

# 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:

Office of the Integrity Commissioner  
City of Toronto  
375 University Avenue, Suite 202  
Toronto, ON M5G 2J5  
Tel: 416-392-3826  
Email: [integrity@toronto.ca](mailto:integrity@toronto.ca)

**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**