# East Dunbartonshire Council

# Guidance to Council Employees and Elected Members on Conduct during the forthcoming Scottish Parliament Elections on Thursday 7th May 2026

**This Guidance applies from Monday 16th March 2026 until Friday 8th May 2026.**

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**Appendix 1 Frequently Asked Questions**

## 1.0 INTRODUCTION

1.1 This document has been prepared to provide guidance to Council employees, agency workers, contractors working in/in the vicinity of Council premises and Elected Members on standards of conduct and behaviour during pre-election periods, to ensure that the integrity of the election is maintained (Pre Election Guidance").

1.2 This Pre Election Guidance applies to all employees (whether permanent or temporary), agency workers, contractors working in/in the vicinity of Council premises and any third-party delivering services for or on behalf of the Council. It also applies to third party organisations wholly or predominantly funded by the Council including East Dunbartonshire Leisure & Culture Trust (EDLCT) and the East Dunbartonshire Health & Social Care Partnership (HSCP) and extends to the use of Council funded or provided resources (including social media accounts etc) by Parent Council Forums and other committees or groups facilitated and resourced by the Council.

1.3 The forthcoming Scottish Parliament Election will be held on **Thursday 7th May 2026**.

1.4 The 'pre-election' period for this election formally commences with the publication of the Notice of Election on 16th March 2026 and runs until the conclusion of the Election count on Friday 8th May 2026. This Pre Election Guidance will apply for the duration of the pre-election period.

1.5 Ensuring that the election is conducted in a professional, open and transparent manner is a fundamental responsibility of the Returning Officer. All Council employees have a duty to ensure that they act in an impartial and non-political manner whilst carrying out their day-to-day duties. This applies at all times, but is particularly important during the pre-election period, and running up to the day of the poll, when political sensitivities may be heightened. At this time, perception is important and so all Council employees must not only act in an impartial and non-political manner whilst carrying out their day-to-day duties but be mindful of public perceptions and those of anyone involved in the electoral event.

1.6 Elected Members also have a duty to ensure that they do nothing to compel or influence Council employees to act in a politically partial manner, or to carry out acts which could be deemed to be political. They are required at all times to ensure that Council resources including phones and laptops are not used for party political activity. Similarly, they must take greater care to avoid any perception that they might be using Council equipment, resources or officers for political purposes during the pre-election period.

1.7 MPs/MSPs operate under different arrangements in the run up to elections than those affecting Councillors. Upon the dissolution of the UK Parliament, all Members of Parliament cease to be MPs and there are effectively no MPs until

after Polling Day. During this time, those who were MPs immediately prior to dissolution have no access to the Parliamentary estate or resources. Similarly, upon the dissolution of the Scottish Parliament, all Members of that Parliament cease to be MSPs and there are effectively no MSPs until after Polling Day. As with Westminster, there is no access to the Parliamentary estate nor resources. However, Councillors remain in office until midnight on the day preceding a local government election and so there is only one day, Polling Day, where there are no elected members.

1.8 The aim of the pre-election period is to avoid active engagement on politically sensitive matters in the run up to an election. This is necessary to support democracy as it avoids a governing party using its power for potentially unfair electoral advantage, or to commit its successor to significant decisions that it would not wish to implement. This needs to be balanced against the need to continue to deliver services as 'business as usual' and is something that the Council must be mindful of in the lead up to UK and Scottish Parliament elections, as well as local government elections, given the crucial role that the Council plays in administering all elections.

1.9 Hybrid Working Issues: Due to the current Hybrid working arrangements, many Council employees continue to work from home for large parts of their working week. During the pre-election period, video meetings, particularly those involving Elected Members or external parties give rise to new considerations. Everyone involved in such meetings should consider what is on view in the background. Employees need to ensure there is nothing which could imply a lack of political impartiality. Members need to ensure there is nothing which amounts to political publicity.

1.10 It is important to note that this Pre Election Guidance may differ from that issued by other Councils/Returning Officers e.g. in relation to the use of Council property for displaying publicity materials. This guidance applies to all electoral events within East Dunbartonshire (including those were there are cross boundary constituencies and areas of East Dunbartonshire where certain electoral events are administered by another Returning Officer), and it is important that all Council employees, agency workers, contractors working in/in the vicinity of Council premises, any third-party delivering services for or on behalf of the Council and Elected Members are aware of and comply with this guidance.

1.11 Any questions regarding the guidance offered within this document should be directed to the Chief Solicitor & Monitoring Officer.

1.12 This guidance is subject to revision at the Returning Officer's discretion.

## 2.0 Duty of Council Employees to Be Politically Neutral

**Key Points**

2.1 The main significance of the pre-election period is a need for heightened sensitivity to ensure that public resources are not used in any way that might prejudice the

result of an election. While there are some specific areas that require detailed advice, the essence of this Pre Election Guidance is: -

- The pre-election period to which this guidance relates runs from 16th March 2026 to Friday 8th May 2026.
- Council staff must by law, act in a politically neutral way at all times when carrying out their duties or representing the Council.
- Particular care needs to be taken to ensure that any events, publicity or other communications, even the background to video meetings, are politically neutral during the pre-election period.
- Council facilities and resources must not be used in support of a political party or election candidate.
- Officers who, by virtue of their post, are politically restricted, must take even greater care than usual to avoid any perception of political partiality.
- Unless otherwise stated, it should be assumed that normal Council business will continue. Of necessity, given competing demands on the Democratic Service at this time, the Council's diary of committee and other meetings will be developed to accommodate scheduled electoral events. In the event of an unscheduled electoral event, the Council's diary may be amended, and officers will be advised of this.

