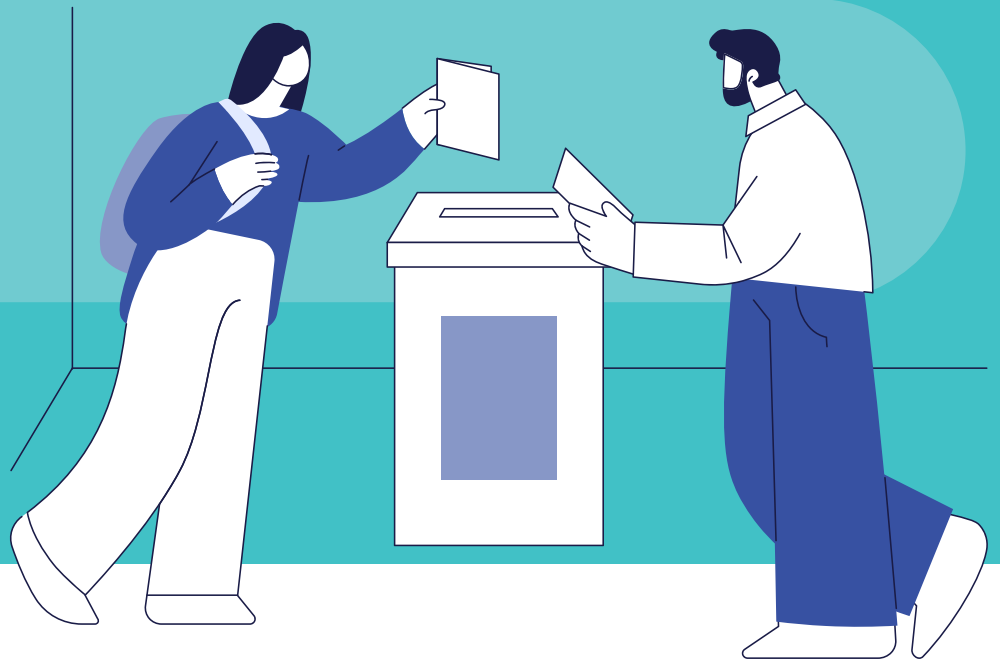


QUICK GUIDE

Elections and the public service

The public service is an integral part of our system of government, and its apolitical nature is fundamental to the successful functioning of that system. The integrity of the public sector is just as important in maintaining public trust in our government as the integrity of our politicians.

The role of the Victorian Public Service is to provide impartial and objective advice and administration to the government of the day, regardless of political persuasion. Victorian public service employees cannot provide political advice.



The role of the Victorian Ombudsman

Maintaining the integrity of the public service is always important, however it is particularly critical in the lead-up to elections. The Victorian Ombudsman plays a role in supporting trust in public administration during this time, through the identification, investigation, exposure and prevention of maladministration.

Maladministration broadly refers to unreasonable, unjust, discriminatory, inefficient or incompetent performance of administrative functions. It also refers to the use of a power for improper purposes.

An election creates a heightened political environment and increases the risk that public servants may act, or be perceived to act, in a way that favours the incumbent government, or otherwise influences the election outcome.

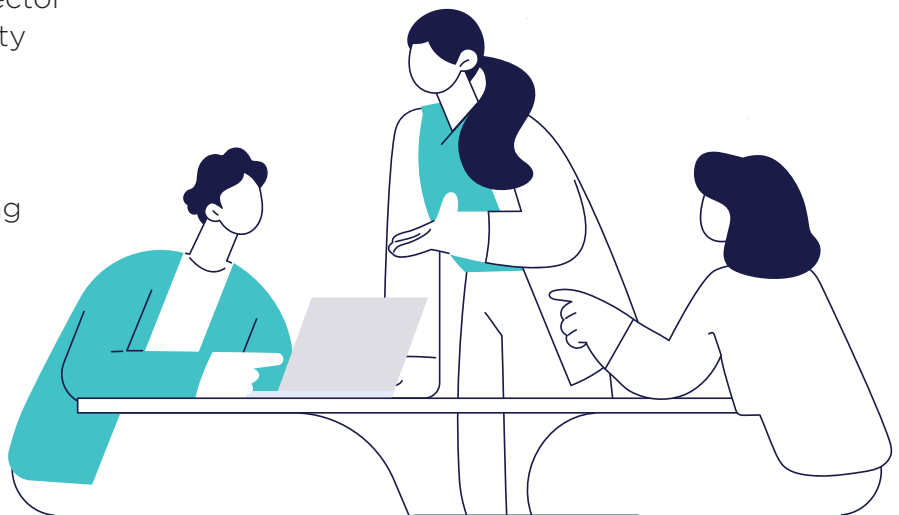
For this reason, public servants must be particularly vigilant about integrity in the lead up to elections. Perceptions of bias or influence by the public sector reduce public trust in the impartiality of the bureaucracy and undermine the effectiveness of our system of government.

