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OFFICE OF THE INTEGRITY COMMISSIONER

**INVESTIGATION REPORT  
REGARDING CONDUCT OF  
COUNCILLOR ROB FORD**

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**Valerie Jepson  
Integrity Commissioner  
January 28, 2016**

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## INTRODUCTION

In April and May 2015, Councillor Ford's constituency newsletter, the "Ward 2 Newsletter", included an advertisement for a campaign fundraiser. A member of the public filed a complaint alleging that including the advertisement was contrary to Articles VI (Use of City Property) and VII (Election Campaign Work) of the *Code of Conduct for Members of Council* (the "Code of Conduct").

Using City resources for any purpose related to an election campaign is contrary to City policies and the *Code of Conduct*.

In response to the complaint, Councillor Ford stated that the newsletter was created by volunteers and was therefore not a use of City resources and accordingly not a contravention of any City policy or the Code of Conduct.

The investigation established that the newsletter was produced by Councillor Ford's Chief of Staff on his own time and that costs associated with the newsletter were paid personally by Councillor Ford. However, I also conclude that the newsletter was inextricably connected with the Councillor's constituency office and, therefore, was required to comply with City policies and the Code of Conduct. In addition, I find that because of the advertisement, the Councillor used City email and staff time to arrange a ride and facilitate campaign contribution rebates.

I therefore conclude that Councillor Ford contravened Articles VI and VII of the Code of Conduct when he included an advertisement for a campaign fundraiser in his newsletter and for the work performed by staff in responding to inquiries about the fundraiser. I recommend that Council adopt a finding that Councillor Ford contravened the Code of Conduct and impose a penalty as a means to deter future similar misconduct.

Councillor Ford has not yet publicly disclosed the personal funds he used to pay for the newsletter. This is a contravention of the *Constituency Services and Office Budget Policy* (the "Budget Policy").<sup>1</sup> I therefore recommend that Council direct Councillor Ford to report all personal funds paid by him with respect to the newsletter and if he fails to disclose such funds by February 28, 2016 that Council impose a penalty to encourage compliance in the future.

## THE COMPLAINT

On April 15, 2015, a member of the public filed a complaint alleging that Councillor Ford published an electronic newsletter on April 2, 2015 containing an election-related advertisement for a fundraiser for the Councillor and his brother, former councillor and mayoral candidate, Doug Ford. The complaint alleged that the newsletter had been

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<sup>1</sup> [http://www1.toronto.ca/city\\_of\\_toronto/city\\_clerks/city\\_council/files/pdf/office-budget-policy.pdf](http://www1.toronto.ca/city_of_toronto/city_clerks/city_council/files/pdf/office-budget-policy.pdf)

created by City staff, using City resources, and thus, violated Articles VI (Use of City Property, Services and Other Resources) and VII (Election Campaign Work) of the Code of Conduct.

During the course of the investigation it also became clear that another issue that required consideration was whether Councillor Ford followed Council policies relating to constituency budget and disclosure requirements for councillors and, thus, whether the Councillor contravened Article XV (Failure to Adhere to Council Policies and Procedures) of the Code of Conduct.

## **INVESTIGATION STEPS**

The complaint was received and classified pursuant to the *Code of Conduct Complaint Protocol for Members of Council* (the "Complaint Protocol"). Responses and replies were exchanged. The main investigative work was completed by October 1, 2015.

I reviewed the archived copies of the Councillor's newsletter on his website as well as the Councillor's campaign filings and budget disclosures. In addition, I used my powers under s. 160 of the *City of Toronto Act, 2006* ("COTA") to review email correspondence from the Councillor's office and interviewed a witness under oath using my powers under s. 33 of the *Public Inquiries Act*. This evidence forms the basis for my findings of fact, set out below.

In furtherance of my obligation under section 5(3) of the Complaint Protocol, on October 19, 2015, I provided the Councillor with a statement of my proposed findings. On December 30, 2015, the Councillor provided me with written submissions, which I have taken into consideration in this final report and my recommendations.

