

## Senedd Election 2026: Electoral law: What can you do during this election period?

Around a Senedd election, the laws on campaigning as a charity change and become stricter. While this means organisations should exercise caution, the chances of any action being taken against local charities is small. The bigger risk is of being over cautious and key issues around hospice and end of life care not being understood or prioritised by your candidates.

There is still a lot that hospices can do within the rules to raise the needs and concerns of your hospice during the election period, and great opportunities to connect with local candidates and advocate for the sector. Below we have set out what you may need to consider ensuring you can confidently campaign for your hospice.

### **Maintaining your independence**

The [Charity Commission guidance on campaigning and political activities](#) always applies to the activity of charities in Wales, whether or not it is an election period.

Campaigning and political activity can be legitimate and very valuable but must be in line with your hospice's charitable purpose. This means focusing campaigns on issues which directly relate to hospices, or the lives of people with palliative and end of life care needs in your area.

Charities must also stress their independence from political influence and ensure that their engagement with political parties is balanced.

Any staff, including hospice trustees and CEOs, must be very careful that any support that they give, even in their own time, for a particular candidate or party, does not imply the hospice also supports this candidate/party. This is very important in order to protect the independence of your hospice.

**The guiding principle of charity law in terms of elections is that charities must be, and must be seen to be, independent from party politics.**

When organising hospice visits or other public meetings about issues on which the charity is campaigning, one way of highlighting independence is to invite representatives from as wide a political spectrum as possible.

In practice this may be difficult to achieve, for example an event may be more manageable and focused if all minority parties are excluded. In certain circumstances you may decide not to invite a representative from a political party which advocates policies which are in contravention of the charity's purposes, or whose presence or views are likely to alienate the charity's supporters.

If you decide to not invite a mainstream political party, there must be very strong reasons to support this decision.

If you would like to discuss what constitutes 'very strong reasons' or 'alienation of supporters' in more detail, please feel free to get in touch with us at [m.brindley@hospiceuk.org](mailto:m.brindley@hospiceuk.org).

There are also rules organisations need to follow if conducting 'regulated campaign activity' during or ahead of an election.

**For most hospices, the campaigning you do around an election is unlikely to be regulated activity, if you are taking clear steps to maintain your independence from party politics and ensuring you are not influencing the way the public will vote.**

Below we have included further details below of what constitutes regulated activity during an election so you can make an informed decision for your hospice about registering as a 'non-party campaigner' with the Electoral Commission.

Please feel free to get in touch with us if you think you are likely to need to register as a non-party campaigner and would like further support or advice.

### **Regulated activity and registering as a non-party campaigner**

The regulated period for the 2026 Senedd election begins on 7 January 2026, and ends on polling day, 7 May 2026.

The reporting requirements and responsibilities your hospice must meet will depend on how much you spend on regulated campaign activities within this period.

The threshold for registration as a non-party campaigner is £10,000. All spending must be itemised and reported, if registered.

#### The activities that are regulated are:

- the production or publication of material which is made available to the public
- canvassing and market research seeking views/information from the public
- press conferences and media events
- transport in connection with publicising your campaign
- public rallies and other public events

In order to assess whether an activity is regulated the purpose and the public test are used.

#### The purpose test:

Spending by non-party campaigners is only regulated if it can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates, including political parties or candidates who support or do not support particular policies or issues.

Factors considered to determine if campaign activity is intended to influence voters include:

Call to action (implicit or explicit), tone (if a campaign is positive or negative towards a party or category of candidate), context and timing (a campaign starting close to an election, or on a prominent policy issue) and how a reasonable person would see the activity.

Campaigns that mention political parties or candidates are likely to meet the purpose test, and in almost all cases will do so if they explicitly promote political parties or candidates, or implicitly, for example by comparing the merits of the positions of political parties or candidates on a policy.

#### The public test:

Some activities also need to meet the public test in order to be regulated, these activities are:

- the production or publication of material which is made available to the public at large or any section of the public
- canvassing and market research seeking views or information from members of the public
- public rallies and other public events

This means these activities will only be regulated if they are also aimed at, or involve, the public.

The 'purpose' and 'public' test must also be considered in the regulation of campaign materials. While it is unlikely that these will apply to activity where steps have been taken to ensure independence, we have outlined the relevant law below.

#### Campaign materials

Social media posts and content on your website would meet the public test, but if the information on is presented in a neutral, factual and unbiased manner it would not normally be considered regulated campaign material. In any publicity material it is important to not explicitly compare the hospice's views with those of the political parties or candidates taking part in the election, or encourage support for any particular parties or candidates.

However, if you do produce regulated campaign material, meeting the purpose and public test, you may need to include an imprint. Please see the [Electoral Commission](#) website for further details.

Above we have set out some of the key rules associated with regulated activity, but we would encourage you to read some of the more specific regulations if you are considering registering that can be found on the [Electoral Commission website](#).

Please feel free to get in touch with us at [m.brindley@hospiceuk.org](mailto:m.brindley@hospiceuk.org) if you think you are likely to need to register as a non-party campaigner and would like support or advice.

#### **Further Resources**

[Campaigning and political activity guidance for charities - GOV.UK](#)

[Non-party campaigners: Senedd elections | Electoral Commission](#)

[Charities, Elections and Referendums - GOV.UK](#)

[Charities and campaigning: reflections ahead of the Senedd and local elections – Charity Commission](#)