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OFFICE OF THE INTEGRITY COMMISSIONER

**INTEGRITY COMMISSIONER REPORT  
REGARDING  
USE OF SOCIAL MEDIA**

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# Introduction

This report responds to City Council's February 2014 direction that this Office provide Council with recommendations for a general policy about social media use by members of Council and local boards (restricted definition), including adjudicative boards. At the February 2014 meeting, Council also adopted a policy on the Use of Social Media during the 2014 Election Campaign, which was limited to the 2014 election period.<sup>1</sup> Due to the limited duration of the policy, Council sought long-term recommendations from this Office.

The codes of conduct for members of Council<sup>2</sup>, local boards (restricted definition)<sup>3</sup>, and adjudicative boards<sup>4</sup> are written in broad terms, allowing their principles to be applied and adapted to a variety of situations and circumstances. The codes of conduct, in combination with the City's established policies, are sufficient to adequately guide members' use of social media. Although clarification is necessary, a new policy framework is not required.

To clarify the application of the relevant codes of conduct to social media, I have developed comprehensive guidance for members of Council, local boards (restricted definition), and adjudicative boards. The guidance will be published in the form of the attached interpretation bulletins and will be monitored and updated as necessary to respond to new social media platforms or new uses of social media. The guidance acknowledges that there are some unique features of social media that distinguish it from traditional forms of communication, but that members must take clear and transparent action to ensure that neither public resources nor a member's official influence is used for campaign purposes or to improperly advance private interests.

The first part of this report contains a discussion about social media to help members understand the unique challenges it poses. The second part contains a review of relevant social media guidance from other jurisdictions. The third and fourth parts of this report contain discussions about social media use by members of Council and members of local boards (restricted definition) (including adjudicative boards), respectively, and the principles that underpin the guidance contained in the attached interpretation bulletins.

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<sup>1</sup> <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.CC48.7>.

<sup>2</sup> [Code of Conduct for Members of Council](#)

<sup>3</sup> [Code of Conduct for Members of Local Boards \(Restricted Definition\)](#)

<sup>4</sup> [Code of Conduct for Members of Adjudicative Boards](#)

# 1. Understanding Social Media

Social media refers to freely accessible, third-party hosted, interactive Internet technologies used to produce, post and interact through text, images, video, and audio to inform, share, promote, collaborate or network. Examples of current, popular social media platforms include Twitter, Facebook, Instagram, Pinterest, Snapchat, YouTube and LinkedIn.

In 2015 the Alberta Urban Municipalities Association and the Alberta Association of Municipal District and Counties (AUMA/AAMDC) issued a *Social Media Guide*.<sup>5</sup> The *Social Media Guide* offers comprehensive information about what social media is and how it can be leveraged in the municipal context.

Understanding the history of social media allows one to focus on the features of the medium that make it distinct from traditional or "broadcast media." The *Social Media Guide* includes a useful history of social media<sup>6</sup>:

Media offers the opportunity to amplify your voice. It can extend your reach, put you in touch with larger and more diverse audiences, and give you a greater level of exposure. Our media began as broadcast media – a means for one person, group, company or organization to share its message with the masses.

Broadcast media was the norm for almost 100 years, including radio broadcasts (1906), television broadcasts (1952), and commercial internet (mid-1980s). It taught us many things, including that we can be in control of our messaging, have long lead times to decide on the best message to share, and target large collections of people with the same message. We operated on the belief that people are audiences and they exist, primarily, to consume content. We set up our municipal organizations to communicate and engage under these pretenses.

Internet-based communication has evolved incredibly quickly. It started as a small network of academics exchanging information (1960s). Its potential to expedite information was realized, and it became a commercial means to exchange information (1980s). By the early 1990s, the internet was functioning as a way for people to exchange information

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<sup>5</sup>[https://auma.ca/sites/default/files/Advocacy/Programs\\_Initiatives/citizen\\_engagement/social\\_media\\_resource\\_guide.pdf](https://auma.ca/sites/default/files/Advocacy/Programs_Initiatives/citizen_engagement/social_media_resource_guide.pdf)

<sup>6</sup> AUMA/AAMDC Social Media Guide at p. 1.

through email and discussion forums and broadcast information through websites. The game changer was transparency.

With the creation of discussion forums (1994) and blogs (1997), conversation became possible and visible on the internet. Instead of engaging in 1:1 conversations (email) or 1:many conversations (broadcast media), the internet allowed people to, in the presence of many, engage with one another in conversation. In essence, people were able to socialize in the online environment. As part of this, online profiles became instrumental to creating an identity to aid interactions and more and more tools were created to help people to connect and share information around common interests (Six Degrees, 1997; Friendster, 2002; MySpace 2003; Hi5, 2003; Facebook, 2004; Twitter, 2006).

The term social media followed the advent of Web 2.0 (1999), which referred to people interacting and collaborating with each other through social dialogue by creating user-generated content in virtual communities. This was a direct contrast to Web 1.0, where people were limited to passive viewing of content. Web 2.0 was deemed to include social networking sites, blogs, wikis, folksonomies, video sharing sites, web applications and mashups. Social media were the tools, whether websites or applications, that allowed people to create and share content within a social network.

[emphasis added]

Against this backdrop, a number of observations can be made about social media in the government context.

### **Social Media Use in Government Is Common and Brings with it Many Possible Benefits**

It is well recognized that social media is an important and growing part of how government institutions and public officials communicate with the public. The Government of Ontario, the Government of Canada, the City of Toronto, and a number of municipalities across Ontario and the rest of Canada have established multiple social media accounts as part of an overall communication strategy.<sup>7</sup>

The above-referenced *Social Media Guide* describes the benefits of social media in the municipal sector as follows:

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<sup>7</sup> Eg. @311toronto, @TorontoComms, @torontovotes, @ONgov, @ServiceOntario, and @Canada

Municipalities are, by their very nature, social. They are made up of people, and municipal governments, both officials and administration, are people serving people. They are also, as part of [governing provincial statutes], charged with citizen engagement requirements that specify how citizens can work with their municipalities. While many of these requirements focus on face-to-face interactions (e.g. - public hearings, council and committee meetings) and broadcasting information (e.g. - advertising, public notices), social media presents valuable opportunities for more public input -- often earlier in the process.<sup>8</sup>

The *Social Media Guide* enumerates the following possible benefits of social media use for members of municipal councils in the performance of their official duties:

- Connect directly and personally with residents and stakeholders;
- Use plain language to introduce complex ideas and issues;
- Gain broad access to people with diverse ideas, input and experiences;
- Foster transparency;
- Allow [members] to engage in important conversations that are taking place in [a member's] area;
- Keep the pulse of your community by listening to people's concerns and following trending conversations;
- Build a personal brand through [a member's] online profile and the content that [members] create and share;
- Clarify misinformation and share information;
- Request feedback on [...] ideas or decisions made by [...] Council and Committees.
- Invest in and build stronger relationships;
- Align [...] with and leverage connections with people, organizations and stakeholders to move forward the priorities of [the] community;

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<sup>8</sup>[http://www.auma.ca/sites/default/files/Advocacy/Programs\\_Initiatives/citizen\\_engagement/social\\_media\\_resource\\_guide.pdf](http://www.auma.ca/sites/default/files/Advocacy/Programs_Initiatives/citizen_engagement/social_media_resource_guide.pdf)

- Probe and further explore input and ideas generated by citizens and stakeholders;
- Invite [...] citizens and stakeholders to engage further(e.g. – visit website, attend a public meeting); and
- Build credibility by sharing timely and accurate information in a respectful and professional manner.

### **Interactivity and Authenticity Are Hallmarks of Social Media**

In contrast to traditional forms of communication, social media is interactive by definition. Social media companies, marketing consultants, and analysts encourage people with social media accounts to use the accounts frequently, to take advantage of their features, and to create a unique presence online. For example, Twitter produced a Government and Elections Handbook for the 2014 U.S. General Election.<sup>9</sup> The Handbook encourages candidates and elected officials to use Twitter to be a "real-time bridge" to constituents, to share information about their daily lives, and to be authentic.

### **Social Media Is an Inherently Commercial Platform**

A perhaps overlooked, or underestimated, quality of social media is that it is inherently commercial. The commercial nature of social media has consequences for all users because it means that social media platforms are not designed or maintained only to enhance a user's experience, but rather have their own – generally profit-driven – motives.

As a result of the commercial interests of social media companies, there is a high burden on individuals to understand how each social media platform works and to proceed with caution before using it.

The companies that create, own, and maintain social media platforms are third-party, commercial entities. Signing up for a social media account means that the account holder is entering into a binding contract with a for-profit entity. In general, the companies have complete control over the terms of use. For example, Facebook informs users that their information will be processed and stored in the United States, making it subject to United States laws.<sup>10</sup> In addition, the companies control how information is displayed based on the algorithms they use.<sup>11</sup> Among other things,

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<sup>9</sup> <https://g.twimg.com/elections/files/2014/09/16/TwitterGovElectionsHandbook.pdf>

<sup>10</sup> <https://www.facebook.com/legal/terms>

<sup>11</sup> Mike Isaac, "Instagram May Change Your Feed, Personalizing It With an Algorithm" March 16, 2016, New York Times

individual account holders are unable to control advertisements that appear on the interface.

Further, social media companies attempt to limit risk of legal liability by advising users that they take no responsibility for any user's content, interactions between users, or how any outside content is linked or posted. As part of a broader risk management strategy, social media platforms also are increasingly taking action against users who do not comply with their rules.

### **Social Media Accounts Are "Free" But They Can Involve Costs and Require Resources**

In most cases, and in the most commonly-used applications at the time of this writing, the software or application is provided for free by social media platforms. However, physical resources are required to access and use social media, including both hardware and software. Further, members can enhance social media use through commercial software platforms or applications or by engaging professional social media experts to enhance and maximize use and exposure.

