



# ELECTION PERIOD POLICY

Policy Number	C30
Council Meeting Date	26 August 2020
Next Review Date	July 2023

## GOOD GOVERNANCE FRAMEWORK – COUNCIL ELECTION PERIOD POLICY

### *Overarching Principle*

*The Election Period Policy sets out the requirements to manage Council's functions and responsibilities during the election period.*

*This policy forms part of the Governance Rules and is an integral part of the 'Decision Making' pillar of the Good Governance Framework.*

### 1. PURPOSE

The *Election Period Policy C30* (the Policy) has been developed to ensure the general elections for the South Gippsland Shire Council are conducted in a manner that is ethical, fair and equitable, and are publicly perceived as such.

Councils must prepare, adopt and maintain a Council *Election Period Policy* in accordance with section 69 of the *Local Government Act 2020* (2020 Act).

### 2. SCOPE

This Policy applies to the Council, Delegated Committees of Council, Community Asset Committees, Advisory Committees, all Councillors regardless of whether or not they are nominating as a candidate, the Chief Executive Officer, Staff or a person acting under delegation given by the Council.

The Policy also applies to members of the public nominating or running as Candidates, where applicable.

If this Policy or parts thereof is inconsistent with the Regulations, Practice Notes and guidance provided by Local Government Victoria, these latter requirements shall prevail.

### 3. POLICY STATEMENT – PART 1 - PROHIBITIONS ON MAJOR POLICY DECISIONS

#### 3.1 Background

The Policy facilitates the continuation of the ordinary business of Council throughout the election period in a reasonable and transparent manner, in accordance with statutory requirements and established caretaker conventions.



Council will ensure that its actions (both actual and perceived) in the election period immediately prior to a Council election are consistent with good governance practices and that it will avoid making significant policy decisions or resolving matters that would be more appropriately determined by the incoming Council.

Council will commit to ensuring resources including staff, equipment, vehicles and materials are not used in election campaigning, or in a way that may improperly influence an election, or improperly advantage existing Councillors and/or Candidates in the election.

### **3.2 Improper Use of Position**

Section 123 of the 2020 Act prohibits Councillors from misusing or making inappropriate use of their position. A breach of section 123 attracts serious penalties, including possible imprisonment.

Councillors, Candidates and Staff are advised that Council is obliged to assist fully in the investigation of any matters arising from the election.

### **3.3 Prohibitions on Major Policy Decisions**

Councils are prohibited under section 69(2) of the 2020 Act from making major policy decisions during the election period that:

1. relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
2. commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
3. the Council considers could be reasonably deferred until the next Council is in place; or
4. the Council considers should not be made during an election period.

A Council decision made in contravention of 3.3(1) or (2) is invalid.

The Council must also prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of 3.3(4) is entitled to compensation from the Council for that loss or damage (refer to section 59 in the 2020 Act in relation to a resolution of the Council).

These are explained in greater detail further below.

### **3.4 Chief Executive Officer Employment and Remuneration**

Council will not, during the election period, make a decision:

- a. To employ a Chief Executive Officer (CEO);
- b. To terminate the CEO's employment;
- c. To vary the CEO's contract; or
- d. To alter the remuneration of the CEO.

Council may appoint an acting CEO, if necessary, during the election period.



### 3.3.1 Entering into Contracts

Council will not enter into a contract that will, or is likely to, commit the Council to expenditure exceeding one per cent of the Council's income from general rates and charges, municipal charges and service rates and charges in the preceding financial year.

Council may consider deferring other major expenditure commitments that can reasonably be deferred to the next Council.

### 3.6 Extraordinary Circumstances

If the Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption.

If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption subject to any conditions or limitations the Minister considers appropriate.

An application for a Ministerial direction should demonstrate that the following apply:

1. The consequences of failing to make the decision would have serious negative impact on the community.
2. The decision cannot be delayed until after the election period.
3. The Council has been unable to make the decision prior to the election period or the need to make the decision prior to the election period was unforeseeable.

