



Policy

Policy Name:	Communication and Mailing Policy for Members of Council
Policy Owner:	Office of the Clerk, Corporate and Financial Service Department
Approved by:	Council
Effective Date:	Upon Adoption
Date of Last Revision:	N/A (new)
Review Date:	Beginning of each new term of Council
Procedure Status:	Original

Purpose:

The purpose of the Communication and Mailing Policy for Members of Council is to establish rules and guidelines regarding a Member's use of any Richmond Hill resources to communicate with constituents. Members communicate with constituents in a variety of ways, such in-person meetings and distribution of printed or electronic material, etc. This Policy will ensure fairness in Members' communications with larger groups of constituents (e.g. in mass mailings or newsletters).

Policy Principles:

1. Council and its Members are committed to accountability and transparency in the use of Richmond Hill resources.
2. Members are elected or appointed to represent the interests of constituents on Council and communication with constituents is an important function of a Member's mandate.
3. Members are committed to showing respect to other Members, Council, Staff and the public.
4. Members are committed to showing respect for the decisions of Council, even if the Member disagrees with the decision.
5. Members are committed to honesty and integrity in any information communicated.

Definitions:

In this policy, the following words and/or terms have the associated meaning:

"Clerk"	means the person appointed by Council pursuant to section 228(1) of the <i>Municipal Act</i> , or his or her designate.
"Code of Conduct"	means a Code of Conduct that applies to a Member, adopted by Council pursuant to section 223.2 of the <i>Municipal Act</i> .
"Constituent"	means the residents and/or businesses located in the geographical area that the Member was elected or appointed to represent.

“Constituency budget”	means the annual individual budget allocated to each Member. Members have the discretion, within the Member of Council Expense Policy, regarding how this budget is allocated.
“Council”	means the Council of the Town of Richmond Hill.
“Digital communication tool”	means any method of communicating with large group of constituents that is exclusively delivered by a medium that is not a paper publication, and includes, but is not limited to: communications by email, telephone, social media, websites, and domain names.
“Large group of constituents”	means at least 50 constituents.
“Mass mailing”	means any mailings that are distributed in hard copy to a Member of Council’s constituents, with substantially identical content (whether such mail is processed individually or in bulk, or at the same time or different times), totalling more than 50 pieces and excludes newsletters, as defined in this Policy.
“Member”	means the Mayor, a Regional and Local Councillor, or a Local ward Councillor.
“Municipal Act”	means the <i>Municipal Act, 2001</i> , S.O. 1996, c, 32, as amended.
“Municipal Elections Act”	means the <i>Municipal Elections Act, 1996</i> , S.O. 2001, c, 25, as amended.
“Newsletter”	means a printed publication produced and distributed by or on behalf of a Member for the purpose of sharing information relating to, but not limited to, Richmond Hill events, programs or services, but does not include publications that are exclusively sent to residents by means of digital communication tools.
“Policy”	means this Communication and Mailing Policy for Members of Council.
“Richmond Hill resources”	means any and all Richmond Hill facilities, staff and tangible and intangible goods and/or services owned, controlled, leased, acquired, or operated by Richmond Hill including but not limited to furnishings, materials, equipment, monetary funds (including any budget allocated to a Member by Council), technology, information technology systems and resources, databases, intellectual property, supplies and all services provided to Richmond Hill by third parties.
“Staff”	means all full-time and part-time persons hired by Richmond Hill, including the CAO, commissioners, directors, managers, supervisors, Salaried Employees’ Association staff, Members of CUPE Local 905, members of Richmond Hill Professional Fire Fighters Association, Local 1957, administrative staff, contract and temporary employees, students, secondments, co-op placement staff, volunteers, and hired contractors.
“Richmond Hill”	means the Corporation of the Town of Richmond Hill.
“Ward”	means a geographical division established by Council pursuant to section 222 of the Municipal Act.

Scope

1. This Policy applies to the use of newsletters, mass mailings and digital communication tools by a Member of Council or on behalf of a Council Member.
2. This Policy does not apply to a Member's communications with other Members, staff, individual constituents (for example, when a Member sends an email to constituent or mails a personally addressed individual letter to a constituent).

Policy

1. General

- 1.1. A Member shall have regards for the Policy Principles in the preparation of any newsletter, mass mailing or in the use of any digital communication tool.
- 1.2. A Member shall ensure that information communicated by the Member, or Staff acting on behalf of the member, is accurate, fair and respectful.
- 1.3. A Member shall ensure that information communicated by the Member, or Staff acting on behalf of the member, is respectful of the decisions made by Council. Decisions of Council and its committees shall be communicated fairly, honestly and accurately.
- 1.4. When using Richmond Hill branding, which includes the crest and/or corporate logo, the Town's Brand Guidelines must be followed. A Member will consult with the Director of Communication Services prior to using any Richmond Hill branding.
- 1.5. A Member who is a Local Ward Councillor will only send newsletters, mass mailings or any communication using digital communication tools to constituents located in that Member's ward, except:
 - a) where the delivery of newsletters or mass mailings outside of the Member's ward is beyond the Member's control (for example, where Canada Post's un-addressed/bulk mail services delivery zones cross ward boundaries); or
 - b) where a constituent has expressly consented to receive the communication.
- 1.6. A Member may use his or her approved Constituency budget to finance newsletters, mass mailings and the use of digital communications tools. Expenditures for the use of communications tools shall be made in accordance with the **Members Council Expense Policy**, including any approved procedures, or any successor policy.
- 1.7. All newsletters and mass mailings that are distributed using corporate postage accounts require the Clerk's approval prior to any mail out.
- 1.8. No Member shall use any newsletters, mass mailings or any digital communications tools, funded in whole or in-part using any Richmond Hill resources for any election or campaign-related purpose.

