

Office of the Integrity Commissioner

January 5, 2022

TO: Mayor and Members of Council
FROM: Suzanne Craig, Integrity Commissioner
RE: Election Year Activity FAQs

PURPOSE

This Election Year Activities Information Bulletin (“FAQs”) is written to provide Members of Council and Local Boards (“Members”) with guidance on how the Code of Conduct for Members of Council (the “Code”) rules govern their role as elected officials of the Town of Gravenhurst in respect of election and campaign-related activities.

An underlying principle of the Code is that Members will conduct themselves in a manner that promotes public confidence and will bear close public scrutiny. A campaign period is a time of heightened scrutiny upon everyone involved in an election. Members are advised to transparently and clearly establish a separation between their election-related activities and their private activities as candidates and to avoid any use of Town resources to support election-related activities which may be in contravention of the Code.

FAQs

- Q. Can a Member endorse a political candidate?
- A. It is recognized that while Members are political representatives of the Town, they are also private citizens. Accordingly, Members may, in their capacity as private citizens, choose to endorse political parties and candidates. Members must take care to clarify that they do so as a private individual and must not be seen as using their office to endorse political candidates for election. In order to preserve the public trust and the integrity in the elections process, Members should make every effort to separate their work and activities as Town elected and appointed officials from activities in support of municipal, provincial or federal election candidates.

Q. Can a candidate distribute materials, signs, pamphlets or buttons on Town property?

A. No. All candidates are prohibited from election activities on Town property, including distribution of election related signs, pamphlets or buttons and the use of Town resources.

Q. Can Town staff lend support to a Member's campaign?

A. No. Members cannot use the services of any Town staff (during hours in which those persons receive any compensation from the Town) to assist in any communication activity related to the preparation or distribution of election related materials or events.

Q. Can Members establish or use existing social media or other electronic media for campaign purpose?

A. Personal social media accounts for election activity cannot be created or supported using Town resources.

Members are prohibited from using pictures, videos or recording audio of Town staff and volunteers for any election activity.

Members are prohibited from the use of the Town office or information technology resources (e.g., cell phones, tablets, computers, fax) for election activities.

Members shall not use Town stationary, printing or photocopying resources and other Town materials for election activities.

Members will not use the Town's email/voice mail system to record, distribute or disseminate election activity messages or correspondence. Members should not use contact information gathered for responding to constituent inquiries for any purposes related to an election campaign, nor for any other purpose than the one for which it was provided to the member.

Q. Can a Member use of distribute pictures, videos or audio recordings in an election year– through social media channels, emails or newsletters- with sitting elected officials (including Members of Parliament, Members of Provincial Parliament, other Town Councillors, School Board Trustees) that is not campaign-related as part of continuation of normal business of an elected official?

A. Yes, provided the activity or event is related to fulfilling official business and is not for any election related activity. Members may continue to update their constituents on Town projects and intergovernmental initiatives.

Q. Can a Member send out newsletters during the municipal election period?

A. Yes, as long as the Newsletter content does not announce or illustrate the Member's intention to run for election or the announcement of a candidate in the election. Generally, a listing of a sitting elected official's accomplishments over the previous term is not deemed to be election related.

Q. Can the Integrity Commissioner receive Code complaints in an election year?

A. Yes. However, in accordance with section 23 of the Code, the Integrity Commissioner will not receive a complaint during the period starting on nomination day (August 19, 2022) ending on the date of swearing in of Council members.

If the Integrity Commissioner has received a complaint and has commenced an inquiry but has not completed the inquiry before nomination day in a regular municipal election year, the Integrity Commissioner shall terminate the inquiry on nomination day but may commence an inquiry in respect of the same complaint if within six (6) weeks after the voting day in a regular municipal election the individual who made the request makes a written request to the Integrity Commissioner in accordance with subsection 223.4(8) of the *Municipal Act*.

Q. Can Members of Council continue to seek advice from the Integrity Commissioner in an election year?

A. Yes. Members of Council continue in their role as elected officials until election day in a municipal election year. Therefore, Members of Council may consult with the Integrity Commissioner in respect of their obligations under the Code. Members of Council may not request advice from the Integrity Commissioner in respect of their activities and actions as a candidate in the municipal election.

If there are any questions regarding the above or other election campaign related question, please contact:

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