



## 2. Political Staff

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### Inside the Campaign: Managing Elections in Canada

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# 2

## Political Staff

*Paul Wilson and Michael McNair*

**M**any ministerial political staffers take unpaid leaves of absence to work on election campaigns. The opportunity to contribute to their political party in an election is a natural extension of their motivation to work in politics in the first place. However, since ministers remain ministers even during a writ period, some members of their political staff continue to be employed in their departmental offices to maintain connections with public servants and to provide information and support to their ministers. This chapter analyzes the role of ministerial staff during an election campaign.

**D**e nombreux membres du personnel politique ministériel demandent des congés sans solde afin de participer aux campagnes électorales. La possibilité de contribuer aux activités de leur parti en période électorale est inhérente aux motivations qui les ont initialement poussés à faire de la politique. Toutefois, comme les ministres conservent leur poste en période électorale, certains membres de leur personnel politique continuent de travailler dans leurs bureaux ministériels afin de maintenir les communications avec les fonctionnaires, d'informer leurs ministres et de les soutenir. Ce chapitre analyse le rôle du personnel ministériel pendant une campagne électorale.

**MANY PEOPLE GRAVITATE** to political jobs because they love the adrenalin of campaigning and are committed to building support for their party. Predictably, when an election is called, most political staffers take unpaid leaves of absence to work on the campaign. However, some remain at their desks in ministers' offices, including in the Prime Minister's Office (PMO), in order to support the ministry that continues in power throughout the writ period. In essence, they act as democratic insurance so that even during an election period final government decisions and accountability rest with those who earned a democratic mandate in the previous election. These staff play an important role in maintaining information flow between departments and ministers as well as ongoing dialogue with the public service during the campaign.

Political staffers comprise a diverse part of the Canadian federal political community. Some, known as exempt staff, work for cabinet ministers, providing political support and advice. Some work for Members of Parliament (MPs), either supporting them in their House of Commons duties on Parliament Hill or dealing with constituents and local matters back in their home ridings. This "parapolitical bureaucracy" exists to serve politicians personally, and the jobs of political staffers depend on their bosses – and, for ministerial staffers, their party – winning re-election.<sup>1</sup>

Political staffers are paid out of public funds; hence, though their work is expressly political, it is not directly partisan. House of Commons resources, including employees, may be used "in the fulfillment of parliamentary functions only."<sup>2</sup> This explicitly excludes election campaigns. Similarly, ministerial exempt staff may only support ministers with "ministerial business, and not for party political activities."<sup>3</sup> Political staffers who themselves run as candidates in an election or participate full time in a campaign must either resign or take an unpaid leave of absence. Staffers who campaign only part time may stay in their day jobs but must campaign only on their own time outside office hours.

Except for Senate offices, all political staff jobs ultimately depend on the electoral results, so working or volunteering during elections

is an important litmus test of commitment to the team. One survey found that 100 percent of ministerial policy staff respondents had volunteered at some point during an election campaign.<sup>4</sup> Some staffers work on the local campaign of their own minister or MP, some go to ridings that need more bodies or experience, and some work on the national campaign in the war room, on the leader's tour, or in a call centre.

Not all political staffers leave their usual jobs, however. MPs cease to be MPs as soon as the governor general dissolves Parliament, but their office budgets continue until the date of the general election.<sup>5</sup> They may continue to pay their employees, though MPs' offices are very quiet when Parliament is dissolved. Some political staff stay on their MP's payroll, sometimes volunteering on a local campaign after hours and sometimes not.

Ministers are usually MPs and need to run for re-election. Yet, during the campaign, ministers continue to be ministers. Government business continues, and they retain their legal authority from the Crown. However, it is not business as usual. The caretaker convention dictates that, when Parliament is dissolved and there is no confidence chamber to hold them accountable, ministers will exercise restraint.<sup>6</sup> Through such self-restraint, they show respect for democratic accountability. They also avoid any perception that the governing party receives electoral benefits from its executive privileges. This convention operates in Canada similarly as in other countries with a Westminster parliamentary system such as the United Kingdom, Australia, and New Zealand.<sup>7</sup> Usually, it attracts public notice only in times of controversy, such as the disagreement between Charles Tupper and Governor General Lord Aberdeen over appointments following the 1896 election, Kim Campbell's decision to approve a contract for the sale of Toronto Pearson International Airport in 1993, and the RCMP's announcement of a politically sensitive criminal investigation during the 2005–06 election.<sup>8</sup> Under the convention, routine administration continues, and ministers must still address urgent and unavoidable matters, such as natural disasters. However, generally they avoid making

announcements, commitments, or decisions that an incoming government could not reverse.

