

<b>TO:</b>	<b>CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON DECEMBER 10, 2013</b>
<b>FROM:</b>	<b>CATHY SAUNDERS CITY CLERK</b>
<b>SUBJECT:</b>	<b>USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the City Clerk, this report with respect to use of corporate resources during an election year BE RECEIVED for information.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

None

<b>BACKGROUND</b>
-------------------

With the date for filing of nomination papers for the 2014 Municipal Election fast approaching, the following report is being provided to remind Council Members of their obligations as it relates to use of corporate resources for election purposes.

The *Municipal Elections Act, 1996*, as amended, prohibits a municipality from making a contribution to a candidate. The Act also prohibits a candidate, or someone acting on the candidate's behalf, from accepting a contribution for a person who is not entitled to make a contribution. A contribution may take the form of money, goods or services. Therefore, any use of the corporate resources for an election campaign would be viewed as a contribution by the City to the candidate, which is in violation of the Act. The attached Council Policy was put in place in March 2010 in order to provide clarification with respect to the use of corporate resources during a municipal election year in order to avoid confusion and questions as to appropriate use of corporate resources.

Further, with recent changes to the Council Members' web pages and more extensive use of social media, Council Members will also have to be mindful that the content of their webpage hosted or funded by the City of London can not include links to their campaign web page or campaign social media accounts.

<b>RECOMMENDED BY:</b>
<b>CATHY SAUNDERS CITY CLERK</b>

Attachment

## USE OF CORPORATE RESOURCES DURING A MUNICIPAL ELECTION YEAR

### Purpose:

To clarify that an acclaimed member of Council, a member of Council not seeking re-election, all members of Council seeking re-election and any other election candidate are required to follow the provisions of the *Municipal Elections Act, 1996*, as amended, thereby requiring that none of the aforementioned individuals shall:

- use the facilities, equipment, supplies, services, staff or other resources of the City (including Councillor newsletters and Councillor budgets) for any election campaign or election campaign-related activities.
- undertake campaign-related activities on City property during regular working hours.
- use the services of persons during hours in which those persons receive any compensation from the City.

### Election Year:

For the purposes of this policy, an election year begins upon the first day on which nomination papers may be filed and ends on Election Day.

### Application:

This policy is applicable to an acclaimed Member of Council, a Member of Council not seeking re-election, all Members of Council seeking re-election and any other election candidate.

### Policy:

1. That, consistent with the City's Code of Conduct and Code of Ethics and in accordance with the provisions of the *Municipal Elections Act, 1996*, as amended:
  - (i) corporate resources, assets and funding may not be used for any election-related purposes, including, but not limited to:
    - City staff;
    - City property, facilities and equipment;
    - City funds;
    - any photos or videos produced by the City, including electronic images and videos;
    - City mail room and services;
    - City technical services systems including, but not limited to, all computer and telephone network systems (including laptops and Blackberries) and applications, including voice-mail, email, internet, and intranet; and
    - any mailing lists/data files produced by the Civic Administration.
  - (ii) City staff may not canvass or actively work in support of a municipal candidate during normal working hours unless they are on a leave of absence without pay, lieu time, overtime leave or vacation leave;
  - (iii) candidates, including Members of Council, may not use City-provided facilities for any election-related purposes. Campaign-related signs or any other elected-related material may not be displayed in City-provided facilities.
  - (iv) Members of Council may not:
    - (a) print or distribute any material paid for by City funds that illustrates that a Member of Council or any other individual is registered in any election, or where they will be running for office;

- (b) profile (name or photograph), or make reference to, in any material paid by City funds, any individual who is registered as a candidate in any election;
  - (c) print or distribute any material using City funds that makes reference to, identifies or contains the names or photographs of registered candidates for municipal elections, with the exception of minutes and reports of City Council and Committee meetings;
- (v) Members of Council are responsible for ensuring that the content of any communications material, such as newsletters, advertising, etc., that is hosted or distributed by the City, is not directly election-related.
  - (vi) Members of Council may not print or distribute any election-related material using City funds.
  - (vii) in any material printed or distributed by the City, candidates are not permitted to:
    - (a) illustrate that an individual (either a Member of Council or any other individual) is a candidate registered in any election;
    - (b) identify where they are running or where any other individual will be running for office; or
    - (c) profile or make reference to candidates in any election.
  - (viii) web sites or domain names that are funded by the City may not include any election-related campaign material;
  - (ix) the City's voice mail system may not be used to record election-related messages nor the computer network used (including the City's e-mail system) to distribute election-related correspondence;
  - (x) the City's logo, crest, coat of arms, or other branding may not be printed or distributed on any election materials or included on any election campaign-related website, except in the case of a link to the City's web site to obtain information about the municipal election; and
  - (xi) photographs produced for and owned by the City may not be used for any election purposes.
2. 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.