If an application is made it should include the following:

- a. Details of the matter to be addressed by the proposed decision along with reasons why the decision is important and urgent.
- b. A description of the degree of political sensitivity involved in the matter and whether it is likely to be an issue in the Council election.
- c. Details of any funding being provided by State or Federal Government, along with contact details for the relevant agency.
- d. An explanation of why the matter could not have been, or was not, resolved prior to the commencement of the election period.
- e. An explanation of why the decision cannot be delayed until after the election period.
- f. An extract from the Council minutes recording the Council resolution to seek an exemption.

### 3.7 Decisions Permissible Under Legislation

1. Council may not delay a decision that is required within a specified time frame by legislation e.g. planning decisions with timelines specified under the *Planning and Environment Act 1987*, or decisions required by the *Local Government Act 2020*, such as the preparation of an Annual Report.

## 4. POLICY STATEMENT - PART 2 - PREVENTION AND CONTROLS

The Policy must include procedures to prevent inappropriate decision making and inappropriate use of resources.



The 2020 Act also requires under section 304 of the 2020 Act prohibitions on publishing electoral material during the election period. Penalty points are applicable for breaches under the 2020 Act.

To this end the following requirements apply:

#### **4.1 Prevention of Inappropriate Decisions**

1. A Councillor or member of Council staff must not use Council resources in a way that—
  - a. is intended to; or
  - b. is likely to—  
affect the result of an election under this Act.
2. A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.
3. To facilitate these requirements Council will not during the election period:
  - a. Allocate community grants or other forms of direct funding for community organisations.
  - b. Approve major planning scheme amendments.
  - c. Adopt new or revised policy directions or strategic plans.
  - d. Make changes to strategic objectives or strategies in the Council Plan.
4. During the election period the Council will not make significant decisions that bind the incoming Council except where:
  - a. the issue is urgent
  - b. it is considered absolutely necessary for Council operational purposes or pursuant to statutory requirements;
  - c. failure to make a decision would be a breach of legislative requirements;
  - d. the issue cannot be reasonably deferred without major negative repercussions; or
  - e. the decision relates to the completion of an activity already undertaken and endorsed by Council e.g. via the Budget, Council Plan, approving Meeting Minutes and ordinary procedural reports etc.
5. It shall be the responsibility of the CEO to determine whether a matter meets these criteria.

#### **4.2 Prevention of Misuse of Resources**

The Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the CEO as to the nature of the usage.



The following protocols shall apply during the election period:

1. Use of Council Resources

Council resources, including vehicles, offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during the election period, and will not be used in connection with any election matter. Similarly, Council funded telephones and e-mail addresses are not to be used by Councillors as contact points in their election campaign material.

2. Council Reimbursements

Reimbursement of Councillors' out-of-pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal (required) Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

3. South Gippsland Shire Council Branding

No Council logos, letterheads, or other South Gippsland Shire Council branding will be used for, or linked in any way to, a candidate's election campaign.

4. Councillor Title Use

Councillors may use the title "Councillor" in their personal election material, as they continue to hold their positions in the period, however to avoid confusion Councillors are required to ensure where they use the title 'Councillor' in their publications they clearly indicate it is their own material and does not represent Council.

#### 4.3 Authors to be identified

1. Under s.290 (1) of the 2020 Act a person must not during the election period—
  - a. print, publish or distribute; or
  - b. cause, permit or authorise to be printed, published or distributed—  
a newspaper, circular or pamphlet containing an article, report, letter or other matter containing electoral matter unless the author's name and address are set out at the end of the article, report, letter or other matter, or if only part of the article, report, letter or other matter appears in any issue of a newspaper, circular or pamphlet at the end of that part.

Penalty points apply under s.290 (1) of the 2020 Act for breaches of this clause (2).

2. Under s.290 (2) of the 2020 Act s.290 (1) does not apply to the publication in a newspaper of—
  - (a) a leading article; or
  - (b) an article that consists solely of a report of a meeting and does not contain electoral matter, other than comment made by a speaker at the meeting.
3. Under s.290 (3) of the 2020 Act it is sufficient compliance with s.290 (1) if a newspaper containing a letter containing electoral matter sets out—
  - (a) the author's name; and
  - (b) the suburb or locality in which the author's address is located.