### **Standard Terms of Use Require Users to Act Lawfully and Maintain Decorum**

A review of various social media platforms' terms and conditions shows that they defer to applicable, local laws when considering whether an individual with an account has acted illegally. In other words, an individual's activity on any given platform must still comply with law. For members, this means the laws of Canada, the laws of Ontario, as well as City by-laws, Council policies and procedures, and the applicable code of conduct. As recent court cases show, defamation law applies to activity on social media (such as Facebook posts or messages sent to individual users).<sup>12</sup>

Social media platforms also have their own standards for acceptable use and/or community guidelines. For example, Instagram's terms of service sum up good behavior online:

You must not defame, stalk, bully, abuse, harass, threaten, impersonate or intimidate people or entities and you must not post private or confidential information via the Service, including, without limitation, your or any other person's credit card information, social security or alternate

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<sup>12</sup> *Kumar v. Khurana*, 2015 ONSC 7858, 128 O.R. 3d, 203 (Ont. SCJ)



national identity numbers, non-public phone numbers or non-public email addresses.<sup>13</sup>

Some platforms have very specific rules about appropriate use. For example, Pinterest limits how the site can be used for contests.<sup>14</sup>

All content that an individual posts on social media is the individual's responsibility. This includes embedded and linked content copied from other sources.

### **Casual, Seemingly Direct, Communication on Social Media is Public by Default**

Social media creates a seemingly casual environment where conversations or exchanges can occur between a small number of people. However, social media platforms are designed for individuals to easily copy and share content, allowing specific messages, pictures, videos, including direct communications.

The settings on most social media platforms are, as described in Twitter's terms and conditions, "public by default."<sup>15</sup> Any item online may be reused, reconstituted, and even parodied multiple times. As a result, it is up to the individual to limit what others see and to post appropriate content. Accordingly, Twitter cautions, "you are what you tweet"<sup>16</sup> and YouTube encourages each person to, "pause before you post", warning that "criticism and insult can escalate...".<sup>17</sup>

Just as importantly, because social media can be impersonal, instant, and far-reaching Ontario courts have recognized that statements made on social media can have more damaging effects than statements made elsewhere.<sup>18</sup> As a result of the public nature of social media, prohibitions on hate speech, threats, and spam are standard, and the limits apply to all contents of a post, including, for example, tags, titles, and thumbnail images for YouTube videos.<sup>19</sup>

It is also important for social media users to consider that once information is online, it is possible to lose control over it. Accordingly, it is important to protect one's identity and the information shared. Because social media is public, the information posted there

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<sup>13</sup> Basic terms, paragraph 6, <https://help.instagram.com/478745558852511>.

<sup>14</sup> <https://about.pinterest.com/en/acceptable-use-policy>

<sup>15</sup> <https://twitter.com/tos?lang=en>, s. 1 "Basic Terms".

<sup>16</sup> *Ibid.*

<sup>17</sup> [https://support.google.com/youtube/answer/2802268?hl=en&ref\\_topic=2803176](https://support.google.com/youtube/answer/2802268?hl=en&ref_topic=2803176)

<sup>18</sup> See *Kumar v. Khurana*, *supra*, note 12, at 208 (quoting *Barrick Gold Corp v. Lopehandia* (2004), 71 O.R. (3d) 416, [2004] O.J. No. 2329 (C.A.))

<sup>19</sup> <https://www.youtube.com/yt/policyandsafety/en-GB/communityguidelines.html>

often cannot be deleted or destroyed. Other people will, and do, take photos and screenshots of information posted online.<sup>20</sup>

### **Social Media Accounts Require Upkeep**

An authentic, personal voice and frequent activity creates both a potential benefit and a potential risk for social media users. It can create an opportunity to present information to a new audience and build a reputation for an individual's views as interesting, funny, insightful, or even essential reading. It can also create a large audience of friends, followers, contacts, and those who simply share or re-post content. On the other hand, it can result in unwanted notoriety or even public shaming.<sup>21</sup>

Further, social media creates certain risks that require users to exercise a certain amount of diligence in maintaining an official social media presence. A member (or any public official) could be criticized for unintentional errors, for not meeting user expectations regarding response time, or the usefulness of content, language, or tone.

These are not necessarily code of conduct issues, but members should be mindful that official accounts on social media may be subject to constituent concerns about adequate representation. Since social media are by definition third-party platforms, members also need to anticipate that the platform may be unavailable (over capacity or down for maintenance), that the platform may change, and that inappropriate content could appear on the same page as an official account's content.

Social media accounts also require upkeep. Members should consider whether they have sufficient resources to manage and monitor their accounts and that they have the resources to address unexpectedly large amounts of direct communication due to unforeseen developments.

### **Some Social Media Platforms Place a Value on Being "Official"**

Anyone can set up a social media account. Accordingly, social media platforms are concerned with identity theft and impersonation. To protect against potential misuse of their platforms, social media companies impose limits on how individuals may use the platforms to promote themselves. For example, LinkedIn requires individuals to be identifiable and not to spam, impersonate, harass, or engage in wrongdoing or criminal activity.<sup>22</sup>

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<sup>20</sup> <https://support.snapchat.com/a/guidelines>

<sup>21</sup> See generally, Jon Ronson, *So You've Been Publicly Shamed*, Riverhead Books, New York, March 31, 2015

<sup>22</sup> LinkedIn agreement ss. 8.1 and 8.2, "LinkedIn do's and dont's"

Social media platforms may also have procedures to "verify" accounts, resulting in the platform posting a badge showing the public that the account has been confirmed as authentic. The verification process is ordinarily within the control of the social media platform. In order to establish an official account, Facebook requires individuals or organizations to provide proof of their identity (such as a driver's licence, passport, or birth certificate for an individual or articles of incorporation for an organization) to apply for a verified account, but the company performs the verification process.<sup>23</sup>

Twitter does not allow account holders to apply to verify their accounts, and instead independently identifies accounts suitable for verification in key areas of interest (including government). Twitter advises account holders who wish to become verified to include links to an official webpage in their biography or account to demonstrate that an account is authentic.<sup>24</sup>

These verification procedures demonstrate that association with an organization, like the City, is of value in the social media world and that what demonstrates an account's authenticity is its ties to official resources. Further, changing an account's identity could result in losing the verification badge.

### **Summary**

There are benefits to social media use in the municipal sector. Successful social media use requires authenticity and interactivity. There are risks with social media use that arise because the platforms are hosted by third-parties who own and control the content, the content is public by default and outside of the control of the user. Finally, the association with an official office is of interest to social media platforms who work hard to avoid impersonation to improve overall user experience.

## **2. Social Media Guidance in Other Relevant Jurisdictions**

I will now examine whether the experience of other jurisdictions provide helpful samples or guidance. The research contained in this section of the report builds on research completed by this Office leading to the above-noted February 2014 report to Council and focuses on policies and guidance available specifically for elected and appointed officials. The list of policies and resources reviewed is set out in Appendix 4 of this report.

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<sup>23</sup> <https://www.facebook.com/help/contact/356341591197702>

<sup>24</sup> <https://support.twitter.com/articles/119135>

As noted by Commissioner Leiper in her February 2014 report, social media use by elected officials, as opposed to government employees or appointees, gives rise to unique issues and considerations. These differences arise out of the different roles played by these parties, and are explored below.

### **Unique Guidance for Unique Roles Is Required**

There is an abundance of guidance available about use of social media in the government context. Most of the available guidance focuses on effective use of social media by "official" or "corporate" accounts established by governments or agencies or regulation of personal social media use by unelected public servants.<sup>25</sup>

Policies pertaining to official or corporate accounts typically acknowledge the benefits of using social media, establish principles for establishing and maintaining accounts and, in some cases, create approval authorities for establishing accounts and publishing content.

Policies pertaining to personal use of social media by public servants focuses on urging users to engage in good judgement with respect to use of their title and the type of content posted. Public servants must use care that their personal social media presence is appropriately neutral and impartial for their position.<sup>26</sup>

A number of municipalities across Ontario (including Toronto) have established policies which focus on the establishment of corporate accounts and regulation of personal use by unelected public servants.<sup>27</sup>

Members of Council do not have responsibility or authority to establish or maintain official corporate accounts for the City. Local board members, for the most part, do not have responsibility or authority to establish or maintain official corporate accounts for

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<sup>25</sup> E.g. Treasury Board of Canada Guideline on Official Use of Social Media, March 4, 2014, s. 2 "What is Official Use of Social Media?"

<sup>26</sup> E.g. Ministry of Government Services Social Media Guidelines for Ontario Public Service Employees, 2013, s. 5.3 "Guidelines for Professional Use"; City of Toronto, Guidelines for Social Media Use by Employees, updated November 2012, (advising employees to only speak to issues in areas which they are knowledgeable and to take caution not to misrepresent a City position, at para. 3 and advising employees to take steps to avoid the perception that their personal views represent a City position, "Personal Use of Social Media").

<sup>27</sup> See generally City of Toronto, Guidelines for Social Media Use by Employees, updated November 2012.

their board.<sup>28</sup> What remains therefore is regulation of one's personal use of social media.

The considerations applicable to personal use of social media by members of Council are different than those applicable to members of local boards for two reasons. First, members of Council carry out a representative function and have a role to play to raise community awareness, build community and communicate about Council business.<sup>29</sup> Second, members serve on a full-time basis and have access to stable resources to staff their offices to provide constituency services.<sup>30</sup> The *Constituency Services and Office Budget Policy* guides the use of City funds for constituency services in the following terms:

This policy guides the expenditures that support Councillors in performing their diverse roles and in representing their constituents. The budget allows Councillors to:

- Communicate with their constituents about the meetings and activities of City Council and its committees.
- Communicate with their constituents about the business and services of the City and its agencies.
- Enhance and promote a harmonious community in their wards.
- Administer their offices in City Hall and in their communities.
- Represent the City at functions or events.

