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Cabinet Office,  
70 Whitehall,  
London SW1

13 May 1983

PS(83)9

Dear Private Secretary,

General Election: Head of Civil Service Guidance

Following his meeting with Permanent Secretaries, Sir Robert Armstrong has asked me to make available to the Private Secretaries of Permanent Secretaries guidance on questions of procedure and conduct during the period of the General Election.

General guidance on Election arrangements is already given in the Heads of Department Personal Handbook. The main guidance is contained in Sections 8.7-8.17 which also gives cross references to other relevant parts of the Handbook. The attached notes cover the main points Permanent Secretaries need to bear in mind. They summarise the Handbook guidance and add guidance on one or two points which it does not cover.

Permanent Secretaries might also remind themselves in preparation for the arrival of a new Administration of the following sections of the Handbook:

Paragraphs 1.4-1.7	Personal appointments by Ministers
Paragraphs 1.13-1.20	Access by Ministers to documents of former Administration
Paragraphs 1.11-1.12	Security checks on Parliamentary Private Secretaries

and the general guidance in Questions of Procedure for Ministers.

I am copying this letter to the Private Secretaries of all Permanent Secretaries.

Yours sincerely,

(Signed) R P HATFIELD

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HEAD OF CIVIL SERVICE GUIDANCE: GENERAL ELECTION GUIDANCE NOTES

The subjects covered by these guidance notes are:

- Note A: A list of the basic guidance which has gone out under separate cover from the Prime Minister/Cabinet Office. This gives the general framework within which Ministers and their Departments should operate during the Election period. There are no significant changes from the 1979 Election arrangements.
- Note B: Special Advisers (Annex B of Heads of Department Handbook, paras. 6 and 15).
- Note C: Contacts with Opposition Parties (paras. 2.7-2.10 of Heads of Division Handbook).
- Note D: Contact with Select Committees.
- Note E: Political activities of civil servants (para. 5.1 of the Handbook, and paras. 4183-4185 of the Establishment Officer's Guide).
- Note F: Outstanding Departmental correspondence.
- Note G: Committees/Inquiries yet to report.
- Note H: Appointments.
- Note I: Announcements and publications.



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GUIDANCE NOTE A: LIST OF BASIC GUIDANCE

The following guidance has already been or is about to be issued from the Prime Minister/Cabinet Office.

- C(P)(83)1 General Election - general guidance to Ministers
  - C(P)(83)2 Use of Official Transport
  - C(P)(83)3 Press Articles and Interviews
  - C(P)(83)4 Broadcasting [to be issued]
  - PS(6)83 Replies to Enquiries
  - PS(7)83 Cabinet Documents
- further guidance will be issued immediately after the Election result.

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GUIDANCE NOTE B: SPECIAL ADVISERS

General guidance on the employment of Special Advisers is given in Annex B of the Heads of Department Personal Handbook. Paras. 6 and 15 deal with General Election arrangements.

2 Special Advisers who wish to take part in the General Election campaign or help at Party headquarters must first resign their appointments. Otherwise their appointment continues until it ceases automatically on the day after Polling Day. In that case, Advisers may continue to give specialist or political advice to their Ministers as before, and may contribute to Party research activities, but they must be careful not to take any active part in the campaign. They should not, for example, take part in public meetings or answer political correspondence. Any doubtful cases should be referred to Sir Robert Armstrong's office.

3 Whether a Special Adviser resigns to take part in the campaign or whether he stays until his appointment is automatically terminated, he is given severance pay at the rates set out in his appointment letter. But he is required to agree that if he is reappointed he will receive only that proportion of payment which corresponds to the gap between the 2 periods of employment.

4 If there is no change of Government following the Election, a Special Adviser may be reappointed. All such appointments must however be handled as new appointments (and Permanent Secretaries should bear in mind that the rules for these may change). Under the present arrangements, the Prime Minister's approval is required, and fresh letters of appointment should be issued. The date of appointment will be the date such an appointment is made by the Minister concerned, except that Advisers who have stayed through the Election campaign and who are reappointed in the same Department or under the same Minister will be regarded as having had no break in service.



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GUIDANCE NOTE C: CONTACTS WITH OPPOSITION PARTIES

General guidance on contacts with Opposition leaders during the Election period is given in paragraphs 2.7-2.10 of the Heads of Department Personal Handbook.

The Prime Minister has agreed that there should, as on previous occasions, be provision for meetings between senior civil servants and Opposition leaders. She has also decided that such facilities should be offered to the leaders of the Liberal and Social Democratic Parties as well as to the leader of the Labour Party.

The main purpose of such contacts is to enable Opposition Parties to let senior civil servants have some more detailed idea of their plans than the manifestos allow so that, if there is a change of Government, any early changes may be made as smoothly as possible. Discussion will allow the Opposition Parties to inform themselves on factual questions of departmental organisation and structure and civil servants to inform themselves of any organisational change that may be contemplated. Civil servants may discuss policies which the Opposition Parties may wish to introduce immediately; but clearly there should be no discussion of the present Government's policies.

