

**UNIVERSITY OF ABERDEEN**  
**PRE-ELECTION PERIOD POLICY**

**1. INTRODUCTION**

Elections or referendums provide the University with an opportunity to discuss issues that matter to our community and to wider society, as well as the areas where we would like political parties and government to engage with us once the result of an election or referendum is known.

The University may also be asked to apply the expertise and knowledge at its disposal to inform public debate, and during a short pre-election period may need to consider requests to use University facilities to host political events and/or speakers, or to use University resources.

During this short election period, the University needs to be mindful of its legal and wider responsibilities whilst maintaining a culture which permits freedom of thought and expression.

The term used, throughout this policy, to describe the short period prior to the election or referendum is '*pre-election period*'. For clarity, this policy also applies to a pre-referendum period. During a pre-election period certain restrictions are in place to ensure civil and public servants remain politically neutral.

**2. PURPOSE**

The purpose of this policy is to set out arrangements during a '*pre-election period*'.

**3. PRINCIPLES**

- In applying this policy, the University will be led by the principle of fairness, as well as to meet any legal or regulatory tests.
- The University recognises and upholds the fundamental importance of freedom of thought and expression, and the important role universities can play in encouraging debate during a pre-election period. This policy does not seek to restrict this fundamental freedom.
- Pre-election period restrictions do not legally extend to universities, but the University of Aberdeen is mindful of election and charity law as a registered charitable organisation.
- The University will ensure that it has fully considered any relevant third-party election guidance when applying this policy. Such guidance could be issued by, but is not limited to, Universities Scotland/Universities UK; OSCR (Scottish Charity Regulator); the Electoral Commission; Scottish and UK governments<sup>1</sup>.

**4. SCOPE**

This Policy applies to all staff and students at the University and to any other person seeking to organise any politically focused event or activity, which falls into a defined pre-election period.

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<sup>1</sup> [Scottish Parliament Election - 6 May 2021: guidance for the Scottish Government, its agencies and National Devolved Public Bodies - gov.scot \(www.gov.scot\)](#)  
[Scottish Local Government Election Guidance 2022 - gov.scot \(www.gov.scot\)](#)

This Policy includes the hosting of party-political events or activities, use of university facilities and resources and the production and management of publicity materials and communication channels, that:

- arise during a clearly defined pre-election period
- are organised or undertaken by students, staff or visitors at the University and
- are held or promoted under the auspices of the University (including e.g. a student society)
- can be directly, or indirectly related to the University's normal academic or administrative business
- may not be related to the University's normal academic or administrative business.

This policy will only apply during a pre-election period.

This policy should be read in conjunction with any other relevant University policies, in particular the [Events and Speakers Policy](#), which applies for all events not directly related to the University's normal academic or administrative business.

## **5. POLICY**

In considering requests for both internal and external events or activities during a pre-election period, extra care must be taken to identify any political party or election candidate involvement to ensure balance. The University will not support single political party events on campus during a pre-election period. This includes staff or students standing for election. The University reserves the right to cancel, without notice, any event in which the Event Organiser has failed to fully and accurately disclose the extent of any party-political or election candidate involvement, or who fails to comply with reasonable requests for additional information.

## **5. RESPONSIBILITIES**

The University Secretary and Chief Operating Officer has ultimate responsibility during the pre-election period for:

- communicating the applicable pre-election period dates, ahead of the start of any pre-election or pre-referendum period. The Head of Public Affairs will, on behalf of the University Secretary and Chief Operating Officer, ensure that these dates are communicated internally to relevant teams, including room bookings, security and communications. SMT, UMG and AUSA will also be reminded about the policy and pre-election period dates prior to a forthcoming election or referendum.
- agreeing to the provision of University accommodation for a speaker or event and/or granting permission for the University to be associated with an event, although s/he may delegate authorisation of politically sensitive events during the pre-election period to the Director of External Relations. In the absence of the University Secretary responsibility rests with the Senior Vice-Principal.
- maintaining a record of campaigning activities and the decision-making process for approval of any high profile or possibly controversial issues, which can be referenced in any future correspondence with the Electoral Commission or OSCR.
- ensuring that all aspects of the University's [Events and Speakers Policy](#) are followed for events which are not directly related to the University's normal academic or administrative business.

- putting in place the necessary safeguards required under charity law, to ensure the University does not use, nor allow others to use or manipulate, its publicity resources to promote a single political party or candidate.
- ensuring that University resources are not used for party political purposes. These resources include but are not limited to: premises, staff time, printing and photocopying facilities, stationery, telephones/fax, transport, postal services, ICT equipment and web facilities.
- compliance with any statutory duties, including but not limited to, the latest Electoral Commission guidance for non-party campaigners, which outlines spending limits on certain 'regulated activities'.