The policy is intended to:

- Provide Councillors with the flexibility to allocate resources in the most efficient way to meet their own particular requirements.
- Simplify the processes that Councillors and their staff use to administer their budgets by eliminating unnecessary rules.
- Recognize Councillors' accountability for managing City resources allocated to them.

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<sup>28</sup> In some smaller boards, such as Boards of Management for BIAs or Arena Boards, board members sometimes do have responsibility for establishing and maintaining social media accounts. This report does not address or provide guidance about this kind of use.

<sup>29</sup> Constituency Services and Office Budget Policy (as amended).

<sup>30</sup> Toronto is different from many municipalities in this regard.

The City of Toronto funds Councillor expenses that:

- Fall within the general categories of expenditures that this policy outlines.
- Are within the limits that City Council has set for its Members.
- Are non-partisan or personal in nature.
- Are not third-party expenses.
- Do not support or feature any candidate in any municipal, school board, provincial, federal election or by-election, or promote consent or rejection of a question that has been submitted to electors.

Members of local boards do not have a representative function nor do they have access to resources similar to those available to councillors. Members of adjudicative boards are administrative decision makers carrying out a quasi-judicial function, which gives rise to unique considerations which will be addressed below.

### **Social Media Use by Elected Officials**

Guidance for elected officials in other jurisdictions (when it exists) draws heavily on the obligation to comply with codes of conduct and city policies and to use caution not to speak, or be seen to speak, for council or the city. There is a recognition that it may be difficult to distinguish between a member's personal use, official use, and private use, but there are usually bright lines drawn for election periods to ensure that members comply with legal obligations not to use city resources for campaign purposes.

When guidance is provided, it is recognized that while social media may pose new challenges, existing rules, practice, and good judgment are a good guide. For example, 2015 guidance for Guelph's members of council contains the following sensible statement of approach, "*Perhaps the best advice is to approach online worlds in the same way we do the physical one—by using sound judgment and common sense.*" The Guelph guidelines include equally helpful and sensible guidance for maintaining authenticity on social media as well.<sup>31</sup>

A 2015 procedure from the Town of Halton Hills provides the following guidance:

In accordance with the Town of Halton Hills' policies and procedures, the Mayor is the Town's official spokesperson. This includes social media.

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<sup>31</sup> <http://guelph.ca/news/social-media/social-media-principles-and-guidelines-for-elected-officials/>

Member of Council are encouraged to participate in Town social media efforts, while concurrently respecting the Town's Social Media & Digital Communications Guidelines, this procedure and their Code of Conduct. Members of Council are free to share content that has been officially posted.

It is important that Members of Council clearly state that they are expressing their "own personal opinions" when expressing views that are not consistent with those of the Town. Town managed and branded social media networks are not to be used for any political purpose.<sup>32</sup>

Similar sentiments are included in the Town of Oakville's social media guidance.<sup>33</sup>

A 2015 corporate policy from the City of Waterloo contains the following guidance:

1. in all forms of social media usage, employees and elected officials should assume the same representative standards as in other public meetings and consultations. Even if not identified with an explicit city affiliation, employees and elected officials implicitly represent the corporation and will be held to the same expectations.

2. Maintaining the public trust and city's reputation, as per the applicable codes of conduct, is a requirement of all social media use. ...

...

4. Senior staff and elected officials must be particularly aware of their commentary surrounding issues currently before them in council so as to not prejudice the public process.

5. While common disclaimers such as "retweets don't imply endorsement" or "all views are my own" may help clarify the context of personal social media messages, they do not absolve the responsibility of the individual to uphold the code of conduct policy.<sup>34</sup>

[emphasis added]

The City of Peterborough Social Media Policy and Procedure deems that elected officials are acting as city representatives when they are identified as a city

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<sup>32</sup> <http://haltonhills.ca/calendars/2014/ADMIN-2015-0005.pdf>

<sup>33</sup> <http://www.oakville.ca/townhall/a-iss-002-002-social-media-guidelines.html>

<sup>34</sup> [http://www.waterloo.ca/en/contentresources/resources/government/Corporate\\_Policies/A-002\\_Social\\_Media\\_Policy\\_2015.pdf](http://www.waterloo.ca/en/contentresources/resources/government/Corporate_Policies/A-002_Social_Media_Policy_2015.pdf)

representatives on social media and are therefore required to adhere to all of the same rules as other city officials when using social media.<sup>35</sup>

### *Federal and Provincial Guidance*

I have also reviewed guidance at the provincial and federal levels of government. Guidance and regulation at the provincial and federal level is of limited relevance to the municipal landscape because these jurisdictions are based on a system of parliamentary democracy. The institutions that accompany a parliamentary democracy, such as the legislatures and parliaments, political parties, caucuses and the cabinet system, mean that members purport to have several identities at one time, which need to be distinguished (e.g. an MP can be a Minister, a member of a caucus, and the representative of a political party's riding association). Other than the distinction between a member's personal and professional capacity and activities during election campaign periods, there are no equivalent distinctions at the municipal level. Nevertheless, members should be mindful of the state of guidance at other levels of government.

Guidelines at the federal and provincial levels are oriented to creating clarity about the capacity in which a member is acting. For example, to avoid any confusion about whether a social media account is personal or professional, recent guidance issued by the Prime Minister advises members of the Cabinet that if they wish to have a social media account that identifies them as a minister, this account must be maintained by non-partisan public servants and therefore contain only content that is neutral and impartial. Ministers may maintain personal accounts but their profiles cannot include photos of public servants, government logos or links, their professional contact information, or their titles. Further, government "departments are asked not to follow, retweet, at-mention or otherwise link to the personal or political social media accounts of Ministers or Members of Parliament." However, ministers may include their position on platforms that provide for a current or past job description and may post government news, or link to government department websites or accounts, that are publicly available (just as any member of the public could).<sup>36</sup>

The framework established by the Prime Minister's guidance deals only with Cabinet Ministers who, while elected Members of Parliament, also have executive authority. The executive nature of their jobs is recognized by the Treasury Board Guidelines

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<sup>35</sup> <http://www.peterborough.ca/AssetFactory.aspx?did=28848>

<sup>36</sup> Open and Accountable Government 2015, Annex J "Personal and partisan use of social media by Ministers and Parliamentary Secretaries," November 2015. [http://pm.gc.ca/eng/news/2015/11/27/open-and-accountable-government#use\\_of\\_social\\_media](http://pm.gc.ca/eng/news/2015/11/27/open-and-accountable-government#use_of_social_media)



collected in the Policies for Ministers' Offices,<sup>37</sup> which are permissive and recommend that Ministers and their exempt staff seek guidance on appropriate use of information technologies, including social media, from appropriate departmental officials.<sup>38</sup> In other words, while Ministers have some discretion in their use of social media, there is a recognition that their activity reflects on, and should be consistent with, the role of their departments. Cabinet members have authority to carry out executive actions and direct communication strategies of the public service. There is no direct equivalent to the Cabinet function at the municipal level with no single member of Council having a similar degree of authority to direct actions. All other Members of the House of Commons and their staff are not subject to any mandatory policies governing social media use.<sup>39</sup>

Yet, there are core principles that apply to all levels of government, including the requirement to separate partisan activity from all members' official duties. Ontario's MPPs have received guidance to separate their constituency websites from any campaign or partisan activity on social media or other websites.<sup>40</sup>

In a recent investigation report, the Ontario Integrity Commissioner affirmed that the requirement to maintain separate profiles between campaign and constituency work extends to communications on social media and any resources that may be linked to social media accounts:

Most MPPs have taken steps to ensure that the content available directly on their websites is non-partisan. However it is disappointing to note that MPPs have been less diligent about ensuring that content accessible through links on their constituency websites, particularly social media, is similarly non-partisan.<sup>41</sup>

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<sup>37</sup> Except for these specific policies, Treasury Board Policies do not generally apply to Members of the House of Commons or Ministers.

<sup>38</sup> Policies for Ministers Offices, January 2011, at s. 10.1.1 "Information technologies".

<sup>39</sup> The House of Commons Acceptable Use Policy (Approved by the Board of Internal Economy June 2014), at s. 6.10, *suggests* appropriate behaviour for Members of Parliament and their staff, including a heightened awareness of the public nature of social media, the risk of identity theft or other misuse of information, and the risk that social media activity may be seen as an official message or that an official looking post could be misused to spread malware (such as by encouraging users to click on a link). The policy is mandatory for House of Commons employees (who are not members' staff) and requires them to use only use official email addresses when posting to official House of Commons social media sites. Approved June 2014.

<sup>40</sup> *Ibid.* at p.4

<sup>41</sup> Office of the Integrity Commissioner of Ontario, "Report Re: Daiene Vernile, Member for Kitchener-Centre and Jeff Leal, Minister of Agriculture, Food and Rural Affairs," December 22, 2015, at p.1). <http://www.oico.on.ca/docs/default-source/commissioner's-reports/re-daiene-vernile-member-for-kitchener-centre-and-jeff-leal-minister-of-agriculture-food-and-rural-affairs-dec-22-2015.pdf?sfvrsn=4>

### *Clear Lines for Election Periods*

Existing guidance for elected officials at the municipal level also focuses on maintaining a clear separation between social media use for election purposes and social media use for official City business. Guidance appropriately focuses on the "election campaign period." The "election campaign period", prescribed by s. 68 of the *Municipal Elections Act, 1996*, is the only time period during which municipal campaign fund-raising is permitted. The "election campaign period" commences on the date that a candidate files nomination papers in the election. Ontario's municipal election finance legislation differs from its federal and provincial-level counterparts, which formally recognize political parties and allow them, and their constituency associations, to fund-raise outside of election periods.

