



Llywodraeth Cymru  
Welsh Government

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# Police and Crime Commissioner elections 2024: guidance for Welsh Government officials

Guidance on the impact the 2 May 2024 elections will have on officials working for the Welsh Government.

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# 1. Introduction

On 2 May 2024 there will be elections taking place for Police and Crime Commissioner (PCC) roles in Wales and England. Whilst the impact on our work will be much less than that experienced in Senedd or Local Government elections, particular care should be taken in the 3 weeks prior to the elections, i.e. from 11 April, in areas which refer to the work of the police and criminal justice. There will be other local elections in England, but not in Wales.

As Welsh Government officials, our role is to continue to support Ministers in their work as usual, while being aware of the need to avoid action which is, or could be construed as being, favouring an election candidate or likely to have a direct bearing on the elections.

The purpose of this note is to provide general guidance on the impact the election campaign will have on officials working for the Welsh Government. The principles of this guidance will be conveyed to Welsh Government devolved public bodies. The guidance applies from the 11 April until and including polling day on 2 May.

Ministers will continue to carry out their functions in the usual way and officials will continue to support Ministers in their day-to-day work. However, this guidance does not, and cannot cover all the cases which might arise during the campaign.

Information about the responsibilities of the PCCs is attached at Annex A to assist in assessing whether a proposed activity could impact on the campaign.

If you are in any doubt at all about what to do, you should approach your

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Director General, Director or the Director of Risk, Resilience and Community Safety.

The Civil Service Code continues to apply during the campaign. Under that, civil servants must adhere to 2 basic principles at all times:

1. to be, and to be seen to be, politically impartial
2. to ensure that public resources are not used for party-political purposes.

Under the code, Welsh Government civil servants owe their loyalty to the Welsh Government. Officials should therefore continue to work towards delivering the commitments in the programme for government and other Welsh Government business.

## **2. Supporting ministers: briefings, submissions and routine business**

Officials should continue to submit advice and briefings to ministers, and otherwise carry out their work as normal, taking account of the usual requirements for impartiality. This means making sure that nothing in our work (including briefing and answers to correspondence) suggests support for, or opposition to, one or more election candidates, or could be taken to do so. If in doubt, advice should be sought from your Director General, Director or the Director of Risk, Resilience and Community Safety.

## **3. Handling correspondence, Senedd questions (SQs), freedom of information (FOI) Requests,**

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## and enquiries

Except for those matters which fall under Annex A, officials should continue to answer correspondence and SQs in accordance with existing procedures throughout the campaign period.

Ministerial correspondence from election candidates on matters which do not directly affect the areas covered in Annex A will continue to be answered during the pre-election period.

Correspondence, SQs or requests for information should be dealt with as per usual.

All requests for information fall under the Freedom of Information Act and must normally be responded to within 20 working days. Requests which seek disclosure of recorded information which is not in the public domain should continue to be dealt with according to the usual process.

All such requests should be treated equally, regardless of the political affiliation of the person making them.

## 4. Communications

Announcements made during the pre-election period on matters which directly affect the areas set out in Annex A should either be made before the pre-election period begins or be deferred until after the elections have taken place.

More generally, particular care should be taken when making announcements, organising public events, covering stories on the Welsh Government's website and undertaking paid-for marketing and publicity. Whilst maintaining business as

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usual, a sensitivity test should be applied in all cases by the relevant Director General and Communications officials. The general rule is that none of these activities should be, or be capable of being construed as being, favouring a candidate.

If in doubt, advice should be sought from Toby Mason in Communications Directorate.

## 5. Working with Whitehall UK and devolved governments' departments

Whitehall officials have also received [election guidance from Cabinet Office](#).

Welsh Government officials who routinely work with UK government departments should continue to maintain dialogue with their Whitehall counterparts.

## 6. Consultations

Where the Welsh Government is preparing new policy, programme or legislative proposals and is required to consult, consultations will usually continue during the campaign period. Any consultation exercises due to begin during the campaign period which involve policy areas related to the responsibilities of the PCCs should be subjected to a sensitivity test by appropriate Directors General to identify any potentially politically contentious issues.

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## 7. Political activity by officials

We should familiarise ourselves with the rules on political activity, as the majority of employees are required to apply for permission before taking part in political activity.

