

Scenario 5: Public servants appearing in publicity material that involves politicians

A high-profile public sector manager is asked to be filmed alongside the Minister, as part of a promotional video of the Minister discussing the agency's work. The video is only published on the social media pages of the political party.

Outcome 1

During the pre-election period, the appearance of the public sector manager in a video that is designed to be published on a political party's social media platform is not appropriate. There is a high risk that the public sector manager will be perceived as endorsing a political party.

Outcome 2

Had the video been produced by the agency and published on the agency's website then that is more likely to be appropriate, provided this was for the purpose of communicating factual and impartial information about the activities of the agency and the Minister in their official capacities.

Principle that applies

Public servants need to be, and be seen to be, politically neutral in their official capacity.

Checklist: factors to consider

Whether the appearance of a public servant in publicity material could be seen as endorsing a political party will depend on a number of factors:

- **exclusivity** – whether the material is already public (for example, media footage or already published on a Minister's site)
- **branding** – the extent that the political party's brand appears alongside any public servant
- **style and mode** – whether the material is curated/staged and whether the public servants are deliberately or incidentally featured
- **profile** – whether the employee has a high public profile or is a very senior employee
- **promoter** – whether a promoter (authorisation) statement is included in the footage, which is requirement for election advertising.





Practical guidance

The following guidance may help agencies and public servants in deciding whether it is appropriate to be involved in publicity material involving politicians:

- public servants should usually be able to appear in the background footage of a Minister
- it is unlikely to be appropriate for public servants to speak directly to camera
- public servants with a high public profile or who are very senior should not be prominently featured, if at all
- the manner of interaction between the Minister and the public servants should be considered to see if that might imply endorsement
- if appearing with a politician, it should also be clear that the politician is appearing in their ministerial capacity
- public servants would usually only be filmed on their work premises undertaking their normal business and usually only by media, ministerial staff or the agency
- political parties can film from public places or re-use publicly available footage but would not usually be given consent to film bespoke material on government premises
- if an agency is asked for consent to use footage of a public servant (or a public servant is asked personally), they should first understand the purposes for and ways in which that footage will be used
- where an MP or party seeks to visit an agency, it may be appropriate for the agency to ask in advance what photos or filming is intended (if any), and the use that the MP or party intend to make of any such photos or filming.

For further guidance, see Section 5: [Public sector advertising, publicity and the media](#).

