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Communication
CW: May 13/14
Item: 16

**DATE:** May 13, 2014  
**TO:** Members of Council  
**FROM:** Suzanne Craig, Integrity Commissioner  
**RE:** **2014 Members of Council Election Year Guidelines**

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The enclosed document is being provided to All Members of Council to assist those Members who are running for re-election, in understanding Code of Conduct obligations.

The rules of the Code of Conduct for Members of Council are not intended to prevent Members from carrying out their duties of office or engaging with their constituents. The Code however, does contain provisions that are relevant in an election year, which Members should familiarize themselves with in order to fulfill their obligations under the Code as current Members of Vaughan Council.

Members of Council are strongly encouraged to contact me if there is need for clarification on the enclosed Election year Guidelines. Vaughan City Council continues to be a benchmark in ethical decision making among Ontario municipalities. I am confident that this hard-earned reputation will continue if you maintain your current demeanor in the fulfillment of your official duties. While the tenor of election campaigns is a political matter and while I cannot receive any Code complaints after June 30th, the authority of my mandate continues after the complaint the June date and does not preclude me from making recommendations to individual Members and Council.

Respectfully,

Suzanne Craig  
Integrity Commissioner

Cc: Barbara Cribbett, Interim City Manager  
MaryLee Farrugia, Commissioner Legal and Administrative Services  
Jeffrey Abrams, City Clerk

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## **Members of Council Election Year Guidelines**

### Relevant Code Provisions

#### Rule 5 of the Code of Conduct – Election Campaign Work

Section 11 of the Code of Conduct Protocol – No Complaint Prior to Election. The Code of Conduct Complaint Protocol states that no review or investigation of a complaint will be referred to or received by the Integrity Commissioner after June 30<sup>th</sup> in an election year. Section 11 means that the Integrity Commissioner cannot receive complaints after June 30<sup>th</sup>. However, the Integrity Commissioners continues to have oversight for the application and enforcement of Code rules.

### Councillor Newsletters

Up until Nomination Day, regularly scheduled Councillor Newsletters may be published. The Newsletter content shall not announce or illustrate the Member's intention to run for re-election. There shall be no reference made to a Councillor's election campaign or link to their campaign website or materials in a City of Vaughan e-newsletter.

Generally, a listing of the Member's, City's, departments' and Council's accomplishments over the previous three years is not deemed to be election-related and is viewed as a legitimate use of City resources for the purposes of the Code of Conduct.

If individual Members of Council are not already engaged in the practice of creating and distributing a newsletter, it is not recommended that they commence the practice now, unless there is a particular update of relevance to the City (i.e. Ice storm cleanup).

### Use of Corporate Resources During an Election Year

Rule 5 of the Code of Conduct states that a Member shall *neither* use the facilities, equipment, supplies, services or other resources of the City for any election campaign or campaign-related activities, *nor* use the services of persons for campaign related activities during hours in which those persons receive any compensation from the City.

The *Commentary* to Rule 5 indicates that Members may not book directly, or indirectly, any City facility for any purpose that might be perceived as an election campaign purpose. However, Rule 5 does not prohibit Members of Council from fulfilling their duties as elected officials by attending and speaking at City events (i.e. Mayor's Gala, park openings).

A Member's email distribution lists that have been acquired during their term of office shall not be used for campaign purposes. However, insofar as Members continue to be sitting Members of Council, they may continue to update their constituents on corporate City matters.

A Member's City website may continue to be updated in their role as Member of Council until the end of their term of Council. Similarly, Members of Council may continue to use social media such as Facebook and Twitter to update constituents about their work as a Member of Council.

The Integrity Commissioner cannot receive any complaints after June 30<sup>th</sup>; however, Members of Council are encouraged to consult with the Integrity Commissioner, until the end of their term of Council, regarding content in social media communications.

City funded Blackberries cannot be used for campaign related purposes, even for occasional use.

The City's public website is available to any member of the public, including election candidates and therefore, any information that can be downloaded publicly from the City's website, may be linked to a Member running for re-election on their campaign website.

#### Conduct Respecting Staff

Rule 16.1 of the Code of Conduct states that no Member of Council shall compel staff to engage in partisan political activities or be subject to threats or discrimination for refusing to engage in such activities. Rule 16.3 reminds Members of Council that they must be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.

While many City projects are ongoing and there is a desire to see them to completion, Members of Council should be mindful to not direct City staff in research and gathering information on issues, as the decision-making authority for the City lies with Council, not an individual Councillor and only Council as a whole has the authority to direct City staff.

City employees, including Council Member staff, are permitted to work on a campaign or support a candidate outside of the hours that they are compensated by the City, as long as they follow the City's Human Resources policy which defines permitted campaign activity.

#### General Activities of Members of Council

Distribution of campaign material is allowed on public property subject to existing City by-laws.

Members of Council shall not post campaign materials or signs at City events or at City Hall or community centres or other public property in accordance with the City's by-laws.

Members of Council continue to be elected officials for their term of office and as such, are allowed to attend City-organized events or events held on City property and act as representatives of the City in their capacity as elected officials, including speaking at the event and participating in ceremonial activities.

After Nomination Day, Members of Council seeking re-election shall not reference their name in City event signage, banners or posters and no donations can be accepted or solicited for any community events contemplated under Rule 2.3 of the Code of Conduct. After Nomination Day, a Member of Council candidate for re-election, in attendance at City events, should not add on a feature to the event (i.e. free ice cream) as this may be perceived as promoting a specific Councillor.

Suzanne Craig  
Integrity Commissioner