

Staff Report



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| To | Committee of the Whole |
| Service Area | Corporate Services |
| Date | Monday, November 1, 2021 |
| Subject | Use of Corporate Resources During an Election Policy Update |

Recommendation

1. That the Use of Corporate Resources During an Election Policy, as updated and included as Attachment-1 to this report dated November 1, 2021, be approved.
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Executive Summary

Purpose of Report

To provide Council with an overview of revisions and request approval for the updated Use of Corporate Resources During an Election Policy.

Key Findings

The existing Use of Corporate Resources During an Election Policy was approved by Council in 2017.

Since then, a review has prompted revisions to clarify policy around advertising, access to information and the use of corporate facilities for campaign purposes. This update is needed prior to the 2022 municipal election.

Financial Implications

No financial impacts are anticipated.

Report

In advance of the 2022 municipal election and for general election readiness, there is a need to revise the existing Use of Corporate Resources During an Election Policy. The current policy was brought to Council with [report number CS-2017-74](#) and approved in October 2017.

[Section 88.18 of the Municipal Elections Act](#) mandates that municipalities establish rules and procedures with respect to the use of municipal resources during an election before May 1 in the year of a regular election. The existing [Code of Conduct for Council and Local Boards](#) establishes general rules regarding the use of corporate resources by members of Council and local boards but does not apply to City staff, election candidates or registered third parties.

The revised policy, included as Attachment-1, establishes an expanded set of rules and principles regarding the use of corporate resources during a municipal, provincial, or federal election campaign.

Policy Highlights

The Use of Corporate Resources During an Election Policy is designed to ensure that the City of Guelph is complying with all relevant federal, provincial, and municipal election legislation. The [Election Finances Act, 1990](#), as amended, and the [Canada Elections Act, 2000](#), as amended, establish regulations for candidates and parties running in provincial and federal elections respectively. Section 29 (1) of the Election Finances Act prohibit a municipal corporation from making campaign contributions to any candidate, political party or constituency association in a provincial or federal election. Similarly, Sections 88.8 (4) and 88.12 (4) of the [Municipal Elections Act \(MEA\), 1996](#), as amended, prohibit a municipality or local board from making a campaign contribution to a municipal candidate or registered third-party advertisers.

A detailed summary of updates to the policy is provided below.

Definitions

The updated policy adds new definitions to provide clarification on what is meant by the following terms: advertising, campaigning, City, City employee, City facilities and City information.

Third-party Advertisers

The updated policy clarifies that requirements for candidates also apply to registered third-party advertisers, based on the addition of this framework in the MEA in 2018.

Use of City Facilities for Campaign Purposes

The updated policy adds a new requirement for campaign-related events to be identified at the time of facility booking. Additional clarification notes that campaign-related events must maintain and uphold the values identified in the City's [Community Plan](#) and [Strategic Plan](#), including the values of wellbeing, inclusion and respect. The updated policy notes that the health and safety of all event attendees and staff must be maintained at all times. Should values or health and safety be compromised, bookings may be refused or cancelled in accordance with standard facility rental procedures.

Advertising

The updated policy clarifies that the purchase of available advertising space at City facilities, in City publications and on City owned assets is permitted in line with the [City of Guelph Advertising Acceptability Policy](#), provided that associated booking processes are followed and full market rate is paid. In the past, this was followed in practice; however, it has now been added explicitly to the policy.

Access to Information

The updated policy adds a section to outline the process for candidates or third-party advertisers to request access to City information.

In order to streamline and ensure equal access to information, requests are to be made in writing to the General Manager of a department and may be managed

through the relevant Deputy Chief Administrative Officer (DCAO). Requests for sensitive information will be facilitated by the City Clerk's Office under the Freedom of Information process.

Any information requests will be shared with all other candidates, political parties and registered third parties to ensure equal and fair access to information and prevent any unfair advantage.

Responsibilities

The updated policy adds a responsibilities section to define responsibilities at all staff levels.

Financial Implications

No financial impacts are anticipated if the revised policy is approved.

If changes to the policy are recommended regarding facility rental or advertisement, this could indirectly impact revenues in other City departments.

Consultations

Legal, Realty and Court Services

Culture and Recreation

Corporate Communications and Customer Service

Operations

Strategic Plan Alignment

This report aligns with the Strategic Plan priority of Working Together for our Future by improving front-line customer service and communications through policy clarification.

Attachments

Attachment-1 Use of Corporate Resources During an Election Policy

Departmental Approval

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