- 1.9. Members' shall comply with the Use of Corporate Resources for Election Campaign Purposes policy, or any successor policy adopted on the Municipal Elections Act, in the use of any newsletters, mass mailings or any digital communications tools

2. Newsletters

- 2.1. All Members are permitted to produce and distribute two (2) newsletters each calendar year to households and business properties located within the Member's ward (or Town-wide in the case of the Mayor and the Regional and Local Councillors). In the year of a regular municipal election, a Member will be permitted to produce and distribute one (1) newsletter.
- 2.2. The Clerk may establish procedures determining the maximum number of pages and paper sizes for Newsletters to ensure fairness and consistency between Members.
- 2.3. A Newsletter shall be printed by an external printer/production service provider. The external printer/production service provider will be selected at the discretion of the Member, having regards for Richmond Hill's procurement policies and guidelines, as well as the Code of Conduct.
- 2.4. The cost of producing/printing a newsletter shall be charged to the Member's Constituency Budget. The amount charged to a Constituency Budget will be the actual cost of production, as set out in an invoice, less an amount that is equal to the costs that would have been incurred had the Newsletter been produced in black and white using Richmond Hill owned or leased printing equipment. The amount of the invoice not charged to a Constituency Budget will be charged to corporate printing accounts.
- 2.5. Newsletters will be delivered to residents using the most economical postage method possible, as determined by the Clerk.
- 2.6. The cost of distribution of the newsletters (i.e. the postage) may be paid for from Richmond Hill's corporate postage accounts.
- 2.7. The Clerk may establish any procedures deemed necessary to effectively administer the production and delivery of newsletters.

3. Mass Mailings

- 3.1. Mass mailings, including their production, printing and distribution, shall be funded through approved Constituency Budgets and not expensed utilizing corporate accounts, including corporate postage accounts.
- 3.2. Members' mass mailings should not duplicate Office of the Clerk mailings, including, but not limited to, notices of statutory meetings.
- 3.3. Mass mailings related to Councillor-resident meetings being held in accordance with the approved **Councillor-Held Residents Meetings on High Density Development Applications Policy** are permitted and funded through corporate postage accounts. Distribution of these mailings shall be to the circulation area to which the Office of the Clerk distributes statutory notices.

4. Digital Communications

- 4.1. Where feasible and to reduce costs, Members are encouraged to correspond with their constituents using digital communication tools.

- 4.2. In the use of digital communication tools, Members will abide by any Federal or Provincial laws and/or regulations pertaining to such tools. Canada's new anti-spam legislation (effective July 1, 2014) prevents commercial electronic messages from being sent without the recipient's permission, including messages to email addresses, social media accounts, and text messages. Members must consider the legislation's requirements before sending any communications to constituents.
- 4.3. All costs associated with the use of digital communications tools will be funded through Members' approved Constituency Budgets.

Roles and Responsibilities:

1. Members of Council

- Members are responsible for ensuring the production and distribution of newsletters and mass mailings, or a Member's use of digital communication tools, comply with this Policy.
- Members are responsible for ensuring that Staff acting on behalf of the Member in the preparation of and/or distributing newsletters, mass mailings or using digital communications tools on behalf of the Member are abiding by this Policy.
- Members are responsible for consulting with the Director of Communication Services regarding the use of any Richmond Hill branding, including the crest and/or corporate logo and the Richmond Hill Brand Guidelines, in any newsletter, mass mailing or in the use of any digital communication tools.
- Members are responsible for complying with the Members Council Expense Policy, or any successor policy, as it pertains to the use of any Richmond Hill resources for the production and distribution of newsletters and mass mailings, or a Member's use of digital communication tools.
- Members are personally responsible for any expenses incurred by the Member that do not comply with this Policy.

2. Clerk

- The Clerk is responsible for interpreting and implementing this Policy.
- The Clerk may establish procedures to effectively implement this Policy and will provide notice to Members if any such procedure is adopted.

3. Director of Financial Services/Treasurer

- The Director of Financial Services/Treasurer is responsible for ensuring that Members expenses comply with this Policy.

4. Director of Communication Services

- The Director of Communication Services is responsible for advising Members, or Staff acting on behalf of the Member, on compliance with any use of Richmond Hill branding, including the crest and/or corporate logo and the Richmond Hill Brand Guidelines, in any newsletter, mass mailing or in the use of any digital communication tools.

Monitoring and Contraventions of the Policy

1. All Members of Council are required to comply with this Policy. Non-compliance by a Member will be considered a breach of the Code of Conduct.
2. The Clerk shall be responsible for receiving complaints and/or concerns related to this Policy. Upon receipt of a complaint and/or concern, the Clerk may:
 - Notify the Member to seek resolution; and/or
 - Refer the matter to the Integrity Commissioner pursuant to the Council Code of Conduct.

Related Documents

- Use of Corporate Resources for Election Campaign Purposes
- Members Council Expense Policy and Procedures
- Town of Richmond Hill Council Code of Conduct
- Town of Richmond Hill Branding Guidelines