

**Use of Corporate
Resources and Election
Campaign Activities Policy**

Applies to: Council, Local
Boards and Staff

Effective date: April 30, 2018



Clerk Services

**POLICY NUMBER
A09-A1802**

Policy Statement

In order to preserve the public trust and comply with the provisions of the Municipal Elections Act, 1996, as amended it is essential that Members of Town Council, all election candidates, and all Town employees maintain the highest standards of ethical conduct. This Policy reflects both provincial legislation and the conduct necessary to set a leading example in ensuring sound governance, accountable and transparent election practices, as it relates to the use of corporate resources.

1. Definitions

Act means the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended.

Campaign means the expenditure of funds or receipt of contributions only permitted once a nomination has been filed or a third party advertiser has registered.

Campaign activity means any activity, using campaign materials, by or on behalf of a candidate, political party, or registered third party meant to elicit support during the election period and includes "campaign".

Campaign materials means any materials used to solicit votes for a candidate(s) or question in an election including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign materials include, but are not limited to, materials in all media, for example, print, displays, electronic radio or television, online including websites or social media.

Campaign Period means the date on which the Nomination Form or Notice of Registration is filed by a Candidate or Registered Third Party until December 31 in the year of an election, and for Registered Third Party "Campaign Period" is the date on which the Notice of Registration as a Registered Third Party is filed until December 31 in the year of an election (unless a request for extension or campaign period has been filed).

Candidate means a person who has filed a nomination to run in a municipal (including school board trustee), provincial or federal election, and shall be deemed to include Registered Third Parties and any person seeking to influence other persons to vote for or against any Candidate or any question or by-law submitted to the electors under section 8 of the Act;

Clerk means the Clerk of the Town or their designate.

Corporate Resources means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Town including but not limited to: facilities, parks, materials, equipment, monetary funds, technology, Town IT system and resources, databases, social media, intellectual property, and supplies.

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Election means an election or by-election at the municipal, regional, school board, provincial and federal level of government, political party election or the submission of a question or by-law to the electors.

Election Period is defined for the purposes of this policy as follows:

Regular municipal election (includes regional and school board)	the period commences on the first day nominations may be filed and ending on Voting Day
Municipal by-election (includes regional and school board)	the period commences on the first day nominations may be filed and ending on Voting Day
Provincial or federal election	the election period commences the day the writ for the election is issued and ends on Voting Day
Provincial party leadership contests	the period commences with the date of registration as a candidate with the Chief Electoral Officer of Ontario and ends with the date fixed for the leadership vote as filed with the Chief Electoral Officer of Ontario
Federal party leadership and nomination contests	the period commences when a contestant receives contributions, incurs expenses or borrows money/is deemed to be a contestant as stated in sections 478.2 (2) and 476.2 of the Canada Elections Act and ends with the date of selection

Help Centre means a location designated by the Clerk supplied with a means of voting to accommodate alternate voting during the voting period of the municipal election.

Members of Council means the Council of the Town of Collingwood.

Member means a Member of the Council of the Town of Collingwood, and may include Members of a Local Board or Other Committee of the municipality.

Nomination Day for a regular election is the ~~fourth Friday in July~~ third Friday in August in the year of the election, as prescribed by the Municipal Elections Act, 1996. [MEA Amendment]

Policy means this Use of Corporate Resources and Campaign Activities Policy.

Registered Third Party means an individual, corporation or trade union that has filed a Notice of Registration as a Third Party Advertiser in the municipal election.

Staff or Employee means all full-time, part-time, contract, student, co-operative education placement, persons hired by the Town.

Town means The Corporation of the Town of Collingwood.

Town Facility means any land, building or other structure owned, leased, operated or otherwise controlled by the Town, other than a Town road, and includes Town Hall, administrative offices, operations centres, libraries, museum, community and recreation centres, parks, trails, sports fields and open spaces.

Voting Day means, in a regular election, the fourth Monday in October in the year of the election or in the case of a by-election, the 45th day after Nomination Day, in accordance with the Municipal Elections Act.

Voting Period means the period of time which an elector may vote in the municipal election, including advanced voting dates and extended voting in the use of alternate voting methods, and includes Election Day.

Voting Place means the entire property and all the boundaries associated with it, when such voting place is located within a public premise and shall mean all of the common elements when the voting place is located on private premises, including Help Centres.

2. Purpose

This Policy provides a consistent approach and direction to Town employees, elected officials, candidates and registered third parties on how Town resources can and cannot be used for election related purposes. It also ensures that incumbent municipal candidates do not enjoy any material advantage over other candidates through the use of corporate resources. This Policy develops a framework for addressing any real or perceived advantages that incumbent candidates may have over non-incumbent candidates.

