

WELSH HEALTH CIRCULAR



Llywodraeth Cymru
Welsh Government

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Local Health Boards and NHS Trusts

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Wales

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Enclosure(s): Letter and guidance document on above issue.

Cyfarwyddwr Cyffredinol Iechyd a Gwasanaethau Cymdeithasol/
Prif Weithredwr GIG Cymru
Grŵp Iechyd a Gwasanaethau Cymdeithasol

Director General Health and Social Services/
NHS Wales Chief Executive
Health and Social Services Group



Llywodraeth Cymru
Welsh Government

Chief Executives
Chairs
Board Secretaries

Our Ref: AG/HF/SB

10 March 2021

Dear Colleague

Senedd Election 2021

You will be aware that there will be a Senedd Election on 6 May 2021 and that the Senedd will be dissolved as of 29 April 2021 and Members of the Senedd will cease to hold office. The pre-election period will begin on 25 March 2021 and this guidance applies from then until and including polling day. During the pre-election period, Welsh Government activities and those of Ministers will be under very close scrutiny.

The coronavirus pandemic has created unique circumstances with no parallel in recent times. During the Senedd election period Ministers will need to continue making important decisions on managing the virus and officials must continue to support them with advice. Given the disruption to everyday life caused by the coronavirus some of these decisions may inevitably be high profile and potentially sensitive.

Ministers will be free to act in their political capacities, and are not constrained from speaking politically about these issues. However, the duty of officials is to support Ministers and the Welsh Government's response to the pandemic without being drawn into the political arena.

The day to day business of civil servants will continue, in most cases, as usual. However, there may be some areas in which activities are restricted, as set out in the guidance to staff.

Ministers will continue to hold Ministerial office until a new First Minister is appointed by Her Majesty the Queen and a new Cabinet is appointed and essential work in relation to the pandemic will continue during this period.

Attached is the guidance that has been issued to Welsh Government staff, which you will wish to note.

The conduct of your staff naturally remains a matter for local management, but it is clearly essential to avoid any suggestion that public resources have been used to support any particular candidate or for party political purposes.

Should you require clarification on any aspect of this note please do not hesitate to contact Steve Probert (Steve.Probert@gov.wales).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Goodall', written in a cursive style.

Dr Andrew Goodall CBE

Elections to Senedd Cymru – May 2021

Guidance for Welsh Government Staff

The election to the Senedd takes place on 6 May 2021. The purpose of this guidance is to inform staff of the arrangements for handling government business during the pre-election period, so as to avoid being seen or perceived to influence the election campaign in any way, to maintain the impartiality of the Civil Service, and avoid criticism of an inappropriate use of official resources. The response to the coronavirus pandemic provides a unique context in which this guidance should be read, and further advice is provided below

1. Introduction

The coronavirus pandemic has created unique circumstances with no parallel in recent times. During the Senedd election period Ministers will need to continue making important decisions on managing the virus and officials must continue to support them with advice. Given the disruption to everyday life caused by the coronavirus some of these decisions may inevitably be high profile and potentially sensitive.

The following sections of this guidance set out the general rules for Welsh Government officials in relation to supporting Ministers, including with communications, during the pre-election period. However, as the ongoing coronavirus pandemic and the Government's response to the public health emergency will remain a significant issue during the election, guidance should be read in that context.

The current Senedd will not be dissolved until one minute past midnight on 29 April in order to be able to respond to the unfolding public health issues. We will need to continue to support Welsh Ministers in such activities and the wider Welsh Government response to the pandemic. This may include drafting relevant legislation, responding to debates and preparing answers to oral and written Senedd Questions. Ministers will be free to act in their political capacities, and are not constrained from speaking politically about these issues. However, the duty of officials is to support Ministers and the Welsh Government's response to the pandemic without being drawn into the political arena. If in doubt, advice should be sought from your Director General / Departmental Director.

Continuing work on the government's response to the coronavirus pandemic will not be a justification for continuing high profile work in other areas of government business. If a decision is not being made as a direct consequence of the pandemic response, consideration should be given to the principles set out in the guidance.