In the nature of things, the number of people concerned in such matters, both within the Opposition itself and within the Civil Service is extremely limited. The initiative for arranging the contacts lies with the leader of the Opposition Parties to approach the Prime Minister on the general issue. Thereafter, all contacts should be handled in consultation with Sir Robert Armstrong's office by the Permanent Secretary of the relevant Department. Permanent Secretaries will also need to check that the approach is made with the endorsement of the appropriate Opposition leader. It is important that the discussions themselves are kept within a small circle of senior people, and are handled with care, so that the political impartiality of the Service is not in any way compromised.

A clear distinction must be drawn between requests for contacts of this kind and requests for information about Government policy

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**GUIDANCE NOTE D: CONTACT WITH SELECT COMMITTEES**

The Departmental Select Committees were set up by standing order and continue in existence until or unless that standing order is amended or rescinded. Following the dissolution of Parliament, membership of the Committees lapses and the Committees become inoperative until the new members are appointed in the next Parliament. The Committee itself, however, remain in post and the administrative work of the Committees continues.

2 Committee work on partly completed inquiries ceases with the dissolution of Parliament and there is no obligation on the newly constituted Committees to complete outstanding work, although they may choose to do so. Committee reports which have been presented to Parliament may be published after the dissolution.

3 Where written evidence has been requested but not submitted before dissolution, Departments should consult the Clerk who may advise that they complete the work and submit it to the Committee staff or to the reconstituted Committee. Where a Committee was to have taken oral evidence but was prevented by dissolution, Departments should be prepared to appear before the new Committee if called, but again it would be sensible to consult the Clerk.

4 Where a Government response is outstanding at the time of dissolution, the response should normally be completed. It will be for the Government to decide if the response can or should be given by the present or incoming Administration; if the response is to be by Command Paper the timing of publication is at the Government's discretion. However, it will obviously not be appropriate or desirable to get any major Government responses out before the Election. Responses can be submitted to Committee staff in the absence of members. Incoming Committees are not obliged to publish responses to reports made by the previous Committee, although they may do so if they choose. Departments are advised to consult the Clerk's office if there are problems of timing or publicity concerning outstanding responses to Committee Reports.



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GUIDANCE NOTE E: POLITICAL ACTIVITIES OF CIVIL SERVANTS

Permanent Secretaries may want to remind their Departments of the general rules governing political activities (5.1 of the Handbook and paras. 4183-4185 of the Establishment Officer's Guide, and 9923-9929 of the Civil Service Pay and Conditions Code).

2 The Civil Service is divided into 3 groups - the "politically free", the "intermediate group" and the "politically restricted". Paragraph 9925 of the Civil Service Pay and Conditions Code sets out the grades covered by each group.

3 The "politically free" may engage without restriction in national political activities, the "politically restricted" are totally debarred and the "intermediate group" may do so by permission of the Department and subject to certain conditions. Departments may grant or refuse permission to the "intermediate group" mainly according to the degree and nature of the contact with the public involved in the duties of the applicant and the extent to which his political activities are likely to be known or to become known. Departments may give standing permission 'en bloc' to staff in the "intermediate group" or indicate that it must be sought individually.

4 National political activities are defined in paragraph 9923 of the Code. In the context of the General Elections they include adoption as a Parliamentary candidate and canvassing on behalf of a Parliamentary candidate or political Party. Staff who may wish to take part in less public aspects of campaigning, e.g. backroom work or those associated with candidates by marriage or other family ties should be encouraged to seek advice from their senior management on the extent of their involvement.

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developments. Any approaches of this kind should be handled in consultation with the departmental Ministers, who will also need to keep the Prime Minister informed. In so far as officials take part in discussions of this kind, they should do so only if their Ministers are involved or if they take place with their Minister's authority.

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GUIDANCE NOTE F: OUTSTANDING DEPARTMENTAL CORRESPONDENCE

Detailed written guidance on this has been issued from Cabinet Office in the usual way (C(P)(83)1 and PS(83)6). Outstanding correspondence should be cleared quickly. Letters can be sent for former MP's at the House of Commons after dissolution, to be picked up or forwarded. Departments with regional organisations (eg DHSS, DTp) which often deal direct with MP's queries should ensure that their regional offices get early guidance on the handling of enquiries from Parliamentary candidates.

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GUIDANCE NOTE G: POSITION OF COMMITTEES/INQUIRIES

Where Committees or Inquiries have been set up but have yet to report, Departments will need to consider whether a change of administration would mean their premature winding up.



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GUIDANCE NOTE H: APPOINTMENTS

In general, no new public or senior Civil Service appointments should be made during the period of the Election campaign. Any which are immediately necessary should be submitted to the Prime Minister's office and may need to be discussed privately with the Leader of the Opposition. It would be inappropriate to make any senior Civil Service appointments which, eg in the event of major changes in policy, might make for surpluses in the Open Structure.

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GUIDANCE NOTE I: ANNOUNCEMENTS AND PUBLICATIONS

The general principles on announcements and publications by Departments during the Election campaign is covered in the Prime Minister's guidance to Ministers (C(P)(83)1). Guidance is also given to Information Officers on the handling of announcements. The decision on whether or not to publish or make an announcement is a matter for Ministers, but as a general rule there is no objection to routine publications and announcements of non-controversial policy developments.

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