## APPENDIX A

### PRE-ELECTION PERIOD GUIDANCE

In implementing this policy, there are several issues and legal constraints that the University needs to be mindful of in the run up to an election or referendum<sup>2</sup>. This list can include, but is not limited to, the following:

- Under charity law, charities must not support or oppose a single political party or candidate. The Scottish Charity Regulator (OSCR) guidance on campaign activity by charities states that a charity can ‘*support a policy advocated by a political party (but not the party itself)*’ where this is a way to achieve their charitable objectives.
- Higher education providers that are charities may generally undertake campaigning and political activity provided that; it is in furtherance of their charitable purposes; it is permitted subject to the terms of their governing documents; they never engage in any form of party-political activity; they retain their independence and political neutrality and any political activity does not become their sole and continuing activity.
- While the University is not subject to the same pre-election restrictions as a public body, it is still possible that restrictions placed on those bodies may lead to the delay or cancellation of some expected announcements, meetings or events which might otherwise be held during a pre-election period (but which cannot happen until after voting in an election or referendum has concluded).
- In considering requests for both internal and external events or activities during a pre-election period, extra care must be taken to identify any political party or election candidate involvement. The University reserves the right to cancel, without notice, any event in which the Event Organiser has failed to fully and accurately disclose the extent of any party-political component or who fails to comply with reasonable requests for additional information.
- Examples of activities the University could undertake during this period include: Continuing to campaign and support those issues which have been consistently highlighted in the past; hosting debates between candidates or inviting them to issue-focused events; speaking to candidates to find out their views; publishing and prompting academic research and analysis on topical issues relevant to an election or hosting a seminar or discussion on topical issues relevant to an election.
- Examples of activities which would fall foul of the pre-election period include advocating for or backing the views of a single political party or candidate; publicly comparing the views of the University to those of a single political party or candidate(s); donating funds to any political party or candidate(s); allowing the University to be cited in an election manifesto or publicity materials or limited the University’s interaction with a single political party or a limited range of candidates.
- Students and staff are free to engage and participate in active political debate and to stand as candidates or be politically active in other ways. Attendance of a student or staff member, including senior management, at an event, should not be seen as endorsement of a particular position by the institution. However, it will be important during a pre-election period to ensure that any potential conflicts of interest which arise from this activity have been declared to the University, so that no confusion exists between speaking as an individual on a personal basis or on behalf of the University.

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<sup>2</sup> Jones, H and Lane, S. (2019). *General election 2019: a note on election and charity law issues for university communications and campaigns teams. Universities UK.*

- Universities need to register with the Electoral Commission if they intend to spend more than a set figure (currently £10,000) on certain controlled expenditure whilst campaigning ahead of an election or referendum. Influencing activities are not deemed to fall into this category (materials, briefings or meetings which exclusively target MPs, candidates, etc), but public facing activities (such as political events/hustings, social media advertising and campaign related materials) would fall under regulated expenditure limits. Judgements on what may or may not fall into regulated activity can be subjective, therefore when considering any non-party political campaign activity, this must be approved by the University Secretary and Chief Operating Officer.

It is intended that by considering the above points, it will give confidence to the University community to get involved in campaigning and to offer opportunities for respectful political debate, without exposing the University itself to the risk of falling foul of its legal responsibilities.

Title	Pre-election Policy
Author / Creator	Phil Bale / Public Affairs Advisor / Public Affairs, Stakeholder Engagement and Events (PASE)
Owner	Head of Public Affairs
Date published / approved	March 2023 / September 2022, SMT
Version	Version 2 – February 2023
Date for Next Review	Every three years by the Head of Public Affairs, and where changes are required, SMT
Audience	Staff and students
Related	Events & Speakers Policy
Subject / Description	The purpose of this policy is to set out arrangements during a ‘pre-election period’ where extra care and sensitivity is required for a defined period immediately prior to an election or referendum.
Equality Impact Assessment	An equality impact assessment has been completed and approved by the Equality, Diversity and Inclusion Committee. A key concern is to ensure fairness during a pre-election period, ensuring people with different protected characteristics are not targeted or disadvantaged because of debates or events which might otherwise be held on campus by a single political party or election candidate.

Section	External Relations
Theme	Events management; security; health, safety and wellbeing; equality and diversity
Keywords	Pre-election, referendum, heightened sensitivity