Because of this increased risk during the lead up to elections, there are conventions of behaviour, called ‘caretaker conventions’, that have been developed to protect the public service from engaging in behaviour that may constitute, or be perceived to constitute, maladministration.

If you observe this type of behaviour you should report it to the Victorian Ombudsman by [making a complaint online](#) or calling us on 1800 806 314.

Any person who complains to us about maladministration has certain protections under the Ombudsman Act against reprisal action being taken against them.

Special protections may also apply under the *Public Interest Disclosures Act 2012* (Vic) (‘PID Act’) where a public official reports ‘improper conduct’ to the Ombudsman. Section 4 of the PID Act defines improper conduct as action or inaction of a serious nature that is contrary to law, that is unreasonable, unjust, oppressive, or improperly discriminatory, or that is based wholly or partly on improper motives.



Parts of this publication draw on [Avoiding maladministration in the context of the NSW State election](#), produced by the NSW Ombudsman, and have been adapted for the Victorian context with its permission.

Caretaker conventions

The lead-up to an election includes a caretaker period. The caretaker period spans the time the Legislative Assembly expires until the election result is clear or a new government is commissioned. While the exact dates vary, the caretaker period before a Victorian election usually runs for three to four weeks.

There are specific conventions which guide behaviour during the caretaker period, and these are outlined in detail by the Department of Premier and Cabinet (DPC) in the publication Guidelines on the Caretaker Conventions. This publication has been updated for the 2026 Victorian State election.

Public servants should make themselves aware of these conventions before the caretaker period commences.

During the caretaker period, certain government action, decision making and engagement with the public sector should be modified or not occur.

The caretaker conventions are intended to

- preserve the autonomy of an incoming government by limiting the current government's ability to act in a way that would bind an incoming government or limit its freedom of action
- ensure the State's resources are used appropriately and not to the unfair advantage of the incumbent government
- protect the political neutrality of the public sector.

The caretaker conventions are directed to ensuring that, during the caretaker period:

- the government avoids implementing major policy decisions that are likely to commit an incoming government
- the government avoids making significant appointments
- the government avoids entering major contracts or undertakings
- intergovernmental negotiations and visits are appropriately managed
- the apolitical nature of the public sector is maintained.



Some examples of maladministration before an election

Some examples of behaviour that may constitute maladministration during caretaker period and in the lead-up to elections are listed below. These are not comprehensive, and complete guidance for the public service is covered in detail in DPC's [Guidelines on the Caretaker Conventions](#).

Maintaining the apolitical nature of the public sector

It is important for the public sector to be, and be seen to be, impartial and apolitical during the caretaker period, to ensure controversies about the role of the public sector do not distract from the substantive issues of the election campaign, and to protect the reputation of the public sector and ensure the public sector remains trusted by the incoming government.