## **CODE OF CONDUCT AND CITY POLICIES**

### **Code of Conduct**

Articles VI and VII of the Code of Conduct are meant to ensure that City resources are used for City business, or in other words, that a councillor's office, staff, budget, and equipment are used to address matters in the ward, and not for a campaign, personal matter, or any other use. Article XV serves as a reminder that Councillors have agreed to govern themselves using a number of polices in addition to the Code of Conduct.

Article VI states:

#### **VI. USE OF CITY PROPERTY, SERVICES AND OTHER RESOURCES**

No member of Council should use, or permit the use of City land, facilities, equipment, supplies, services, staff or other resources (for example, City-

owned materials, websites, Council transportation delivery services and member of Council expense budgets) for activities other than the business of the Corporation. Nor should any member obtain personal financial gain from the use or sale of City developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations, or other items capable of being patented, since all such property remains exclusively that of the City.

Article VII states:

#### VII. ELECTION CAMPAIGN WORK

Members are required to follow the provisions of the *Municipal Elections Act, 1996*. No member shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters and websites linked through the City's website) for any election campaign or campaign-related activities. No member shall undertake campaign-related activities on City property during regular working hours unless permitted by City policy (e.g., all candidates meetings). No member shall use the services of persons for election-related purposes during hours in which those persons receive any compensation from the City.

Article XV states:

#### XV. FAILURE TO ADHERE TO COUNCIL POLICIES AND PROCEDURES

A number of the provisions of this Code of Conduct incorporate policies and procedures adopted by Council. More generally, members of Council are required to observe the terms of all policies and procedures established by City Council.

This provision does not prevent a member of Council from requesting that Council grant an exemption from a policy.

#### **Applicable Council Policies and Guidance for Councillors**

Relevant to this complaint is the Budget Policy,<sup>2</sup> which among other things imposes conditions on the contents and use of councillor newsletters and websites and requires the disclosure of expenses.

Articles 4.4(b) and 4.6 of the Budget Policy stipulate that members of Council are allowed to use personal funds for expenses but that the total amount spent on office expenses must not exceed the maximum and that these expenses must be disclosed.

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<sup>2</sup> Note 1, *supra*.

The policy states, "Councillors who pay for office expenses with personal funds are subject to the same accountability mechanisms and must file all receipts with the Director." Relevant portions of the Budget Policy are attached as Appendix 1.

The City also has a number of policies that apply in an election year, including policies on *Use of City Resources during an Election Year*<sup>3</sup> and *Employee Participation in Municipal Election Campaigns*<sup>4</sup>. These policies apply in addition to Article VII of the Code of Conduct.

To ensure that councillors understood the restrictions in Article VII and the election year policies, prior to the 2014 election, the Integrity Commissioner reported to Council with a "Pre-Election Briefing on Code of Conduct and Related City Policies."<sup>5</sup> The appendices to the report included Frequently Asked Questions (FAQs) that are relevant to this matter for reasons that will become clear in the findings of fact, below. The FAQs acknowledged that constituents may contact a councillor's constituency office during the election to obtain campaign-related information. The Integrity Commissioner provided specific guidance about how to handle this situation, including that such inquiries be redirected to campaign staff and not handled by the constituency office. The objective of the advice was to keep the two roles (campaign and council office) separate and distinct. The relevant FAQ is included in Appendix 2 to this report.

## FINDINGS OF FACT

### *The Campaign Fundraiser*

In the 2014 Municipal Election, Councillor Ford ran for councillor in Ward 2. His brother, Doug Ford, ran for mayor.<sup>6</sup> Councillor Ford won his race and assumed office for the 2014-2018 Council term.<sup>7</sup> Doug Ford was not elected.<sup>8</sup> However, both incurred campaign debt(s), meaning that their respective campaigns incurred more expenses than contributions.<sup>9</sup>

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<sup>3</sup> Available at <http://www.toronto.ca/legdocs/mmis/2013/cc/bgrd/backgroundfile-64727.pdf>

<sup>4</sup> Available at <http://www.toronto.ca/legdocs/mmis/2013/cc/bgrd/backgroundfile-64728.pdf>

<sup>5</sup> <http://www.toronto.ca/legdocs/mmis/2013/cc/bgrd/backgroundfile-64721.pdf>

<sup>6</sup> A list of all candidates is available on the City Clerk's website.