Although most ministerial aides take leaves of absence to campaign, a coterie of exempt staffers remain at work in the PMO and in each department. They monitor government activity from the perspective of communication risk, act as liaisons between the minister and public servants, and provide the minister with information and advice in the exercise of their caretaker duties. The PMO political staff perform a particularly important role during the campaign period. They support the prime minister, who remains the head of government, and they interface with the Privy Council Office (PCO). The PCO is the prime minister's department and the public service central agency responsible for enforcing the caretaker convention across the public service. PMO staff have their own central role in coordinating all other ministerial offices.

### **Duties in an Election Campaign**

As the date of the election approaches, ministers' offices must determine which staffers should remain at work during the writ period and who should take an unpaid leave to join a campaign. The assumption is that most staffers should contribute to the re-election effort. Typically, only a handful of ministerial staffers remain behind to assist ministers with their responsibilities during the caretaker period. Staffing decisions depend on several factors.

First, requirements vary according to the nature of the department since some departments are more likely to see significant issues emerge, such as Global Affairs or Public Safety, whereas others pose greater risk management challenges. Second, a minister's campaign needs can influence office staff disposition. A minister in a highly contested constituency might bring as many experienced staffers as possible to lead local volunteers, especially if the staffers have close personal connections to the minister and roots in the riding. In contrast, a minister running in a safer constituency can afford to

leave more experienced staff in the department. Third, personal aptitude and circumstance make a difference. For example, it is easier for younger staffers without family obligations to uproot and couch-surf for several months while volunteering for a campaign on the other side of the country. Older staffers, especially those with young children at home, find this more personally disruptive, and some might find it impossible. Offices tend to take such factors into account when determining who will be on the campaign full time.

As in other ministers' offices, a handful of the normal staff complement remains at work in the PMO. They include representatives from many of its key departments, especially those related to its policy, media relations, and issues management teams. Typically, most of the senior PMO staff takes leave to work either in the party's national headquarters or on the leader's election tour. However, one of the senior staffers staying behind acts as the chief of staff to manage the office and to provide a senior point of contact with the prime minister, the campaign, ministers' offices, as well as the PCO.

Prior to the election, the Prime Minister's Office generally coordinates with ministers' chiefs of staff to ensure that satisfactory staffing arrangements are in place in order to cover a range of contingencies. Doing so ensures that the government is staffed and that experienced and motivated workers are available for the campaign. Offices must pay close attention to administrative details in order to ensure a strict separation between government business and election campaign activity. For example, a best practice is to change telephone voice-mail messages and email out-of-office responses to say that the individual is on leave, specifying a return date after the election. Before taking leave, staffers must hand in office property such as their government smartphones and other electronic equipment, their building access pass, and their key(s). Again, this is to ensure proper separation – and the appearance of proper separation – between the two worlds.

The daily rhythm of ministers' offices changes as soon as the writ drops and the caretaker convention comes into operation. The

normally heavy volume of briefing notes from the deputy minister is reduced considerably. Oral briefings cease. Impromptu, face-to-face interactions with departmental officials become less frequent as the public service turns inward to focus on planning for post-election transition scenarios.<sup>9</sup> It is almost as if a curtain descends to separate the two worlds.

Nevertheless, since ministers continue to head their departments, they are entitled to be kept apprised of events within their portfolios since they might be asked questions at any time. They might even have to respond to urgent matters that cannot wait until after the election. Examples include international crises, ongoing Canadian military engagements, court rulings, domestic emergencies, and high-level negotiations such as for trade agreements. In these situations, ministers must be kept informed, make decisions, and give direction. Therefore, they require political staff who can be trusted to exercise sound judgment in deciding what information needs to be conveyed when to the campaigning minister. Political staff should have sufficient policy expertise so that they can engage with departmental officials and ensure that the minister is fully briefed, including by providing political context and advice.