During the caretaker period, agencies should take particular care to act only in ways consistent with their apolitical status, including, for example:

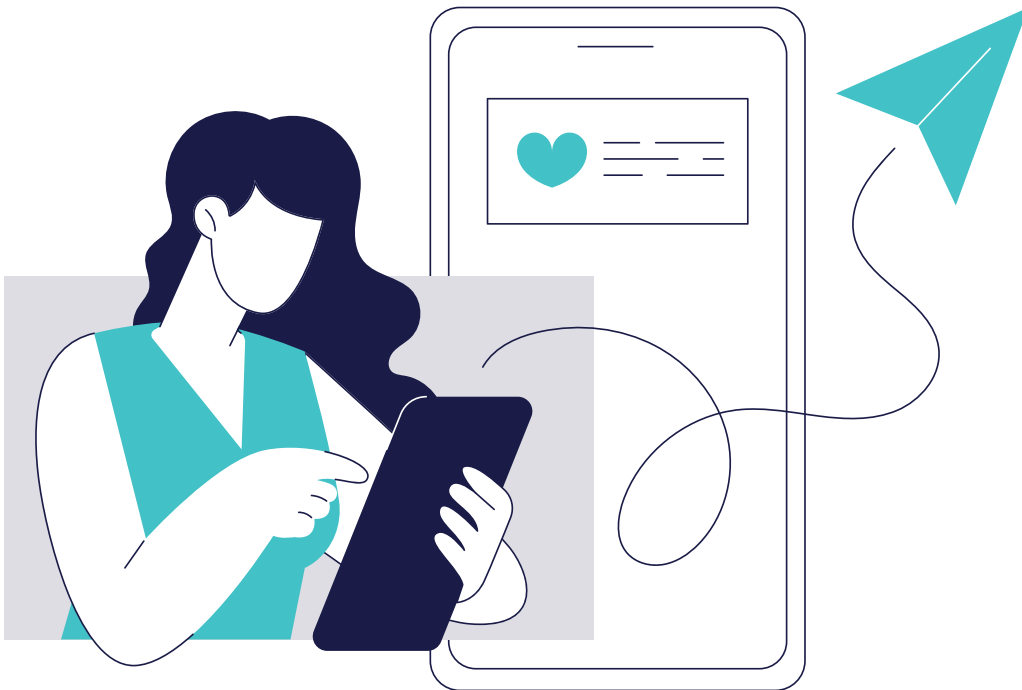
- ensuring any publications placed on agency websites, social media or other public forums are politically neutral (this is especially important during the caretaker period, when any publications should generally be limited to essential matters of fact only)
- ensuring any correspondence sent from the agency is politically neutral
- not providing political advice or opinions (this also means during the caretaker period that agencies avoid providing future-looking policy advice, although the government can still request factual information from agencies)
- making the agency available to respond to requests for factual information from the Opposition and other MPs in accordance with caretaker conventions
- seeking to be even-handed in the way the agency treats requests from MPs and other candidates
- exercising discretion if staff are scheduled to speak in public (public servants would, for example, be expected to decline invitations to speak or appear on panels that are discussing controversial issues relevant to the election campaign).

Find out more

The Department of Premier and Cabinet has updated its *Guidelines on the Caretaker Conventions* for the 2026 Victorian State election.

[Download the guidelines](#)





Social media activity and political participation by public sector employees

Public servants must ensure none of their social media activity or other activity could lead an ordinary member of the community to doubt whether they will be able to put aside their personal views, to act professionally and impartially in their work, and to work apolitically for any party that forms government.

Public sector employees should not use public sector body resources or their positions to support particular issues or parties during the election campaign.

The Victorian Public Sector Commission has published specific guidance on the use of social media in the [Code of Conduct for Victorian Public Sector Employees](#). It has also published [Guidance during election periods](#), which includes supporting resources for employees and managers of employees who are involved in election activities.

Proper record keeping

There is an increased risk associated with public records in the lead-up to an election. Records must be kept in accordance with the *Public Records Act 1973*, ensuring there is no unlawful destruction of public records or inappropriate handling of Cabinet documents.

Grants administration

The temptation to provide or promise funds to communities in seats that are marginal or held by the government of the day could be heightened in the period leading up to an election. For this reason, it is particularly important that agencies are aware of their obligations when administering grant programs and adhere to them in the period around an election. The DPC [Guidelines on the Caretaker Conventions](#) include suggested wording to provide to grant applicants during the caretaker period.

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