

By-law 2022-126

**A By-law of the City of Greater Sudbury to Amend By-law 2019-16
being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for
Members of Council and Local Boards and Complaint Protocol**

Whereas Council of the City of Greater Sudbury deems it desirable to amend By-law 2019-16 being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for Members of Council and Local Boards and Complaint Protocol;

Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

1. Schedule "A" to By-law 2019-16 being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for Members of Council and Local Boards and Complaint Protocol is amended by:

(a) repealing Section 17 and enacting the following section 17 in its place and stead:

"Social Media

17. Every Member shall comply with the Social Media Policy annexed hereto as Appendix 1 to this Schedule."; and

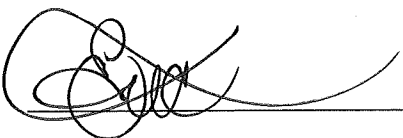
(b) adopting Schedule "A" attached to and forming part of this By-law, as Appendix 1 to Schedule "A" to By-law 2019-16 being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for Members of Council and Local Boards and Complaint Protocol,

2. This By-law shall come into full force and effect upon passage.

Read and Passed in Open Council this 9th day of August, 2022



Mayor



Clerk

Schedule "A"
to By-law 2022-126 of the City of Greater Sudbury

Appendix "1" to Schedule "A"
to By-law 2019-16 of the City of Greater Sudbury

**Policy for the Use of Social Media by
Members of Council and Local Boards**

Purpose

Social Media technologies can permit for efficient and direct engagement between members of Council and Local Boards and the community. While Social Media can be a useful tool for communicating and sharing information it can also be the subject of abuse. The purpose of this policy is to provide clarification on the appropriate use and management of Social Media by members of Council and Local Boards ("Members") in order to elevate discourse with and within the community.

Definitions

1. The definitions contained in the Code of Conduct shall apply to this Policy.

Application

2. The Code of Conduct generally applies to the conduct of members of Council regardless of the medium being utilized including but not limited to activities on social media. This policy applies to members of Council where social media is being used by them or on their behalf. The provisions of this policy are not intended to restrict the application of the Code of Conduct but rather to augment the obligations of members vis-à-vis the use of Social Media.

Confidentiality and Privacy

3. Members shall maintain the confidentiality of all Confidential Information as defined in section 1 and further described in section 6 of the Code of Conduct. Members shall not disclose, release or permit the release or disclosure of any Confidential Information on Social Media.
4. Members shall not post or allow the posting of personal information in any form or discuss situations regarding residents, staff, other identifiable individuals, suppliers, vendors or contractors without obtaining their consent. Members shall not use, post or allow the posting of copyrights, trademarks or other elements of intellectual property, including that of the City of Greater Sudbury, without the specific permission of the owners of such property. Members may consult with applicable City staff if they have questions regarding whether specific information is Confidential Information. When in doubt, Members shall, at all times, err on the side of caution and avoid disclosure of information which may be confidential.

Respect for other Members, Staff and the Public

- 5.(1) The expectation for conduct of Members on Social Media shall be the same as the decorum that is expected from Members in meetings of the Council. When communicating on Social Media, Members shall act with respect, dignity, courtesy and empathy towards others, and adhere to the same requirements described in the Code of Conduct as they would for any form of communication. Members shall ensure that

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debate is constructive and does not include personal attacks, discrimination, harassment, intimidation or insults. Communications that are not respectful are inconsistent with the Code of Conduct and unbecoming of the office that Members hold as elected representatives.

- (2) The public and permanent nature of Social Media can increase the risk of harming the professional and ethical reputation of municipal staff. When using Social Media, Members shall, at all times, be respectful of the role of staff to provide professional and politically neutral advice. Members shall not use Social Media to make personal attacks or engage in criticism of municipal staff.
- (3) Members shall not disrespect, bully, shame or insult other Members or the public through the use of Social Media.

Identity of Members

6. Members shall, at all times, ensure that they identify themselves when using social media and shall not disguise their identity in any way.

Oversight of Social Media

- 7.(1) The use of Social Media by a Member brings with it the responsibility to manage it in accordance with the Code of Conduct and this Policy. Failure to properly manage Social Media technologies may lead to misuse and content which is not in accordance with the standards for Members described in the Code of Conduct and this Policy.
- (2) Where Members choose to use Social Media technologies which permit other users to post content, they shall monitor such content regularly to ensure that the content is consistent with the Member's obligations under the Code of Conduct and this Policy. Where a Member supports, repeats or fails to monitor and remove content that fails to meet the requirements herein within a reasonable time, the content in question shall be attributed to the Member and subject to the application of the Code of Conduct and this Policy.
- (3) To protect themselves and other users on their Social Media platforms from inappropriate behaviour or content, Members may need to modify a user's access to their content. Social Media applications allow users to do so in several ways up to and including blocking a user's access. In cases where such actions are required, Members should opt with the approach that preserves as much access to information and expression as possible. Members should consider the adoption of a terms of use policy for their Social Media that provides expectations for conduct and a clear process for users should they fail to meet such requirements.

Support for Decisions of Council

8. It is essential that residents understand and trust the decision-making process of their elected representatives. While Members in their individual capacity are not required to agree with all decisions made by the Council they shall accurately and adequately communicate information regarding such decisions when using Social Media. Members

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shall not malign a debate or decision or otherwise erode the authority of Council. Members shall clearly identify where they are expressing personal views, and not necessarily the views of the City.

Compliance with Legislation, By-Laws and Policies

9. Members shall, at all times, comply with applicable legislation, regulations, by-laws and policies of the City and shall not recommend or counsel non-compliance by others through Social Media or litigation against the City.

Accuracy of Information

10. Information posted to Social Media creates a permanent record. Members shall ensure that the content they post on Social Media is accurate and factual. Members shall not post or allow the posting of any content which they know or ought to know is misleading or false.