



BRIEFING PAPER

Number 5262, 21 April 2017

'Purdah' before elections and referendums

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Summary

The term 'purdah' is in use across central and local government to describe the period of time immediately before elections or referendums when specific restrictions on the activity of civil servants are in place. The terms 'pre-election period' and 'period of sensitivity' are also used.

The pre-election 'purdah' period before general elections is not regulated by statute, but governed by conventions based largely on the Civil Service Code. The Cabinet Office issues guidance for civil servants in UK government departments, and the staff and members of non-departmental public bodies (NDPBs) and other arm's length bodies (ALBs) on their role and conduct during election and referendum campaigns. This is available on the Cabinet Office website.¹

Guidance for civil servants for the 2017 General Election was issued by the Cabinet Office on [20 April 2017](#). The pre-election period for the 8 June General Election will start on midnight on Friday 21 April 2017.

[Guidance for civil servants](#) for the local elections on 4 May 2017 was published on 10 April 2017.

There is statutory guidance for local authorities about publicity during the period just before local elections. The pre-election period is defined as beginning with the publication of notice of the election. In 2017, the latest date for the publication of the notice of election in England and Wales was 27 March 2017. In Scotland, returning officers were directed to publish notice of elections on the earliest day possible, which was 13 March 2017.

The [Code of Recommended Practice on Local Authority Publicity](#) is issued under section 4 of the *Local Government Act 1986*. The Local Government Association has published [Purdah: a short guide to publicity during the pre-election period](#) which gives further information.

The [guidance](#) for civil servants on their role and conduct during the election campaign period before the elections (including the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly elections) on 5 May 2016 was published on 24 March 2016. A ministerial statement gave details of the different 'purdah' periods for the different elections on 5 May 2016:

The period of sensitivity preceding the local, mayoral and Police and Crime Commissioner elections starts on 14 April, and in relation to the devolved administrations from 24 March for the elections to the Scottish Parliament; 30 March for the Northern Ireland Assembly; and 6 April for the National Assembly for Wales.²

Separate [guidance](#) was issued by the Scottish Government for civil servants in Scotland before the 2016 Scottish Parliament elections and the Welsh Government has also published [guidance](#) for its staff before the National Assembly elections. The Northern Ireland Executive published [guidance](#) on 7 March 2016.

The pre-referendum period for the EU referendum began on 27 May 2016, which was 4 weeks before the poll on 23 June 2016. The period before referendums is regulated by the *Political Parties, Elections and Referendums Act 2000*. During the pre-referendum

¹ [Election and referendum guidance for civil servants](#), GOV.UK

² [HC Deb 24 March 2016 c72WS](#)

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period before the EU referendum, central and local government were prohibited from publishing material relating to the referendum although some exemptions applied.

In April 2017, the Public Administration and Constitutional Affairs (PACAC) Select Committee published a [report](#) on the lessons to be learned from the EU referendum. As part of that inquiry it considered the operation of the 'purdah' restrictions on referendums included in the *Political Parties, Elections and Referendums Act*.

1. UK Government civil servants

1.1 General elections

The Cabinet Office issues guidance for civil servants in UK departments on their role and conduct during election campaigns. This is available on the Cabinet office website.³

The term 'purdah' is still used by many to describe this period although the Cabinet Office's guidance for civil servants issued in 2010 and 2017 did not use the word 'purdah' itself. In 2010 the guidance referred to the campaign period before the general election and the latest guidance uses the phrase 'election period'. A PQ answered on 21 January 2015 about the impending 2015 general election described this period as 'pre-election purdah'.

Under the *Fixed-term Parliaments Act 2011*, elections should now take place every five years, unless an early election is triggered. The next general election was due in May 2020.

Following the Prime Minister's announcement of Tuesday 18 April 2017 and the vote in Parliament the following day, an early election was triggered.⁴

On 20 April 2017 the Cabinet Office issued guidance on the pre-election period for the 8 June 2017 General Election. It announced the 'election period' would start at midnight on Friday 21 April 2017.⁵ The guidance includes a section on handling constituency correspondence.

The general principle is that:

During the election period, the Government retains its responsibility to govern, and Ministers remain in charge of their departments. Essential business must be carried on. However, it is customary for Ministers to observe discretion in initiating any new action of a continuing or long term character. Decisions on matters of policy on which a new government might be expected to want the opportunity to take a different view from the present government should be postponed until after the election, provided that such postponement would not be detrimental to the national interest or wasteful of public money.⁶

The principles underlying the conduct of civil servants in a general election are an extension of those that apply at all times, as set out in the [Civil Service Code](#).