2.2 All Council employees have a duty at all times to carry out their everyday roles and responsibilities in a non-partisan and politically neutral manner. In a pre-election period, however, it is more important than ever that employees of the Council avoid acting in a manner that could be perceived as being politically partial.

2.3 The Chief Executive and Executive Officers will continue to have ultimate responsibility for ensuring that the policies of the Council are implemented. All Council employees must implement these policies of the Council irrespective of their personal political views.

2.4 Notwithstanding paragraph 2.3 above, where a Council employee is asked by a sitting Councillor, a candidate/agent in the election, or other person, to provide assistance with a matter which is clearly party political in nature (or which does not have a clear link to the work of the Council), they should politely refuse and inform the Councillor, candidate/agent or other person, that they are referring the matter to their line manager. This should then immediately be escalated to the relevant Executive Officer, failing which, the Chief Solicitor & Monitoring Officer.

**Staff Political Activity**

2.5 Staff in politically restricted posts must not undertake any political activity at any time.

2.6 Staff in posts that are not politically restricted may carry out political activity in their own time. However, if they are a witness for any election-related documents or otherwise personally involved in support for a particular party or candidate, by law they must not be involved with polling or counting duties.

## 3.0 Support to Councillors During the Pre-Election Period

3.1 The day-to-day activities of Councillors continue regardless of the election.

3.2 The Members' Support Team will continue to provide Councillors with administrative support and other business as usual services during the pre-election period. These support services are provided to Councillors to assist them in the discharge of their role and can only be used for Council business, in the same way that Council equipment including phones and laptops can only be used for Council business.

3.3 The services provided by the Members' Support Team may not be used for campaigning activity (or for private purposes). The Members' Support Team will politely refuse any request for assistance which may be deemed to be party political and will refer the request to the Business Manager – Chief Executive's Office, whom failing the Chief Solicitor and Monitoring Officer.

3.4 Public notification of Councillors' surgeries will continue. The placing of a surgery notice on notice boards in Council buildings is therefore permissible provided that the usual Notices are used. Party political or campaigning material, however, should not be placed on notice boards or displayed anywhere in Council buildings or on Council property.

3.5 Employees within services of the Council should continue to deal with Councillors as they would at any other time, however always having regard to the pre-election period and alerting their Executive Officer or Line Manager to any request that may appear to be political.

## 4.0 Use of Council Resources

4.1 Employees and Elected Members must at all times observe the Council's existing policies in respect of the proper use of Council resources.

4.2 Council resources must never be used by Council employees or Elected Members, or any other person, for party political/campaigning activity (or indeed for any private purposes), except under the specific circumstances detailed below.

4.3 "Resources" include stationery, notice boards, typing facilities, printing facilities, photocopying facilities, telephones, faxes, e-mail/internet facilities, street-furniture, transport or premises and extends to social media accounts and other resources provided, managed, hosted or otherwise resourced by the Council. Council

"premises" can include schools, offices, depots, stores, hubs and premises where access is generally controlled or limited.

4.4 Communications by Elected Members to their constituents come within the definition of publicity detailed earlier in this document, except where they are in response to specific issues initiated by *constituents themselves*. Use of Council facilities for unsolicited mailings during the pre-election period should be made with extreme caution. To avoid any suggestion that actions may be motivated by the forthcoming elections, Elected Members should avoid using Council resources to issue unsolicited communications to constituents during the pre-election period.

4.5 Political groups comprising existing Councillors may meet in Council buildings from time to time, and sometimes with external attendees or observers. This may include the attendance at group meetings of candidates who are not Councillors. In principle this is acceptable so long as the candidate/agent is accompanied at all times by a Councillor, in the same manner as they would accompany a member of the public. However, it is important that a candidate who is not an existing Councillor does not use any Council facilities, such as telephone, computer, photocopier etc. Unlike an existing Councillor, they do not have any Council duties and therefore cannot justify use of such facilities. This would amount to unlawful assistance to a candidate. It is also important that no personal or constituent data is shared with the candidate in breach of the Data Protection Act

**Use of Rooms in Halls and Schools**

4.6 Under specific statutory provisions, candidates in an election may request to have the use of specified Council halls and rooms in schools free of charge for the purpose of holding election meetings. The Council is entitled however to be reimbursed for heating, lighting and other utilities, as well as for any damage caused to a room by the let.

4.7 Any enquiry from a candidate for the use of a hall or room in a school for the purpose of holding an election meeting should be directed to the Chief Finance Officer or Business & ICT Support Services Manager. Other premises owned by the Council which are normally available for let, can be let to candidates and parties for political events, providing the let is on full commercial terms which do not subsidise the let.