<http://app.toronto.ca/vote/searchCandidateByLastName.do?criteria.startWithLastName=F>

<sup>7</sup> City Clerk's Declaration of Election Results for the 2014 General Municipal Election.

<http://www1.toronto.ca/City%20Of%20Toronto/City%20Clerks/Elections/Library/Files/Results%20PDFs/2014%20Election/2014clerksofficialdeclarationofresults.pdf>

<sup>8</sup> *Ibid.*

<sup>9</sup> Candidates' financial disclosures are posted by the City Clerk.

[http://app.toronto.ca/EFD/jsf/financial2014/financial\\_info\\_result.xhtml](http://app.toronto.ca/EFD/jsf/financial2014/financial_info_result.xhtml)

To eliminate the deficits, both candidates extended their campaigns to June 30, 2015, as provided for by the *Municipal Elections Act*.<sup>10</sup> They also held a joint campaign fundraiser on May 14, 2015.

### **The Newsletter**

Councillor Ford's constituency website, [www.torontorobford.ca](http://www.torontorobford.ca), includes a link to a "newsletter" titled, "Ward 2 Newsletter." The website [www.torontorobford.ca](http://www.torontorobford.ca) is a constituency website in that it contains information for constituents about how to access city services and how to contact Councillor Ford.

The newsletter itself contains a variety of announcements and information relating to City business, the Councillor's work as a councillor, and the ward. For example, one of the issues contains an update about the appointment of a new City Manager.

In his response to the complaint, Councillor Ford stated that the newsletter is produced by volunteers on their own time and therefore the City policies applicable to councillor newsletters did not apply. In the investigation, Councillor Ford's Chief of Staff testified that he alone produced the newsletter outside of the Councillor's office in his off-hours using his personal computer.

The newsletter is published electronically, using a third-party platform paid subscription service, in the form of an email to constituents who have signed up to receive it. To the recipient of the newsletter, it appears to be sent from Mr. Ford's official City email address, [councillor\\_ford@toronto.ca](mailto:councillor_ford@toronto.ca), and includes his office address at City Hall. As a result, newsletter recipients contacted Mr. Ford and his staff in response to the newsletter, including by sending reply emails to the newsletter to his City email address.

Mr. Ford's Chief of Staff testified that the Councillor reimbursed him for expenses relating to the newsletter's publication from his personal funds. A review of Mr. Ford's budget disclosures for his office, including disclosures of his use of personal funds, indicates that he has not disclosed the costs of publishing the newsletter by charging them to his office budget or disclosed any use of his personal funds.<sup>11</sup>

### **The Advertisement**

The April 2, 2015, April 29, 2015, and May 8, 2015 editions of the newsletter contained an advertisement for the May 14, 2015 fundraiser. The May 15, 2015 edition of the

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<sup>10</sup> [http://app.toronto.ca/EFD/jsf/candidate/candidate\\_campaign\\_extension.xhtml](http://app.toronto.ca/EFD/jsf/candidate/candidate_campaign_extension.xhtml)

<sup>11</sup> Councillor Ford's budget disclosures for his constituency budget and general council budget are available at <http://app.toronto.ca/tcer2/desktop/council.htm?budgetType=0&year=2015> and at <http://app.toronto.ca/tcer2/desktop/council.htm?budgetType=1&year=2015>

newsletter contained an announcement about the completed fundraiser, thanking supporters.

The advertisement also stated that campaign contributions are eligible for a rebate from the City. (While campaign contributions are not tax deductible, cities may enact bylaws that allow for campaign donors to be provided with rebates for their contributions. The City of Toronto has such a bylaw in place.)

### **Other Staff Involvement**

Councillor Ford's Chief of Staff testified that some of the Councillor's other staff were involved in producing the newsletters because they regularly proof read the newsletters for him.

As a result of the advertisement included in the April 2nd, April 29th, and May 8th newsletters, constituents contacted Councillor Ford's City Hall office about the fundraiser in direct response to the emailed newsletter. Councillor Ford's staff responded, and in one case, arranged a ride through the TTC's Wheel-Trans service for a campaign supporter to attend the fundraiser.