Subject to the exercise of any emergency powers in the light of the Coronavirus pandemic, the next election to the Senedd will take place on Thursday 6th May 2021.

** references to Ministers within this document encompasses: the First Minister, Welsh Ministers, the Counsel General and Deputy Ministers.*

The pre-election period will begin on 25th March 2021. Ministers will continue to hold Ministerial office until after the election and until a new First Minister is appointed by Her Majesty the Queen, following nomination by the Senedd, and a new Cabinet is appointed.

In line with the [Ministerial Code](#), Ministers* will not undertake any engagements, make any announcements or take decisions, which are or could be construed as conferring party-political or electoral advantage. That means that Ministers will not ordinarily conduct any high-profile or sensitive official business during the pre-election period.

The day to day business of civil servants will continue, in most cases, as usual. However, there may be some areas in which our activities are restricted.

The purpose of this note is to provide general guidance on the impact the election campaign will have on us as civil servants. Staff working in the Senedd Commission will receive separate guidance, prepared in the light of their particular circumstances. Additional guidance will also be issued to colleagues in Communications Directorate and those involved in statistical as well as survey and broader research activity. The principles of this guidance will be conveyed to the NHS, Welsh Government Sponsored Bodies (WGSBs) and other devolved public bodies in Wales.

Local authorities in Wales are not subject to this pre-election period guidance, but may separately produce their own guidance for staff.

Please note that Police and Crime Commissioner elections in England and Wales are scheduled to take place on the same day.

What follows does not and cannot cover all the cases which might arise during the pre-election period.

If you are in any doubt about what to do, then you should approach your Director General or Departmental Director in the first instance, or the appropriate contact point at paragraph 13.

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

- (i) to be, and to be seen to be, politically impartial; and
- (ii) to ensure that public resources are not used for party-political purposes.

2. Supporting Ministers – Briefings, Submissions and Routine Business

During the pre-election period, Ministers should not be asked to take high profile or sensitive decisions. Such decisions should either be taken before the pre-election period begins or be deferred until after polling day. Routine or very urgent matters should continue to be dealt with.

More generally, we 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 political parties, or could be taken to do so. If in doubt, advice should be sought from the relevant Director General or Departmental Director.

We should bear in mind, however, that Ministerial availability to clear work may be limited during the pre-election period. Therefore, if you intend to submit work to a Minister, which requires urgent attention then you should contact the relevant private office in good time to discuss timings.

We should not undertake any work (including announcements, meetings or publicity campaigns), which is likely to attract media attention, and/or is politically sensitive or high-profile. When planning such activities, the pre-election period should be avoided altogether. Further guidance on the kinds of activity that should not take place during the campaign period is set out in annex A to this notice. Separate guidance on consultation exercises is set out below.

Neither should we agree to make joint announcements with Whitehall Departments. You need to be aware that this guidance applies to Welsh Government officials and officials in Whitehall may not be as constrained during the pre-election period, but making an announcement jointly does not make it any more acceptable in Wales. Therefore, any joint announcement should be postponed until after the election. If you are in any doubt, please consult with the Constitution and Justice Team, contact details at paragraph 12.

Any request from political parties in the context of pre-election consultation conventions should be directed to the Permanent Secretary's office in the first instance. The Permanent Secretary will take a view on how to respond most appropriately in line with the convention and may seek advice as necessary.

Public-facing communications by senior civil servants

We make use of senior trusted civil servants and officials for public communications, and no more so than during the pandemic. There will be heightened sensitivity around these activities during the pre-election period, although there may be circumstances under which it is judged that senior civil servants should communicate with the public.

Great care must be taken that they are not put in a position where they are seen to be commenting on live political issues, and therefore perceived as intervening in an election campaign. Every proposed communication opportunity should be closely scrutinised and safeguards put in place to avoid this perception. They should not undertake any live interviews during this period, and press conferences will only be undertaken where it is deemed absolutely necessary. Any pre-recorded content to be subjected to similar scrutiny and screened for political sensitivity prior to publishing.