4.8 If the Council is concerned that during a meeting on Council premises a candidate's words or actions might give rise to racist or other discriminatory incidents, incite racial/religious hatred or other criminal activity, then the Police should be informed. The Police may have the power to restrict the activities of the candidate and any followers, but the local authority cannot prevent the meeting or refuse to provide the premises.

4.9 In the event that the Electoral Commission or Electoral Management Board issue recommendations or guidance to candidates in relation to campaigning and the use of Council premises, this Pre Election Guidance will be updated, where necessary/appropriate.

**Letting of Vacant Premises**

4.10 The Council may be approached regarding the temporary letting of vacant Council property (e.g. shops and offices) by political parties for election purposes. This must be done on a strictly first come first served basis and standard commercial terms including rent, will apply. Any enquiry in this regard should be directed to the Executive Officer – Assets & Facilities or Estates & Facilities Manager**,** or to the Election Office. Outwith the pre-election period premises may be let to political parties providing no assistance is afforded. In other words, such premises should be let on normal commercial terms.

**Temporary or Occasional Lets of Halls and other Council Premises**

4.11 It is possible that political parties or others may seek occasional lets of Council owned halls or other premises for purposes relating to the election. At all times, whether before, during or after the pre-election period the Council cannot provide assistance for political purposes. During the pre-election period there are stricter rules, and the following applies: -

- Other premises owned by the Council which are not covered by para 4.6 above, but which are normally available for let, can be let to candidates and parties for political events, providing the let is on full commercial terms which do not subsidise the let.

- Hustings – all candidates should be invited to any debate or husting to be held in Council owned premises.

**Media presence in Council premises**

4.12 The Council has terms and conditions which require to be agreed prior to filming in Council owned premises. These include provision for the person filming to have appropriate third-party insurance and to obtain the consent of those being filmed or recorded. Any request for filming in Council premises should be referred to the Communications & Engagement Manager or Executive Officer – Customer Services and Organisational Development. Any attempt to film on Council premises without permission should be prevented. During the pre-election period the Council will only allow media which is unbiased to film or record on Council owned premises. No Council assistance, including ICT assistance, shall be provided to media who are likely to be biased.

**Use of Council Owned Street Furniture**

4.13 The Council has a policy of not allowing candidates to affix or display campaign posters or other campaigning materials including A boards, flags etc on lampposts, street furniture and other Council owned or controlled property, including schools, pavements, roads and car parks. Accordingly, no campaign materials should be affixed or displayed on any property under the Council's control. This includes any area adopted by the Council as Roads Authority, including pavements, and any street furniture thereon, whether installed by the Council or other bodies. Campaigning materials on telecommunications or power poles or apparatus or bus shelters or trees or other vegetation situated on road verges or other areas owned or adopted by the Council are not permitted. Campaigning materials are not

permitted in parks, or in Council buildings including the curtilage, regardless of whether these are owned, leased or adopted by the Council. However, this prohibition does not apply to campaigning materials which Council tenants choose to put up on the windows of homes which they lease from the Council.

4.14 It should also be noted that Transport Scotland, the Trunk Road Authority, does not permit campaigning materials to be affixed to trunk road verges, lampposts or any street furniture.

4.15 The display or fixing of campaigning materials to any part of a Polling Place, or its curtilage including walls, railings, car parks, footpaths, pavements etc., is strictly prohibited.

4.16 The Council will immediately remove any such material which contravenes the provisions of paragraphs 4.13 to 4.15 above, and the relevant Election Agent will be billed for the recovery of the full cost involved.

## 5.0 Council Publicity

**The Rules**

5.1 The Council is prohibited by legislation (the Local Government Act 1986, ("the 1986 Act")) from publishing any material which in whole or in part, appears to be designed to affect political support for a political party. The Act makes it clear that the timing and circumstances of publicity is a key factor in deciding if it is politically partial. Other factors which will be considered include the following examples which are not exhaustive: -

- The content and style of the material.
- The likely effect on those to whom it is directed.
- Whether the material promotes or opposes a view on a question of political controversy which is specifically identifiable as the view of one political party but not another.
- References to political parties or persons identified with a political party.
- When material is part of a campaign, the effect that the campaign is designed to achieve.
- The extent to which any activity is 'business as usual' or where the timing might be beyond the reasonable control of the authority.
- The key test is whether a particular act can be perceived as seeking to influence public opinion or to promote the public image of a particular candidate, or group of candidates.