Section 70(4) of the *Municipal Elections Act, 1996* prohibits the use of any City resources for campaign purposes. There are similar restrictions on public funds for provincial and federal elections.

Toronto City Council has already approved a comprehensive policy for *Use of City Resources during an Election* that stipulates how the City and members of Council can comply with the *Municipal Elections Act, 1996*. This policy contains specific regulation about how members of Council can use their office resources during an election year.

The Los Angeles Ethics Commission requires that during election campaigns all candidates to include a disclaimer on campaign social media accounts that the account is being used for campaign purposes with the candidate's or campaign's name. This is an extension of an existing provision that requires all campaign communications to include such a disclaimer.<sup>42</sup>

In the 2014 election, the Ottawa Integrity Commissioner provided advice that focused on conduct during the election campaign period including clear labelling of social media accounts and caution against linking to any campaign activities on any official resource.

### **Social Media Use and Neutrality**

As noted above, some guidance for elected municipal officials (e.g. Waterloo) includes language to remind them to be sure that their social media activity does not prejudice a municipal decision-making process. This advice is applicable to any public statement made by public officials acting in an administrative capacity.

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<sup>42</sup> Los Angeles City Ethics Commission, City Candidate Guide, 2015 Regular Elections, January 2015, at p. 34

This concern is heightened for members of the City's adjudicative boards because they have a quasi-judicial role in City decision-making.

### **Social Media Use by Members of Quasi-Judicial or Adjudicative Bodies**

Members of adjudicative boards are first and foremost independent, impartial decision-makers in quasi-judicial matters. Accordingly, members of adjudicative boards are subject to requirements under administrative law principles which may result in restricting any form of public statement or outside activity. Members of adjudicative boards, in general, must be mindful of how their activity on social media may be perceived, and should consider that even their online relationships with friends, followers, or other connections could be seen as improper. Because social media platforms are widely accessible public forums and often used to promote commercial interests, members of the public may perceive that a member's online activity shows an improper bias or promotion of a third-party interest.

The topic of regulation of social media for judges and other adjudicative decision-makers has recently been considered in a preliminary fashion by the Canadian Centre for Court Technology.<sup>43</sup> The report recognized social media as an emerging reality of the modern world and that judicial officers should and would continue to use social media, but called for further guidance and policies for judicial officers.

One set of guidance highlighted in the report is the British Columbia Workers' Compensation Appeal Tribunal, Member Social Media and Social Networking Policy (Modified April 8, 2015),<sup>44</sup> which is a thoughtful and comprehensive model for members of adjudicative boards. The Policy prohibits members from identifying themselves using their titles<sup>45</sup> and requires members to maintain confidentiality<sup>46</sup>, separate their personal views from the tribunal, avoid commenting on matters before the tribunal, avoid association with any issues that may come before the tribunal or any organizations that frequently come before the tribunal, and consider whether joining social media networks could undermine their independence or impartiality.<sup>47</sup> The tribunal also advises members not to give advice about issues related to the tribunal's work.<sup>48</sup>

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<sup>43</sup> [The Use of Social Media by Canadian Judicial Officers: a Discussion Paper of the Canadian Centre for Court Technology, May 2015](#)

<sup>44</sup> Included in "The Use of Social Media by Canadian Judicial Officers" A Discussion Paper of the Canadian Centre for Court Technology, May 2015, at Appendix 3, available at [www.modern-courts.ca](http://www.modern-courts.ca).

<sup>45</sup> Ibid. at p. 3.

<sup>46</sup> Ibid. at p. 4.

<sup>47</sup> Ibid. at p. 5.

<sup>48</sup> Ibid. at p. 6.

### 3. Social Media Use by Members of Toronto City Council

#### How Do Members of Council Use Social Media?

In 2015-2016, the most predominant social media platforms used by members of Toronto City Council are Twitter and Facebook. In order to understand the practices of members of Council on a social media platform, I have observed members' use over the past year. All but four members of Council have Twitter accounts with varying numbers of followers and activity. Apart from a few outliers, most members of Council who use Twitter have less than 10,000 followers, as summarized below:

<b>Member of Council Twitter Following as of March 14, 2016</b>	
Less than 1,000 followers	5
1000-5000	14
5000-10,000	14
More than 10,000	5
More than 90,000	1
More than 200,000	2

The mere fact of being a member of Council does not appear to guarantee a high number of Twitter followers. When one considers that the average ward population is approximately 61,000, the average number of followers is notably smaller than the number of people in a member's ward. Members who have more than 10,000 followers appear to tweet more frequently than those with followings under 5,000.

Members who use Twitter in an engaging way or who have had exposure in other forums also have larger numbers of followers. Almost all members of Council identify themselves as members of Council or as a councillor. Twenty-one are "Verified" by Twitter, which means that in the eyes of Twitter the account is deemed an "official" one.

#### *What do Members Tweet about?*

Most members use Twitter to provide information about City Council news, including links to City Council agendas or to inform followers that the member is preparing for a

Council meeting. Some members publicize City services or programs by re-tweeting links provided by the City. The City of Toronto maintains several corporate accounts, including its 311 service, and on any given day, one can observe real time dialogue between a resident, councillor, and 311 to resolve day-to-day issues.

A very small number use Twitter to state their positions about issues before City Council, to engage with each other, or residents. Some retweet (i.e. republish to their followers) news articles from other outlets on topics that are before Council. Some tweet about their daily activities, including personal or family details. Some tweet about events in the news occurring at other orders of government or internationally. Some tweet about popular culture.

Some councillors tweet about their activity in the ward, such as attending local board or community meetings or patronizing local businesses or agencies or welcoming new businesses that have come into the area. Others use their Twitter feed as a virtual bulletin board, providing information about local events or activities organized by the member's office or a community group. During the most recent federal election, some members tweeted about their personal activities in relation to the campaign.

### **Feedback from Members**

On November 11, 2015, I wrote to each member of Council asking them to provide written comments or arrange for an in-person meeting with respect to their use of social media. I requested input on the policy considerations at stake, any lessons learned or observations about the policy in place for the 2014 election and a discussion about each member's social media experiences.

Eleven members of Council participated in the consultation. The low level of response is likely attributable to the fact that members were consulted about the same issue less than a year prior to the November request, which informed the policy in place for the 2014 election.

In no particular order, members made the following observations:

- Twitter is the main social media platform used by members of Council. Members manage content directly with the assistance of their staff.
- There is a growing expectation from constituents that a member will be active on Twitter.
- Social media (and Twitter in particular) is an important tool used by members of Council to communicate directly with constituents.
- City resources should not be used for any campaign purposes.

- There is a concern about lack of civility and decorum when engaging on social media platforms by users and occasionally other members of Council.
- Some members observed that a high number of followers on social media does not necessarily translate into votes.
- Some members were cautious about using social media to boost or promote businesses in the community even though they believe that community building and encouraging small businesses can be part of their job.
- Twitter is a valuable engagement tool that has the potential to improve policy discussion at City Hall.
- Twitter enables people to communicate quickly and directly with their elected officials. This is an important innovation that should be protected and not overly restricted or regulated.
- Social media platforms are inherently personal and not themselves City resources. Members should have full authority to use these channels as they deem fit.
- Councillors must be free to have and express opinions about any range of issues, including political issues of concern at other levels of government or internationally. The policy must not improperly restrict councillors' freedom of expression to engage in such issues that would otherwise be permissible.
- Councillors who use Twitter, without specific regulation, often employ their own guidelines about acceptable use and comment, turning to the same principles they would consider when deciding to make public statements.
- Councillors are sometimes subjected to harassment or derogatory language from Twitter followers and they struggle with whether it is appropriate to block individuals who are engaging in abusive conduct.
- Constituents are more familiar with members' names rather than Ward numbers. It is important that constituents can search social media on the Internet for members by name so that they can follow news about the City or a ward.
- In emergency situations such as the ice storm of 2013, social media (Twitter) was an extremely important method of communication for members of Council to communicate with residents and to disseminate information. The need was particularly acute because members could not access/attend City Hall during the storm.

### **Observations about Social Media Use by Members of Council**

Leaving social media aside, engaging with residents is one of the core components of most members' daily activities. Residents meet with members at their City Hall or constituency offices, email them, or speak to them at events in the community.

Members use their websites and newsletters to provide updates about these interactions and to engage in new discussions.

Social media provides another option. It allows for fast and efficient communications and has the potential to make members more accessible if members choose to engage. Social media may also make members seem more approachable to their constituents because successful social media use requires an authenticity that can include a blending of the professional and the personal.

Identifying oneself as a member of City Council does not guarantee a large number of followers but it does lend a credibility and authority to those who follow or friend a member's account and, in some cases, social media companies with verification programs search or require confirmation of official status to verify an account. It must be acknowledged that a member's social media use may be more effective if it is associated with the member's official role and is "verified," just as there would be for any other public figure.

Some members of the public believe that the ability of a member to accumulate followers gives incumbent councillors an unfair advantage when it comes to re-election. I am not persuaded about this concern. Considering the Twitter followings of members of Council described above, the mere fact of being a member does not guarantee a large number of followers.

Members of the public who raise a concern about an unfair advantage seem to equate the number of social media followers to the accumulation of contacts or mailing lists. The accumulation of followers is fundamentally different from the accumulation of contacts in the form of email addresses or phone numbers because of the nature of social media and the ability of users to control the information they consume.

Individuals who follow members of Council control whether to read or consume the content created by the member. Just as account holders can control their account profile, those who consume the content have control over what to follow and read. Individuals can easily decide not to follow or friend a particular councillor should the councillor's status change to one in which they are no longer interested. This is a singularly unique feature of social media that distinguishes it from other forums or mediums like mailing lists.