3. Consultations

Where the Welsh Government is preparing new policy, programmes or legislative proposals and is required to consult, consultations should not ordinarily commence during the pre-election period.

High profile or sensitive consultations should not coincide with the pre-election period at all. However, consultations that have begun before the beginning of the pre-election period may continue, with appropriate constraints regarding publicity, provided that the consultation is neither high profile nor sensitive.

Where a joint consultation between a UK Government Department and the Welsh Government is proposed, every attempt should be made to avoid any consultation commencing during the pre-election period (or indeed running into it, if it will be contentious or high-profile). Where this is unavoidable due to a legislative timetable at Westminster, or where there is a particular danger that Wales could be excluded from legislation, which could be detrimental to the public interest, the consultation should proceed but with sensitivity to the election campaigns.

Where a UK Government Department is consulting on a UK, a Great Britain, or an “England and Wales” basis, we should draw their attention to the pre-election period and ask them to be sensitive to the election campaigns – as was the case here when the UK Parliamentary elections were undertaken in 2019.

4. Access to Information Requests, and Enquiries

We should continue to provide recorded information in response to enquiries from parties, candidates and others, in line with the [Guidance for Staff Handling Requests for Recorded Information](#).

All requests for recorded 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 [Guidance for Staff Handling Requests for Recorded Information](#). However, during the pre-election period, it is particularly important for staff to be mindful of the political implications of responses to requests. The handling of requests which are likely to have political implications should be discussed with an appropriate Director General or Departmental Director.

All requests for recorded information should be treated equally, regardless of any known political affiliation of the person making them.

5. Correspondence

Where possible, we should make every attempt to draft and clear replies to correspondence before the commencement of the pre-election period.

Election candidates, whether they be MSs or not should be treated equally. This means that letters from election candidates received during the pre-election period should be responded to by Ministers.

Holding replies will only be necessary if the proposed response is likely to attract local or national media attention other than in a trivial or cursory reference or deals with politically contentious issues. Holding replies will be issued by private secretaries on advice from officials.

Other than as described above, guidance on who should receive Ministerial/TO correspondence remains unchanged and will be determined by the correspondence clerk or private office in the usual way. Examples of standard wording for replies to invitations can be found below.

Standard wording for replying to routine invitations

The Minister has asked me to thank you for your letter/e-mail of [date] inviting him/her to [event] on/in [date] 2021.

Elections to the Senedd (Welsh Parliament) are due to take place on 6 May and, as such, it is not possible to confirm the Minister's availability at this time. Please feel free to write again after 6 May once the new Government is in place.

Standard wording for replying to invitations to high profile events

The Minister has asked me to thank you for your letter/e-mail of [date] inviting him/her to [event] on/in [date] 2021.

The Minister would be pleased to accept but is only able to agree this in principle at this time. Elections to the Senedd (Welsh Parliament) are due to take place on 6 May and it will not be possible to confirm the Minister's attendance until after that day and the new Government is in place.

We'll contact you again as soon as possible after 6 May but if, in the meantime, you would prefer to make other arrangements then please let us know.

6. Public Appointments

The public appointment process should be completed (i.e. relevant Welsh Minister takes a decision on appointment in line with the usual submission process and appointment publicised) before the pre-election period begins. If the appointment process runs into the pre-election period then it will have to be stopped. Once a new government is formed, Ministerial agreement will need to be sought to run a new public appointment recruitment campaign. Only by exception will it be possible to pause and re-start a campaign that was mid-way through prior to the pre-election period where there is an overwhelming and urgent business need agreed by

Ministers. Exception requests must be agreed by the Public Bodies Unit. Any requests for extensions or reappointments will also need to be considered and agreed before the pre-election period begins.

7. Political Activity by Staff

Officials should all 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.

These rules can be found in the [Welsh Government's Terms and Conditions of Service Code](#) (Participation in Political Activities, paragraphs 2.36-2.42) and the [People Policies and Procedures on Political Activities](#).

