



Report

Subject: Use of Corporate Resources During an Election Policy

Department: Corporate Services

Division: Clerks

Report #: CPS-2021-072

Meeting Date: 2022-01-24

Recommendations

That report CPS-2021-072, Use of Corporate Resources During an Election Policy, be received;

And that Council adopt the Use of Corporate Resources During an Election Policy as outlined in Report CPS-2021-072 and to amend the Code of Conduct for Council, Local Boards and Committees Policy by deleting Section 10;

And that any other previous resolutions and/or policies of Council regarding the use of corporate resources during an election are hereby replaced.

Background and Analysis

Section 88.18 of the Municipal Act provides that municipalities, prior to May 1 in the year of a regular election establish rules and procedures with respect to the use of municipal resources during an election. The existing Code of Conduct for Council, Local Boards and Committees Policy establishes general rules regarding the use of corporate resources by members of Council and local boards as set out below:

9. Use of Town Property, Services and Other Resources

- 9.1 No member of Council shall use, or permit the use of Town property, including land, facilities, equipment, supplies, services, staff or other resources (for example, Town-owned materials, networks, websites, corporate transportation) for activities other than the business of the Corporation.
- 9.2 Personal use of Town-issued devices such as a tablet, laptop computer or cellular device is permitted.

- 9.3 No member shall obtain personal benefit or financial gain from the use or sale of Town property, including Town-developed intellectual property (for example, inventions, creative writings, computer programs and drawings), technical innovations, Town owned images, logos, coat of arms, or other items capable of being patented, since all such property remains exclusively that of the Town.
- 9.4 No member shall use information gained in the execution of their duties that is not available to the general public, for any purposes other than their official duties.
- 9.5 Members shall conduct themselves in accordance with the provisions of the Town Communications Policy.

10. Election Campaign Work

- 10.1 No member shall use the facilities, equipment, supplies, services or other resources of the Town (including members' personal websites and social media accounts linked through the Town's website) for any election campaign or campaign-related activities.
- 10.2 On January 1 of an election year, links to members' personal websites and social media accounts shall be removed from the Town's website.
- 10.3 No member shall undertake campaign-related activities on Town property.
- 10.4 No member shall use the services of Town staff for any election campaign or campaign related activities during hours in which Town staff receive any compensation from the Town.
- 10.5 No member shall use photographs depicting any member of Town staff in campaign literature or advertising.

Staff have reviewed the current Code of Conduct for Council, Local Boards and Committees Policy and recommend that the proposed Use of Corporate Resources During an Election Policy be adopted as a stand-alone policy.

Policy Overview:

Scope

The current Code of Conduct applies only to members of Council, local boards and Committees. The proposed policy would establish an expanded set of rules and

principles regarding the use of corporate resources during an election that would apply to all persons, members of Council, members of committees, members of boards, candidates, registered third parties and Town employees.

Registered Third Party Advertisers

Registered Third Party Advertisers have been included in the scope of the proposed policy as a result of changes to the Municipal Elections Act, which requires any individual, corporation, or trade union to register with the municipality in order to incur expenses related to third party advertisements during a municipal election.

Third parties who have registered with the municipality are allowed to operate campaigns, and as such, many of the same rules that apply to candidates also apply to them.

Town Property

The proposed policy outlines that:

- Town buildings may not be used for campaign related activities, except for all-candidate meetings.
- Campaign related activities may not take place at any Town-hosted function, whether on Town property or not.

Communications and Technology

The proposed policy clarifies that the use of corporate resources, specifically relating to communications and technology, are not to be used for election related purposes. In particular:

- Links to the Town's website would only be permitted on an election website for the purpose of providing the public information about the election or for sharing Town program/service information
- Town websites and domains shall not include any campaign materials or links to any websites which include campaign materials.
- From the first day of the nomination period in a municipal election, all links to social media accounts and personal external websites of current members of Council will be removed from Town websites and domains.

The proposed policy also provides that the Town's logo or other similarly branded corporate resources are not to be used for any campaign related activities.

Employees

The proposed policy outlines that:

- Employees are expected to promote the principles of transparency, impartiality, respect and accountability.
- Employees may not engage in campaign related activities during any during their working hours or for time for which they are receiving remuneration from the Town.
- Employees engaging in campaign related activities shall keep those activities separate from their official positions and duties, and shall ensure they do not create a perceived or actual conflict of interest with their day-to-day work.
- Corporate resources shall not be used by employees while engaged in campaign related activities.
- No person shall use the services of Town employees for campaign related activities during a time when employees receive remuneration from the Town.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Strong Governance

Objective: Transparent and fair decision-making processes

Sustainable Neighbourhood Action Plan

Theme: Corporate and Fiscal

Strategy: Create and integrate sustainability principles into Town policies, processes and practices

Notice Provisions

None.

Financial Impact

None.

Respectfully submitted

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Attachment(s): 1. Use of Corporate Resources During an Election Policy