



Police and Crime Commissioner Elections: 2021

Protocol – Office of the Police and Crime Commissioner for Cleveland and Cleveland Police

1. Introduction

- 1.1 The Police and Crime Commissioner (PCC) election takes place on Thursday 6 May 2021. This document provides guidance to ensure that all candidates and prospective candidates are dealt with in a transparent and equal manner. The document also provides guidance to the Office of the Police and Crime Commissioner (OPCC) and to Cleveland Police staff and police officers including partner staff.
- 1.2 The Police Area Returning Officer (PARO) is the Managing Director from Stockton Borough Council, Mrs Julie Danks (Deputy, Margaret Waggott). The PARO is responsible for giving notice of the election, managing the election process, as well as the calculation and declaration of the result.
- 1.3 'Purdah to be known henceforth as the 'pre-election period' begins with the notice of election on 22 March 2021 and ends at 10pm on polling day, Thursday 6 May 2021.
- 1.4 PCC candidates must declare their intention to stand for election by 4pm on the nineteenth working day before the poll which is Thursday 8 April 2021. The PARO will confirm candidates and announce no later than 4pm on Friday 9 April 2021.
- 1.5 The aim of this document is to provide guidance to the OPCC and Force during the election period. Not every circumstance or eventuality that could potentially impact on the election, approach to candidates or the reputation of the OPCC, Force and staff can be captured in one document.

2. OPCC Working Group

- 2.1 The OPCC has set up a working group to ensure that the OPCC manages its responsibilities efficiently and effectively throughout the 2021 PCC elections period. The group meets weekly and the minutes of the meetings can be found on the PCC Election page on the website.

3. Communication with Media

- 3.1 When handling media communications, National Police Chiefs' Council guidance March 2020 ¹recommends the following:
 - A response by the Deputy Monitoring Officer may be appropriate when claims are based upon factually incorrect information or where it is necessary to correct misunderstandings that would undermine confidence in the PCC and the Force.

¹ NPCC Guidance for Interaction with Candidates and Conduct during pre-election period March 2020 – 5.3

- The factually correct information can be shared by the Deputy Monitoring Officer publically in a neutral manner.
- A response may not be appropriate when a claim is based on that individual's interpretation of facts or circumstances.
- The above guidance should apply when both OPCC's and Force use social media to respond to queries or comments. Staff using PCC/Force social media accounts should be cognisant of the general principles of interaction.
- Pre-election period guidance will also apply to media communications.

4. Interaction with candidates ²

- 4.1 Political parties will undertake their own selection process to nominate their candidates. Independent members may inform the public of their intention to stand.
- 4.2 Candidates may wish to make visits to police stations, local policing units and neighbourhood teams. Requests for visits to OPCC or Force premises for the purpose of fact finding and receiving briefings will be considered by the Deputy Monitoring Officer of the OPCC on a case by case basis. All candidates should be provided equal access. However, the principal methods of fact finding will be through the OPCC web site, candidate briefings and specific requests for information. Visits to stations can be facilitated by the Chief Constable's office and such requests will be recorded locally.
- 4.3 Until the pre-election period begins it is acceptable for candidates to be filmed or photographed with OPCC staff, police officers or staff for newspapers or television news bulletins, providing the individual is content to be filmed/photographed. However, once within the 'pre-election period' period, OPCC staff, police officers and staff should avoid being filmed/photographed with candidates.
- 4.4 Additionally, before and throughout pre-election period all staff and officers must maintain their independence and not be seen to be supporting or opposing one candidate or party over another.

5. Requests for information

- 5.1 Where a request for information from a prospective candidate or candidate is received the following process will be adopted:
- It will be treated as from any member of the public.
 - It should be directed to the Single Point of Contact (SPOC) email account pcc@cleveland.pnn.police.uk within the OPCC or telephoned through to the OPCC (01642 301861) where a single electronic register will be maintained. All requests received directly to the Force will noted and managed by the Chief Constable's office.
 - In formulating a response, it should be recognised that the information provided may be used for political and campaigning purposes.
 - Every response will be from the OPCC Deputy Monitoring Officer. Requests and responses will be anonymised and will be posted on the OPCC Elections webpage.