#### 4.4 Prevention of Unnecessary Publicity

It is recognised that Council publicity is intended to promote Council activities and services. Council publicity will not be used in any way that might influence the outcome of a Council election.

During the election period, no Council employee may make any public statement that could be construed as influencing the election. This does not include statements of clarification that are approved by the CEO.

#### 4.5 Prevention of Council Media Services Access

Council's Communications team undertake the promotion of Council activities and initiatives. Council publicity during the election period will be restricted to communicating normal Council activities and responses to customer needs and will be subject to certification by the CEO.

Any requests for media advice or assistance from Councillors during the election period will be channelled through the CEO. No media advice or assistance will be provided in relation to election campaign matters, or in regard to publicity that involves specific Councillors or Candidates.

Councillors will not use their position as an elected representative to access Council staff resources and other Council resources to gain media attention in support of an election campaign.

#### 4.6 CEO Certification of Publication Materials – Section 290 and Section 304

Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the publication has been certified, in writing, by the CEO.

Councillors or members of Council staff must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during the election period on behalf of, or in the name of, a Councillor using Council resources if the electoral advertisement, handbill, pamphlet or notice has not been certified by the CEO.

Certifications by the CEO will be in writing on or affixed to a copy of the publication and be in the following form:

*'Certified by the Chief Executive Officer in accordance with section 290 and section 304 of the Local Government Act 2020'*

Copies of all certified documents will be retained on Council records.

The following protocols shall apply during the election period:

1. Website
  - a. Material published on Council's website in advance of the election period is not subject to certification. Existing material that is prominently displayed will be reviewed and consideration given to its removal if it would be considered electoral material, were it to be published during the election period.
  - b. Councillors' names and contact information will remain on the website during the election period, but Councillors' profiles will be removed.





## 2. Social Media

- a. Social media will continue to be used by Council staff to respond to general customer service information provision. These responses will be certified by the CEO.
- b. To facilitate timely responses, a series of standard statements, pre-certified by the CEO, will be used where applicable.
- c. Staff responsible for administering individual social media sites will monitor their respective sites during the election period and use moderation features where available, such as approved standard statements, to ensure no electoral matter is posted.
- d. Any social media posting from the community or candidates that may influence the election outcome will be removed as soon as practicable.

## 3. Council Agendas, Minutes and Briefing Papers

- a. Council Agendas, Minutes and Briefing Papers do not require certification by the CEO unless they are printed and published for a wider distribution than normal.
- b. All reports and briefing papers during the election period will include a statement verifying that they do not breach section 69 and section 304 of the 2020 Act.

## 4. Annual Report

The Annual Report will be prepared, endorsed and published during the election period. This document does not require certification, however the CEO will check and approve the use of pictures and content, in order to remove items that could be construed as electioneering. Councillors' names and details will be included in the Annual Report without photographs.

Guidance about publications and resources is contained in **Attachment 1** of this Policy.

## 5. POLICY STATEMENT - PART 3 - LIMITING PUBLIC CONSULTATION AND COUNCIL EVENTS

The Policy must include procedures to prevent limits on public consultation and the scheduling of Council events. To this end the following requirements apply:

### 5.1 Public Meetings, Community Consultation and Events

Scheduling public consultations and events in the lead up to elections frequently raises concerns over their potential use by sitting Councillors and Candidates for electioneering purposes. To this end Council will ensure elections are not compromised by inappropriate electioneering and will safeguard the authority of the incoming Council by placing restrictions on the opportunities Councillors or members of the public have to promote themselves or political issues that may influence election outcomes.

#### 1. Council Meetings, Briefings and Public Presentation Session

- a. Councillor Reports, Public Question Time conducted at Council Meetings and Public Presentation Sessions will not be used by Councillors or Candidates for actual or perceived electioneering activities. The CEO and/or Mayor may call an immediate stop to a speaker, and/or not release documentation provided by speakers considered by them to be misusing Council resources for potential electioneering purposes at these times.