In addition, constituents contacted Councillor Ford's Council office in direct response to the newsletter about ward issues, and in some cases, to ask about campaign rebates. Councillor Ford's staff responded, answering questions, and obtaining consent to forward contact information directly to Councillor Ford's campaign chief financial officer (CFO).

## **ANALYSIS**

### **Issues**

The fundraiser was clearly an election campaign activity. Article VII states plainly that members cannot use City resources, "including Councillor newsletters" for any election campaign activity. Councillor Ford says that this provision – and the other City policies – do not apply to the newsletter or the advertisement because his Chief of Staff produced the newsletter on his own time. In other words, he says that the newsletter is beyond the reach of the Code of Conduct.

The main issue is therefore a matter of interpretation about whether this particular newsletter – or the activities that flowed from inclusion of the advertisement – were contrary to the Code of Conduct or other City policies. A secondary issue is whether any actual staff time was used for the fundraiser. A third issues is whether Councillor Ford's failure to disclose his use of personal funds constituted a contravention of the Budget Policy.

### **The Newsletter**

In this case, the newsletter was titled, "Ward 2 Newsletter," and it includes information one would ordinarily expect to see in a ward newsletter produced by a councillor's office, including an official City announcement that used the City's logo. The newsletter is the only newsletter available for Ward 2 constituents and it has a prominent place on Councillor Ford's main constituency website. A visitor to the website would reasonably conclude that the newsletter is related to Councillor Ford's activities as a City Councillor.

Correspondence sent by people who received the newsletter to Mr. Ford's Council office demonstrated that the newsletter appeared to constituents to be produced by the Councillor and his staff. Recipients replied directly to the newsletter email to the Councillor's office to contact the Councillor and raise concerns and ward-related issues. Similarly, inclusion of the advertisement had the effect of directing people to the Councillor's office to seek more information about the fundraiser and how to get a rebate.

Based on the content of Mr. Ford's newsletter, and the reaction of his supporters and constituents, I find that the newsletter was a constituency newsletter and was in all respects subject to City policies and therefore not able to be used for campaign purposes.

For some core ward activities, a councillor cannot insulate himself or herself from the application of the City's policies simply by using the councillor's personal funds, or staff's personal time. Communicating with constituents about ward and Council activities is City business, and the resources used to produce communications with constituents, including newsletters, are subject to the City's policies and the Code of Conduct.

The principle underlying this finding is the same as the one expressed in a 2007 joint report to Council from the Auditor General and the Integrity Commissioner which addressed Councillor Ford's use of his personal funds to run his office, and which is now codified in the Budget Policy.<sup>12</sup>

### **Other Evidence of Using City Resources for Campaign Purposes**

The newsletter – and the advertisement – did in fact draw on public resources. Responses to the newsletter were sent to a City of Toronto email address; staff in the Councillor's office fielded inquiries about the event, and in one case arranged transportation. After the event, the Councillor's office continued to receive inquiries about processing a campaign rebate. Inquiries about the campaign rebate were handled – not referred – by the Office. There was no effort to keep the lines clear between campaign and constituency.

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<sup>12</sup> <http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-8804.pdf>

Both articles VI and VII of the Code prohibit councillors from using their staff and City equipment for purposes other than City business, including any "election-related purposes" on City property, during regular working hours, or while staff are being paid by the City.

I find that Councillor Ford used City resources (including staff time) to respond to inquiries triggered by the newsletter and the fundraiser advertisement it contained.

### **Disclosure of Use of Personal Funds**

The Budget Policy requires members of Council to publicly disclose all personal funds used to pay for office expenses. This obligation was first established in the above-noted 2007 joint report from the Auditor General and the Integrity Commissioner. In that report, Councillor Ford was advised that if he failed to report the use of his personal funds to run his office, as required, he would also be in contravention of Council Policy, and thus, in contravention of the Code.<sup>13</sup> The 2007 report, explained in part:

One of the concerns related to the payment of office expenditures from personal funds along with the non disclosure of these amounts is the potential that certain members of Council who have the financial means to do so are in a position to incur expenses in excess of amounts available to other Councillors.