It is also a requirement of the Ministerial Code that Ministers must not use government resources for party political purposes and must uphold the political impartiality of the Civil Service.

³ [Election guidance for civil servants](#), GOV.UK, accessed on 10 July 2015

⁴ For more information on the Act see the Library [briefing Fixed-term Parliaments Act 2011](#)

⁵ Cabinet Office, [General election guidance 2017](#), 20 April 2017

⁶ Ibid, p3

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In the past, the pre-election period for a general election commenced with the announcement of the election by the Prime Minister. For example, for the 2010 General Election, Parliament dissolved on 12 April 2010 but the Cabinet Office guidance on the pre-election period took effect on 6 April 2010, the day the election was announced.⁷

The situation was slightly different in 2015. Under the provisions of the *Fixed-term Parliaments Act*, the 2015 general election had to be held on 7 May 2015 and Parliament had to be dissolved on 30 March 2015.

The Government announced that the pre-election period would commence on 30 March 2015, the same day as the dissolution of Parliament.⁸

1.2 Local elections

[Election guidance for civil servants](#) working in UK government departments, and the staff and members of non-departmental public bodies (NDPBs) and other arm's length bodies (ALBs), for the May 2017 local elections was published on 10 April 2017.

The period of sensitivity for UK Government civil servants preceding the local and mayoral elections is not fixed to any particular date, but the general convention is that particular care should be taken in the three weeks preceding the elections - in this case from 13 April 2017.

Ministers will continue to carry out their functions in the usual way and civil servants will continue to support their ministers in their work but the following general principles should be observed by all civil servants, including special advisers:

- particular care should be taken over official support, and the use of public resources, including publicity, for government announcements that could have a bearing on matters relevant to the elections. In some cases it may be better to defer an announcement until after the elections, but this would need to be balanced carefully against any implication that deferral could itself influence the political outcome. Each case should be considered on its merits
- care should also be taken in relation to proposed visits
- special care should be taken in respect of paid publicity campaigns and to ensure that publicity is not open to the criticism that it is being undertaken for party political purposes
- there should be even-handedness in meeting information requests from the different political parties and campaigning groups, and
- officials should not be asked to provide new arguments for use in election campaign debates.⁹

⁷ Cabinet Office, [General election guidance 2010](#), 6 April 2010.

⁸ [PQ 219064, 21 January 2015](#)

⁹ Cabinet Office, [May 2017 elections: guidance on conduct](#), 10 April 2017

1.3 European Parliamentary elections

On 9 April 2014, guidance was issued for civil servants for the period before the European Parliamentary and local elections that took place on 22 May 2014. The Minister for the Cabinet Office and Paymaster General announced the publication of the guidance in a written statement:

Local and Mayoral Election Guidance (European Parliament)

The Minister for the Cabinet Office and Paymaster General (Mr Francis Maude): Guidance has today been issued to civil servants in UK departments and those working in non-departmental public bodies and other arm's length bodies on the principles that they should observe in relation to the conduct of Government business in the run-up to the forthcoming elections for membership of the European Parliament, and to local authorities in England and Northern Ireland, and for five directly elected mayors. These elections will take place on Thursday 22 May 2014. The period of sensitivity preceding the elections starts on 2 May.

Copies of the guidance have been placed in the Libraries of both Houses and on the Cabinet Office website at:

<https://www.gov.uk/government/publications/election-guidance-for-civil-servants>¹⁰

The guidance set out the general principles that should be observed by all civil servants, including special advisers, during this period:

- a) Particular care should be taken over official support, and the use of public resources, including publicity, for Ministerial or official announcements which could have a bearing on matters relevant to the elections. In some cases it may be better to defer an announcement until after the elections, but this would need to be balanced carefully against any implication that deferral could itself influence the political outcome – each case should be considered on its merits;
- b) care should also be taken in relation to proposed visits;
- c) special care should be taken in respect of paid publicity campaigns and to ensure that publicity is not open to the criticism that it is being undertaken for party political purposes;
- d) there should be even-handedness in meeting information requests from the different political parties and campaigning groups.
- e) officials should not be asked to provide new arguments for use in election campaign debates.¹¹

The Scottish Government published [guidance](#) for Scottish Government civil servants on conduct during the 2014 European Parliament election period; the Welsh Government published [guidance](#) for its civil servants; and the Northern Ireland Government published [guidance](#) for its civil servants.