- b. Councillors may speak to Agenda items of any Council Meetings and/or Special Council Meetings and Briefings held during the election period.
  - c. Council will limit speakers at Public Presentation sessions held in the election period to discussion of topics that are on the Council Agenda for that month. If there are no speakers to the Agenda then the Public Presentation sessions may be cancelled by the CEO.
  - d. External speakers wishing to present to Council at a Public Presentation session during the election period must provide the Council Business Officer with a list of the topics to be raised when booking a time and provide a copy of any documents or power point presentations they wish to use at the session. These topics and documents will be considered by the CEO as to their relevance to the Council Agenda. The Speaker will be advised of any items not relevant to the Agenda that cannot be raised and encourage the Speaker to book a time to present to the newly elected Council at the next appropriate session.
2. Public Consultation
- a. Council will not conduct community consultation activities during election periods, excluding those required for statutory purposes that cannot be delayed until after the election period.
  - b. The CEO is to approve in writing any consultation activities that may be held at any time during the election period. Permission must be gained prior to commencement or advertisement of the activity.
3. Community Events
- Council will limit community events as far as practicable during the election period to those normally held on a periodic basis; such as Coal Creek markets and annual festivals. The CEO is to approve in writing any new community events that have to be held during this election period. Permission must be gained prior to commencement or advertisement of the activity.
4. Speeches
- Any required speeches to be made on behalf of Council by the Mayor, Councillors, CEO or Staff during the election period will be scripted and certified by the CEO prior to the event.
5. Councillor Community Meetings
- Councillors will not hold any community meetings or gatherings under the auspice of Council, or use any Council resources for such events during the election period.





## 6. POLICY STATEMENT - PART 4 - ACCESS TO COUNCIL INFORMATION FOR COUNCILLORS AND CANDIDATES

Council's *Election Period Policy*, prepared in accordance with section 69 of the 2020 Act, is required to include procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.

To this end the following requirements apply:

### 6.1 Access to Information

The Council recognises that all election candidates have the right to access information from the Council administration, subject to the *Privacy and Data Collection Act 2014*.

Neither Councillors nor Candidates will receive information or advice from Council staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the election period.

Councillors will continue to receive information that is necessary to fulfil their elected roles, particularly in regard to information relating to Council Agenda and Briefing Paper items currently under consideration.

### 6.2 Provision of Council Information to Councillors and Candidates

1. Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or that might be perceived to be connected with a candidate's election campaign.
2. Where a Councillor wishes to request information for their use as a Councillor (e.g. a briefing from Council Officers, access to information on Council files) the Councillor must make the request through the CEO or the relevant Director. This protects both Councillors and Officers from any accusation of "inappropriate interaction" and/or "undue influence". It also allows the relevance of the information requested to be determined in relation to current Council business.
3. Council staff will not directly provide Councillors or Candidates with information but will refer any direct requests for information to the appropriate Director, or the CEO on broader matters during the election period.

### 6.3 Information Request Register

An Information Request Register (Register) will be maintained during the election period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and Candidates, and the responses given to those requests.



## 6.4 Freedom of Information Requests

Applications for information under the *Freedom of Information Act (Victoria) 1982* will be dealt with in the normal manner. Their requirements are outlined in the Freedom of Information Act 1982.

## 6.5 Assistance to Candidates

The Council affirms that all Candidates for the Council election will be treated equally.

Any assistance and advice to be provided to Candidates as part of the conduct of the Council election will be provided equally to all Candidates. The types of assistance that are available will be documented and communicated to all Candidates in advance.

All election related enquiries from Candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Victorian Electoral Commission, CEO or a designated member of Council staff depending on the matter.

## 7. RISK ASSESSMENT

This Policy enables:

1. Council, Councillors, Candidates and Council Staff to understand their requirements and obligations.
2. Council to demonstrate its commitment to probity in its elections.
3. Community confidence and public trust in Council to be maintained or improved.
4. Council to address matters that may not be explicitly captured in the 2020 Act and, when followed will mitigate the likelihood of any breaches of the 2020 Act.
5. Control measures to be in place that ensure Council resources are not used for electoral or campaigning purposes.