**Guidance on Council Publicity**

5.2 Examples of the types of publicity generated by the Council where particular care needs to be taken are as follows: -

- Council publications including the website.
- Use of photographs of persons who are/will be candidates at forthcoming elections.
- Material posted on the Council's social media channels and other social media channels or accounts which are funded, hosted, provided or otherwise resourced by the Council e.g. those of individual schools, school departments and any parent council forum.
- On-line Council or Committee meetings which are webcasted by the Council – while it is acceptable for Elected Members to wear small party badge (2cm diameter maximum) or lanyard to identify their membership of a party, otherwise they should not wear material (e.g. rosette) or have in the background any material which designed to promote a political party or a candidate or a group of candidates of the same party, or to reduce support for any party or its candidates. For the avoidance of doubt, having a Union Jack or Saltire in the background is not viewed as political publicity.
- Council events e.g. project launches, opening of buildings, or ground-breaking ceremonies.
- Use of Council social media sites or other social media channels, sites or accounts which are funded, hosted, provided or otherwise resourced by the Council to retweet, favourite, @mention, like and share any local / national politicians, people aligned to political parties or people whose avatars have a clear political bias such as a party-political logos.
- Mailshots by services to sections of the local community, or each household in East Dunbartonhire, e.g. the Council tax leaflet. (Note – mailshots by Councillors to some or all of the residents in their ward using Council resources are not permissible.)

5.4 At any time, all such publicity must be designed so that it does not appear to persons outside the Council to be designed to promote a political party or a candidate or a group of candidates of the same party, or to reduce support for any party or its candidates.

5.5 During the pre-election period from 16th March 2026 to 8th May 2026 the key principles are: -

- Normal Council business can continue in the run up to Polling Day, but references in Council publicity to Councillors, parties or persons who are or will be candidates must be carefully handled in a completely politically neutral way.

- No photographs of such candidates should appear in the publicity and any references to them should not contain wording, quotes or material that links them to the forthcoming elections or otherwise could appear to promote them as candidates at the subsequent elections.

- Public statements including press releases (reactive and proactive) may need to be made during a pre-election period. Great care should be taken to ensure that any content is clearly and directly relevant to the service or issue being discussed and reflects an agreed Council decision or policy.

- A local authority is also prohibited from giving assistance to third parties for the purposes of publishing political material. This includes arm's length external organisations (ALEO's) such as EDLCT and the HSCP or independent bodies.

5.6 The key test is whether a particular act can be reasonably perceived as seeking to influence public opinion or to promote the public image of a particular candidate, or group of candidates.

**Opening Ceremonies or other events (including on-line events or meetings)**

5.7 On the agreement of the Chief Executive or the relevant Executive Officer(s), such events can take place if they are business as usual, particularly if they are not political or can be justified on the grounds of exceptional, unavoidable and/or unforeseen circumstances. Such events should be organised in a politically even-handed way, e.g. including opposition representatives as well as from the political administration.

5.8 If a candidate is invited to attend a community group normally attended by Council Officers, the Council will not impede the visit in any way but will not facilitate or support the visit, either as officers or through making Council resources available. It is appreciated that some community groups (e.g. Community Councils, tenants and residents' associations etc) which Council Officers attend or service, may invite candidates to speak at their meetings. It is important that officer attendance at these meetings does not imply a preference for a particular candidate or their party. Officers are accordingly required not to share the same platform with the candidates, thus avoiding the inference that the officer is endorsing the candidate. Alternatively, the officer should request that all Council related issues are dealt with first and then politely leave before any political debate or discussion takes place.

**Media Requests**

5.9 In general, media requests for general filming or photo opportunities around elections (whether in relation to booking accommodation, attending an event etc.) should be treated as they would be normally. The only issue that would arise is if there is any question of the media outlet taking a particular stance that may be, or may be perceived to be, in favour of one party or candidate. In those circumstances no assistance or support should be given to the media outlet. The possibility of Council staff or facilities featuring prominently in such opportunities should also be considered when assessing such requests and avoided.

5.10 Requests to organise or cover hustings events would normally be permissible if they are open to all relevant candidates. In the case of broadcasters, there are strict rules that apply to maintain political neutrality and officers should assume that the broadcaster concerned will meet its own obligations in this regard, however this should be drawn to the broadcaster's attention.

## 6.0 Assistance to Candidates

6.1 The Council is prohibited by legislation (Schedule 2A of the Representation of the People Act 1983) from giving any assistance in cash or in kind to candidates for the purpose of meeting their election expenses.

6.2 The provision of free office accommodation or travel passes are examples of prohibited donations. It makes no difference whether the Council makes such facilities available to all candidates on an equal basis. This is because Schedule 2A of the 1983 Act allows only persons defined as "permissible donors" to give donations or assistance to candidates, and the Council is not listed in the Act as a permissible donor. The Council can provide office accommodation on a normal, non-subsidised commercial basis to a political party in line with Council policy.

6.3 The Councillors' Code of Conduct also provides that Council facilities must never be used for party political or campaigning purposes. "Council facilities" may involve access to secretarial assistance, stationery and equipment such as telephones, fax machines and computers.

## 7.0 Visits (including online or virtual) to Council Premises by Election Candidates

7.1 As the election approaches, declared candidates may wish to visit Council premises or meet, either in person or virtually/on-line with officers or service users e.g. to meet residents in residential homes, or to be seen within the area, or to become more familiar with Council facilities. The following procedure will apply in relation to these visits: -

- The visit to any Council facility must be approved by the relevant Executive Officer or Head of the Service, in consultation with the Chief Executive, and then arranged in advance with and through him or her, with the manager of the facility or establishment.
- Visits must generally be of short duration i.e. 1 hour.
- Visits must not interfere with the efficient and proper running of the service or facility, having regards to the best interests of any residents/users at the facility.