² APACE Police and Crime Commissioner Election Guidance December 2019 - 7 Constabulary/Force Interaction with Candidates and paragraph 7.6

- Where it is a Freedom of Information Act request, the standard operating practice will apply. This will ensure consistency and will avoid exposing staff in the force to any suggestion or inference that they have become involved in the election process in some way, by potentially supplying different levels of information to applicants and inadvertently providing a potential political advantage.
- Both the OPCC and Force will respond according to current procedures. The OPCC Elections Working Group will keep itself informed on FOI casework throughout the election period.
- FOI to be treated in line with FOI disclosure rules. Each public authority will remain responsible under the Act for their own disclosure and also forward the same to the PCC Election SPOC.
- FOI requests received from potential candidates should be answered consistently, objectively and in a timely manner to avoid potential delays to the receipt of information, accordingly a business as usual process is to be implemented by way of substitution in respect of the elections. Once completed, in line with FOI publication conventions responses are to be published on the Force website as soon as reasonably practicable.

6. OPCC Website

- 6.1 A dedicated webpage has been created on the OPCC website to provide: information on the elections, an information request log, relevant documents and useful links. Candidates are members of the public and so confidential documents should remain so and not disclosed or published.
- 6.2 Information to post on OPCC election website page:
- Association of Police and Crime Commissioners information and video
 - The role of the PCC
 - The role of the Chief Executive and OPCC
 - The role of the Chief Constable
 - The role of the Cleveland Police & Crime Panel
 - The role of the Joint Cleveland Audit Committee
 - Governance framework
 - 2020 budgets, finances and commissioning
 - Police Force – key challenges, local pressures
 - National bodies – APCC, APACE, HMICFRS etc
 - Candidate Information Log
 - Election Timeline
 - Election Frequently Asked Questions
 - PARO election webpage

7. Organised Meetings ³

- 7.1 The OPCC Deputy Monitoring Officer will arrange for a series of factual briefing materials to be developed and posted on the OPCC website. Candidates requesting information that is already covered within these documents will be directed to the OPCC website.

³ APACE Police and Crime Commissioner Election Guidance December 2019 - 5. Interaction with Candidates (Candidate Briefing Packs and Familiarisation Events)

- 7.2 The OPCC intends its comprehensive online resources to serve the purpose of briefing individuals and all who are interested in the PCC elections. The OPCC will hold one briefing event prior to 8 April for all interested parties on 12 March 9am-12pm.
- 7.3 A briefing meeting opportunity will take place for all declared candidates after the 9 April 2021 by the OPCC Deputy Monitoring Officer. Dates, times and locations will be posted on the OPCC website. The briefing will only contain factual information and the PARO will also be notified of the date to inform candidates of the service being offered.
- 7.4 In addition and upon request to the Deputy Monitoring Officer of the OPCC individual meetings may be held with the Chief Constable or the Deputy Monitoring Officer of the OPCC. The briefings will not cover the running of the election which will be the subject of separate briefings organised by the PARO. The Chief Constable can meet candidates personally without the prior agreement of the OPCC and will note such meetings. Referring back to the NPCC general principles of interaction, all candidates should be provided equal access.

8. Formal Pre Election Period⁴

- 8.1 This is a particularly sensitive period in the lead up to the election and requires special care. Guidance is available from the Cabinet Office and will be supplemented by Home Office guidance and guidance from the APCC, NPCC and APACE.
- 8.2 In any event, during the pre-election period the following additional restrictions apply:
- Where practicable the OPCC and Force should avoid making and publicising major policy decisions that may be deemed to be politically sensitive.
 - Particular care must be taken in this period to avoid activity or publicity that could, or reasonably be seen to, affect or influence the outcome of the election.
 - Decisions must balance the need to conduct policing business with potential impact on the outcome of the election. For example, delaying an announcement could itself influence the political outcome or impede operational effectiveness.
 - The OPCC and Force websites must contain only factual information.
 - Documents which promote the OPCC should not be published.
 - OPCC staff, police officers and police staff must ensure that they do not contribute to or oppose or support the activities of a candidate.
 - Clear records of all dealing with candidates throughout the pre-election period must be maintained to ensure transparency and accountability. This does not affect activity where the incumbent PCC is conducting their office-holder responsibilities.
 - OPCC staff, police officers and police staff must not agree to be photographed or used as part of any campaign.
 - OPCC staff, police officers and police staff that have personal websites, blogs, or use social media networking sites should:
 - Not post any comments that could be seen to be, or give the impression to be in their professional role.
 - Be aware that the higher their public profile is, the more likely it is they will be perceived as acting in their official capacity when using social networking sites.

⁴ APACE Police and Crime Commissioner Election Guidance December 2019 - 8. Pre Election Period

- Be careful if making political points or making specific or personal comments about an individual
- Staff should not give the impression of support for a political party, including writing or 'speaking' on social media in favour of any candidate.

This protocol may be amplified or amended to cater for Government or Association guidance as it is released. Please also note that the timetable may change in the event of days being appointed for public thanksgiving or mourning.

V7 02/03/21



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