¹⁰ HC Deb 9 April 2014 [c11WS](#)

¹¹ May 2014 elections to the European Parliament and to local authorities in England and Northern Ireland: guidance on conduct, Cabinet Office, April 2014

Earlier guidance for civil servants published before the 2013 and 2012 local elections and the 2011 local and devolved assembly elections, is on the GOV.UK website.¹²

1.4 Special advisers

Special Advisers who wish to take part in a general election campaign or help in a party headquarters or research unit during such a campaign must first resign their appointments.

They no longer receive preferential access to papers and officials and neither should they have access to departmental resources such as phones and IT equipment.¹³

The European Parliamentary elections were classed as national elections and Special Advisers who wanted to take part in the campaign or help in a Party capacity had to first resign their appointment.

For local and mayoral elections, Special Advisers may undertake local political activity with the approval of their minister and in accordance with the terms of the [Code of Conduct for Special Advisers](#).

¹² [Election guidance for civil servants](#), GOV.UK, accessed on 10 July 2015

¹³ Cabinet Office, [General election guidance 2017](#), 20 April 2017

2. Local authorities

The pre-election period just before local elections, when there are restrictions on local authority publicity and rules concerning media reporting of the election campaign, is defined as beginning with the publication of the notice of the election.

In 2017, the last date for the publication of notice of election for the local elections on 4 May 2017 in England and Wales was 27 March 2017. In Scotland the Convener of the Elections Management Board directed returning officers to publish notice of elections on the earliest day possible, which was 13 March 2017.¹⁴

There is statutory guidance for local authorities regarding publicity. The [Code of Recommended Practice on Local Authority Publicity](#) is issued under section 4 of the *Local Government Act 1986* and local authorities must have regard to it. The Code was revised in 2011.

The following section is of particular relevance:-

Care during periods of heightened sensitivity

33. Local authorities should pay particular regard to the legislation governing publicity during the period of heightened sensitivity before elections and referendums – see paragraphs 7 to 9 of this code. It may be necessary to suspend the hosting of material produced by third parties, or to close public forums during this period to avoid breaching any legal restrictions.

34. 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.

35. 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 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.¹⁵

The Local Government Association has published [Purdah: a short guide to publicity during the pre-election period](#) which gives further information.

¹⁴ Electoral Management Board for Scotland, [Directions from Convener - SLG2017](#)

¹⁵ [Code of Recommended Practice on Local Authority Publicity](#), DCLG

3. Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly civil servants

3.1 Guidance for the 2017 local elections.

Welsh Government guidance for staff was published in March 2017.¹⁶

Scottish Local Government Elections are a matter devolved to the Scottish Parliament under the *Scotland Act 1998*. The Scottish Government and Ministers are responsible for setting the rules for the conduct of local government elections. Guidance for civil servants working for the Scottish Government for the local election in Scotland in May 2017 was issued by the Scottish Government Cabinet Secretariat.¹⁷

3.2 Guidance for elections on 5 May 2016

The Cabinet Office issued [guidance](#) on 24 March 2016 for civil servants on their role and conduct during the election campaign period before the elections on 5 May 2016. These included the elections to the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly. The guidance noted that:

Special care will need to be exercised in relation to the Devolved Administrations from 24 March for the elections to the Scottish Parliament; 30 March for the Northern Ireland Assembly; and 6 April for the National Assembly for Wales.

The Scottish Government has issued [guidance](#) about the role and conduct of people working in the Scottish Government, its agencies and national devolved public bodies during the election period beginning 24 March 2016 before the Scottish Parliament elections on 5 May 2016.

The general principles are as follows:

10. During the election period, the Scottish Government retains its responsibility to govern and Ministers remain Ministers and in charge of their portfolios. Essential business must be carried on (see Note 1 below for a definition of 'essential business'). However, you can expect Ministers to observe discretion in initiating any new action of a continuing or long-term character.

11. Decisions on matters of policy on which the next administration might wish to take a different view from the current administration are expected to be postponed until after the election, provided that such postponement would not be detrimental to Scotland's interest or wasteful of public resources. You can also expect Ministers to be largely engaged in the election campaign and therefore not want to be asked to make decisions on issues during the election period unless it is essential that they should do so.