## 8. IMPLEMENTATION STATEMENT

1. The CEO is responsible for determining any issues that arise in the implementation of this Policy.
2. The election period:
  - a. Starts at the time that nominations close on nomination day; and
  - b. Ends at 6.00pm on election day.
3. As soon as practical and no later than one month prior to the commencement of the election period, the CEO will ensure that all Councillors and staff are informed of the requirements of this Policy.
4. All Delegated Committees, Community Asset Committees and appointed Advisory Committees of Council will be provided with a copy of this Policy and encouraged not to hold formal Committee meetings during the election period. If



formal Committee meetings are required in the election period the Committee must ensure it follows the requirements of this Policy.

5. All staff have a responsibility to monitor the implementation of this Policy and immediately refer any departures or deviations from this Policy to the CEO.
6. A copy of the Policy will be provided to the Victorian Electoral Office for inclusion in the Candidates' kit.
7. The Policy will be published on Council's website [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au).

<b>POLICY OWNERSHIP</b>	
Directorate	Corporate & Community Services – Council Business
<b>SUPPORTING INFORMATION</b>	
<b>Legislative Provisions</b>	Charter of Human Rights and Responsibilities Act 2006 Equal Opportunity Act 2010 Freedom of Information Act 1982 Gender Equality Act 2020 Local Government Act 2020 Local Government Act 2020 - Part 8 Electoral Provisions and associated regulations Local Government (General) Regulations 2015 Local Government (Planning and Reporting) Regulations 2014 Ombudsman Act 1973 Privacy and Data Protection Act 2014 Protected Disclosure Act 2012
<b>Council Supporting Documents</b>	CEO Employment and Remuneration Policy C71 Community Engagement Strategy Community Engagement Policy C06 Complaint Handling Policy C64 Council Plan 2020-2024 Councillor Code of Conduct 2017 Councillor Access to and Request for Information Policy C66 Councillor Support and Expenditure Policy C51 Election Period Policy C30 Fraud and Corrupt Conduct Policy C19 Governance Rules 2020 Human Rights Policy C52 Information Privacy Policy C22 Live Streaming of Council Meetings Policy C67 Local Law No 2 2020 – Meeting Procedure and Common Seal Policy Framework Policy C72 Procurement Policy C32 Protected Disclosure Guidelines Public Participation in Meetings with Council Policy C65 Rates and Charges Hardship Policy C53 Risk Management Policy and Framework C35 Staff Code of Conduct 2017 Social Media Policy CE75 South Gippsland Shire Council Governance Framework Sound Recording of Council Meetings C48
<b>Related Documents</b>	Practice Notes and guidance prepared from time to time by the Department of Environment, Land, Water and Planning (DEWLP) and Local Government Victoria
<b>File Number</b>	TRIM Ref: D543819
<b>DEFINITIONS</b>	
The following list of definitions have been derived from the <i>Local Government Act 2020</i> , section 3(1) Definitions.	
<b>Candidate</b>	Is a person who has nominated themselves with the Victorian Electoral Commission and is seeking election as a Councillor.



<b>CEO / Chief Executive Officer</b>	The person appointed by a Council under s.44 to be its Chief Executive Officer or any person acting in that position.
<b>Councillor</b>	A person who holds the office of member of a Council.
<b>Electoral Matter</b>	<p>Electoral matter refers to any electoral material which is intended to affect voting in an election. It does not include:</p> <ul style="list-style-type: none"> <li>• Any electoral material produced by, or on behalf of, the Victorian Electoral Office or Returning Office for the purposes of conducting an election;</li> <li>• An advertisement in a newspaper announcing the holding of a meeting.</li> <li>• It does include material that: <ul style="list-style-type: none"> <li>• Publicises the strengths or weaknesses of a Candidate;</li> <li>• Advocates the policies of the Council or of a Candidate;</li> <li>• Responds to claims made by a Candidate; or</li> <li>• Publicises the achievements of the elected Council.</li> </ul> </li> </ul>

<b>Election Period</b>	Is the period that – a. Starts at the time that nominations close on nomination day; and b. Ends at 6 pm on election day”.
<b>Electoral Material</b>	An advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.
<b>Public Consultation</b>	Means a process that involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy, and includes discussion of the matter with the public.
<b>Significant / Major Policy Decision</b>	Means an irrevocable decision that significantly affects the municipality.

