

S O L G M

NZ SOCIETY OF LOCAL GOVERNMENT MANAGERS



CODE OF GOOD PRACTICE

For the Management of Local Authority
Elections and Polls

Part 7 Candidate Information

Produced by the
SOLGM Electoral Working Party

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Introduction

- 7.1 The principles of the Act include “all qualified persons have a reasonable and equal opportunity to accept nomination as a candidate” at local elections. To assist the achievement of this principle a number of actions can be taken by electoral officers assisted by the local authority. While there are no statutory obligations in this area recommended good practice is that electoral officers consider activities such as:
- preparing and making available to candidates and potential candidates a candidate information pack (CIP);
 - assisting the conducting of prospective candidates workshops;
 - assisting the holding of candidates events.
- 7.2 There is no statutory requirement for local authorities to provide a CIP or to organise workshops. However, the information in a CIP and at the workshops will facilitate implementation of the principle in section 4(1)(b) of the Act “all qualified persons have a reasonable and equal opportunity to ... (iii) accept nomination as a candidate”.
- 7.3 The over-arching aim of the CIP and the workshops is to provide people thinking about standing for election and candidates with:
- generic information relating to the elections (election timetable, qualifications, nominations, campaigning expenditure, election offences, etc) – much of which is statutory based in the Local Electoral Act and Local Electoral Regulations; and
 - specific information relating to the local authority for which the election is being held (number of issues, maps of constituencies/wards, local authority policy on hoardings, etc);
- so that they are informed about the requirements, obligations of candidates and the electoral process including the role and powers of key functionaries – electoral officer, scrutineers, JPs, etc.
- 7.4 To assist achievement of the principle of reasonable and equal opportunity to accept nomination it is also important that local authorities act appropriately particularly in relation to electioneering by local authority members and relations with the media generally. Recommended good practice in these areas are also included in this Part of the Code.

Objective

To ensure that electoral officers understand the importance and value of informative, accurate and comprehensive candidate information and appropriate candidate behaviour.

Recommended practices

Candidate information pack

- 7.5 The contents of a CIP may include:
- introduction/purpose
 - electoral officer and duties
 - election issues to be contested
 - election timetable
 - electoral system and voting method

- candidate qualifications
- nominations
- campaigning
- election expenses and donations
- election offences
- electoral rolls
- special voting
- early processing of voting documents
- scrutineers
- preliminary results
- officials results
- local government legislation
- coming into office
- role of mayor/chairperson, councillors, community board members
- structure of local authority and community board if relevant
- accountability
- remuneration
- conflicts of interest
- vacation of office
- general information about local authority including management structure.

7.6 There are particular statutory requirements relating to conflicts of interest for candidates of district health boards. Basic requirements are outlined in the model candidate information handbook included as Part 7A to the Code. Candidates should also be provided with a copy of the Ministry of Health publication 2007 District Health Board Elections: Information for candidates, which has more detailed information along with sample conflict of interest statements. Hard copies of this are sent to DHB electoral officers. The document is also available in on the Ministry's web site - <http://www.moh.govt.nz/dhbelections> - or directly from the Ministry's DHB Governance Section (contact David Pannett, Senior Advisor - Governance, (04) 496 2309, david_pannett@moh.govt.nz).

7.7 A model CIP is attached (see page 11 of this Part of the Code) which electoral officers may wish to use as the basis for their CIP.

- 1 Recommended good practice is that CIPs are:**
- (i) prepared and available, at the latest, with nomination papers to prospective candidates immediately following the calling for nominations under section 52 of the Act; and
 - (ii) given to every candidate upon acceptance by the electoral officer of their nomination and that a brief of the CIP and where to obtain it is placed on the Council's web site.

Prospective candidate workshops

7.8 Workshops for prospective candidates are a way of educating electors who may be considering accepting nomination for election. Information from candidate information

packs can also be used for prospective candidate workshops. This will help to avoid the risk of mixed messages, particularly about legal process. The workshops also provide an opportunity for current members to share experiences to help prospective candidates understand what it means to be an elected member. The timing of the workshop is important to ensure a good fit with the overall election process and in particular to avoid any conflict with deadlines for nominations.

- 2 Recommended good practice is that local authorities develop and offer prospective candidate workshops having regard to:**
- (i) timing and integration of the workshop(s) into the overall election process, particularly the closing date for nominations;**
 - (ii) the desirability of giving prospective candidates insights into both the legislative framework and the practical experience of current elected members;**
 - (iii) the level of interest from electors/prospective candidates in attending a workshop.**

Advertising and publicity by local authorities

- 7.9 It is important that local authorities maintain a neutral political position during elections. This will ensure that members do not, and are not seen to, have an advantage over other candidates.
- 7.10 The report of the Controller and Auditor-General entitled “Suggested Guidelines for Advertising and Publicity by Local Authorities” (July 1999 p15) has this to say about advertising in relation to members re-election prospects:
- “705 Sometimes a decision to communicate members’ personal views at authority expense should be taken with the added consideration of how the material might be viewed in the context of other events. A clear example is the triennial election of members and the period preceding it.
- 706 Promoting the re-election prospects of sitting members, directly or indirectly, wittingly or unwittingly, is not among the recognised functions of a local authority. Sometimes, the perception that ratepayers’ money is being used to promote some peoples’ re-election prospects is created by the newspaper style of presentation in local authority newsletters and other community oriented publications – including (in some cases) the statutory annual report.”

- 3 Recommended good practice** is that electoral officers:
- (i) include information relating to candidate advertising in the candidate information pack;
 - (ii) ensure that members seeking re-election are aware of the guidelines published by the Office of the Auditor-General and any advertising and publicity policy adopted by the local authority;
 - (iii) verify that, in relation to elections, any local authority advertising and publicity policy is not in conflict with the guidelines published by the Office of the Auditor-General and bring to the attention of the local authority any discrepancy detected;
 - (iv) ensure that local media are aware of the rules relating to candidate advertising;
 - (v) ensure that all candidates and media are aware that candidates must not use any local authority logos or letterhead in any campaign material;
 - (vi) ensure that the local authority has a policy that prohibits existing local authority elected representatives from using local authority letterhead or facilities, fax machines, email addresses for any election campaigning.

7.11 Further information relating to local authority dealings with the media is attached as Appendix B of this Part of the Code.