- If during a visit, it becomes apparent to the manager of a facility or a senior officer of the Council present that the visit is being used inappropriately, there is unauthorised media activity or where the terms of this Pre Election Guidance are in any way being breached, then the manager or senior officer has the right to terminate the visit immediately

- If, during a visit, it becomes apparent to the manager of a facility that the visit is interfering with the running of the service, then the manager has the right to terminate the visit immediately.

7.2 Consent should not be given if: -

- It appears that the visit is to be used for political publicity or for campaigning purposes.

- The premises cannot comply with any required safeguards.

- There is a significant risk that the visit might be used to promote some sort of association or link between the candidate or their views and the event, Council Officers or Council premises.

7.3 Consent may be given to the visit if: -

- The purpose of the visit is to learn about Council services or to meet Council Officers or Members.

- There is no risk of the visit being used for publicity or campaigning purposes.

7.4 In considering requests, Officers should remain impartial regardless of which candidate or party is making the request.

7.5 If it is intended that the media be involved in a visit then this must be notified to the relevant Executive Officer or Head of Service and the Council's Communications & Engagement Manager when the visit is being arranged. Permission will only be given for media to visit the premises if the Executive Officer or Head of Service, in consultation with the Chief Executive, considers that it is reasonable in all the circumstances to do so. This will be applied equally to all parties.

7.6 If the media is involved in a visit, employees of the Council should not be photographed/recorded/televised with prospective candidates. Similarly, filming, photography and recording of children will not be permitted within establishment grounds or premises without explicit parental consent.

7.7 Any individual who lives in a Council home or hostel normally has a right as an elector to invite candidates and media into their own room to be photographed,

recorded or televised with prospective candidates, however separate advice should be sought in relation to shared accommodation.

7.8 The procedure set out above will not apply in relation to participation by election candidates – at the request of a Head Teacher – in curriculum related activities such as debates or mock hustings. Head Teachers considering organising such an event should discuss this in advance with the Chief Education Officer. All candidates who represent areas covered by the school's catchment must be given the opportunity to be represented at any mock hustings meeting. Otherwise, it is not appropriate to allow only one candidate to meet pupils.

7.9 Council premises must not be used for the filming of party-political broadcasts.

## 8.0 Visits (including virtual or on-line visits) to Council Premises by Other Elected Representatives

8.1 It may be permissible for a sitting politician, who is not affected by a forthcoming election, to visit Council premises and seek publicity for this during a pre-election period. Such visits are to be discouraged but may be approved by the relevant Executive Officer or Head of Service, in consultation with the Chief Executive, if there are exceptional individual circumstances. However, no candidates standing in the election should have a formal role in such events, and no Council staff should facilitate any publicity involving them.

8.2 The key tests in determining whether any proposed visit should be allowed are: -

- Whether it is likely to give rise to references to a political party or persons identified with a political party.
- Whether the event is likely to generate publicity directed at the public or a section of the public and which promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another.
- Where the event is likely to appear to be part of a campaign, the effect which the campaign appears to be designed to achieve.

8.3 The first step is to assess whether the proposed visit would contravene any of those tests. To do so, it is essential to ascertain what the purpose of the visit is and who is initiating it, e.g. Council Officers or the elected representative.

8.4 If the event would contravene any of those tests, it should not take place. Before confirming to the proposed visitors that the visit should not take place, the Chief Solicitor & Monitoring Officer should be consulted.

8.5 If the visit would not contravene the statutory rules on Council publicity set out above, the next step is to consider whether it would be appropriate for the

proposed visit to take place in terms of any management rules or protocols in place regarding the delivery of service in the particular service area in question, e.g. whether the visit would disrupt normal business.

## 9.0 Requests for Information by Election Candidates

9.1 Candidates at elections may request information from Council employees to assist them in their campaign for election. It is important to remember that candidates have no special or legal status and are not entitled to receive information that would not otherwise be made available to a member of the public. Any such requests should be directed to the appropriate Executive Officer or Head of Service for consideration and response and, where appropriate, should be treated as a request for information made under the Freedom of Information (Scotland) Act 2002. Subject to the provisions of the Freedom of Information (Scotland) Act 2002, whether the information is to be provided will be determined by the Executive Officer or Head of Service concerned.

9.2 Issues to be considered in reaching a decision are: -

- Whether the amount of time or effort which it would take to provide the necessary information can be justified.
- Whether it is competent to release the information having regard to the provisions of Freedom of Information, Data Protection and other legislation.
- Whether the information would be provided to a member of the public in normal circumstances.
- Whether the provision of the information could affect an employee's obligation to carry out their duties in a politically neutral way (e.g. if an officer, in providing information, is being asked to express an opinion on a matter of political controversy – care must be taken to ensure that officers do not provide an opinion on any matter).