¹⁶ [Local Government Elections – guidance for Welsh Government staff](#)

¹⁷ [Scottish Local Government Election Guidance 2017](#)

12. There are three basic principles to remember and apply during the election period. You should:

1. Remain politically impartial;
2. Ensure that public resources are not used for party political purposes; and
3. Avoid anything that could distract attention from or compete with the campaign.¹⁸

The Welsh Assembly Government has published [guidance](#) for civil servants for the pre-election period before the 2016 elections for the National Assembly for Wales which will run from 6 April 2016 to 5 May 2016.¹⁹

The Northern Ireland Executive has published [guidance](#) on conduct for civil servants and special advisers during the Northern Ireland Assembly election campaign in 2016.

¹⁸ Scottish Government, *Scottish Parliament election: 5 May 2016. Guidance for the Scottish Government, its agencies and national devolved public bodies*

¹⁹ Welsh Government, *Elections to the National Assembly for Wales – May 2016: guidance for Welsh Government staff*

4. Referendums

4.1 Section 125 of PPERA

The period before referendums is regulated by [Section 125](#) of the *Political Parties, Elections and Referendums Act 2000* (PPERA). Section 125 refers to “restriction on publication etc. of promotional material by central and local government etc.” PPERA was passed following a review into political party funding in the UK by the Committee on Standards in Public Life, published in 1998.

Section 125 provides:

Restriction on publication etc. of promotional material by central and local government etc.

(1) This section applies to any material which—

- provides general information about a referendum to which this Part applies;
- deals with any of the issues raised by any question on which such a referendum is being held;
- puts any arguments for or against any particular answer to any such question; or
- is designed to encourage voting at such a referendum.

(2) Subject to subsection (3), no material to which this section applies shall be published during the relevant period by or on behalf of—

- any Minister of the Crown, government department or local authority; or
- any other person or body whose expenses are defrayed wholly or mainly out of public funds or by any local authority.

(3) Subsection (2) does not apply to—

- material made available to persons in response to specific requests for information or to persons specifically seeking access to it;
- anything done by or on behalf of the Commission or a person or body designated under section 108 (designation of organisations to whom assistance is available);
- the publication of information relating to the holding of the poll; or
- the issue of press notices;

and subsection (2)(b) shall not be taken as applying to the British Broadcasting Corporation or Sianel Pedwar Cymru.

(4) In this section—

- “publish” means make available to the public at large, or any section of the public, in whatever form and by whatever means (and “publication” shall be construed accordingly);

- “the relevant period”, in relation to a referendum, means the period of 28 days ending with the date of the poll.

A [question in the House of Lords](#) in 2004 had clarified that, under Section 125, Ministers are free to campaign as long as they do so in a personal or political (i.e. not official) capacity.

The Electoral Commission has reviewed the conduct of the referendums that have been held since PPERA was passed, and on each occasion commented on Section 125. In summary, the Commission has held that public awareness activities by Counting Officers should be exempt from the ‘purdah’ provision; that other government activity should be restricted for the entire duration of the referendum period (during which campaign activities are regulated); and that sanctions for breaches of Section 125 should be clarified.²⁰

4.2 The EU Referendum 2016

The pre-referendum period before the EU referendum began on 27 May 2016 which was 4 weeks before the poll on 23 June 2016.

During the pre-referendum period there are restrictions on the publication of information by public bodies under the provisions of Section 125 of the *Political Parties, Elections and Referendums Act 2000* (PPERA) which sets out the generic rules for the conduct of referendums.

When it was introduced, the *European Union Referendum Bill 2015-16* (Schedule 1, paragraph 25) provided that the restrictions of section 125 of PPERA would not apply to the referendum on EU membership.

This provision met with opposition from MPs during the Second Reading debate and the Committee stage of the Bill. It was removed at Report stage (see Briefing paper 07249 [European Union Referendum Bill 2015-16: Progress of the Bill](#)).