Article XV of the Code requires councillors "to observe the terms of all policies and procedures established by City Council". I find that by failing to disclose the use of his personal expenses to fund the newsletter, Councillor Ford has contravened the provisions of the Budget Policy and, therefore, contravened Article XV of the Code of Conduct.

### **Councillor Ford's Position**

In response to my proposed findings, the Councillor expressed concern that my findings would negatively impact the ability of Council staff to freely volunteer their time. My findings in this investigation do not disturb the principle that Council staff are free to volunteer in activities they find valuable and enjoyable when their schedules allow. When it comes to campaign activities, however, staff must keep very clear lines of separation between the two activities. My finding is that no matter how the newsletter was produced it is inextricably linked to the Councillor's constituency work and is required to adhere to Council policies.

Similarly, the Councillor raised concerns about prohibiting his staff from responding to calls from constituents or campaign supporters. I understand his concern and want to

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<sup>13</sup> Ibid.

make clear that Council staff are not prohibited from responding to email or phone inquiries. However, as a best practice to ensure that Council offices and campaigns remain separate, they should refer callers concerned with campaign issues to a candidate's campaign (or as the case may be a campaign's financial official), rather than handling the request, or even forwarding the information, themselves.

## **Summary**

### *Producing and Distributing the Advertisement and the Newsletter*

The Ward 2 Newsletter is required to meet the policies of City Council and the Code of Conduct. It was not permissible for it to include an advertisement for a campaign fundraiser and was therefore contrary to Articles VI and VII of the Code of Conduct.

### *Responding to Inquiries Triggered by the Newsletter*

As a result of the newsletter, which was sent from Councillor Ford's City email address and contained a campaign announcement, Councillor Ford's staff responded to campaign supporters using their City email accounts, and in one case arranged for a ride for a campaign supporter to attend the fundraiser. Therefore Councillor Ford used City resources, including his staff and City equipment, for campaign-related activities in contravention of Articles VI and VII of the Code.

### *Contravening Article XV of the Code*

The City has clear budget policies which provide that councillor websites and newsletters used to communicate with constituents are eligible budget expenses and subject to restrictions imposed by the City. Further, councillors are required to disclose the expenses used for constituency work and to run their offices, including the personal funds they use to pay for such expenses.

Article XV of the Code requires councillors to comply with policies and procedures adopted by Council, including the City's budget policies. Thus, a failure to disclose office expenses – in this case, Mr. Ford's failure to disclose the expenses associated with his website and newsletter – contravenes Article XV.

## **Appropriate Remedial Action or Sanctions**

The Code of Conduct and the *City of Toronto Act, 2006* contemplate that contraventions may require remedial actions or sanctions. An example of a remedial measure is an apology or a requirement to repay or reimburse moneys received.<sup>14</sup> The *City of Toronto*

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<sup>14</sup> [Madger v. Ford, 2013 ONSC 263 \(Canlii\) at para 67 \(http://canlii.ca/t/fvsgj\)](http://canlii.ca/t/fvsgj).

*Act, 2006* enables Council to impose one of two sanctions: a reprimand or a suspension of remuneration.

### **Considerations**

In my view the following factors call for a firm sanction. Councillor Ford has been a member of Council for many years and should be familiar with the rule against using his constituency office for campaign purposes. In 2007, he was the subject of an investigation by the Auditor General and the Integrity Commissioner regarding his use of personal funds for his office budget and he was clearly advised through that process that he could not use personal funds to insulate his office from meeting accountability standards applicable to all other councillors. The rule that City resources must not be used for campaign purposes is a significant and important component of the Code of Conduct. Failure to adhere to this rule could cause the City to run afoul of the *Municipal Elections Act*.

The following factors may suggest some leniency is appropriate. The Code contravention is serious but it occurred after the election. Councillor Ford cooperated with this investigation and made no objection to the core principle that City resources should not be used for campaign purposes.

In my view, a penalty that contains a component of deterrence is warranted to correct Councillor Ford's behaviour in the future.

