



This Guide provides key information on political neutrality, both during regular work and election periods, across the Public Sector. This Guide should not be used as a substitute for the Political Neutrality Policy and all template and associated documents are listed in the Political Neutrality Policy.

The Political Neutrality Policy applies to all Public Sector Agencies, excluding Ministerial Support Offices.

### **Employer Responsibilities**

Employers are responsible for administering this Policy. The employer is responsible for ensuring all policies are easily accessible to employees

### **Employee Responsibilities**

Employees are responsible for ensuring they read and understand this policy and any relevant government policies.

## **POLITICAL NEUTRALITY**

- Political neutrality is unique to the public sector.
- It means that public servants must perform their duties professionally and without bias towards one political party or another.
- This is important at all times but particularly during a general election or snap election as behaviour, relationships and expectations between public servants, Ministers and Members of Parliament will likely be under greater scrutiny.
- Biased behaviour may damage public confidence in a future government and/or future Ministers' confidence in Agencies

## **DUTIES OF THE PUBLIC SERVICE COMMISSIONER**

- Ensure that Heads of Agencies are not subject to unlawful or improper pressure from Ministers of the Crown or Members of Parliament
- Act as an intermediary between the Minister and Heads of Agencies in relation to issues regarding the Agency's functions, and where required elsewhere.
- Ensure that all Public Sector employees are not subject to unlawful or improper pressure from the Ministers of the Crown, Members of Parliament or other Public Sector employees.

## **RESTRICTIONS ON PUBLIC SERVANTS**

### **ALL Public Servants MUST NOT:**

- Express their personal views in a way that could be taken as a comment in their official capacity rather than as a private citizen.

### **Engage in personal attacks or make comments on individual Members of Parliament.**

- Criticise government policy they have been professionally involved with or which they are required to implement.
- Reveal advice given to Ministers or use and/or reveal information they are not authorised to reveal.
- Disclose information which is not readily available to the general public.
- Be subject to unlawful or inappropriate political pressure from any persons.

## **CARETAKER CONVENTIONS**

**ALL** Public Sector Agencies must adhere to the following caretaker conventions during an election period:

### **Major policy decisions.**

- Avoid proposing major policy options during the caretaker period except in cases of emergency.
- Advise the Minister when making decisions on significant matters during the caretaker period.

### **Significant appointments.**

- Defer permanent and fixed term appointments to significant roles during the caretaker period.
- Consider making acting appointments where permitted.

- Consider making short term appointments if required.

#### **Major contracts.**

- Avoid entering into major contracts or undertakings during the caretaker period except in cases of emergency.
- Defer the signing of major contracts where permitted.
- Manage existing major contracts.

#### **Regional/International negotiations.**

- Avoid entering into major international negotiations except in cases of emergency.
- Defer any international negotiations where permitted.
- Seek approval of the Government Opposition if negotiations are critical and must continue during the caretaker period.

### **PROCESSES TO FOLLOW DURING AN ELECTION PERIOD**

- Ensure all advertising campaigns are reviewed by the Public Service Commissioner.
- Not be involved in the printing and distribution of political material.
- Report evidence of misuse of government resources and/or ICT resources to the Public Service Commissioner.
- Refrain from making political statements, using premise or other Government assets that may be interpreted as promoting new government policies or for Ministerial visits to conduct routine government business.
- Report evidence of misuse of government websites or other mediums to the Public Service Commissioner.
- Refrain from using premises or other Government assets for political activities other than.
- Public servants who are running for election MUST resign from their job prior to confirming their nomination as a candidate for election.
- Ensure public servants do not use their positions to support political issues or parties during an election campaign, including declining invitations to speak or make comments.
- Public servants with approval under the Private Enterprise Employment Policy should exercise judgements and care when deciding whether to provide their goods or services at political event.
- Continue to support the Minister where information requested relates to the day-to-day business of government. If in doubt, contact the Public Service Commissioner for advice.
- Provide equal access to information for Ministerial Support Offices and Members of Parliament.
- Refrain from responding to requests for new policy advice during the caretaker period. If in doubt, contact the Solicitor General.
- Seek advice from the Financial Secretary on any issues that may arise in relation to policy costings or Agency budgets during the caretaker period.

For Policy queries or issues in the administration of this Policy, contact the Office of the Public Service Commissioner on phone (682) 29 421 or email: [opsc.policy@cookislands.gov.ck](mailto:opsc.policy@cookislands.gov.ck)