Any Welsh Government employee wishing to undertake any political or campaigning activity in relation to the election, including standing as a candidate, should first seek permission in writing, via their line manager, from their Human Resources Business Partner.

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. The Senior Civil Service, Executive Bands and Fast Streamers are precluded from national political activity, which includes Senedd elections.

Industrial and non-office grades have blanket permission to take part in political activity. For a definition of these grades see para 5.2 of the [People Policies and Procedures on Political Activities](#).

8. Use of Welsh Government Premises and Resources

Welsh Government premises and resources should never be used for campaigning purposes. We should not use Welsh Government premises for such purposes, or display election posters. Similar guidance will be issued to NHS bodies, WGSBs etc. on the use of their estate.

9. Welsh Government Grants (applies to all WG grants including Covid related)

Every effort should be made to issue grant award letters ahead of the pre-election period, if this is not possible an assessment should be made to see whether the grant would be considered high-profile or sensitive official during the pre-election period, if considered high profile advice should be sought (Director General/Departmental Director/Grants Centre of Excellence) before any grant award letters are issued. In cases of emergency or it is absolutely critical, it may be possible to issue on an exception basis but again advice would need to be sought before any award letters are issued;

If the grant award letters aren't deemed high profile and are considered more business as usual grants then every effort should still be made to issue the award letters ahead of the pre-election period, rather than during. If on an exceptional basis award letters need to be issued during the pre-election period careful consideration should be taken to ensure that the issuing of funding is in line with the rest of this guidance;

Officials should avoid opening or advertising any grant schemes during the pre-election period. For any grant schemes that are open for applications ahead of the pre-election period, every effort should be made to ensure decisions are made and organisations notified of the outcomes ahead of the pre-election period. If this is not possible, consideration should be given to whether the opening of the grant scheme should be delayed until after the election. Officials would need to be aware they may need to revisit the policy intention of the grant scheme with the appointed Minister after the election before the grant scheme is advertised. Any internal planning of developing grant scheme proposals, including attending the Grants Assurance Panel can of course take place as normal.

10. Staff in Ministerial Private Offices

Officials in Ministerial Private Offices should continue to provide support to Ministers in their official duties at all times during the pre-election period.

Ministers will be undertaking campaign activity and as such private office staff may wish to discuss the principles of this guidance with their Ministers prior to the start of the formal pre-election period, or when appropriate. Separately, there will be a Cabinet paper setting out the First Minister's expectation relating to Ministerial conduct during the pre-election period.

Ministers will, as usual, be subject to the terms of the Ministerial Code, which requires them to maintain a separation of their Ministerial and political roles. Private Office officials should continue to support Ministers in their official duties at all times. This includes ensuring that Private Office officials, and not a member of a Minister's personal or constituency staff, attends each official engagement, and if one candidate is invited to attend an official Ministerial engagement, all other candidates must also be afforded the same opportunity. Officials in Private Offices should familiarise themselves with the guidance on handling correspondence and Freedom of Information outlined in this document.

Private Office officials should not attend engagements which are explicitly for party-political or campaigning purposes. Nor should they allow Welsh Government resources to be used for campaigning purposes. In particular, they should not book official cars or rooms in Welsh Government premises or elsewhere, commission speeches or briefing, or arrange any other support, for party and campaigning engagements.

Ministers' party and campaigning engagements should continue to be recorded in their official diaries.

11. 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 – in particular paragraphs 19 and 20.

However, Special Advisers should not undertake any public campaigning activity or agree to be adopted as a candidate. They must resign their post if they wish to do either of these things, and should consult the Human Resources Director on the implications of this.

12. Staff in Communications Directorate or those involved in statistical, survey and broader research activity

Please refer to the specific guidance, which is attached to this guidance note. Guidance for staff in communications directorate is attached at Annex B and guidance for staff involved in statistical, survey and broader research activity is at Annex C.