Any Welsh Government employee\* wishing to undertake any political or campaigning activity in relation to the PCC elections should seek permission in writing, via their line manager, from their HR Adviser.

The test that is applied in deciding whether to give permission is whether the applicant is working in a "sensitive area." (The term "sensitive area" is explained in full in the policy on political activities). The Welsh Government may attach conditions or restrictions to any permission that is granted. For example anonymous telephone canvassing may be permitted but not door-to-door canvassing or speaking at meetings.

\*"Industrial and non-office grades" have blanket permission to take part in political activity.

## 8. Use of Welsh Government premises

Welsh Government premises should not be used for campaigning purposes. Do not seek to use Welsh Government premises for such purposes yourself, or display election posters, etc. on Welsh Government premises. Similar guidance will be issued to NHS Trusts and WGSBs on the use of their estate.

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## 9. Officials in ministers' private offices

It is unlikely that ministers will be engaged in campaign activity to the same extent as during Senedd or UK Parliamentary elections; however private office officials may wish to discuss the principles of this guidance with ministers prior to the start of the formal pre-election period or when appropriate. Private Office officials should continue to support ministers in their official duties at all times, but should familiarise themselves with the guidance on handling Correspondence, Senedd Questions, Freedom of Information requests, and requests for information outlined at paragraph 3 of this guidance.

Private Office officials should not attend engagements which are explicitly for campaigning purposes.

Private Office officials should not allow Welsh Government resources to be used for election purposes. In particular, they should not book official cars or rooms in Welsh Government premises or elsewhere, commission speeches or briefing, or arrange other support, for campaigning engagements.

Decisions on the use of local authority (including police authority) properties should be for those legally responsible for those premises.

## 10. Special Advisers

Special Advisers will continue to provide advice and support to ministers, including political advice, in line with the Code of Conduct for Special Advisers.



# 11. Contact points

You should discuss any doubts you have with your line manager in the first instance. But you can get more help and advice, particularly on specific cases, from the following. Please submit your query by e-mail.

For queries on:

- Whether an issue directly affects PCC elections: Your line manager, Director General or Director, Risk, Resilience and Community Safety.
- Ministerial briefing and similar: the relevant private secretary.
- Public access to information: FOI Unit.
- Personal conduct of officials (including special advisers) wishing to engage in campaigning activity, etc.: Your HR Adviser Team
- Announcements, events, marketing and publicity – Heads of Communications
- Officials in private offices: Cabinet Division.
- Any other query on this guidance: Cabinet Division.

Cabinet Division

April 2024

## Annex A: Responsibilities of Police and Crime Commissioners

Police and crime commissioners (PCCs) will ensure the policing needs of their communities are met as effectively as possible, bringing communities closer to the police, building confidence in the system and restoring trust. PCCs will make and influence key decisions that will impact on how your local area looks and feels - from CCTV, street lighting and graffiti to tackling gangs and drug dealing.

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Their job will be to listen to the public and then respond to their needs, bringing more of a public voice to policing and giving the public a name and a face to complain to if they aren't satisfied.

## **Setting the strategic direction and accountability for policing**

- Being accountable to the electorate.
- Setting strategic policing priorities.
- Holding the force to account through the Chief Constable, and consulting and involving the public.
- Hiring and, when necessary, dismissing the Chief Constable.

## **Working with partners to prevent and tackle crime and re-offending**

- Ensuring that the police respond effectively to public concerns and threats to public safety.
- Promoting and enabling joined up working on community safety and criminal justice.
- Increasing public confidence in how crime is cut and policing delivered.

## **Invoking the voice of the public, the vulnerable and victims**

- Ensuring that public priorities are acted upon, victims are consulted and that the most vulnerable individuals are not overlooked.
- Complying with the General Equality Duty under the Equality Act.

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## Contributing to resourcing of policing response to regional and national threats

- Ensuring an effective policing contribution alongside other partners to national arrangements to protect the public from other cross- boundary threats inline with the Strategic Policing Requirement.

## Ensuring value for money

- Responsible for setting the budget, including the police precept component of council tax, and the distribution of policing grants from central government.
- Commissioning services from partners that will contribute to cutting crime.

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