Once the minister is engaged, political staff will often convey the minister's direction and facilitate the next steps if necessary. This might mean setting up a telephone call with the deputy minister or other ministers, depending on the scope of the issue. Political staff can carry out political legwork with other offices to ensure coordination. Sometimes specific documents need to be conveyed to the minister for signature. This is why one member of the minister's political staff is permitted to accompany the minister while campaigning yet remain as a government employee. This ensures a constant liaison between the department and the minister who can receive classified information if necessary. Just like colleagues remaining in the Ottawa office, this staffer does not take a full-time part in partisan campaign activities, though proximity to the minister is required.

Most departmental paperwork can wait until after the campaign. However, ministers are sometimes asked to take administrative decisions and these can be important and time sensitive. For example, if a government did not pass budgetary measures prior to the dissolution of Parliament, then ministers may request from the governor general special warrants granting urgent funding so that normal departmental operations can continue. Political staff would work with public servants to ensure that the minister was briefed, to send the proper documents to the minister on the campaign trail for signature, and to get them back to the department.

In normal times, ministers' offices devote significant effort to pushing out proactively the government's strategic messages.<sup>10</sup> During an election, however, the campaign team assumes almost all responsibility for public messaging. Ministers' offices, in contrast, adopt an entirely reactive and defensive approach to communication. Their goal is to manage and mitigate risk by identifying potential problems and neutralizing them before they become public controversies. This involves carefully monitoring news stories, including on social media, to identify negative stories relevant to the department, gathering background information from the department in order to understand the context, and recommending response lines. Ministers' offices maintain media relations capacity so that they can deal directly with journalists and answer questions about departmental business. To monitor potential issues across the government, the PMO creates a process so that early each day political media relations and issues management staffers from across the government can flag emerging issues and recommend responsive messages. These lines are then communicated to ministers so that they are prepared for government-related questions as they campaign at public events.

In a similar way, work in the Prime Minister's Office changes when the election is called. Political staffers in the PMO no longer work with the PCO on managing the cabinet policy agenda or coordinating long-term strategic communication efforts across



the government. The clerk of the Privy Council significantly curtails the volume of daily briefing notes to the prime minister, though this reduction might reflect the prime minister's desire to focus on the campaign as much as a desire to defend the caretaker convention.

The PMO must always ensure that the prime minister is aware of key developments within the government. Of course, this includes information in priority areas such as the economy, national security, and international relations. However, details vary from day to day. Senior PMO staff may speak with the prime minister when required to answer questions and to pass on information that the prime minister needs to know, either to ensure smooth governance or to ensure that the prime minister is briefed on government business that might intrude into the campaign setting.

When appearing in public as a party leader, the prime minister simultaneously wears the hat of the head of government and is therefore always entitled to receive briefings on the status and impact of government programs across the country. The PMO may appropriately request these details from the relevant government department. However, the campaign and the PMO must respect caretaker convention limits. It would be improper to ask any ministerial staffers, as government employees, to use government time or resources to analyze opposition parties' election platform commitments, let alone to ask departments any long-term policy questions that would contribute to the incumbent's own platform. The PMO needs to exercise good judgment in these delicate matters.

Finally, though interactions between the PMO and the PCO are reduced during the campaign, there are opportunities for dialogue. PCO staff might wish to discuss "transition to government" questions with PMO staff. If the government is re-elected, might the prime minister consider machinery of government changes? Is the prime minister satisfied with the briefing processes in place, or could they be improved? Is the prime minister open to revising guidelines on conduct and accountability for ministers? Informal consultations on such matters might be helpful, though at this stage

they would be only one-way conversations. For example, the PCO can solicit views from the PMO on such matters, but it should not offer any advice in return on matters of transition or on governing after the election.

## Overcoming Obstacles

Sometimes obstacles emerge in the relationship between ministers and their offices and public servants in the lead up to and during the election campaign. Such obstacles are often rooted in a misunderstanding of the purpose and limits of the caretaker convention.

In 2015, Stephen Harper was the first prime minister to make the caretaker guidelines available publicly. Prime Minister Justin Trudeau also did so in 2019. This transparency helps the public to understand how the government works during an election and ought to provide more clarity across the federal government. In practice, there is still more work to do in understanding when the caretaker period begins, what is meant by the caretaker function, and where the limits of the convention can be found.

