



PSA 

# Election 2023 guidance for members

## Your voice counts! Being active in election year

Every three years we get the chance to have our say about what kind of country we live in. People working in the public sector have the same rights of political expression and freedoms as all other New Zealanders and we encourage you make your voice heard this election year. Like other New Zealanders, people working in public and community services are strongly supportive of good government and care about the issues affecting New Zealanders. So, it's important that we all get involved in election year.

The PSA supports agencies' need to maintain political neutrality and also encourages people working in the public sector to be actively involved in exercising their rights of political expression during election years.

### Your voice counts! It's time to:



**Get ready!** Enrol to vote and encourage your friends and family to do the same. You can stand for election! People working in public and community services have awesome skills and being an MP is another way of serving the public.



**Get informed!** Seek out and share good information (not disinformation). Attend candidates' meetings, read party campaign materials, read PSA campaign materials, discuss issues with friends and family.



**Get involved!** Being politically neutral at work does not stop you from being politically active outside work. You can

volunteer to help out any political parties you support, for example with leaflet drops, driving people to polling stations on election day or by having an election sign on your fence.



**Don't forget to vote!**

### In your own time

You can do all of this in a way that supports your agency's obligation to maintain political neutrality as long as you do this in your own time and don't:

- Identify your opinions with, or give the impression that you are speaking on behalf of your agency
- Use information obtained in your role that is not in the public domain for political purposes
- Use your organisation's resources or premises for electioneering.



The same rules apply to social media as to any other form of communication. If, because of your role, the public or ministers closely identify you with a particular agency or policy you'll need to exercise judgement around this.

### At work

A central element of New Zealand's constitutional arrangements is that the Public Service is politically neutral. The PSA encourages members to:

- Share PSA campaign materials in your workplace.

If you're putting up posters etc, ensure these are not visible to the public. We will be running an election campaign, and as the election approaches this will become more visible and active. We campaign on issues, not on which parties to vote for.

- Carry out the functions of your organisation without letting your personal political beliefs influence how you do your job;
- Support your organisation to provide robust and unbiased advice; and
- Respect the authority of the government of the day.

## Where to get more information

Te Kawa Mataaho the Public Service Commission has published guidance for State servants in election year [www.publicservice.govt.nz/guidance/general-election-guidance-2023](http://www.publicservice.govt.nz/guidance/general-election-guidance-2023). For more information, or if you have concerns about the way in which your agency's code of conduct or the Te Kawa Mataaho's guidance is being applied please do contact your PSA organiser or Te Roopu Tohutohu Manaaki the PSA Member Advice and Support Centre.

Te Kawa Mataaho's guidance applies to: Public service departments, departmental agencies, interdepartmental executive boards and interdepartmental ventures; Parliamentary Counsel Office; Crown entities (including Te Whatu Ora — Health New Zealand and school boards but excluding Crown Research Institutes and their subsidiaries and tertiary education institutions); Public Finance Act 1989 Schedule 4A companies; and Te Aka Whai Ora — Māori Health Authority

Some public sector agencies do not come within the Public Service Commissioner's guidance mandate, but they are still expected to observe the guidelines. These agencies include: New Zealand Defence Force; New Zealand Police; Crown Research Institutes and their subsidiaries; Public Finance Act 1989 Schedule 4 organisations; Public Finance Act 1989 Schedule 5 Mixed ownership model companies; State-owned enterprises; Tertiary education institutions such as universities

However, anyone can use the guidance to know more about political neutrality, and integrity and conduct obligations, that are generally appropriate for public and community sector workers.

## Standing for election?

The Electoral Commission has a handbook for candidates for general elections. Te Kawa Mataaho the Public Service Commission has guidance for State Servants standing for election to parliament and the Electoral Act 1993 sets out requirements for some State servants standing for election.

For anyone working for Public Service departments and departmental agencies, the New Zealand Police, the NZSIS, members of the Defence Force (other than those excluded under section 3(d) of the Electoral Act), the Education Service and the Cook Islands and Western Samoan Public Service, the requirements are:

- The State servant must take leave of absence from his or her position for a period if standing for Parliament (section 52(2) of the Electoral Act).
- The minimum period for the leave of absence is the time between Nomination Day (i.e. the last day a person can be nominated to stand for election that in the 2023 General Election is Friday 15 September) and the first working day after Polling Day (section 52(3)).
- If the employer of a State servant standing as a candidate considers the candidacy will materially

affect the employee's ability to carry out his or her duties satisfactorily, or to be seen as independent in relation to particular duties, the employer may decide (after consultation with the employee) that leave is to commence earlier than Nomination Day (section 52(4)).



- During the stand-down period, a State servant can use any paid leave that they are entitled to, for example annual leave (section 53(5)).
- If declared elected, the State servant will immediately be deemed to have vacated his or her position (section 53(2)).
- If unsuccessful in the election, the State servant may resume work on the first working day after Polling Day (section 52(3)) For Election 2023 this is Monday 16 October.

If you work for a local authority, a community organisation or a private company; there is no statutory requirement that you stand down during the election period. We recommend checking with your employer about any applicable policies. If you need support with your conversation with your employer about this, please contact your PSA organiser.