

ESSEX COUNTY COUNCIL (ECC)

LOCAL AUTHORITY PUBLICITY AND EVENTS DURING THE PRE-ELECTION PERIOD

BY ELECTION FOR THE CLACTON PARLIAMENTARY CONSTITUENCY 2026

Introduction

- A by election will be held for the Clacton Parliamentary Constituency following the resignation of the current Member of Parliament.
- A by election will be held for this seat
- The pre-election period formally starts on **Monday 13 July** and ends at close of polls (10pm) on polling day (**13 August 2026**).
- All ECC divisions in the Tendring District - **except** the Harwich Division - fall wholly or partly within the Clacton Constituency.

The rules about political publicity and use of Council resources apply at all times, not just in the run up to an election, but the pre-election period is particularly sensitive and extra caution is required.

This guidance note is intended to help explain the rules in the sensitive pre-election period.

Background

The pre-election publicity rules - sometimes called 'purdah' although ECC discourages the use of that term - seek to stop public money and public resources from being used for political purposes or to produce publicity that might influence an election. Publicity is very broadly defined as meaning any communication addressed to the whole or a section of the public.

Business as Usual

During the pre-election period most Council business will continue, although members and officers must have regard to this guidance.

What the County Council cannot do during the pre-election period:

- Publish anything which appears to be at least partly designed to affect support for a political party in the constituency.
- Help anyone else to publish such publicity (eg by providing a script for an interview).
- Organise or host publicity-seeking events which may appear to be designed to affect support for a political party.
- Give pro-active publicity to anyone involved in the election.
- Launch consultations specific to the affected divisions. Consultations started before the pre-election period may extend into the pre-election period but any publicity issued during the pre-election period must comply with the election rules.
- Incur expenses by holding meetings, or issuing adverts or publications with a view to promoting the election of a candidate. Breach of these rules can constitute a criminal offence.
- Use any of its resources for party political purposes.

- Assist Members involved in the election to use social media or host or publish blogs. Allow anyone to hold a surgery in ECC premises if it is attended by anyone involved in the election.
- Allow any councillor or MP to hold a surgery in ECC premises if it is attended by anyone involved in the election.

ECC members are considered to be involved in the election if:

- They are a candidate.
- They are an election agent (with respect to publicity which wholly or partly affects the area in which the election is held).
- They are actively campaigning in the election (with respect to publicity which wholly or partly affects the area in which the election is held).

Any publicity material issued by the Council which quotes any Member during the pre-election period must not:

- be designed to affect support for a political party,
- quote someone involved in the election, or
- quote another member but to such an extent that the cumulative impact of other publicity relating to that member could lead to a suggestion that the member involved is actively involved in the election.

Any material to be issued quoting any member involved in the election during the pre-election period must be referred to Paul Turner, Joanna Boaler or Katie Bray who can refer any material they consider appropriate to the Leader of the Group, the Leader of the Council or the Chief Executive.

What the County Council can do:

- Respond to external events where it would be expected to do so.
- Issue factual non-political press releases.
- Publish factual information which identifies the names, constituencies and parties of candidates at elections.
- Publish decisions made as part of usual council business.
- Hold events which are not likely to give publicity to anyone involved in the election.

What about Members themselves?

Subject to election law and the Code of Member Conduct, Members and their campaign teams may arrange any publicity themselves during the pre-election period – if no ECC officers are involved and no ECC equipment, assets or resources are used. **This applies to all members regardless of whether they are involved in the election.** Any social media posts would need to be on private accounts not ECC accounts.

There are no restrictions on Members attending an event which is not organised by ECC or its contractors, but ECC cannot encourage such events to be held. On rare occasions it may be necessary for ECC officers to advise whether it is appropriate to arrange news conferences in order to react to external events.

What are the consequences for not complying?

The County Council can face questions from auditors and legal action from the Government. It is a breach of the Member Code of Conduct to use or instruct the use of ECC resources for political purposes.

What if I still have questions?

If you have any questions about this please contact Paul Turner Paul Turner (ECC Monitoring Officer) paul.turner@essex.gov.uk 03330 134591,
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