I agree with members of Council who assert that social media accounts are their own personal accounts. When members of City Council cease to be members, they take their social media accounts with them. The City makes no claim over these accounts. In some social media platforms, members can change every aspect of their identity and profile, including the handle name, the contact information and the profile description.

The fact that the accounts are a member's own, however, does not immunize the member from compliance with the Code of Conduct when the member's social media activity constitutes an improper use of the member's influence, title, or other City resources.

### **The Code of Conduct for Members of Council**

The Code of Conduct for Members of Council requires members to act with decorum at Council meetings (Article XI) and treat each other, the public and City staff with respect (Articles XII and XIV). These standards of conduct transfer and apply directly to a member's use of social media.

Members have an obligation to maintain confidentiality (Article V). The ease with which information can be published on social media requires members to be vigilant not to inadvertently disclose confidential information, particularly arising from *in camera* (closed) sessions of Council or committees (Article XI).

Members have authority and influence in City decision-making and in their communities more generally. Accordingly, the Code of Conduct limits members' ability to accept gifts, to use the influence of their offices, and limits their interactions with businesses and lobbyists or the clients of lobbyists (Articles IV, VIII and XIII). Members of Council are obligated to only use the influence of their Office and City resources for proper City purposes (Article VI) and not for their own benefit, or for the benefit of any third party (Article VIII). Members who have a strong social media presence must be alert to the risk that opportunities may be offered to become involved in commercial or other public interest campaigns. Members should not trade on their social media following, particularly if it is an "official" account.

Members are prohibited by the Code of Conduct and provincial legislation from using City resources to engage in election or campaign activities (Article VII). To assist members in meeting this obligation, the City has clear policies about use of City resources during an election campaign.<sup>49</sup> Toward this end, members must take affirmative steps to clearly distinguish between personal or election use of social media, and any use in their capacity as a City official.

### **Principles Underpinning the Social Media Interpretation Bulletin**

The guidance provided in the Interpretation Bulletin gives members of Council discretion in how they use social media. It does not limit how many accounts they may have, or

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<sup>49</sup> *City of Toronto Policy on Use of City Resources during an Election:*  
<http://www.toronto.ca/legdocs/mmis/2013/cc/bgrd/backgroundfile-64727.pdf>



whether such accounts must be personal or official. Such flexibility is intentional, and takes into account the unique role of members of Council.

Although flexibility is warranted, clear lines are required around use of City resources and campaigning. For this reason, the guidance offers two methods for keeping campaign activities separate from City activities.

The guidance acknowledges that members of Council have a representative function which distinguishes them from public servants and from appointees to local boards. Councillors must be able to communicate freely and directly in their own name, to adequately represent the interests of their constituents and ensure such interests are heard at Council and by the public. It acknowledges that social media actually requires authenticity and in many respects is an amplification of their daily activities as a councillor. It also addresses and creates clear lines with respect to appropriate use when using City resources and official titles on social media. Accordingly, the guidance to members of Council creates more flexibility than any guidance governing social media, or indeed any form of communication, applicable to the Toronto Public Service.

The following core principles underpin the guidance for members of Council:

1. There is an important and inherent benefit associated with members of Council using social media to communicate with residents. Social media use can provide transparency to their work as elected officials which consists of both representative and governance work.
2. Successful social media use requires authenticity, interactivity and a blending of the personal with the professional.
3. As with any other activity, members of Council must ensure that their use of social media is mindful of, and consistent with, the Code of Conduct and City policies.
4. Use of a member's title in a social media profile brings legitimacy (from the perspective of social media providers and the public) and authority and influence similar to use of letterhead or other incidents of office. A member's title can only be used for City purposes and not for campaign purposes.
5. Social media use is not completely "cost-free." City logos, staff, volunteers assisting with council office work, computers, smart phones, services and email accounts are City resources and can only be used for City purposes and especially not for campaign purposes.

## **4. Social Media Use by Members of Local Boards (Restricted Definition) (including Adjudicative Boards)**

### **How Do Members of Local Boards Use Social Media?**

Unlike members of Council, there does not appear to be any notable level of social media use by appointees who identify themselves as local board members. Sample searches of social media platforms have yielded some personal accounts but usually the account holders do not identify that they are a member of a local board. The level of activity is not surprising because most local board members serve in part-time, volunteer capacities and have no representative duties to constituents (or corresponding resources) similar to members of Council.

### **Observations about Members of Local Boards (Restricted Definition) (not Adjudicative Boards)**

Members of local boards provide governance oversight to the organizations and facilities that the boards operate. They are often volunteers, do not have access to public resources and do not have a representative function similar to members of Council. As a result, there is little functional purpose for members of local boards to identify themselves as local board members on social media.

### **Observations about Members of Adjudicative Boards**

Members of adjudicative boards are subject to requirements under administrative law principles which restrict their communications to ensure that a decision-maker maintains the appearance of independence and impartiality. There is a greater need for members of adjudicative boards to act with extreme caution in relation to their personal use of social media to avoid an apprehension of bias. As a result, there is even less of a functional purpose for a member to identify themselves as a member of a board on social media.

The following core principles underpin the guidance for local board members (including adjudicative board members):

1. There is no requirement, or functional purpose, associated with members of local boards or adjudicative boards identifying themselves as board members.
2. Absent specific justification, members should not identify themselves as board members on any platform for which they post or interact with others.
3. Members of local boards have little or no access to City resources for use of social media.

4. Depending on the member's position, board members must be cautious with respect to personal use of social media. Members of adjudicative boards must act with heightened caution.

## **Conclusion: Why Guidance and Not a Policy?**

After considering the landscape, the broad scope of the codes of conduct and the clear guidance already in place for use of City resources during elections, Council and the City's local boards are best served by interpretation bulletins that specify how the standards of conduct apply to social media use rather than the introduction of a new policy regime.

Through the codes of conduct, Council has set for itself and the City's local boards a principles-based set of standards that are adaptable to new and emerging situations. The emergence of social media as a common platform for communication has tested the ability of the codes to be applied to circumstances and forums that were not contemplated at the time the codes were drafted. In my view, the codes of conduct stand up to the test and are sufficient for me – as the Integrity Commissioner appointed specifically for this purpose – to develop guidance to inform members about how the applicable code of conduct regulates their use of social media and to provide members with specific advice about circumstances involving social media use.

I trust that members of Council and local boards will find the guidance useful.

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Valerie Jepson  
Integrity Commissioner  
April 26, 2016

Appendices:

1. Interpretation Bulletin Use of Social Media for Members of Council
2. Interpretation Bulletin Use of Social Media for Members of Local Boards (Restricted Definition)
3. Interpretation Bulletin Use of Social Media for Members of Adjudicative Boards
4. List of policies and resources reviewed

# Appendix 1

## Use of Social Media by Members of Council

### Purpose of the Bulletin

1. The purpose of this Interpretation Bulletin is to clarify how the Code of Conduct for Members of Council (the "Code of Conduct") guides a member's use of social media.
2. Failure to follow the guidance set out in this Interpretation Bulletin could lead to a finding that a member has contravened the Code of Conduct. Members can seek confidential advice from the Integrity Commissioner with respect to specific situations that may arise.
3. The Bulletin also includes example scenarios that are intended to assist members, their staff, and the public to understand how the Code of Conduct will be interpreted in relation to social media use. Members should seek individual, fact-specific advice to address their questions or concerns.

### Definition of Social Media

4. Social Media refers to freely accessible, third-party hosted, interactive Internet technologies used to produce, post and interact through text, images, video, and audio to inform, share, promote, collaborate or network. A non-exhaustive list of examples of social media in use in April 2016 include: Twitter, Facebook, Instagram, Snapchat, YouTube and LinkedIn.
5. Common features of social media are: accounts can be acquired at no cost; and, content is by default public and permanent.

### Articles of the Code of Conduct

6. Use of social media has the potential to engage all parts of the Code of Conduct, and in particular:
  - a. Preamble
  - b. Article II (Statutory Provisions Regulating Conduct)
  - c. Article IV (Gifts and Benefits)

- d. Article V (Confidential Information)
- e. Article VI (Use of City Property, Services and Other Resources)
- f. Article VII (Election Campaign Work)
- g. Article VIII (Improper Use of Influence)
- h. Article XI (Conduct at Council and Committee Meetings)
- i. Article XII (Conduct Respecting Staff)
- j. Article XIV (Discreditable Conduct)
- k. Article XV (Failure to Adhere to Council Policies and Procedures)

## Relevant Legislation and Policies

- 7. Use of social media has the potential to engage provincial legislation and City policies, including:
  - a. *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sched. (as amended)
  - b. *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50
  - c. City of Toronto *Policy on Use of City Resources during an Election* (as amended)
  - d. City of Toronto *Constituency Services and Office Budget Policy* (as amended)
  - e. City of Toronto *Corporate Identity Program* (as amended)

## Principles

- 8. Social media provides members with a valuable and convenient tool to communicate, inform and engage Torontonians about City Council work and members' activities to represent and advocate for ward interests. Social media allows for efficient and direct engagement between members and Torontonians. When used in accordance with the Code of Conduct, social media enables members to showcase their diligent and conscientious service to their constituents and can help to improve trust and confidence in City Council and the City of Toronto.
- 9. Successful social media use requires authenticity, interactivity and a blending of the personal with the professional.
- 10. As with any other activity, members of Council must ensure that their use of social media is mindful of, and consistent with, the Code of Conduct and City policies.
- 11. Use of a member's title in a social media profile provides legitimacy – from the perspective of social media providers and the public – and authority and influence similar to use of letterhead or other incidents of office. A member's title can only be used for City purposes and not for campaign purposes.