9.3 Where a candidate asks for information on behalf of a constituent, again officers must remember that candidates do not have constituents. Nor do they have special or legal status and have no rights of representation, nor entitlement to information that would not be provided to a member of the public in similar circumstances. Where such a request is made, is should be passed to the relevant Executive Officer or Head of Service and the candidate should be asked to get the constituent to contact the appropriate Council service direct. Assistance should not be provided directly to the candidate. If the candidate is a sitting elected representative (MP, MSP, or Councillor) and the information sought on behalf of a constituent is non-political and 'business as normal' then whether or not the information can be provided to the sitting MP or MSP will depend on the timing of the request.

9.4 Notwithstanding paragraph 9.3 above, it is important to remember that that MPs and MSPs cease to hold office upon dissolution of the relevant parliament. Where there are outstanding queries submitted on behalf of constituents prior to the dissolution of parliament, a response should be issued directly to the constituent in question, and not to the MP or MSP. No new queries should be submitted to the Council following dissolution of parliament. In the event of a new query being submitted, then a response should be issued directly to the constituent and not to the MP or MSP.

9.5 Executive Officers or Heads of Service will also decide whether information which is being made available to one candidate must be issued equally to all candidates.

## 10.0 Handling Postal Votes Applications and Postal Packs

10.1 Political parties, candidates and canvassers are required to adhere to the provisions of the Elections Act 2022 (in relation to UK Parliamentary Elections) and the Electoral Commission's Code of Conduct on the Handling of Postal Vote Applications and Postal Packs. In so doing they are required to observe the following two key principles i.e.: -

- Candidates and supporters should assist in the efficient and secure administration of elections and uphold the secrecy of the ballot.
- No candidate or supporter should place themselves in a situation where their honesty or integrity – or that of their party or candidate – can be questioned.
- Political campaigners (including candidates, agents, campaign managers, canvassers etc must not handle the postal vote of any voter (other than their own if applicable). There are limited exceptions to this rule. If a candidate, agent or campaigner handles a postal voting document which is not their own then they will be guilty of a criminal offence, unless one of the statutory exceptions apply.

10.2 Council employees are asked to observe these same principles. Specific rules apply to the handling and receipt of postal votes in a UK Parliamentary Election and tailored guidance will be issued in advance of these elections.

10.3 Regardless of the electoral event, any voter enquiring about handing in a postal vote should be encouraged to put it in a post box (where there is still time) or to hand it in at a Polling Place on Polling Day.

10.4 Where a Council officer takes receipt of a postal vote from a member of the public, the postal pack must not be opened. Instead, where postal votes are handed in at Council premises, these must immediately be delivered to the Election Team without delay. Any postal votes which are not received by the Election Team in time will not be included in the election and so will not count.

## 11.0 Guidance Regarding the Activities of Officers

**Staff in Politically Restricted Posts**

11.1 Some Officers are in politically restricted posts as detailed in their contract of employment. The activities which such post holders cannot undertake are: -

- Announce, or cause, authorise or permit anyone else to announce that they are, or intend to be a candidate for election as a member of the House of Commons, the Scottish Parliament or a local authority.
- Act as an election agent or sub-agent for a candidate for election to the House of Commons, the Scottish Parliament or a local authority.
- Be an officer of a political party or a committee or sub-committee member of a party or branch, if this entails involvement in the general management of, or acting on behalf of, the party or branch.
- Canvass on behalf of a political party or on behalf of a person who is or proposes to be a candidate for election.
- Speak to the public at large or to a section of it with the apparent intention of affecting public support for a political party.
- Publish any written or artistic work if it appears to be intended to affect public support for a political party, as opposed to, for example, displaying a poster on their private property or vehicle.

11.2 Nothing in the above prohibitions prevents an employee from engaging in such activities to such an extent as is necessary for the proper performance of their official duties.

**All Staff**

11.3 The restrictions on the use of Council facilities for political purposes, and on the Council issuing political publicity, also apply to all officers. Thus, Officers should not: -

- Undertake any political activities during working hours.
- Use any Council facilities, including email, for political activities.
- Display any political material (i.e. referring to a party or regarding an issue identifiable with one party rather than another) during working hours, when dealing with members of the public, while on Council duties, or in any Council premises. This includes political badges, including badges on cars in a Council car park. It also includes video meetings. Everyone involved in such meetings should consider what is on view in the background. Employees need to ensure there is nothing which could imply a lack of political impartiality. This

is necessary because, in addition to the legal restrictions, many officers regularly meet members of the public.

- If they are a witness for any election-related documents or otherwise personally involved in support for a particular party or candidate, by law they must not be involved with polling or counting.

**Working Relationships between Staff and Elected Members**

11.4 Some employees may have a close working relationship with elected members. It is important that this close working relationship is not compromised in any way. If an employee is asked by an Elected Member to provide assistance with a matter which is clearly party political or which does not have a clear link with the work of the Council, they should politely refuse and inform the Elected Member that they are referring the matter to their Executive Officer for guidance. This rule also applies if an Elected Member seeks assistance on behalf of a candidate in a particular election. This applies at any time, not just during the pre-election period.

**Time Off Work for Council Employees**
**- For Electoral Administration Purposes**

11.5 It is the practice of the Council to give paid leave of absence to any Council employees employed by the Returning Officer as polling or count staff to carry out such duties.