The Minister for Europe, David Lidington, had stated on the first day of Committee stage ([16 June 2015](#)) that Section 125 goes further than the conventions that cover ‘purdah’ prior to general elections. It could affect the Government’s ability to conduct “ordinary day-to-day EU business”; and it could:

... make it impossible to explain to the public what the outcome of the renegotiation was and what the Governments’ view of that result was.²¹

At Report stage, the Government moved a new clause that would enable the Minister to make regulations to modify Section 125. This new clause was amended by a manuscript amendment moved by Bernard Jenkin (Conservative) and was added to the Bill. The Jenkin

²⁰ Electoral Commission, [The 2004 North East regional assembly local government referendums](#), November 2005; Electoral Commission, [Report on the referendum on the law-making powers of the National Assembly for Wales](#), March 2011; Electoral Commission, [Referendum on the voting system for UK parliamentary elections](#), October 2011; Electoral Commission, [Scottish independence referendum](#), December 2014

²¹ HC Deb 16 June 2015, cc233-4

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amendment made provision for the regulations to modify the 'purdah' arrangements to be made at least four months before the date of the referendum. David Lidington said that he had concluded that the Government should accept the amendment "largely in the interests of trying to secure as great a consensus as possible".²²

However, a Government amendment which replaced this paragraph of Schedule 1 was defeated on a division.²³

After the defeat of the Government amendment, an Opposition amendment which made provision to omit the paragraph which would have disapplied Section 125 of PPERA from Schedule 1, was agreed without division.

Amendments made at Committee stage in the House of Lords applied the restrictions on the publication of information specified in Section 125 of PPERA to Gibraltar public bodies, and exempted the Gibraltar Broadcasting Corporation.

Section 125 of PPERA therefore applied to the EU referendum with some modifications.

Guidance for the Civil Service and special advisers for the pre-referendum period was contained in Sir Jeremy Heywood's [letter](#) of 23 February 2016. This guidance applied until the start of the statutory 28-day pre-referendum period. [Further guidance](#) for the 28-day period beginning on 27 May 2016 was published in May 2016.²⁴

The Electoral Commission published a factsheet, [Publicly funded bodies and the referendum on the UK's membership of the EU](#), on its website which gives further information about the restrictions on the publication of material relating to the referendum by publicly funded bodies.

The Public Administration and Constitutional Affairs (PACAC) Select Committee has considered the initial proposal of the Government to disapply Section 125 of PPERA during the EU referendum campaign and the operation of Section 125 more generally.

In April 2017, PACAC published its report [Lessons learned from the EU Referendum](#).²⁵

One of its conclusions was:

The provisions of section 125, while imperfect, have been successfully applied in numerous referendums since 2000. There is no evidence that section 125 created any of the threats to good governance that the Cabinet Secretary feared during his appearance before PACAC in July 2015. The purdah provisions of section 125 of PPERA play a key role in the fair conduct of referendums and must continue to do so in future referendums.²⁶

²² [HC Deb 7 September 2015 c92](#)

²³ [HC Deb 7 September 2015 c123](#)

²⁴ [EU Referendum: guidance for UK Government Departments on activities during the period 27 May 2016 to 23 June 2016](#), Cabinet Office, May 2016

²⁵ PACAC, [Lesson learned from the EU referendum](#), HC Paper 496, 12 April 2017.

²⁶ *Ibid*, paragraph 60

In its recommendations the Committee has questioned whether the four week period of 'purdah' is sufficient. It supports the Electoral Commission's position that the 28 day period should be extended. It also questions whether the drafting of the Section remains appropriate and has recommended that the Government should consult on redrafting Section 125. In particular, in relation to what constitutes publishing material in a digital age and:

Section 125 was originally drafted some 16 years ago. Since that time campaigning and publishing have both become increasingly digital in nature. As a result, terminology and provisions that may have been appropriate in 2000, may be less effective at regulating campaign activity in 2017. PACAC, the Electoral Commission and the Government all had different legal advice and interpretations as to: a) whether the e referendum.gov.uk website represented publishing for the purposes of section 125; and b) whether the steps taken to remove links to the website satisfied the exception provided in section 125(3)(a). This underlines the need for section 125 to be reviewed and amended so as to better reflect the increasingly digital nature of our democracy.²⁷

Other recommendations identified by the Committee were that a redrafted Section 125 should clarify what sort of activities are restricted and cooperation between organisations and campaign should be accounted for in campaign spending. The Committee also recommends the Government should consider what investigatory and sanctioning power the Electoral Commission should have.

