

# Local Government Election Year Policy for Elected Members

Policy Owner:	Democracy Manager/Deputy Electoral Officer
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## Summary

1. In an election year, elected members standing for re-election have two roles. They continue to make the decisions of the Waikato District Council and, as candidates, campaign for re-election.
2. If an incumbent elected member is standing for re-election, they must clearly and transparently differentiate between council 'business as usual' and campaigning for re-election. This policy will assist elected members to manage this important distinction, particularly during any year in which a local government election is held.
3. Resources owned by the Waikato District Council and made available to elected members should only be used for Waikato District Council purposes. This applies at all times, but is especially relevant in the pre-election period (three -months before election day).
4. During an election year, the use of council resources for re-election purposes is unacceptable and possibly unlawful.
5. This policy is based on guidance from Local Government New Zealand and Taituarā (formerly SOLGM) such guidance being reviewed by the Office of the Auditor-General and the Department of Internal Affairs.
6. Resources such as Council carparks may not be utilised for those with sign written vehicles and all public land does not permit any election hoardings within the Waikato Council District.

## Principles

This policy is based on three complementary principles:

Principle 1: The operation of local authorities continues during the pre-election period. Elected members continue to have the right to govern and make decisions during the pre-election period.

Principle 2: During the pre-election period, communities have the same legitimate need for information about their local authority's decisions and activities as at any other time.

Principle 3: Local authorities must not promote, or be perceived to promote, the prospects of any candidate, especially a sitting member. Using council resources for re-election of sitting members is unacceptable and possibly unlawful.

### **General business of council continues during pre-election period**

The normal business of council continues during an election year, including during the pre-election period and elected members continue to have the right and responsibility to govern and make decisions.

During the pre-election period a heightened level of media and public scrutiny about council's decisions and business can be expected. To assist elected members and council staff during this period, the council may choose to adopt certain limited restraints on business as usual. For example:

- as far as is reasonably possible, make significant decisions and provide direction to officers on any major issues prior to the pre-election period
- decide not to make major policy decisions or changes which will significantly impact on the incoming council during the pre-election period.

Choosing to adopt limited restraints on normal business during the pre-election period assists elected members and employees to manage any potential confusion which may occur between council's business as usual and candidates' campaign manifestos.

It is important to note that not all decisions should, or can, be made prior to the start of the pre-election period. The general principle is that business can continue as normal.

### **Use of council resources**

If a sitting elected member is seeking re-election a clear and transparent distinction will be made between that member's business-as-usual activities and the member's campaigning activities.

Elected members can use council resources and technology only in their capacity as an elected member of Waikato District Council and should use their own resources and technology in their capacity as an election candidate.

Council's policy on the use of technology may allow limited personal use of council resources such as mobile phones, by elected members on the basis of reimbursing the council for any actual cost to the council.

In an election, the council does not supply any candidate with technology resources, other than those required for carrying out business as usual. Any technology resources may not be utilised for the purpose of developing campaign materials (including social media).

Having access to a council resource could create an electoral advantage, regardless of whether there is an actual cost to the council. All candidates, including sitting members, should use their own resources and devices for electioneering.

### **Mileage allowances will not be paid for any travel relating to electioneering.**

#### **Use of mayoral resources**

Council resources provided for mayoral use should not be used for any electioneering activities associated with any candidate.

If an incumbent mayor is seeking re-election a clear and transparent distinction will be made between that mayor's business-as-usual activities and the mayor's campaigning activities. An incumbent mayor seeking re-election will establish a separate office, with separate staff, for any campaigning activities.

The incumbent mayor's office will establish systems and protocols to ensure that any information or other requests from the public, media, other elected members or council employees during the pre-election period are identified as either business as usual or campaign related and to ensure that these are kept separate and responded to appropriately:

- council-funded communications.
- communications by or about elected members, in their capacities as spokespersons for council.
- events and speaking invitations.

#### **Elected members correspondence**

During the pre-election period normal day-to-day elected members' official correspondence with their constituents on appropriate matters should not be inconsistent with the general principle that Waikato District Council must not promote, nor be perceived to promote, the re-election prospects of a sitting member or any candidate for election.

Correspondence relating to any sitting member's campaign for re-election should not utilise a Waikato District Council email address, stationery or business card. During the election period should staff receive queries that are not related to business as usual they will be treated as Official Information requests and available to all candidates on request.

#### **Council communications**

The use of Waikato District Council communication resources for re-election purposes is unacceptable and may be unlawful.

Criticism of an elected member or candidate for election by a sitting elected member is unacceptable in any council-funded communication.

Criticism of decisions of the council is unacceptable in any council-funded communication.