13. 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:

- **Ministerial briefing, correspondence and similar** - the relevant private secretary;
- **public access to information** – Freedom of Information Officer mailbox;
- **costing party policies etc.** - your division's normal contact in Strategic Budgeting;
- **personal conduct of staff (including special advisers) wishing to engage in campaigning activity etc.** - your HR Business Partner Team;
- **announcements, events, marketing and publicity** - Toby Mason, Head of Strategic Communications or Simon Jenkins, Head of News;
- **specific queries from staff involved in statistical or survey work** - Rebecca Gillard or Stephanie Howarth;
- **specific queries from staff on the conduct of research** – Steven Marshall, Richard Thurston or Chris Roberts, SRID;
- **specific queries relating to Legislative Consent Motions (LCMs) and Statutory Instrument Consent Motions (SICMs)** - Christopher Warner, Constitution and Justice Division; and
- **policy and legislation in relation to the conduct of the election itself** - Christopher Warner, Constitution and Justice Division
- **officials in private offices** - Christopher W Morgan, Head of Cabinet Secretariat or Damian Roche.

Any other queries concerning this guidance please contact Christopher W Morgan, Head of Cabinet Secretariat.

CABINET SECRETARIAT
March 2021

Activity which should not take place during the campaign period

The following list sets out criteria for determining whether a proposed initiative or activity should not take place during the campaign period. It is not exhaustive and, if in doubt, you should err on the side of caution and defer action until after the election.

Any activity should not take place if it meets either of the following criteria:

- it is likely to attract any local or national media attention other than trivial or cursory references; or
- it deals with a politically-contentious issue, i.e. one on which the main political parties in Wales have contrasting views on which they are likely to campaign.

These criteria should be applied to activity which deals with individual cases, such as answering correspondence, as well as broad policy-making. The test here is whether the correspondence would infringe any of the above criteria if made public. If it does, it will be necessary to send a holding reply, which should read as follows:

“I regret [I am / the Minister is] unable to reply substantively to your letter of [DD/MM/YYYY] about [subject of correspondence]. Our rules on conduct restrict the extent to which we can promote Welsh Government policy during an election campaign. This is to avoid any suggestion of unduly seeking to influence the outcome of the forthcoming election.

I will send you a full reply as soon as possible after the election.”

Welsh Parliament (Senedd) Elections 6th May 2021
Guidance on Communications for all staff in the Pre-election period

Background

The 2021 Senedd elections will take place against the backdrop of an ongoing pandemic. Welsh Government communications have played a key role in informing the public and encouraging behaviour change to slow the spread of the virus. This has been via close media engagement, press conferences, multiple campaigns on TV, radio and digital, social media content, and rapid rebuttal of misinformation. We also co-ordinate content and messages with the wider Welsh public sector, and liaise closely with communications teams in the Cabinet Office and other Whitehall departments.

During a 'normal' pre-election period, we place very strict limitations on our civil service communications activities. All proactive work is suspended, and reactive media activity is limited to short, factual statements if deemed absolutely necessary, cleared at a senior level. Most campaign and public engagement work is also put on hold and social media activity paused. This is in order to avoid any perception that civil service communications activity could be perceived as influencing the election campaign in any way, thus calling our impartiality into question.

The Welsh public sector has largely taken its lead from the Welsh Government's approach, and also scale back their public facing activities to avoid organisations being drawn into political controversy.

However, the context of 2021 is very different from previous elections. It is vital that the public continue to receive timely, consistent public health advice from government and other trusted sources throughout this period. Also, given the fast-changing circumstances of the pandemic, it is likely that Ministers may need to take decisions in their Ministerial capacity in relation to regulations and other issues, which cannot be deferred until a new administration is in place. In those circumstances, they will need to receive normal civil service support, from public health advice, legal advice, and communications support and activity.

Principles

Welsh Government communications activity during the pre-election period must not be seen or perceived to be influencing, or potentially influencing the outcome of the election on behalf of any political party, or carry any implication that the government is taking a position on any issue related to the election campaign through its channels.

Ongoing Welsh Government and partners public health campaigns and dissemination of factual information relating to the pandemic should continue during the pre-election period. However, no new high profile, novel or contentious campaign work should be undertaken, and neither campaigns nor content should feature Ministers, either quoted, or with photographs / video. Behaviour change campaigns

should be continuations of existing ones, strictly linked back to the regulations in force (for example Stay Home during Alert Level 4) and must not go any broader than this.

