

Universities under purdah: maintaining impartiality or restricting academic freedom?

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*Is purdah, intended to maintain the impartiality of the civil service, infringing on university researchers' independence at a time when their expertise is most needed? **Bob Ward** explains the rules and argues that the next government should undertake a review of the guidance available, in order to ensure that purdah does not harm the public interest in the future.*



University researchers are being wrongly gagged during the UK General Election campaign because of inconsistent and over-zealous applications of 'purdah', which began at midnight on 21 April. The period of purdah ahead of the General Election is, [according to the government](#), intended to "maintain, and be seen to maintain, the impartiality of the Civil Service, and to avoid any criticism of an inappropriate use of official resources".

In practice, this means that civil servants are expected "not to undertake any activity that could call into question their political impartiality or that could give rise to criticism that public resources are being used for party political purposes". It also means that the activities of government Departments and Non-Departmental Public Bodies during the election period "should not be seen to compete with the election campaign for public attention".

The government's guidance for purdah ahead of the 2017 General Election is expected to apply to "all UK civil servants, and the board members and staff of Non-Departmental Public Bodies (NDPBs) and other arms' length bodies". The Research Councils are treated as NDPBs and their staff members are expected to comply with the guidance. However, the way in which purdah is being applied to university researchers who are in receipt of funding from the Research Councils is causing growing confusion.

In particular, there are inconsistencies in the guidance that is being given to them. For instance, [the guidance published on the website of RCUK](#), the umbrella body for the Research Councils, states that "[u]nlike normal times we will not be actively encouraging you to issue press releases about new research during the pre-election period". But [the guidance that has been distributed to universities](#) is far more draconian, stating that "the Research Councils [sic] strongly advises against issuing press releases about new research during this period". Similarly, the RCUK website suggests that any media release that is due to be distributed during the election period should be sent to the relevant Research Council at least three days beforehand, if it gives the researcher "cause for concern", and that the Council "may advise you withhold the press release for issue until after the election".

Yet the advice sent to universities is much stricter, stating that each Research Council "reserves the right to withhold the press release for issue until after election". This confusion over the degree of heavy-handedness to be used by the Research Councils against researchers has been compounded by some universities themselves. The guidance from the Research Councils states that "[r]esearchers called upon to provide expert comment about the elections or local issues during this period should do so under their university affiliation and not attribute the research to the research councils".

But the University of Glasgow, for instance, has distributed an email to staff stating that "[t]he University has to remain neutral in terms of the General Election – or Scottish or local government elections for that matter, however, members of staff can say what they want on personal accounts (within the law) – just not their university accounts". It also warned that "if any staff want to publicise work that is supported by UK government departments or research bodied funded by the government eg ESRC [Economic and Social Research Council] – we are not allowed to publicise any such work in the six weeks before a general election".

The impact on university researchers of this ad hoc and arbitrary application of purdah has been exposed by a number of controversies over the past few weeks. An article by Tom Chivers of [Buzzfeed](#) revealed that Frank Kelly, Professor of Environmental Health at Ling's College London, had been told that he could not publicly comment on the government's new plan to tackle air pollution because he is Chair of the [Committee on the Medical Effects of Air Pollutants](#), a non-statutory advisory Non-Departmental Public Body which provides independent expert advice to the Department of Health.

Ironically, the government had failed to convince the High Court that it should be allowed to delay publication of its draft Air Quality Plan because of purdah. Mr Justice Garnham [ruled](#) that, notwithstanding purdah, the crux of the issue was that publication was "necessary in order to safeguard public health".

The chilling effect of the purdah guidance is also being exploited by campaign groups. For instance, representatives of the Institute of Economic Affairs, the Taxpayers' Alliance, the Global Warming Policy Forum and Civitas, all lobby groups that are ideologically opposed to policies to reduce greenhouse gas emissions, [wrote to 'The Daily Telegraph'](#) shortly after purdah began, falsely claiming that the UK's Climate Change Act was the "chief culprit" responsible for higher energy bills. Even though the [latest analysis by the Committee on Climate Change](#) shows that the average annual household energy bill is now about £115 lower in real terms than it was in 2008 when the Climate Change Act was passed, my colleagues at the [ESRC Centre for Climate Change](#) were not able to proactively challenge the lobby groups' misinformation for fear of breaching the purdah guidance.

The purdah restrictions on researchers have also been criticised [in a letter organised by the Science Media Centre](#) and co-signed by a number of independent organisations, including the Association of British Science Writers (on whose Board I serve as a co-opted member). The letter to Sir Jeremy Heywood, the Cabinet Secretary and Head of the Civil Service, warns that "we are extremely concerned that the public are being denied access to the best experts at the time they are most needed". It calls for "written clarification" that "[p]urdah does not apply to scientists employed by universities", adding: "They should be free to speak to the media and the public, even if they are funded by a research council or they are a member of an independent SAC [scientific advisory committee], as long as they comment with their university affiliation".

[In his response](#), Sir Jeremy pointed out that the principles laid out by the government "are not, and have never been about restricting commentary from independent academics". However, he noted that "[i]t is for individual public bodies to apply the principles of the pre-election guidance within their organisations", including the Research Councils.

These new attempts to gag university researchers during purdah have echoes of the [aborted effort by the government last year](#) to introduce new regulations which would have prevented recipients of Research Council grants from engaging with policy-makers. The next government should undertake a review of the guidance on purdah and ensure that in future it does not harm the public interest and infringe on the academic freedom and independence of university researchers.

About the Author

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