12. Social media use is not completely "cost-free." City logos, staff, volunteers assisting with council office work, computers, smart phones, services and email accounts are City resources and can only be used for City purposes and certainly not for campaign purposes.
13. Consumers of social media control whether to follow, friend or connect with members on social media.

## Guidance

### **Use of Title, City Property, Services and Other Resources, and Influence of Office**

14. Articles VI, VII and VIII of the Code of Conduct impose limitations on how a member uses City resources, including the member's title and influence of office.
15. Subject to the considerations in paragraph 17, a member must not post the following content using any social media account that, at the time of posting, is identified as a member's social media account or uses publicly-funded resources:
  - a. content that promotes or appears to promote any third-party interest including events, products, services, or goods; or
  - b. content that promotes or appears to promote any candidate or political party in any election at the municipal, federal or provincial level, including leadership campaigns.
16. A social media account is "identified as a member's social media account" or one that "uses publicly-funded resources" within the meaning of paragraph 15 if it:
  - a. uses any toronto.ca email address as a point of contact for registration purposes;
  - b. identifies the member as a current member of Toronto City Council in the handle name, the user name or the profile description;
  - c. is publicized on the member's constituency website or the City of Toronto's contact page for members of Council;
  - d. is publicized on business cards, newsletters or other publications eligible to be paid for out of the *Constituency Services and Office Budget* for the duration of the currency of the publication;
  - e. uses the logo or any other proprietary mark of the City of Toronto;
  - f. contains contact information for the member at City Hall, a ward constituency office or any other official contact information;
  - g. is managed using City of Toronto resources including computers, smart phones, or tablets; or
  - h. is managed or maintained by City staff, the member's staff or volunteers, or using services eligible to be paid for out of the *Constituency Services and Office Budget*.
17. It is acknowledged that as a part of their representative duties, members regularly participate and engage in local events and activities with constituents,

including local businesses, and members will use social media to publicize these kinds of activities. Members also use social media to inform residents about federal, provincial, and City programs. A member may therefore post the following types of content as long as it is occasional, voluntary, unsolicited and otherwise in accordance with the Code of Conduct:

- a. content that raises awareness of local events and activities;
- b. content that raises awareness of federal and provincial government programs;
- c. content that publicizes the member's attendance at a ceremony, event or activity that is otherwise permissible under the Code of Conduct; or,
- d. content that publicizes the member's interactions with constituents, including local businesses.

18. Members should exercise caution and seek specific advice from the Integrity Commissioner to determine whether the content meets the criteria in paragraph 17.

### **Specific Election Year Requirements**

19. To comply with the *Municipal Elections Act, 1996*, the Code of Conduct and the City's *Policy on Use of City Resources During an Election*, members must take affirmative steps to clearly distinguish between use of social media for personal or election purposes on the one hand, and use of social media in his or her capacity as a City official on the other. To take such affirmative steps members must adopt one of the following two approaches:

- a. *Maintaining Separate Election Accounts.* Establish separate and distinct social media accounts for re-election purposes that are clearly labelled as election accounts and that are not "identified as a member's account" or one that "uses publicly-funded resources" within the meaning of this Bulletin. Members who establish separate and distinct social media accounts for re-election purposes may continue to use social media accounts described in paragraph 16 of this Bulletin throughout the "election campaign period" as defined in s. 68 of the *Municipal Elections Act, 1996*.
- b. *Maintaining a Single Account Subject to Restricted Use.* Members who choose not to maintain separate and distinct election accounts and who intend to use a social media account that has ever been "identified as a member's social media account" or "used publicly-funded resources" within the meaning of this Bulletin for any purpose relating to their re-election must (as applicable):
  - i. on January 1 of the election year until the end of the "election campaign period" defined in s. 68 of the *Municipal Elections Act, 1996*,



1. cease producing and distributing any publication, including business cards, that includes account information (i.e. user names, handle names) for the social media account;
- ii. for the duration of the "election campaign period" as defined in s. 68 of the *Municipal Elections Act, 1996*:
  1. remove any reference to the City of Toronto, the City logos or images proprietary to the City of Toronto, and reference to the member's title from the account handle name, the user name, or the profile description;
  2. ensure that the account's registration information does not include any toronto.ca email addresses or City of Toronto phone numbers;
  3. remove all reference to the account from the member's website or the City of Toronto website;
  4. formally inform staff and volunteers who previously had a role with respect to managing a social media account that no City resources whatsoever, including computers, devices and staff, may be used to maintain the account and proactively monitor staff and volunteers to ensure that no such actions are taken, and,
  5. expressly notify followers or friends on the social media platform that the account will be used for purposes related to re-election, provide an alternative source of information for followers interested in constituency services, and label the account appropriately.

#### **Confidential Information & *In Camera* Meetings (Article V and Article XI)**

20. The Code of Conduct prohibits members from disclosing or releasing confidential information acquired by virtue of their office. Members must not post content on social media that discloses information or conduct during *in camera* or other confidential meetings. Due to the immediacy of social media and its ease of access on smart phones or computers, members should not use social media in any form during *in camera* or other confidential meetings.

#### **Respecting Staff (Article XII)**

21. The Code of Conduct requires members to be respectful of the role of staff to provide professional and politically neutral advice. Members should not use social media to engage in criticism of City staff. The public nature of social media can increase the risk of harming the professional and ethical reputation of City staff.

#### **Respecting Each Other and the Public (Article XIV)**

22. Just as Torontonians expect members of Council to maintain decorum at City Hall, they also expect members to act with decorum on social media. Members must never use social media as a platform to treat members of the public, one

another, or staff without respect. Members should not engage in or encourage bullying, flaming, or shaming of any other social media users. These types of interactions on social media misplace the focus of the interaction on attacking individuals rather than engaging in constructive discussion or debate. This manner of communication is inconsistent with the Code of Conduct and unbecoming of the office that members hold.

## Further Information

This interpretation bulletin is intended to provide general information. To rely on the advice of the Integrity Commissioner with respect to specific situations, members of Council must seek written advice consistent with the provisions of Article XVII of the Code of Conduct.

If you have any questions, please contact:

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City of Toronto  
375 University Avenue, Suite 202  
Toronto, ON M5G 2J5  
Tel: (416) 392-3826  
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**Issued: May 2016**

## Examples for Interpretation Bulletin: Use of Social Media by Members of Council

*A member of Toronto City Council is a frequent user of Twitter. She regularly tweets about City business, her activities in the ward, and about her family. Her Twitter biography identifies her as a councillor and her constituency website includes her Twitter handle. The member drops by a local café in her ward, as she often does, and picks up a scone on her way to work. The member tweets a picture of the scone with the text, "looking forward to breakfast from the [name of the café]". The member is not offered any compensation or benefit for the tweet and she has no ownership interest in the café. The café does not have any issue or interest with the City.*

This is an acceptable, occasional use of Twitter. Regular promotion of third party interests may increase the perception that a member is improperly using the influence of the member's office to benefit the third parties. Although the tweet is a form of promotion of a local business, it is acceptable in this case. The activity is consistent with the member's ordinary Twitter use of sharing information about her personal life, she has not been asked or compensated through payment or any gift to tweet information about the café. The member has no conflict of interest and has nothing to benefit or gain from the tweet.

*As part of a public relations campaign to launch a new local business, a business writes to the local councillor to request that she tweet the announcement about the opening of the business. The Councillor is identified as a City councillor in her Twitter bio and her staff are assigned to help the Councillor manage the Twitter account. Can the Councillor tweet this information?*

No, this is not an acceptable use of the Councillor's Twitter feed. While there are many benefits of social media, social media is also a vehicle to drive commercial gain. The Councillor must be careful not to lend her title to the cause of promoting this third party interest. This circumstance is different from the coffee shop example above because in this case, the business solicited the tweet, and it was not part of the member's ordinary Twitter use.

*A deputy mayor attends the opening of the headquarters of a multi-national company that recently moved its office to Toronto and, on behalf of the Mayor and Council, has been asked to make remarks at the opening. The deputy mayor has a Twitter account that identifies himself as the deputy mayor. He tweets a picture of himself making the*

*remarks with the caption, "Welcome to Toronto!" The picture includes the company's logo. Is this an acceptable use?*

The member's attendance at the event is acceptable in accordance with the Code of Conduct and the tweet was organic, not solicited as part of a broader commercial campaign to promote the company. Although the tweet is a form of promotion, it is acceptable for him to tweet about the event in the manner that he did because it was merely a publication of the deputy mayor performing his legitimate duties for Council.

*A not-for-profit agency within the member's ward asks a member to re-tweet a link to a webpage advertising an upcoming fundraising event. The agency offers the member a ticket in return for the tweet. The member does not use any City resources for her Twitter account, including a City phone and computer, and she does not indicate that she is a councillor in her profile or handle, but she has a large following.*

Without the offer of the ticket, the member would have been free to publicize the community event using social media. The agency's offer of the ticket in exchange for the tweet, however, engages Article IV of the Code of Conduct (Gifts and Benefits) and has compromised the situation. The member should refuse the ticket and decline to retweet the event.

*A member has established a Snapchat account without using any City resources. He wants to use the platform to give his followers an insider's look at the work in his Office. The member uses Snapchat to create a ten second video of his view from his desk. Without realizing it, the member includes a copy of the front page of a confidential report going to City Council.*

By publishing this photo the member has contravened Article V (Confidential Information) of the Code of Conduct. However fleeting the publication on Snapchat,<sup>1</sup> the image could be saved and stored. Members are reminded that content on social media is by default public and permanent, even where there are attempts to subsequently delete the information.

*A member is involved in a federal election and is volunteering his time to door knock for a particular candidate. The member takes a picture of himself and the candidate using his City phone and uses his City phone to publish a status update on Facebook with the picture. The Facebook account used by the member does not identify him as a councillor so his only use of resources is the City phone.*

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<sup>1</sup> Snapchat allows users to share photos and videos and to set the amount of time the image can be viewed. After the length of time expires, the image becomes inaccessible and is not saved on the platform.