When Ministers take decisions in their official capacity during the pre-election period, then the civil service communications service will support them in the same way as prior to that period. This would involve press notices, press conferences, social media material on government channels, but these must be strictly limited within the parameters of the decision being taken. Media engagement by civil servants should also be kept to a minimum in these circumstances, and media inquiries or requests for statements on anything beyond the immediate decisions should be refused. If the decisions being taken by Ministers are the subject of political controversy during the election campaign then additional care should be taken to avoid the perception that government communications are being used for party political purposes. This is no different from the current arrangements but will have considerably heightened sensitivity in those circumstances.

If any member of communications staff is unsure about whether content should be published or communications undertaken during this period, they must refer up to their relevant Head of Communications, the Head of News, or Director of Communications before proceeding further.

Detailed guidance

Press and media

As with previous Welsh election campaigns, there should be no proactive press and media announcements around policy or funding for the duration of the pre-election period. The only exception to this would be the announcements with public health implications, the outcome of the 21 day reviews, or significant changes to regulations in the interim. These should follow the same format as announcements made outside the election period, including press notice, social media activity, updates to GOV.WALES and a press conference if required. Where announcements are made prior to the dissolution of the Senedd on 29 April, a Written Statement should also be issued to Members. Additional care should be taken that the material during this period on government channels is factual, and be cleared at a senior level before publication, as now.

Reactive press and media activity should also be limited during the pre-election period. We will still monitor and correct reporting errors in the media, but only as they relate directly to the Welsh Government, for example, mistakes in reporting statistics or basic factual errors.

Where there are media enquiries around the ongoing cross-government activity to deal with the pandemic, including the current regulations, factual responses can be provided by a government spokesperson. Beyond this, we should not issue lines in response to issues raised by political parties or candidates, as this could be construed as intervention in the election. Journalists can be pointed towards previously published statistics or statements, although these should not be given any

additional prominence through government channels. No statements should be made which refer to the future plans of the government.

If Ministers are called on to make decisions in their official capacity outside the pandemic response, for example, financial support to prevent an immediate risk of job losses, then the outcome of these can also be handled on the same principles as above. Urgent responses to natural disasters such as major flooding would also fall into this category.

Technical briefings to the media should be kept to a minimum during the pre-election period, and only considered as part of the exceptions to communications activities set out above. The content must remain factual and refrain from commenting on any contentious issues.

Social media channels

With the exception of public health information or factual information, Government social media channels should not publish new content during the pre-election period. This is subject to the exceptions set out in press and media handling above around changes to regulations or other urgent Ministerial decisions.

Engagement with social media users should be kept to a bare minimum during this period, and restricted to factual signposting. No social media content on government channels should be capable of being construed as promoting or celebrating the government's achievements, and nothing posted which could be seen as commenting on the ongoing election campaign.

Campaigns and public information

Campaign activity by the Welsh Government should be kept to the minimum possible during the pre-election period. No new campaigns should be launched during this period and any existing campaign activity, whether paid-for or organic, should be scrutinised closely, and a positive case made as to why it should not be suspended for the pre-election period.

This would include urgent public information for the people of Wales, particularly around public health, and there is an expectation that the existing Keep Wales Safe campaigns should continue, although all content should be signed off at a senior level before being published.

Other campaigns, such as student finance or business support, where people could potentially not be aware of the support that is available to them, should be considered on a case by case basis. Any agreement to continue should be restricted to delivering neutral and factual information to the public, and must not be capable of being perceived as promoting the government's achievements in that area. The Welsh Government issues a large number of sector newsletters to stakeholders in order to inform them about key developments. These should be subject to the same tests above, and if deemed clearly necessary during the pre-election period, must only contain factual and signposting information. Statutory notices can continue

to be published, but must only relate to projects which have been previously announced.