I therefore recommend that as a consequence for including an election advertisement in his constituency newsletter and the resultant use of City resources, Council suspend the remuneration (but not any benefits) paid to Mr. Ford for three (3) days. The value of a three day suspension of pay is approximately \$900.

Councillor Ford has not yet publicly disclosed the personal funds he used to pay for the newsletter. This is a contravention of the Budget Policy and I therefore recommend that Council direct Councillor Ford to report all personal funds paid by him with respect to the newsletter and if he fails to disclose such funds by February 28, 2016, his pay (but not his benefits) be suspended for an additional three (3) days.

## **CONCLUSION**

Mr. Ford contravened Articles VI and VII of the Code of Conduct by including an advertisement for a campaign fundraiser in his constituency newsletter and using City resources to deal with campaign-related matters. I recommend that City Council accept this finding and impose a short suspension of pay to meaningfully deter Mr. Ford from engaging in similar misconduct in the future.

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Valerie Jepson  
Integrity Commissioner  
January 28, 2016

# APPENDIX 1

## Excerpts from Constituency Services and Office Budget Policy, June 2014

### *2.4 Constituency Services and Office Budget*

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Councillors must not exceed their annual Constituency Services and Office Budget limit, whether using City funds or personal funds. If they exceed the Constituency Services and Office Budget limit using City funds, they must repay the City using personal funds. The City Clerk will report to the Integrity Commissioner the names of those Councillors who exceed the Constituency Services and Office Budget limit.

...

### **3 Guiding Legislation and By-laws**

...

#### *Municipal Elections Act, 1996*

Councillors should be aware of the requirements of the *Municipal Elections Act, 1996*, especially with regard to the requirements of campaign financing.

The role of the Councillor as a Member of Council and their role as a candidate in an election campaign must be kept separate and distinct.

...

### **4.4 Purchasing, Accounting and Payment Procedures**

...

#### **b. Accounting Procedures**

Councillors' claims for expenses must follow basic accounting and audit principles:

...

- Councillors may from time to time receive reimbursement or arrange payment of expenses from their Constituency Services and Office Budget and wish to use personal funds for these expenses instead. Councillors can reimburse the City for these expenses.
  - If the repayment occurs within the same financial year, the repaid funds will be credited back to the Councillor's Constituency Services and Office Budget.
  - If the repaid expense is an office expense and not a personal expense, the repaid amount will be considered Use of Personal Funds for office expenses.

Office expenditures, whether using personal funds or City funds, cannot exceed \$30,000.

- If the repayment occurs for a prior year expense, the repaid funds will be credited to the Council General Expense Budget.

...

#### **4.6 Using Personal Funds, Furniture and Equipment**

Councillors are allowed to use personal funds for all types of office expenses as set out in this policy.

Whether Councillors use public funds or personal funds, the limit of office expenses is set at the same amount. The current upper limit for expenses is \$30,000. Councillors can choose to use public funds, personal funds or a combination of the two for these expenditures, as long as the total amount of expenditure remains within \$30,000.

Councillors who pay for office expenses with personal funds are subject to the same accountability mechanisms and must file all receipts with the Director, Council and Support Services on a monthly basis with the exception of kilometrage, parking, wireless devices and business meals.

Councillors who pay for office expenses with personal funds must disclose these expenses in the same manner as office expenditures using City funds with exceptions as outlined above. The City Clerk will report these expenses at least quarterly and in the annual Report on Remuneration and Expenses for Members of Council.

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## **5 Allowable Expenses**

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### **Newsletters and Flyers**

Amended and adopted by City Council at its meeting on July 11, 2012.

#### *Eligible Expense:*

- Design, writing, copy-editing, printing costs.
- Distribution costs through Canada Post Admail, by private distribution firms or by other means.
- Translation fees.
- Clip art or stock photo fees.

#### *Ineligible Expense:*

- Printing and distributing newsletters after August 1 during an election year. Refer to section 4.7.