**REVISION HISTORY**

<b>Policy Review</b>	In accordance with Council’s policy review process, this policy will be reviewed outside the standard 4-year cycle. This Policy must be reviewed at least one year prior to a Council Election to ensure that it meets with current practice and legislative amendments of the time.		
<b>Version</b>	<b>Approved</b>	<b>Approval Date</b>	<b>Sections Modified</b>
1.0	Ordinary Council Meeting	23 March 2016	New Version of Modified Policy
2.0	Council Meeting	24 August 2020	New Version of modified policy to align to 2020 Act.



## Attachment 1: Publications and Resources

	<b>Publications</b>	<b>Resources</b>
	<i>All Publications must be certified. Refer to clause 4.6 of this Policy.</i>	<i>Council resources should not be used for electoral campaigning purposes.</i>
<b>Annual Report</b>	<p>The Annual Report is required by law and would not normally be considered an “advertisement, handbill, pamphlet or notice”. It should not require certification.</p> <p>However, the Annual Report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.</p> <p>In addition, if a Council will be printing or distributing a greater number of copies of the Annual Report than usual, it may be regarded as a pamphlet and should be subject to certification by the CEO.</p>	<p>Section 100 of the 2020 Act requires the Council hold a Council meeting to present the Annual Report to Council in the year of a general election, on a day not later than the day before the election day.</p> <p>The preparation of the Annual Report is a proper use of Council resources.</p>
<b>Annual Report summary</b>	Any publication of an extract or summary of the Annual Report is likely to be regarded as a pamphlet and must be subject to the certification process.	Council resources should not be used to produce or distribute any summary of an Annual Report during the election that would be regarded as electoral material.
<b>Council Meetings</b>	<p>Agenda papers and minutes of meetings would not normally be considered advertisements, handbills, pamphlets or notices and should not require certification.</p> <p>However, if Council meeting papers are printed or published for a wider distribution than normal, they should be treated as pamphlets and be subject to the certification process.</p>	The conduct of Council meetings, as well as the preparation of agenda papers and minutes, is part of normal Council business. It is expected that they would continue to be resourced by the Council administration during an election period.



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	<i>All Publications must be certified. Refer to clause 4.6 of this Policy.</i>	<i>Council resources should not be used for electoral campaigning purposes.</i>
<b>Advertisements &amp; Notices</b>	<p>All Council advertisements and notices must be subject to the certification process during an election period. This includes job advertisements and various notices, such as Council meetings and road closures.</p> <p>Newspaper notices of meetings are not regarded as electoral material under section 3(1) of the 2020 Act and can be certified.</p>	
<b>Website – New Material</b>	<p>Any new material published on the Council’s web site during the election period that may be considered an advertisement, handbill, pamphlet or notice must be subject to the certification process.</p> <p>As noted above, Council agendas, minutes of meetings, adopted Budgets and full Annual Reports do not require certification if published in the usual way.</p>	Council’s web sites should not be used to convey information that could be regarded as electoral material unless it is only about the election process.
<b>Website – Existing Material</b>	<p>It is not necessary to certify material that was published on the Council’s web site well before the election period.</p> <p>However, it is recommended that web sites be checked at the start of the election period for:</p> <ul style="list-style-type: none"> <li>• Profiles of Councillors who are candidates should be removed from the web site, but not contact details.</li> <li>• Information prominently displayed on the web site that might be regarded as likely to influence how people vote should be removed.</li> </ul>	Council’s web sites should not be used to convey information that could be regarded as electoral material unless it is only about the election process.