This is not a permitted use of a City resource. The Code of Conduct, the *Municipal Elections Act, 1996*, and the *Policy on Use of City Resources during an Election* prohibit the use of any City resource to support any candidate.

*A member has a Twitter account with the handle @CouncillorJoeSmith. His profile does not indicate that he is a City councillor but the Twitter handle is published on his business card. He wishes to convert this account to a campaign account for the 2018 election. Can he keep the same handle? What other steps must he take?*

Councillor Smith's best approach would be to establish a separate account solely for the purpose of the election that would remain dormant outside of the election campaign period.

However, if he wishes to use the existing “@CouncillorJoeSmith” account as a campaign account for the election campaign period, he must follow the guidance in paragraph 19(b) of this Interpretation Bulletin. This means that Councillor Smith must:

- on or before January 1, 2018, cease producing and distributing any business card with the “@CouncillorJoeSmith” Twitter handle on it, and,
- on or before the date he files nomination papers: change the handle to eliminate the reference to "councillor", ensure that his toronto.ca email is not used as a point of contact for his account, expressly notify his Twitter followers that the account will be used for purposes related to the election, and provide an alternative source for information for followers interested only in constituency services.

**Examples Issued: May 2016**

# Appendix 2

## Use of Social Media by Members of Local Boards (Restricted Definition)

### Purpose of the Bulletin

1. The purpose of this Interpretation Bulletin is to clarify how the Code of Conduct for Members of Local Boards (Restricted Definition) (the "Code of Conduct") guides a member's use of social media. (Members of adjudicative boards should refer to the Interpretation Bulletin titled, Use of Social Media by Members of Adjudicative Boards.)
2. Failure to follow the guidance set out in this Interpretation Bulletin could lead to a finding that a member has contravened the Code of Conduct. Members can seek confidential advice from the Integrity Commissioner with respect to specific situations that may arise.
3. The Bulletin also includes example scenarios that are intended to assist members and the public to understand how the Code of Conduct will be interpreted in relation to members' social media use. Members should seek individual, fact specific advice to address their questions or concerns.

### Definition of Social Media

4. Social Media refers to freely accessible, third-party hosted, interactive Internet technologies used to produce, post and interact through text, images, video, and audio to inform, share, promote, collaborate or network. A non-exhaustive list of examples of social media in use in April 2016 include: Twitter, Facebook, Instagram, Snapchat, YouTube and LinkedIn.
5. Common features of social media are: accounts can be acquired at no cost; and, content is by default public and permanent.

## Articles of the Code of Conduct

6. Use of Social Media has the potential to engage all parts of the Code of Conduct and in particular:
  - a. Preamble
  - b. Article II (Statutory Provisions Regulating Conduct)
  - c. Article IV (Gifts and Benefits)
  - d. Article V (Confidential Information)
  - e. Article VI (Use of Board or City Property, Services and Other Resources)
  - f. Article VII (Election Campaign Work)
  - g. Article VIII (Improper Use of Influence)
  - h. Article XI (Conduct at Meetings)
  - i. Article XII (Conduct Respecting Staff)
  - j. Article XIV (Discreditable Conduct)
  - k. Article XV (Failure to Adhere to Council or Local Board Policies and Procedures)

## Relevant Legislation and Policies

7. Use of social media has the potential to engage provincial legislation and City policies, including:
  - a. *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sched. (as amended)
  - b. *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50
  - c. City of Toronto *Policy on Use of City Resources during an Election*
  - d. City of Toronto *Corporate Identity Program* (as amended)

## Principles

8. There is no requirement, or functional purpose, associated with members of local boards identifying themselves as board members in their personal social media use.
9. Absent specific justification, members should not identify themselves as board members on any platform for which they post or interact with others.
10. Members of local boards have little or no access to City resources for use of social media.
11. Depending on the member's position, board members must be cautious with respect to personal use of social media to avoid perceptions of bias.



## Guidance

### **Use of Title, City Property, Services and Other Resources, and Influence of Office**

12. Articles VI, VII and VIII of the Code of Conduct impose limitations on how a member uses City resources, including the member's title and influence of office.
13. Members of local boards should not include their title as a board member in any social media profile without first seeking advice from the Integrity Commissioner.
14. A member must not post the following content using any social media account that, at the time of posting, is identified as a member's social media account or uses publicly-funded resources:
  - a. content that promotes or appears to promote any third-party interest including events, products, services, or goods; or
  - b. content that promotes or appears to promote any candidate or political party in any election at the municipal, federal or provincial level, including leadership campaigns.
15. A social media account is "identified as a member's social media account" or one that "uses publicly-funded resources" within the meaning of paragraph 14, if it:
  - a. uses any email address associated with the local board as a point of contact for registration purposes;
  - b. identifies the member as a current member of the local board in the handle name, the user name, or the profile description;
  - c. is publicized on the webpage of the local board;
  - d. is publicized on business cards, newsletters or other publications eligible to be paid for using funds of the City of Toronto or the local board;
  - e. uses the logo or any other proprietary mark of the local board or the City of Toronto;
  - f. is managed using local board resources including computers, smart phones, or tablets; or
  - g. is managed or maintained by City or local board staff.

### **Confidential Information & *In Camera* Meetings (Article V and Article XI)**

16. The Code of Conduct prohibits members from disclosing or releasing confidential information acquired by virtue of their office. Members must not post content on social media that discloses information or conduct during *in camera* or other confidential meetings. Due to the immediacy of social media and its ease of access on smart phones or computers, members should not use social media in any form during *in camera* or other confidential meetings.

### **Respecting Staff (Article XII)**

17. The Code of Conduct requires members to be respectful of the role of staff to provide professional advice. Members should not use social media to engage in criticism of City or local board staff. The public nature of social media can

increase the risk of harming the professional and ethical reputation of City and local board staff.

### **Respecting Each Other and the Public (Article XIV)**

18. Just as Torontonians expect members of local boards to maintain decorum when conducting the business of the local board, they also expect members to act with decorum on social media. Members must never use social media as a platform to treat members of the public, one another, or staff without respect. Members should not engage in or encourage bullying, flaming, or shaming of other social media users. These types of interactions on social media misplace the focus of the interaction on attacking individuals rather than engaging in constructive discussion or debate. This manner of communication is inconsistent with the Code of Conduct and unbecoming of the office that members hold.

## **Further Information**

This interpretation bulletin is intended to provide general information. To rely on the advice of the Integrity Commissioner with respect to specific situations, members of local boards must seek written advice consistent with the provisions of Article XVII of the Code of Conduct.

If you have any questions, please contact:

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375 University Avenue, Suite 202  
Toronto, ON M5G 2J5  
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**Issued: May 2016**

## Examples for Interpretation Bulletin: Use of Social Media by Members of Local Boards (Restricted Definition)

*A newly-appointed member of a BIA board of management was an active user of Twitter before her appointment. She routinely tweets commentary about City events and about her daily activities. She is a small business owner and often re-tweets content that is published on her business' Twitter feed. She would like to update her Twitter profile to indicate that she is now a member of the local BIA. How would this impact her Twitter use?*

Updating her Twitter profile to state that the member is a board member of the BIA would limit her use of Twitter. She would not be able to promote third party interests such as local businesses or her own business because this would create the appearance that the board member is endorsing or promoting an interest on behalf of the board. Unlike members of Council, local board members hold these positions on volunteer bases and do not have a representative function to fulfill as board members, so there is no functional reason for the member to identify that role in her profile.

*A member of an arena board is an active user of Facebook with many friends, most of whom are in the local community. The member does not have a board-funded phone or email address and he does not identify himself as a member of the board in his Facebook profile. The member is on a team to raise money in the Ride to Conquer Cancer. He uses Facebook to alert his friends to his team and to solicit donations.*

Since the member has not identified himself as a board member, and is not using City resources to alert his friends to the event, there are no Code of Conduct issues with this member's Facebook activity.

*A member of a community centre board has established a Snapchat account without using any board resources. His Snapchat profile does not include any information to indicate that he is a board member. He is a frequent user of Snapchat and has developed a large number of followers to his "my story" which includes short videos and snaps of his work day. He wants to include some snaps of his attendance at a board meeting in his "my story." He records a few seconds of the board meeting and a selfie with a caption, "hard at work for the community" and posts this content to his "my story." The member did not inform his board colleagues that he would be posting the video.*

This behaviour is discourteous and disrespectful of the board member's colleagues. It also creates a risk of inadvertent disclosure of confidential information. The member should not post any content to any social media channel that involves board deliberations without first discussing this with his colleagues and obtaining the approval of the board.

*A member of a BIA board is involved in a federal election and is volunteering his time to door knock for a particular candidate. The member has a large following on Twitter and wishes to post "postcards" developed by the campaign on his Twitter feed. The member has identified himself as a BIA board member in his Twitter profile.*

This is not acceptable under the Code of Conduct. As long as the member identifies himself as a board member in his Twitter profile, he cannot use the account to promote a candidate in any election.

**Examples Issued: May 2016**

# Appendix 3

## Use of Social Media by Members of Adjudicative Boards

### Purpose of the Bulletin

1. The purpose of this Interpretation Bulletin is to clarify how the Code of Conduct for Members of Adjudicative Boards (the "Code of Conduct") guides a member's use of social media.
2. Failure to follow the guidance set out in this Interpretation Bulletin could lead to a finding that a member has contravened the Code of Conduct. Members can seek confidential advice from the Integrity Commissioner with respect to specific situations that may arise.
3. The Bulletin also includes example scenarios that are intended to assist members and the public to understand how the Code of Conduct will be interpreted in relation to members' social media use. Members should seek individual, fact-specific advice to address their questions or concerns.