4.3 Scottish independence referendum 2014

The Scottish independence referendum was not regulated by PPERA, but by the *Scottish Independence Referendum Act 2013*. This Act made provision for a statutory pre-referendum period in Scotland for the 28 days before the referendum. The explanatory notes to the Act gave further details:

Part 4: Publications

183. Paragraph 25 provides that, for the 28 day period before the date of the referendum, the Scottish Ministers and certain public authorities in Scotland cannot publish any material providing general information about the referendum, dealing with issues raised by the question to be voted on in the referendum, putting any arguments for or against a particular answer to the question to be voted on, or which is designed to encourage voting in the referendum. However, this rule does not apply to information made available following a specific request; specified material published by or under the auspices of the Scottish Parliament Corporate Body; any information from the Electoral Commission, a designated organisation or the Chief Counting Officer or any other counting officer; or to any published information about how the poll is to be held.

The UK Government gave an undertaking to respect the 28 day period in the Edinburgh Agreement:

²⁷ Ibid, paragraph 68

2. Both governments agree that the principles underpinning the existing framework for referendums held under Acts of the UK Parliament – which aim to guarantee fairness – should apply to the Scottish independence referendum. Part 7 of the Political Parties, Elections and Referendums Act 2000 (PPERA), provides a framework for referendums delivered through Acts of Parliament, including rules about campaign finance, referendum regulation, oversight and conduct.

3. Both governments agree that the referendum rules should be based on PERA, with particular Scottish circumstances, such as the establishment of the Electoral Management Board and subsequent role of the Electoral Commission, reflected in the Referendum Bill.

Government activity during the 28 days before the referendum

29. It is customary for there to be a period before elections in the UK, during which Ministers and other public bodies refrain from publishing material that would have a bearing on the election. Section 125 of PERA sets out the restrictions that apply to Ministers and public bodies in the 28 days preceding referendums held under that Act. Both governments recognise the importance of respecting the 28-day period prior to a referendum, in the same way that both governments already respect each other's pre-election period for Parliamentary elections. The Scottish Government will set out details of restricted behaviour for Scottish Ministers and devolved public bodies in the Referendum Bill to be introduced into the Scottish Parliament. These details will be based on the restrictions set out in PERA. The UK Government has committed to act according to the same PERA-based rules during the 28-day period.²⁸

The Scottish Government published [guidance](#) on the publication restrictions in the 28 days prior to the independence referendum. It recognised that [their emphasis]:

A wide range of Scottish Government activity has the potential to be caught by these statutory restrictions. Each case will need to be considered on its merits. [...]

Restrictions are, however, much less likely to apply to activity such as marketing campaigns on child flu vaccination, Homecoming or the Ryder Cup. Even in such cases, however, **care must be taken to avoid issues being cast in the frame of the independence debate.**

Nevertheless, there was some controversy over certain government activities in the run-up to the referendum. These are discussed in last Parliament's Public Administration Select Committee report [Lessons for Civil Service impartiality from the Scottish independence referendum](#). The report recommended including provisions about referendum campaigns in the Civil Service Code.²⁹

4.4 The Alternative Vote referendum 2011

In 2011, the Cabinet Office published one set of [guidance](#) for civil servants in UK departments on their role and conduct during the

²⁸ [Edinburgh Agreement](#), 15 October 2012

²⁹ Public Administration Select Committee, [Lessons for Civil Service impartiality from the Scottish independence referendum](#), 17 March 2015, HC111 2014-15

campaigns for the elections to the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly and to local authorities in England and Northern Ireland, and the referendum on the voting system for the UK parliament (which all took place on 5 May 2011). Civil servants were instructed to act impartially and to avoid announcements, ministerial visits and other activities that could potentially affect the election and referendum campaigns.

With particular reference to the referendum, the guidance stated:

14. In relation to the referendum, during the period between the announcement of the referendum and the start of the 28 day campaign period, the Political Parties, Elections and Referendums Act imposes restrictions on expenditure of the political parties or others campaigning on the referendum. It is important therefore that during this period, civil servants take particular care relating to ministerial announcements and paid publicity to avoid any criticism that official resources are being used for party political purposes. [...]

17. In relation to the referendum, there are very tight restrictions on Government publicity during this period – see Annex A (also see paragraph 14 above). Essentially, Government Departments, local authorities and NDPBs are prohibited from publishing material about a referendum in the 28 day period ending with the date of the poll. During this period the Electoral Commission will be running a campaign to encourage people to vote. Political parties will have to observe financial limits imposed on their total referendum campaigning expenditure, and of course the usual rules about not using official resources for party political purposes apply.³⁰

³⁰ [Guidance on Conduct](#), Cabinet Office, March 2011

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