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	<i>All Publications must be certified. Refer to clause 4.6 of this Policy.</i>	<i>Council resources should not be used for electoral campaigning purposes.</i>
<b>Social Media</b>	<p>Any publication on social media sites like Facebook or Twitter, which is auspiced by the Council, will generally require certification by the CEO.</p> <p>A number of CEO approved standard responses can be prepared and utilised to respond to relevant matters that are raised on social media sites.</p> <p>Similar requirements apply to Council blog sites.</p>	<p>Council auspiced social media must not be used for election campaigning.</p> <p>It is recommended that a Council consider either limiting access to its social media sites during election periods or undertaking constant monitoring to ensure no electoral matter is posted.</p>
<b>Email</b>	<p>Emails that are part of the normal conduct of Council business should not require certification.</p> <p>However, any emails with multiple addressees, used for broad communication with the community, should be subject to the certification process.</p>	<p>Council email services must not be used for electioneering purposes.</p> <p>If necessary, Councillors should be referred to one or more of the free email providers for private email addresses.</p>
<b>Correspondence</b>	<p>Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.</p>	<p>Council staff should not prepare Councillors' private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.</p>
<b>Brochures, Pamphlets, Handbills, Flyers, Newsletters and Books</b>	<p>Documents promoting an event, activity, consultation or information to be distributed during the election period must be subject to the certification process.</p>	<p>Council staff or Councillors should not prepare brochures, fliers, pamphlets or other documents that may be considered electoral material on behalf of a Councillor or Candidate and such material must not be printed on Council stationery or using Council equipment.</p>



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	<i>All Publications must be certified. Refer to clause 4.6 of this Policy.</i>	<i>Council resources should not be used for electoral campaigning purposes.</i>
<b>Mobile phones/ Home phone line</b>		<p>Mobile phone costs associated with electioneering should not be paid by the Council. This should be addressed in Council policies and procedures and properly monitored.</p> <p>If Councillors are provided with a Council owned mobile phone, suitable procedures should be put in place. This may involve</p> <ul style="list-style-type: none"> <li>• Requiring Councillors to use another mobile phone for electioneering, or</li> <li>• Establishing arrangements to monitor usage and ensure reimbursement by Councillors of costs associated with electioneering or other private use.</li> </ul>
<b>Council offices and libraries</b>	<p>Existing documents available to the public at Council offices and libraries do not normally require CEO certification.</p> <p>However, any increase in the availability of a publication should be subject to certification.</p> <p>It is also recommended that staff check material in libraries and offices to make sure that publications including electoral matter are not prominently displayed.</p>	<p>Electoral material, including pamphlets, posters and notices should not be visible or available at any Council premises during an election.</p> <p>The only exception to this is material issued by the returning officer for the purpose of conducting the election.</p>
<b>Media releases</b>	Media releases should be regarded as documents that require certification by the CEO.	<p>Council staff must not prepare, or assist in the preparation of, media releases that contain electoral material.</p> <p>Councillors should be advised that media releases dealing with their election campaign should only be issued privately.</p>



	<b>Publications</b>	<b>Resources</b>
	<i>All Publications must be certified. Refer to clause 4.6 of this Policy.</i>	<i>Council resources should not be used for electoral campaigning purposes.</i>
<b>Events</b>	<p>Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process.</p> <p>New events or functions that do not form part of regular or annual events require certification of the CEO prior to commencement or advertising.</p>	<p>Functions or events for the purpose of electioneering must not be resourced or publicised by the Council.</p> <p>Normal Council events are not prohibited in the election period. However, it is recommended that they be kept to a minimum.</p> <p>Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.</p>
<b>Speeches</b>	Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process.	Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.
<b>Title of "Councillor"</b>		<p>Councillors may use the title "Councillor" in their election material, as they continue to hold their positions in the period.</p> <p>To avoid confusion, Councillors should be advised to ensure that any election publication using the title "Councillor" clearly indicates that it is their own material and does not represent Council.</p>
<b>Returning Officer</b>	The election returning officer is a statutory position and does not perform his or her duties on behalf of the Council. Therefore, publications by a VEC returning officer do not need certification.	