Public-facing communications by senior civil servants

Throughout the pandemic, we have made use of senior trusted civil servants and officials, such as the Chief Executive of NHS Wales, the Chief Medical Officer, and other scientific and health experts for public communications. There will be heightened sensitivity around these activities during the pre-election period, although there may be circumstances under which it is judged that they should communicate with the public.

Great care must be taken that they are not put in a position where they are seen to commenting on live political issues, and therefore perceived as intervening in an election campaign. Every proposed communication opportunity should be closely scrutinised and safeguards put in place to avoid this perception. They should not undertake any live interviews during this period, and press conferences will only be undertaken where it is deemed absolutely necessary. Any pre-recorded content to be subjected to similar scrutiny and screened for political sensitivity prior to publishing.

Ministerial visits

Ministerial visits will not normally take place during the pre-election campaign, nor will Ministers undertake virtual public-facing events. Where this does take place, any public communications relating to them through Government channels should be closely scrutinised and cleared at a senior level before publication.

Cymru Wales Marketing

Campaign activity delivered under the Cymru Wales nation brand should be kept to the absolute minimum possible during the pre-election period. No new campaigns should be launched during this period and any existing campaign activity, whether paid-for or organic, should be scrutinised closely, and a positive case made as to why it should not be suspended for the pre-election period.

This may include behavioural-led 'Addo' campaigns to influence safe and positive consumer behaviour around the re-opening of the tourism and hospitality sectors, and important communication of the latest Coronavirus Control Plan restrictions to stakeholders and businesses in the sector to ensure understanding of and compliance with Alert Level guidance.

All content (including social media activity) should be signed off at a senior level before being published. Other campaigns delivered under the Cymru Wales brand should be considered on a case by case basis, and should be restricted to promotional information about Wales as a destination (e.g. to study, trade, invest or visit), and must not be capable of being perceived as promoting the government's achievements in that area.

All proposed Cymru Wales campaigns to be delivered during this period should be referred up to the relevant Head of Communications, the Head of News, or Director of Communications before proceeding further.

Interaction with other UK Governments

Any ongoing or proposed joint marketing campaigns or other communications activity undertaken in partnership with UK administrations must be carefully considered and discussed prior to the pre-election period. These considerations should be based on the principles set out above. UK Government will place their own constraints on their activities in Wales during the pre-election period. Where statements are made by UK Ministers in their capacity as Ministers relating to issues in Wales during this period, it is legitimate for Welsh Ministers to respond through government channels.

Conclusion

The message is to exercise great caution and always check if there is any doubt in your mind about what may be permitted in the pre-election period.

Simon Jenkins, Head of News.

Toby Mason, Head of Strategic Communications.

WELSH PARLIAMENT (SENEDD) ELECTION 2021 GUIDANCE FOR STATISTICAL, SURVEY AND RESEARCH ACTIVITY IN THE PRE-ELECTION PERIOD

This guidance is aimed at **all staff** involved in statistical, survey and research activity, this includes staff in Knowledge and Analytical Services (KAS), but also relevant staff in other parts of the Welsh Government. The Guidance should also be taken into account by our partner organisations and other official statistics producers in Wales e.g. NHS Wales Informatics Service, Student Loans Company etc. This guidance supplements the Guidance for Welsh Government Staff. The guidance is effective from 25th March 2021 until, and including polling day on 6th May 2021.

The guidance may not be exhaustive and any other issues that arise during the campaign should be raised in the first instance with the Head of Statistical Policy and Standards or the Chief Social Research Officer who will provide guidance.

In summary:

For official statistics – as always, ensure compliance with the *Code of Practice for Statistics* and the associated *Pre-release Access to Official Statistics (Wales) Order 2009*.

For research – the Government Social Research (GSR) code and publication protocol continue to apply in the pre-election period.

Avoid:

- Publishing statistics on polling day (see below for potential exemptions)
- The ad hoc release of statistical or research publications
- The conduct of surveys or other research than might give rise to controversy
- The bulk distribution of material that might be used for campaigning purposes.

If in doubt, consult the Head of Statistical Policy and Standards, Chief Statistician or Chief Social Research Officer (contact details below).