11.6 This reflects the statutory duty of the Council under Section 25 of the Representation of the People Act 1983, to place at the disposal of the Returning Officer the services of officers employed by the Council to assist in the conduct of the poll and the counting of the votes.

**- For Electioneering/Campaigning**

11.7 Any employee who is not in a politically restricted post should not be granted paid leave of absence for the purpose of electioneering or otherwise assisting the campaign of any candidate since that would mean the Council providing facilities to promote the support of a political party. Leave of absence without pay for a period not exceeding four weeks at the time of the election shall be granted to employees who are candidates or election agents within East Dunbartonshire, subject to the exigencies of the Services.

## 12.0 Queries

12.1 Queries about this guidance should be directed to the relevant Executive Officer or Head of Service in the first instance and will ultimately be determined by the Chief Solicitor & Monitoring Officer.

## Frequently Asked Questions

The following are examples of issues which can arise. It must be remembered that the final advice will reflect the exact circumstances and these FAQs are given only to provide an indication of the type of issues which should be considered. They are not a substitute for specific, detailed advice.

**1. How long do these restrictions apply for?**

**From 16th March 2026 until Friday 8th May 2026.**

**2. A Council service proposes to hold a public meeting in the pre-election period to discuss a matter of particular concern to the community. It is likely to attract interest from local politicians. Should the meeting be postponed?**

If the event is scheduled to run during the pre-election period preceding a council election, it must be cancelled. In relation to other electoral events then generally, where the subject matter of the meeting is controversial, it would not be appropriate for it to take place during the pre-election period, nor immediately before it officially begins. Officers and Members are asked to be aware of the heightened political sensitivity during this period. If in doubt, the Chief Executive will decide whether the meeting can proceed.

Where the event can be run without any political attendance, then it may be possible for it to proceed, particularly where there are other compelling reasons for it to take place during the pre-election period.

If an event goes ahead, it should be organised in a politically even-handed way, e.g. including opposition representatives as well as from the political administration.

**3. A controversial item is on the agenda for a meeting of the Council or a committee which will be held during the pre-election period. Should consideration of the item be postponed until after the election?**

As a general rule, the work of the Council will continue where possible having regard to resources and other pressures, and the item should be considered. However, the Chief Executive may consider there is too great a risk in considering an item prior to the election and it may be postponed as a result. The general rule should be in favour of business as usual, particularly where the item of business is urgent from a service delivery perspective, however this will always be balanced against the obligations of the Council and Returning Officer in relation to the administration of the election in an appropriate and fair manner.

**4. A school has been approached by an elected representative who wishes to meet pupils and have a general discussion with them about topics of concern to them. Is it okay to allow the visit?**

This may be permissible where it is linked to the curriculum. See sections 7 and 8 of this guidance. You must show even-handedness towards all candidates. It may therefore be acceptable to invite all candidates to meet the pupils, for example, by holding a mock hustings meeting, but it would not be appropriate to allow only one candidate to meet the pupils. So long as all candidates who represent areas covered by the school's catchment have been given the opportunity to be represented, then it may be possible for the event to proceed. Any request or plans for such an event must be referred to the Chief Education Officer for determination.

**5. Officers have been asked to attend an event to give advice on Council services. Is this okay?**

The first issue is whether it would be appropriate for officers to attend in terms of the statutory rules on Council publicity. It would depend on the nature of the event, who is running it and when it is being held. If the event is associated with a particular political party and is being held during or immediately before the beginning of the pre-election period, then officers must not attend. If it is being held outwith this period, then a decision would have to be made on whether or not the event appears to be designed to affect public support for a political party. If so, then again officers should not attend.

A decision on whether officers should attend will be made by the relevant Executive Officer or Head of Service. Advice should be sought from the Chief Solicitor & Monitoring Officer.

**6. Is it okay for a campaigner to take photographs outside a Council office or facility?**

The taking of photographs by campaigners, political party officials and other staff of any part of any Council building, should be discouraged, and must not be facilitated by Council staff. Campaigners and officials should be aware that photography in and around schools is strictly prohibited.

**7. What do I do if a campaigner/political party refuses to accept my decision?**

Contact the Chief Solicitor & Monitoring Officer, who can discuss the issues raised with the Chief Executive, as appropriate, and let you and the candidate/party know the outcome of these discussions.

**8. A campaigner turns up to a school on an arranged visit as part of their campaign but there are media following them. Should they be allowed in?**

No. This is allowing a Council facility to be used for a party-political activity involving the media without arrangement and without the agreement of the relevant Executive Officer or Head of Service.

**9. A public consultation meeting is scheduled during the pre-election period as part of the formal process for a new school. Can it go ahead?**

In theory, yes. This would constitute normal business, and there may be cost or other service implications for not proceeding. However, if the subject matter is (or is likely to be) politically contentious then advice should be sought. Any decision to proceed will be made by the relevant Executive Officer in consultation with the Chief Solicitor & Monitoring Officer and Chief Executive.

