

## **Q&A: EU Referendum guidance to Civil Servants**

**Q: A 'yes' campaign group requests information from us – how should we respond? How do we ensure that the Government is not subsidising the campaign?**

A: The Remain campaign is independent of and distinct from the Government, even if they are arguing the same case. The campaign cannot ask the Government to provide it with campaign material, though requests for factual material will be treated in the same way as requests from any external body. However, Ministers may well want to meet with the campaign team and speak at campaign events, and officials can provide speeches and briefing for this that sets out the Government's position. And special advisers can liaise directly with the campaign to coordinate events and share views until the final 28 days of the campaign.

**Q: Can dissenting Ministers see departmental papers/information relating to the EU referendum? What kind of factual advice can they have?**

A: Ministers can see papers that they have already seen prior to the suspension of collective responsibility. The same rules apply to their special advisers. They can ask officials to verify the factual accuracy of speeches etc, but not ask them to provide new arguments or suggest new facts.

**Q: Can dissenting Ministers see departmental papers on matters that aren't directly about the Referendum, but may have a bearing?**

A: They can see or commission any papers produced by their departments in the normal way except those that have a bearing on the referendum question or are intended to be used in support of their position on the referendum.

**Q: How should officials respond to Ministers/SpAds who want to spend significant amounts of time outside of their departments campaigning?**

A: Ministers can decide how to spend their own time and will be accountable publicly for their decisions. Special advisers cannot "campaign" except in their own time and outside office hours unless they wish to resign. Special advisers supporting the Government's position

can liaise with the Remain campaign(s) (as above). Special advisers who wish to support those Ministers who wish to leave the EU must do so in their own time outside office hours, and not use any official resources..

**Q: How do we respond to dissenting Ministers who want to attend EU Council meetings and use them as an opportunity to make their case to *leave* the EU?**

A: Normal EU business will continue. Collective responsibility is being suspended on the issue of the EU Referendum. Nothing more. Dissenting Ministers would be in breach of collective responsibility and therefore the Ministerial Code if they used the opportunity to make the leave case at EU Council meetings.

**Q: What if Ministers want to undertake activity before 5 May which would also have a bearing on the Devolved Administration elections (e.g. work with pro-EU London businesses, visits to the DAs)?**

A: Ministers wishing to undertake Government activity bearing on the Devolved Administration elections must observe the relevant purdah rules. Each case should be considered on its merits though it is not expected that these restrictions would affect civil service support for any EU, EU-related or referendum business.

**Q: Can Ministers supporting the Government's position ask civil servants to engage with stakeholders and the public on EU Referendum activity on their behalf?**

A: Civil servants can engage with stakeholders and the public in the normal way and provided they merely reiterate the Government's position. They are not allowed to state a personal view or do anything that calls into question their political impartiality.

**Q: No10 have asked us for material – but our Secretary of State does not agree with the position. What do we do?’**

A: Ministers are being allowed to take a personal position in respect of the question on whether the UK should remain in a reformed EU or not. But the normal business of Government will continue and No10 should be provided with the material given the principles set out in the Prime Minister's letter.

**Q. Can Ministers who oppose the Government's position use their cars/get the department to book train tickets for attendance at campaign events.**

A. Official resources should not be used to support Ministers who oppose the Government's position. The Ministerial Code makes clear that official transport/resources should not be used for travel arrangements arising from Party or private business, except where this is justified on security grounds. Where a visit is a mix of official and campaign/political activity the department and the relevant organisation should each meet a proportion of the actual cost.