#### *Conditions:*

- Councillors can use the City Clerk's Office Information Production Unit for off-set printing or reproduction of newsletters and flyers. The Information Production Unit will obtain quotations from external printers if it cannot meet the requirements of the Councillor for any reason, including cost.
- Use of City logo and symbols must comply with City policy.

- The City Clerk's Office Information Production Unit will provide templates for Councillor newsletters which can help reduce design costs. Councillors may choose to use these templates.
- Councillors should limit the circulation of newsletters or flyers to the geographic boundary of the Councillor's ward.
- No newsletters can be printed or distributed after August 1 of an election year. Refer to section 4.7.
- Newsletters cannot advocate for a political party, other levels of government, for-profit organizations or individuals not related to the business of the City.
- Advertising from non-profit organizations or private businesses is not permitted.
- Councillors can pay local students or volunteers to help distribute their flyers and newsletters by way of an honorarium or meal allowance.

*Other information about newsletters and flyers:*

- Councillors must submit an original design, writing, copy-editing, printing or distribution invoice from the vendor along with a copy of the newsletter or flyer.
- The Director, Council and Support Services will process Canada Post Admail charges directly and charge them to each Councillor's Constituency Services and Office Budget.
- The Information Production Unit charges its costs by inter-divisional charges (IDCs) directly against the Councillor's Constituency Services and Office Budget.

*Provided from the City's centralized resources:*

- Each Councillor is entitled to an amount equivalent to the cost of postage or delivery by other means of one newsletter to all households within the ward, based on the 2011 census information, and at a rate not to exceed the current Canada Post standard Admail rate, paid for from the Council General Expense Budget.

*Form:*

- Form A - Request for Reimbursement/Payment of Expenses

...

**Websites and Social Media Tools**

*Eligible Expense:*

- Design, web development, writing, domain name registration, web-hosting fees.
- Database creation and management fees.
- Website maintenance fees.
- Costs for creating and posting YouTube videos, twitter accounts, facebook accounts and other social media tools.

*Ineligible Expense:*

- Domain names other the one currently in use by the Councillor for posting Councillor information related to the business of the City.

*Conditions:*

- The personal website of each Councillor is hosted outside of the City's internet URL address and is entirely the responsibility of the Councillor.
- City staff cannot provide any advice related to these external sites, including wording for disclaimers.
- The City recommends that Councillors choose a web-hosting company operating in Canada to reduce the risk of breaching the privacy of constituents under conditions of the United States Patriot Act.
- Use of City logo and symbols must comply with City policy.
- Councillors' personal websites cannot advocate for a political party, other levels of government, for-profit organizations or individuals not related to the business of the City, or candidates in any municipal, provincial, federal election or by-election, or promote consent or rejection of a question on a ballot that has been submitted to electors.
- Councillors can link their personal websites to the City's URL internet address.
- Councillors cannot convert an existing Councillor's personal website to an election campaign website.
- A new Councillor can convert their election campaign website to be the Councillor's personal website. Once converted, the Councillor will no longer be able to use the same domain name as their election campaign site.
- If a Councillor is not returning to the office in the new term, the Councillor's personal website must be discontinued. If the Councillor decides to use the same domain name for other purposes, the site must no longer carry the City logo or include information related to their role as a Councillor other than in a historical context. The site must clearly state that they are no longer the Councillor for the ward.

*Form:*

- Form A - Request for Reimbursement/Payment of Expenses

...

## APPENDIX 2

# Excerpt from 2014 Election Campaign Year Frequently Asked Questions<sup>15</sup>

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**4. If supporters during the campaign e-mail a Councillor at his/her City Hall office, is it appropriate to refer them to the campaign office or should there be no reply at all, or is either permissible?**

It is up to the Councillor to determine if they do or do not wish to reply to e-mails concerning a campaign matter. However, if the Councillor chooses to reply, Councillor staff should respond back to the constituent and request that the constituent contact the campaign office instead and provide that contact information. Staff should not directly forward the e-mail from the City Hall office or the City's e-mail account directly to the Councillor's campaign office, to keep the different roles separate and distinct.

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<sup>15</sup> The FAQ's are available at <http://www.toronto.ca/legdocs/mmis/2013/cc/bgrd/backgroundfile-64731.pdf>