**10. A campaigner or political party wants to use a Council-managed public space for their campaign launch. Should it be allowed?**

It is generally acceptable for these to take place so long as the events are limited, e.g. around one hour and that there is equal opportunity for all parties or candidates to use them. The Council resource/effort in facilitating these should also be minimal, e.g. enabling access to a space and subject to any normal commercial charges that would apply in any other circumstances. Again, the decision on this should be made by the relevant Executive Officer, in consultation with the Chief Solicitor & Monitoring Officer and Chief Executive.

**11. The Council was intending to facilitate a debate on an important issue. Should it be cancelled?**

The debate must be open to participation by all parties and campaigners, and it may be advisable to limit the media participation (e.g. reactive rather than proactive). With those caveats, it could go ahead but thought would still need to be given to whether the issue at hand was likely to be particularly divisive along party lines. Any decision as to whether such an event should proceed must be referred to the Chief Executive to enable a decision to be made.

**12. An elected member wants to give their view on a matter debated at committee to the media. Is this allowed?**

Any Elected Member at any time is at liberty to do this. However, in doing so, they must not use Council facilities (including equipment) for party political or campaigning purposes.

**13. A charity which receives funding from the Council has taken an advert in a political party's newsletter. Is this allowed?**

There are two relevant issues here:

- what is the Council's funding for (e.g. a general grant or for a specific purpose such as communications), and
- what is the advert for (e.g. notice of an event or self-promotion)?

Generally, this is a low-risk activity so long as there is nothing overtly political about the organisation's activity or its advert and will be dependent on the organisation's grant conditions.

**14. There is an event scheduled for the launch of a new service. Can Elected Members be invited? And what about other politicians?**

Unless these are business as normal, such events are generally inadvisable before the election, unless it is essential for the purposes of service delivery to have the launch during this period. If the launch goes ahead, it should be handled in a politically even-handed way, e.g. including opposition representatives as well as from the political administration.

**15. The Council wants to highlight a new initiative. Can the relevant Committee Chair/Convener be involved?**

Assuming the initiative is not particularly politically divisive or controversial, and there are genuine reasons why it is taking place during the pre-election period, then it may be appropriate to go ahead with some publicity. However, ideally the service should be promoted through a service user or manager in any publicity. If the relevant Convener attends and then is photographed or interviewed by someone from the media without Council involvement, a Council Officer cannot (and should not) intervene.

**16. Are there any Council halls which candidates can book?**

Certain halls are made available free of cost to candidates. The Chief Finance Officer or Business & ICT Support Services Manager can provide details. Any enquiry from a candidate for the use of a hall or room in a school for the purpose of holding an election meeting should be directed to the Chief Finance Officer or Business & ICT Support Services Manager. The only charge which can be made is in respect of Council outlays, such as the cost of overtime for a caretaker, cost of heating or electricity etc. These halls must be made available equally to all candidates, albeit will be leased on a first come, first served basis. If candidates wish to hire a hall not covered by these provisions, then they can do so providing this is done on normal commercial terms. In other words, they are charged the same as any other tenant or hirer.

**17. What if a candidate who has booked a hall wishes to film the event?**

The Council's Communications & Engagement Team requires all persons who wish to film on Council property to sign an undertaking. This is designed to protect the Council and contains conditions including: -

a. Provision that the person filming should get consent of those who are to be filmed.

b. The person filming is required to indemnify the Council for any claims and hold their own insurance.

**18. What if the candidate hiring the hall wants other facilities, such as Wi-Fi etc?**

This can be provided on normal commercial terms. In other words, it should not be provided for free.

**19. What if the candidate wishes to advertise a forthcoming event in Council premises?**

As long as the main purpose of the poster is to advertise the forthcoming event this is allowable. On the other hand, if the main purpose appears to be as political publicity or campaigning material then it is not permissible. If in any doubt, contact the Communications & Engagement Manager or the Chief Solicitor & Monitoring Officer.

**20. What about support or assistance for election events where the organiser is impartial and not linked to any campaign?**

For certain events such as hustings where all candidates are invited to speak and where the organiser is clearly impartial it is allowable for the Council to provide support and assistance. Otherwise, they must be on commercial terms.

**21. What if Ministers, MPs or other Politicians want to attend an event in Council premises and significant media presence is expected?**

The Council venue should not be used to facilitate media coverage for such an event during the pre-election period.

**22. What if a sitting Councillor is a Candidate?**

The normal rules apply, as they would in a Council election when many sitting councillors would be candidates. A Councillor should not use Council resources or facilities for campaigning or party-political purposes. Similarly, the Council should not engage in political publicity which promotes that Councillor's party or their candidacy.

Particular care needs to be taken to ensure that any events, publicity or other communications involving a Councillor who is a candidate are politically neutral during the pre-election period. When it comes to Council events and publicity involving such a Councillor, it is important there is a political balance of Councillors (a balance of other candidates is not required as the Councillor in question is acting as Councillor, not candidate). However, it is equally important that any such Councillor is not excluded from normal Council 'business as usual.'

**24. What do I do if a candidate or Political Party refuses to accept my decision?**

Contact your Executive Officer in the first instance who will liaise with the Chief Solicitor & Monitoring Officer as appropriate.

**Contact Details**

**Election Office**
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