This policy shall become effective immediately upon approval by Council of the Town of Collingwood.

3. Application

This Policy applies to all Members, Candidates, Registered Third Parties and all Town employees during a campaign period of a municipal election. This Policy also applies to acclaimed Members or Candidates and Members not seeking re-election.

4. General Policy Principles

- 4.1 Pursuant to the Municipal Elections Act, the Town of Collingwood cannot make a contribution, including money, goods and services, to any candidate, registered third party, or in support of or opposition of a question on the ballot during an election period.
- 4.2 Nothing in this Policy shall preclude a Member from performing his/her duty as an elected official, nor inhibit him/her from representing the interests of the constituents who elected him/her.
- 4.3 Subject to section 5, campaign activities or election signs or any other election-related campaign material will not be displayed in any Town-owned and/or operated facility.
- 4.4 The municipality's logo, crest, coat of arms, slogans, etc. shall not be printed or distributed on any election-related campaign materials or included on any election-related website, except in the case of a link to the Town's website to obtain information about the municipal election.
- 4.5 Photographs produced for and owned by the Town of Collingwood shall not be used for any election purposes.
- 4.6 Town employees may not engage in political activity during working hours and shall not identify as Town employees when engaged in any kind of political activity.
- 4.7 Members, candidates and registered third parties shall not use the services of Town employees for any campaign activity during regular business hours or while the Town employee is receiving compensation from the Town, unless the Town employee is on a pre-approved personal paid or unpaid leave of absence, including time off in lieu of over-time, flex time, vacation or parental leave.

- 4.8 Members, candidates and registered third parties shall not use the services of Town Contractors for any campaign activities while the Contractor is directly engaged in the delivery of goods or services for which the Contractor is receiving compensation from the Town.
- 4.9 Members may not use corporate resources for campaign activities, to print or distribute campaign material, or for any election-related purpose.
- 4.10 Members are responsible for ensuring that the content of any communication material, including printed materials such as newsletters, advertising, etc. funded by the Town for the operation of each Member's Office, is not election-related.
- 4.11 Member's social media accounts, domain names or websites, that are funded by the Town, may not include any election-related campaign material and may not be re-designated for campaign purposes or provide a link to a campaign site or campaign activities.
- 4.12 Supplementary to the Town's Use of Social Media Policy, biographical information about a member of Council, links to personal websites and social media accounts including the following of any current Member by the Town's Corporate Social Media sites used to promote municipal and community information, will be un-followed or removed from any website, domain or social media accounts controlled, operated or funded by the Town and no further material will be shared on Corporate Social Media sites as of the start of nomination period for any municipal elections or by-elections. This shall also apply to non-incumbent candidates.

5. Campaign Activities at Town-owned and/or Operated Facilities

- 5.1 Candidates and registered third parties may not display campaign materials or hold/host campaign activities at Town facilities except subject to the following:
 - a. Candidates and registered third parties pay the full market rental fees and rates for use of such facilities; and,
 - b. Candidates and registered third parties set up and remove all campaign materials, including, but not limited to, signs, posters, and other campaign-related paraphernalia within the allotted rental period; and,
 - c. Campaign materials may only be displayed within the rented area designated within the rental agreement; and,
 - d. Candidates and registered third parties are permitted up to a maximum of 3 directional signs within the facility. The directional signs must be temporarily affixed to the wall, using non-permanent tape that can easily be removed, without causing damage to the wall and/or paint. Directional signs cannot obstruct or interfere with any existing signage.
- 5.2 Despite subsection 5.1 of this Policy, Candidates and registered third parties shall not use the Town Hall (97 Hurontario Street) or the Collingwood Library (55 Ste. Marie Street) to display campaign material or undertake campaign activities.
- 5.3 Candidates and registered third parties shall not rent Town facilities for campaign activities on a date when there is a Help Centre or Voting Place established at that facility or property.

6. Campaign Activities at Events

- 6.1 Candidates and registered third parties may attend Town organized events during the election period, but may not display or distribute campaign materials or undertake any campaign activities for themselves, a political party, registered third party, or in support of or opposition of a question on a ballot.
- 6.2 With the exception of the Town Hall (97 Hurontario Street), and the Collingwood Library (55 Ste. Marie Street), candidates and registered third parties may attend, campaign, and undertake campaign activities at non-Town organized events held at Town-owned facilities only with the permission of the event permit holder.