Waikato District Council's Communications Policy and the policies referred to in that document apply at all times.

Particular care will be exercised in the use of council resources for communications to ensure that they do not unreasonably raise, or could have the effect of unreasonably raising, the personal profile of any elected member or candidate for election in the community.

This will include careful consideration of the tone, content and style of any communication to ensure that it is factual, accurate, complete, fairly expressed, and politically neutral.

During the pre-election period, the following communications must be authorised by Waikato District Council's chief executive, or their delegate:

- Council-funded communications will include reference to the relevant council decision to which they relate. Communications from the mayoral office will include reference to the relevant council decision to which they relate where such a resolution exists.
- Photographs of elected members and content authored by elected members in council publications and advertising will be suspended during the pre-election period.

### **Council support staff for elected members**

Councillor Support Advisors provide dedicated support to elected members. Such support continues for the purpose of assisting elected members to fulfil their responsibilities in conducting the business of Waikato District Council.

Support staff will not provide any assistance relating to electioneering activities. All queries that are not related to business as usual will be forwarded to the LGOIMA Advisor for response, noting that all this information and the responses will be available to other candidates on request.

### **Neutrality of public servants**

A major characteristic of New Zealand's constitutional arrangements is that public servants are apolitical. This applies to public servants in local and central government.

Having a heightened awareness of the need for public servants to be seen to act with political neutrality does not mean the work of council is disrupted. All staff continue to support elected members in performing their role.

It does mean however, that during an election year and particularly during the pre-election period, additional care must be taken to ensure that activities are not seen, in any way, to support or preference one candidate over another.

This is particularly important with respect to activities such as media relations, advertising campaigns, responding to Local Government Official Information and Meetings Act 1987 requests, interaction with electoral candidates, public speaking engagements, appointment processes, programme and strategy launches and promotions, and the release of discussion documents.

The chief executive is responsible for setting appropriate election year protocols for staff.

## **Definitions**

Council resources means:

- council's human resources; budgets; and council-owned, or controlled, property and other resources; including information technology and telecommunications devices.
- Waikato District Council's Elected Members Technology Policy applies during the pre-election period.
- Council carparks, buildings and public places.
- Electioneering means activity that relates exclusively to the campaign for the election of a candidate and occurs solely in the candidate's capacity as a candidate, and not in his or her capacity as a member of the council.
- Pre-election period means the three months prior to election day (11 July to 11 October 2025).

## **Complaints about potential breaches of this policy**

Complaints about potential breaches of this policy must be made in writing to Waikato District Council's chief executive who will consider each complaint on a case-by-case basis with reference to this and other relevant policies.

Complaints about the conduct of the elections are made to the electoral officer. If any complaint involves the use of council resources, the electoral officer will bring the complaint to the attention of the chief executive.

## FAQs

### ***1. What if I receive an election-related call on my council mobile phone?***

You should use a personal phone for election-related activities. Using a council mobile phone for all election communication is not appropriate. It will require you to list the council mobile phone number as your contact on your campaign material and this is also not appropriate. However, spending five minutes taking the call is not likely to affect the course of the election, give you an electoral advantage or be a cost to the council, but you should advise the caller to use your personal number in the future.

### ***2. Some of the opportunities that I have for attending to campaign activities occur between meetings at the council. It is not feasible for me to travel home to use my personal computer in order to draft a speech.***

The underlying principle is that of electoral advantage. The issue is whether, by having access to a computer that you do not have to pay for, you are at an advantage over other candidates. You should use your own resources for election related activity. You may need to carry two laptops during the electoral campaign.

### ***3. What are the relevant dates for the 2025 elections?***

<b>Friday 4 July 2025</b>	<b>Nominations open</b>
<b>Friday 12 August 2025</b>	<b>Nominations close</b>
<b>9-22 September 2025</b>	<b>Delivery of voting documents</b>
<b>Saturday 11 October 2025</b>	<b>Election day</b>
<b>17 October 2025</b>	<b>Public notice of declaration of results</b>
<b>11 December 2025</b>	<b>Return of election expenses &amp; donations form</b>

## Related Documents

Local Government Act 2002 ([Section 41\(5\)](#)) [Local Electoral Act 2001](#)  
[Harmful Digital Communications Act 2015 SOLGM - Election Protocols for council officers](#)  
[Office of the Auditor-General – Good Practice for Managing Public Communications by Local Authorities](#)  
[Conflict of Interest Policy](#)  
[Identify, Declare and Manage Conflicts of Interest – Management & Staff Process](#) [Staff Media Policy](#)  
[Social Media Policy](#) [Disciplinary Policy](#) [Internet Use Policy](#)