### Definition of Social Media

4. Social Media refers to freely accessible, third-party hosted, interactive Internet technologies used to produce, post and interact through text, images, video, and audio to inform, share, promote, collaborate or network. A non-exhaustive list of examples of social media in use in April 2016 include: Twitter, Facebook, Instagram, Snapchat, YouTube and LinkedIn.
5. Common features of social media are: accounts can be established at no cost; and, content is by default public and permanent.

## Articles of the Code of Conduct

6. Use of social media has the potential to engage all parts of the Code of Conduct, and in particular:
  - a. Preamble
  - b. Article III (Statutory Provisions Regulating Conduct)
  - c. Article IV (Gifts and Benefits)
  - d. Article V (Confidential Information)
  - e. Article VI (Communications with Adjudicative Boards)
  - f. Article VII (Media Communications)
  - g. Article VIII (Use of Board and City Property, Services and Other Resources)
  - h. Article IX (Election Campaign Work)
  - i. Article X (Improper Use of Influence)
  - j. Article XIII (Conduct at Meetings of Adjudicative Board or Panel)
  - k. Article XIV (Conduct Respecting Staff)
  - l. Article XVI (Independent Nature of Adjudicative Boards)
  - m. Article XVII (Discreditable Conduct)
  - n. Article XVIII (Failure to Adhere to Council or Adjudicative Board Policies and Procedures)

## Other Relevant Sources of Regulation of Social Media Use

7. Use of social media has the potential to engage provincial legislation and City policies, including:
  - a. *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sched. (as amended)
  - b. *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50
  - c. City of Toronto *Policy on Use of City Resources during an Election*
  - d. City of Toronto *Corporate Identity Program* (as amended)

## Principles

8. There is no requirement, or functional purpose, associated with members of adjudicative boards identifying themselves as board members in their personal social media use, and significant risk that such social media use will violate the Code of Conduct and other regulations and principles.
9. Members of adjudicative boards have little or no access to City resources for use of social media.
10. Adjudicative board members must act with heightened caution with respect to personal use of social media to avoid perceptions of bias.

## Guidance

### **Special Nature of Adjudicative Boards (Articles VI, VII and XVI)**

11. Members of adjudicative boards carry out quasi-judicial functions and are subject to administrative law principles that apply to hearings and members of adjudicative boards. For these reasons, the Code of Conduct contains specific guidance about communications with adjudicative board members.
12. Taking into account the special nature of adjudicative boards and the communication restrictions imposed on members of adjudicative boards, members who use social media in their personal or professional lives should not identify themselves as a member of an adjudicative board on any social media platform.
13. Members should keep social media participation entirely personal, and set privacy settings as restrictively as possible. Members must think carefully about requests to friend, follow, like or link any content or individuals, especially from someone they do not know.
14. Members must be mindful that care, special scrutiny, and attention may be paid to their social media use due to the quasi-judicial, arms-length nature of their boards.
15. Members must not use social media forums to discuss applications that come before their boards and must be careful to avoid the perception that their communications represent the views of the board.
16. Members should not express views about bylaws or board or City policies that touch on the board's business.

### **Confidential Information & *In Camera* Meetings (Article V and Article XIII)**

17. The Code of Conduct prohibits members from disclosing or releasing confidential information acquired by virtue of their office. Members must not post content on social media that discloses information or conduct during *in camera* or other confidential meetings. Due to the immediacy of social media and its ease of access on smart phones or computers, members should not use social media in any form during *in camera* or other confidential meetings.

### **Respecting Staff (Article XIV)**

18. The Code of Conduct requires members to be respectful of the role of staff to provide professional advice. Members should not use social media to engage in criticism of City or adjudicative board staff. The public nature of social media can increase the risk of harming the professional and ethical reputation of City and adjudicative board staff.



### **Respecting Each Other and the Public (Article XVII)**

19. Just as Torontonians expect members of adjudicative boards to maintain decorum when conducting the business of the board, they also expect members to act with decorum on social media. Members must never use social media as a platform to treat members of the public, one another, or staff without respect. Members should not engage in or encourage bullying, flaming, or shaming of other social media users. Even if the topic is unrelated to the work of the board, participating in such conduct has the potential to impact on the reputation of the board as a whole. This manner of communication is inconsistent with the Code of Conduct and unbecoming of the office that members hold.

## **Further Information**

This interpretation bulletin is intended to provide general information. To rely on the advice of the Integrity Commissioner with respect to specific situations, members of adjudicative boards must seek written advice consistent with the provisions of Article XX of the Code of Conduct.

If you have any questions, please contact:

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## Examples for Interpretation Bulletin: Use of Social Media by Members of Adjudicative Boards

*A member is appointed to an adjudicative board. The member is an active Twitter user and tweets the announcement of her appointment to her followers.*

This is an acceptable use. The member should not, however, update her profile to identify herself as a member of the adjudicative board.

*A member concluded a day of hearings that lasted 10 hours. One of the matters became highly emotional and hotly contested. At one point, one of the applicants erupted in anger and told the panel that they were unqualified and should be fired. The board member was exhausted after a long day. As she sat in her car waiting for it to warm up, she took a selfie and posted it to Facebook with the caption, "Long day. No one told me that I'd be yelled at when I volunteered for this board."*

The member should not comment about the board proceeding on any social media. Even if the member's followers are limited to family and friends, and the comments are general, the information is "public" and it could be shared more widely. The member's statement is exhibiting a feeling of frustration that could concern a party coming before the panel. This kind of "venting" can occur with board colleagues or close family members (as long as no confidential information is shared) but not using a social media channel.

*A member of an adjudicative board has established a Snapchat account without using any board resources. His Snapchat profile does not include any information to indicate that he is a board member. He is a frequent user of Snapchat and has developed a large number of followers to his "my story" which includes short videos and snaps of his work day. He wants to include some snaps of his attendance at a board training day in his "my story." He records and posts a few seconds of the training session with a caption, "learning lots today" and posts this content to his "my story." The member did not inform his board colleagues that he would be posting the video.*

This behaviour is discourteous and disrespectful of the board member's colleagues. It also creates the risk of inadvertent disclosure of confidential information. The member should not post any content to any social media

channel that involves board work without first discussing this and obtaining the approval of the board.

**Examples Issued: May 2016**

# Appendix 4

# List of Policies and Resources Reviewed

## Municipal Policies and Resources

- City of Toronto, Constituency Services and Office Budget Policy, as amended
- City of Toronto Corporate Information Program, as amended
- City of Toronto Policy on Use of City Resources during an Election
- City of Toronto, Guidelines for Social Media Use by Employees, updated November 2012
- City of Ottawa Integrity Commissioner: Guidance on Social Media to Members of Council for the 2014 Municipal Election
- September 12, 2014 Memo to Members of Vaughan City Council from Integrity Commissioner Suzanne Craig, "Election Year Code Related Issues"
- City of Peterborough Social Media Policy and Social Media Procedure (April 2013)
- City of Waterloo Corporate Policy titled, Employee Social Media Policy (as of July 13, 2015)
- Town of Halton Hills, Procedure titled, Guidelines for Use of Social Media & Digital Communications
- The Corporation of the Town of Oakville, Procedure A-ISS-002-002, Social Media Guidelines, April 16, 2012
- City of Kelowna, Report to Council re Social Media Update (October 2011)
- City of Calgary Council Policy, "Members of Council and Election Campaigns," (January 28, 2013)
- Alberta Urban Municipalities Association and the Alberta Association of Municipal District and Counties, Social Media Guide (January 2015)
- City of Guelph, Social media principles and guidelines for elected officials
- New York City Council, 2015, "Council 2.0, A Roadmap to Digital Inclusion"
- City of Houston Policy on Use of Social Media (January 4, 2011)
- Los Angeles City Ethics Commission, City Candidate Guide, 2015 Regular Elections (January 2015)

## Policies and Resources Relating to Other Levels of Government

- Prime Minister's bulletin to the Federal Cabinet, "Open and Accountable Government 2015" in particular: "Annex J Personal and partisan use of social media by Ministers and Parliamentary Secretaries" (November 2015)
- House of Commons, Board of Internal Economy, Acceptable Use Policy, June 2014;
- Inter-Parliamentary Union, Social Media Guidelines for Parliaments, Version 1.0 (2013)
- Treasury Board of Canada Guideline on Official Use of Social Media, March 4, 2014
- Treasury Board of Canada - Policies for Ministers' Offices, January 2011
- The Use of Social Media by Canadian Judicial Officers, A Discussion Paper of the Canadian Centre for Court Technology (May 2015)
- British Columbia Workers' Compensation Appeal Tribunal Member Social Media And Social Networking Policy (April 8, 2015 Version)

- "Managing your Constituency Office" excerpted from Members' Guide to Policy and Resources, Legislative Assembly of British Columbia, July 20, 2015 version.
- Ministry of Government Services Social Media Guidelines for Ontario Public Service Employees, 2013
- Report on the Implementation of the Code of Ethics and Conduct of the Members of the National Assembly, Quebec Ethics Commissioner, February 2015.
- Office of the Integrity Commissioner of Ontario, "Report Re: Daiene Vernile, Member for Kitchener-Centre and Jeff Leal, Minister of Agriculture, Food and Rural Affairs," December 22, 2015

### **Other Sources**

- Research conducted for the Integrity Commissioner's February 2014 Report to Council on a Social Media Policy During an Election Year
- Interviews with members of Council
- Review of Twitter accounts of members of Council, local boards (restricted definition), and adjudicative boards
- The terms, conditions, and acceptable use guidelines for a variety of social media platforms;
- Recent case law from the Ontario Courts; and
- Recent news articles.