7. Activities not permitted during an Election Period

- 7.1 Members, Candidates and Registered Third Parties shall not use equipment, supplies, services, Staff, or other resources of the Town for any campaign or campaign related activities.
- 7.2 The following services will be discontinued for Members as of the start of the election period:
 - a. all forms of advertising, including in Town publications (i.e. paper or web-based);
 - b. all printing services, including printing, photocopying and distribution of publications, such as newsletters, with the exception of communications specifically related to an authorized or scheduled Town event (i.e. Public Meeting);
 - c. the ordering of office furniture and furnishings, except those of an emergency nature, as well as no movement of furniture and furnishings; and,
 - d. the ordering of stationary and business cards.
- 7.3 Corporate technology shall not be used for any campaign activity.

8. Communications

- 8.1 Members, Candidates or Registered Third Parties shall not:
 - a. convey, in any medium developed, distributed or paid by the Town, the registration of any individual as a Candidate or any individual, corporation or trade union as a registered third parties;
 - b. submit any written materials to an agenda or make statements at a Council or Committee or Board meeting or Town operated or sponsored event which may be construed as supporting the personal or political agenda of a nominated candidate during an election period;
 - c. utilize distribution lists, contact lists and ratepayer information acquired, developed and provided utilizing municipal resources or through contact in a member of Council's role, with the exception of the use of the Voters' List by Candidates;
 - d. use corporate Information Technology (IT) assets, infrastructure, or data (e.g. computers, wireless devices, portals, corporate email, web pages, blogs, telephone) to communicate election related messages;
 - e. use photographs and videos produced for and owned by the Town.

9. Budget and Spending

- 9.1 Members, candidates or registered third parties shall not:
- a. benefit from the use of any corporate pricing established under the Town's Purchasing Policy;
 - b. use Town funds to print or distribute any material that makes reference to, or contains the names or photographs, or identifies Candidates or Registered Third Parties;
 - c. use any Council or Councillor budgets for election-related purposes or to advertise, promote or support any Candidate, Registered Third Party or any position related to any questions which may be authorized to be placed on the ballot.
- 9.2 The budgets for Members of Council for the period of January 1 to Election Day in a municipal election year be restricted to 11/12ths of the approved annual budget amount with the provision that subsequent to Election Day:
- a. new Members of Council be allocated a budget equal to 1/12th of the approved budget for the month of December; and
 - b. re-elected Members of Council have available to them the balance of the funds remaining as of Election Day;

10. Procedures for Town Employees

- 10.1 Employees shall not use corporate resources in support of or in opposition to a candidate, political party, or registered third party.
- 10.2 Employees shall not canvass nor actively work in support of or in opposition to a candidate or party during normal working hours, unless they are on a leave of absence without pay, lieu time, float day, or vacation leave.
- 10.3 Employees shall not canvass nor actively work in support of or in opposition to a candidate or party while wearing a Town uniform, badge, crest or other item identifying them as a Town of Collingwood employee, or while using a Town owned or leased vehicle.
- 10.4 Employees working directly for a Member(s) of Council (i.e., Executive and Administrative Assistants), shall not be assigned to work as election officers in a municipal election.
- 10.5 Employees, who are also relatives of any Member of Council or candidate for municipal election, shall not be assigned to work as election officers in a municipal election.
- 10.6 Employees shall not use their official authority or influence for the purpose of interfering with or affecting the result of an election, nor use their official title while participating in otherwise permissible political activities.
- 10.7 Nothing in this Policy shall preclude an employee from exercising his/her civic duty to participate in the municipal election process as a private citizen. However, employees shall be mindful of their responsibilities under the Employee Code of Conduct. Employees must be aware of public perception while engaging in campaign activities and ensure that their involvement does not create a perceived or actual conflict of interest with their official position. Before participating in campaign activities,

employees are strongly encouraged to discuss their proposed participation with their supervisor or manager to identify perceived or actual conflicts of interest that may arise. Senior management shall consult with the CAO prior to any engagement in campaign activities.

11. Limitations

- 11.1 It is recognized that Members of Council are holders of their office until the end of the Council term. Nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them.
- 11.2 Nothing in this Policy shall prevent employees from conducting an election in accordance with the Act, or providing non-partisan election information material on behalf of the Town so as to inform the public about the election and the election process.
- 11.3 The Clerk has the ability to include the contact information for Candidates and Registered Third Parties' on the Town's website, on the "Election" page of the Town website during the Campaign Period.

12. Consequences of Non-Compliance

- 12.1 The Town Clerk is authorized and directed to take the necessary action to give effect to this policy.

13. Review Cycle

- 13.1 This policy will be reviewed by the Town Clerk following each Municipal Election, and will be updated in accordance with legislative requirements.

References and Related Policies

Municipal Elections Act, 1996
Code of Conduct for Council, Local Boards and Committee Members
Code of Ethical Conduct for Employees and Volunteers
Use of Social Media Policy
Responsible Use of Information Services Policy
Proper Use of E-Mail and Internet Access Policy
County of Simcoe Federal & Provincial Election Protocols for Members of County Council