Principles

1. As always, observe the *Code of Practice for Statistics*, the associated *Pre-Release Access to Official Statistics (Wales) Order 2009* and the GSR code of practice and publication protocol.
2. Do not compete with parties and candidates for the attention of the public.
3. Do not, and do not appear to, engage in party politics or be used for party political purposes.

Release of statistics

4. Issue statistical outputs (First Releases, Bulletins, Articles, Headlines, and Publications) that have already been pre-announced before the start of the Election period. Do not issue any unannounced ad hoc statistical outputs, and

avoid postponing any regular or pre-announced outputs, as the motive for doing so may be questioned.

5. If a postponement cannot be avoided, be transparent on the reasons for postponement in any public communication and, if possible, state when the postponed statistics are likely to be published. Avoid postponements that would move publication of statistics from before polling day until after.
6. Avoid publishing official statistics on polling day. If an output has been pre-announced for that date, consult with the Head of Statistical Policy and Standards and adhere to the GSS policy on publishing official statistics on polling days. Daily or weekly publications related to COVID-19 that would normally fall on a polling day should be discussed with the Head of Statistical Policy and Standards to determine if an exemption should be permitted.
7. Continue to publish tweets relating to the publication of statistical outputs through the @statisticswales and @ystadegaucymru accounts. However, during the pre-election period avoid generating new infographics or charts for social media that have not previously been produced and issued.
8. Always take great care to be impartial and objective in the way you present and describe statistics, and in face-to-face briefing.
9. New statistics blogs should be avoided during the pre-election period.

Publication of Research Reports

7. Any reports published during the pre-election period should be pre-announced before the start of the pre-election period. However, given the short pre-announcement for research (2 weeks) it is generally expected that research will not be published during the period but if there are reasons for publishing in the pre-election period a longer pre-announcement should be given but should be cleared with the Chief Social Research Officer. Advice on particular cases can also be sought from the Chief Social Research Officer.

Procurement of research

8. Procurement activity for a new piece of research should not be undertaken during the pre-election period and advice should be sought from the Chief Social Research Officer if there are exceptional circumstances that mean it would not be possible to wait until after the election to begin the procurement.

Requests for information or advice

9. Handle requests for factual information in line with the Guidance for Welsh Government Staff. If the information requested is not factual, refer the person to the appropriate Minister's private office.

10. Be even-handed in meeting factual information requests from candidates - for example in the level of detail you provide, and how promptly.

11. Continue to meet requests for factual guidance on methodology.

12. Handle with great care any requests for advice on interpreting or analysing statistics, especially requests related to parties' policies or manifesto pledges. Costings of policies or pledges should not be undertaken without first consulting Strategic Budgeting.

13. The routine publication of material issued in response to requests for statistical information on a fortnightly basis will continue throughout the pre-election period and you should ensure the statistical publications team (Stats.web) are informed of such requests as it is important that this is done on a systematic basis which avoids the perception of being selective.

Requests for published material

14. Meet requests for small numbers of leaflets, background papers or free publications which were available before the Election period. Do not meet bulk orders without the Chief Statistician's approval, as they might be intended for campaigning purposes.

Surveys

15. Regular, continuous and ongoing censuses and surveys may continue. So may ad hoc surveys that support a continuing statistical series.

16. Other ad hoc surveys may give rise to controversy or be related to an Election issue. Where this is likely consider postponing or cancelling them. If this would be difficult or costly seek advice from the KAS Survey Advice Team.

Research fieldwork

17. Fieldwork associated with a research project should not in general be conducted during the pre-election period, although for ongoing survey work or time critical research it may be impossible to avoid the pre-election period; advice in specific cases should be sought from the Chief Social Research Officer.

Advice

18. If in doubt consult the people below.

Knowledge and Analytical Service contacts

Heads of Statistical Policy and Standards – Rebecca Gillard – 03000 258124 & Rachel Lloyd – 03000 253357

Chief Statistician – Stephanie Howarth – 03000 251154

Chief Social Research Officer – Steven Marshall – 03000 255868