Election campaigns in both 2015 and 2019 occurred in the context of majority governments with a legislated fixed election date. This meant that everyone knew when the election would likely be held, though not when Parliament would be dissolved. In terms of political activity and public perception, this meant that the campaign seemed to extend back into the summer. To deal with this issue, the Trudeau government introduced changes for the pre-writ period to restrict government advertising and limit pre-campaign spending by political parties. These steps, combined with the fact that Parliament was adjourned but not dissolved, could lead public servants or even political staff to conclude that ministers were not permitted to operate as usual during the summer. Ministers' offices had to work to counter this perception by asserting, for example, their entitlement to information and briefings as usual. With the support of the PMO and PCO, the government operated as normal in the months leading up to the election call. However, additional clarity

is needed to ensure that everyone recognizes that caretaker restraint only begins with the dissolution of Parliament and not in the period leading up to it.

Who is the caretaker? This concept has been a source of confusion. Are the deputy minister and senior officials now in charge of the department? Does the chief of staff now act as minister? The reality is far simpler and consistent with our democratic system of government. During the campaign, ministers sometimes choose to delegate more authority to their deputy ministers where appropriate and in coordination with their chiefs of staff. However, whether delegated or not, it is never public servants or political staff who act as caretakers or hold the authority or accountability of ministers. Rather, the government continues to be led by a political cabinet of democratically elected ministers who, in the absence of an elected House of Commons, act with self-restraint. The ministers are the caretakers.

Maintaining information flow to ministers through their offices as the caretaker period begins can be a challenge. Due to honest misunderstandings of the caretaker convention, some departments have initially reduced or even cut off services to their ministerial offices because they were wary of providing media monitoring and other sources of information to political offices for political purposes. The misunderstanding is that even though these offices are political, they are not engaged in partisan, political party activity. Rather they are supporting their politicians, the ministers, who remain in their legitimate roles. In these cases, a chief of staff would contact the PMO, which would work with the PCO, which would intervene to ensure that ministers and their staff continued to receive services that they required and to which they were entitled to do their job. These sorts of problems occur mostly near the start of the campaign period and are resolved through openness and collaboration between political staffers and officials. Good faith on all sides combined with clear public guidelines help to solve these issues quickly.

The public availability of the prime minister's caretaker guidelines is the key. It makes resolving matters much easier since everyone, including officials and staff inside the government and the public outside it, can refer to the same document. If ministers or their offices can justify their requests based on what the prime minister has approved, then the requests are legitimate. However, if any demands go beyond the guidelines, then the PCO will back up department officials and inform the PMO. Nevertheless, it is possible to overstate how much the caretaker convention constrains ministers. Again, clarity is in the guidelines themselves. A minister may act if any one of the following criteria for that action is met: the matter is routine, non-controversial, urgent and in the public interest, reversible, or agreed to by the opposition parties (in cases in which consultation is appropriate). Ministers are therefore far from incapacitated, though the point is not to take advantage of the fine print but to ensure continuing good government while respecting the democratic will. Ultimately, the caretaker convention is adjudicated politically. When to act – or not to act – according to these criteria is ultimately something that ministers must decide, and they are accountable to Canadians for their decisions.

In highlighting the role of ministerial exempt staff during an election campaign, this chapter augments the growing but relatively small body of research on political staffers in Canada. In particular, it emphasizes the significant role of political staffers as interlocutors between ministers and public servants during a campaign. It provides a better idea of the practicalities of how the government of Canada operates while under the caretaker convention.

## Notes

- <sup>1</sup> The term “para-political bureaucracy” comes from Williams, “The Para-Political Bureaucracy in Ottawa,” 215.
- <sup>2</sup> Canada, House of Commons Board of Internal Economy, *Members' Allowances and Services Manual*, Chapter 2, p. 4.
- <sup>3</sup> Canada, Privy Council Office, *Open and Accountable Government*, 90.

- <sup>4</sup> Wilson, “A Profile of Ministerial Policy Staff in the Government of Canada,” 464.
- <sup>5</sup> Feldman, *Transition to the 42nd Parliament*, 22.
- <sup>6</sup> Canada, Privy Council Office, *Guidelines on the Conduct of Ministers*.
- <sup>7</sup> United Kingdom, Cabinet Office, *The Cabinet Manual*, 17; Australia, Office of the Prime Minister and Cabinet, *Guidance on Caretaker Conventions*; New Zealand, Cabinet Office, Department of the Prime Minister and Cabinet, *Cabinet Manual*, 88–89.
- <sup>8</sup> Cappe, “The Caretaker Convention in Canada.”
- <sup>9</sup> Zussman, *Off and Running*, 105–25.
- <sup>10</sup> Marland, *Brand Command*.

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