Candidates

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 the profile photo/bio there must be a statement saying that all content/images on your social media channel are authorised by the elected member or agent. A contact address must be included in the authorisation statement (such as a residential or business address, email address or phone number), and the Council's main office address cannot be used
- The Council's social media accounts (listed below), including but not limited to Facebook, Twitter, Instagram, LinkedIn and Neighbourly, 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 the public social media account of any elected members, please note that these will be unfollowed three 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 cannot reply to the Council's social media posts or share with a comment encouraging people to like or follow their own social media accounts or any other electioneering tool. Any posts that do this 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 cannot rate, review, check-in or tag the Council's social media channels

- The Council's social media accounts will remain neutral. Timaru District Council will promote elections and the importance of voting but will not associate these posts with any candidates

For the sake of clarity, Timaru District Council's and its CCO's web and social media accounts are listed below.

Social media channel list

Facebook	
Timaru District Council	https://www.facebook.com/TimaruDC/
South Canterbury Museum	https://www.facebook.com/SCMuseum/
Caroline Bay Trust Aoraki Centre (CBay)	https://www.facebook.com/CBayAquaticCentre/
CBay Fitness	https://www.facebook.com/CBayFitness/
Timaru District Libraries	https://www.facebook.com/timarudistrictlibraries/
Aigantighe Art Gallery	https://www.facebook.com/aigantigheartgallery/
Venture Timaru Development	https://www.facebook.com/venturetimaru
Venture Timaru Tourism	https://www.facebook.com/welovetimaru/
Instagram	
Timaru District Council	https://www.instagram.com/timarudistrict/
Aigantighe Art Gallery	https://www.instagram.com/aigantigheartgallery/
Venture Timaru Tourism	https://www.instagram.com/venture_timaru_tourism/
YouTube	
Timaru District Council	https://www.youtube.com/user/TimaruDC/
Linked In	
Timaru District Council	https://www.linkedin.com/company/timaru-district-council

Some things elected members can do

It's a good idea for elected members to encourage people to follow their social media accounts while campaigning, and include it in any promotional material. It's a great way to engage with the public – elected members can ask questions, run polls, encourage people to register to vote, remind them of important dates, and then actually vote!

Great images are important on social media – elected members could post pictures from the campaign trail, or post videos explaining who they are and what they stand for. Elected members may have people who are happy to be filmed sharing why they will be voting for them – seeing other members of their community may encourage people to vote.

Facebook

- It's a good idea to have a public figure Facebook Page with a clear, recent profile picture. Photos taken by Council cannot be used
- Set-aside budget for Facebook advertising to reach voters. Elected members need to become authorised to run ads with political content. Facebook has helpful info on this, via <https://www.facebook.com/gpa/resources/advertising>
- Facebook has a helpful guide about using Facebook to engage with voters and build an online community, via <https://www.facebook.com/gpa/> and <https://www.facebook.com/gpa/blog/how-to-use-facebook-groups-to-connect-with-constituents-voters-and-supporters>

Twitter

- Create a Twitter account. New Zealander's can be very active on Twitter, especially when it comes to political discussions. See what hashtags are trending for the election. Follow prominent locals, and if followed by someone, follow them back
- Think of Twitter more like a newsfeed or forum to release information
- For elected members, Twitter is a great platform to get involved in conversation and engage the public in the issues they are passionate about, i.e. let people know what they stand for/what they want to change, give people the chance to share their views and explain the reasons for the changes they want to make

Neighbourly

- Elected members can set up a personal profile on Neighbourly (if they do not have one already) and then they can add a special candidate pin to their profile picture so the community knows they are a candidate. On this platform they can speak directly to their ward and let the community get to know them and see what upsets them/what they care about. Neighbourly often runs special groups for local elections that they can be part of. Visit neighbourly.co.nz/help for more info.

Instagram

- Instagram is all about photos. Elected members can feature a single photo or a collage of photos that will show up on their follower's feeds. They want to drive engagement, not just reach, so remember to focus on quality rather than quantity. Instagram is most successful when personal stories are told and pictures are posted that give the public greater insight into the campaign, rather than promotional images.
- Stories are a great way to group photos into albums. They might be used to share behind the scenes, promote an event, or focus on a specific issue. Elected members can also customise Stories by adding music, text, emoji or even polls so they can make them more interactive and add a bit of their own personality.

Appendix 2: Procedure for Council Information requests from candidates

Where Council information is requested by and supplied to a registered candidate (including a current elected member) it should be assumed that the information may be used for campaign purposes. If deemed to be substantive and of electoral interest, the information will also be made available to other registered candidates as well.

Information requests from candidates will be coordinated through an Executive Support Assistant; for the 2022 election, the Executive Support Assistant that will manage this process is Kerry Purcell.

This applies where a request for information is received by any employee for campaign purposes, and that information is not already publicly available through an existing medium, e.g. the Council website.

The process for requests deemed substantive and of electoral interest:

- 1) Information request received by an employee from a candidate. If an employee is unsure whether this information is for campaign purposes, they should check with their Group Manager or Director.
- 2) Request forwarded to Executive Support Assistant (Kerry Purcell)
- 3) Executive Support Assistant determines answer to question(s) with assistance from relevant Group Manager or Director, and replies to request
- 4) Question and answer published under Candidate Information section on www.timaru.govt.nz/elections

Note: any information requests received from candidates that are not deemed to be substantive and of electoral interest should be responded to in accordance with standard Council processes.

The Local Government Official Information and Meetings Act and the Privacy Act will apply to all requests for Council information.