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C H A M B E R S

Integrity Commissioner Office  
for Niagara Region

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**ADVISORY BULLETIN**

**RE: USE OF SOCIAL MEDIA BY MEMBERS OF COUNCIL  
AND MEMBERS OF LOCAL BOARDS**

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**PURPOSE OF THE BULLETIN**

The purpose of this bulletin is to provide general interpretive advice to *Members of Council and Members of Local Boards* and *Members of the Public on Niagara Region Committees* (collectively “Members”) regarding the use of social media, and how it intersects with the ethical obligations established by their respective Codes of Conduct. This Bulletin does not establish new rules. It also does not replace situation-specific advice from the Integrity Commissioner, which should still be sought by Members when they have questions about their personal ethical obligations.

Members of Council have a general obligation to serve the public in a “conscientious and diligent manner<sup>1</sup>”. As representatives of the Regional government, they must contribute to the Region’s overarching responsibility to provide “good and effective government for the public in the region, in an open, accountable, and transparent manner<sup>2</sup>.”

Likewise, Members of the Public on Niagara Region Committees must “ensure their decisions and conduct maintain and respect Niagara Region’s values of truth, honesty and integrity; take into account the public character of their

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<sup>1</sup> Code of Conduct for Members of Council and Local Boards, s. 2.2

<sup>2</sup> Code of Conduct for Members of Council and Local Boards, s. 4.1

function as an Advisory Committee Member and conduct themselves in a way that maintains and promotes the public's trust in the Regional Municipality of Niagara.<sup>3</sup>"

It is with these overarching principles in mind that Members shall observe and consider their use of social media.

## WHAT IS SOCIAL MEDIA?

Social Media refers to a variety of websites and web-based technologies (e.g., applications or "apps") which are used to produce and/or post content with others (i.e., to interact through text, images, video, and/or audio), and to network socially or professionally in an online virtual environment. Social media can primarily be classified as digital communication and networking tools.

A non-exhaustive list of examples includes: Facebook, Twitter, Instagram, LinkedIn, Snapchat, TikTok, YouTube, and Discord.

## BENEFITS OF SOCIAL MEDIA FOR ELECTED REPRESENTATIVES AND PUBLIC BOARD MEMBERS

Social media enables Members to share information and interact with members of the public on matters of public interest. It provides the public with low-barrier access to communicate with their representatives through direct communication, via a freely accessible web-based interface. Such interactions may help Members gain insight into public aspirations and community concerns. Members may also use social media to enhance their public profiles and increase their influence in the community.

## POTENTIAL PITFALLS OF SOCIAL MEDIA

The pitfalls of online social interaction are likely well-known. Online bullying (also known as "cyberbullying") and harassment have garnered significant attention in society. Social media interactions sometimes leave little opportunity for context or nuance, resulting in such discussions becoming (or appearing to become) ill-tempered. Such interactions between Members with each other, or with members of the public, may lead to Code of Conduct complaints.

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<sup>3</sup> Code of Conduct for Members of the Public on Niagara Region Committees

As a general rule, **social media interactions should be treated in the same manner as face-to-face, telephone, or email interactions.** In other words, the same various Code rules governing respectful conduct – whether at Council or Board meetings, or in other forums – are equally applicable to social media interactions. This does not mean that Members are not permitted to share their political views, even when those views may be unpopular or contrary to prevailing views (with notable exceptions – e.g., discrimination). It does mean that Members must express themselves respectfully and in accordance with the principles and rules set out in the Codes.

## THE CODES OF CONDUCT

The Codes of Conduct are applicable to Members at all times. Accordingly, even if a Member does not use social media in an intentionally professional capacity for their duties as a Member, they are still regarded as public representatives in any interactions they may have and may be held accountable for their conduct pursuant to their respective Code. This is heightened when Members of Council and Local Boards self-identify with their public titles in using social media and when Members in general use social media to communicate with constituents. While it is quite usual for Members of Council to use their title “Councillor” on social media, Members of the Public on Regional Committees are best advised to not use any Region-affiliated title on social media – but may seek advice from the Integrity Commissioner on a case-by-case basis.

**The use of a Member’s title in their social media profile is akin to using the Region’s letterhead.** If a Member of Council would not put something on the Region’s letterhead, they should not post it under their title on social media. As an example, advertising personal, private, or third-party interests on a social media account that includes the Member’s title of office could be seen as improperly using the influence of the office, which is contrary to the Code.

Usage of a title is not conclusive, though. Members should also be aware that not using their title does not necessarily excuse them from their Code obligations – especially (though not exclusively) if the Member uses the social media account for official business in their role as a representative in the Regional government (e.g., communicating with constituents).

Posting a disclaimer that the social media account is private or stating that the views expressed thereon are merely personal in nature also does not necessarily excuse the Member from their Code obligations. Members of Council are

particularly viewed as public representatives at all times. Public posts or interactions with the public are always subject to scrutiny and can become the subject of Code of Conduct complaints.

Accordingly, Members should be cautious about the language they employ in any social media interactions, and particularly avoid language which may be contrary to expectations established by the Codes (e.g., abuse, bullying, discrimination, intimidation, dishonesty, or sharing confidential information).

**Members must also avoid improperly using the Region’s property<sup>4,5</sup> – including its intellectual property (such as trademarks, wordmarks, logos, etc.) – in online posts or interactions that are unconnected to Regional government business.** Members cannot use the Region’s resources for personal business. Accordingly, usage of social media from a Region-issued device or a Region-based account has more stringent rules.

Members may occasionally wish to use their social media to advocate for certain causes that are of community benefit. While this is usually acceptable, if the Member has any concern about the ethical risks of using social media in this manner, they should consult with the Integrity Commissioner.

## ELECTION ACTIVITY

**Social media that has been created or is accessed using the Region’s resources – for example, with assistance from Regional staff; using the Region’s IT or telecommunications equipment; using devices funded by the Region; or associated with a Regional email address, such as the @niagararegion.ca domain – must not be used for election activities, in accordance with the Regional policy<sup>6</sup>.**

Members are further advised to refrain from engaging in campaign activities on social media accounts which use their official title, or from which they conduct official business of the Region, in order to avoid conflating personal interests with public interests or the Region’s property or business interests.

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<sup>4</sup> Code of Conduct for Members of Council and Local Boards, s.7

<sup>5</sup> Code of Conduct for Members of the Public on Niagara Region Committees, “Use of Regional Resources”

<sup>6</sup> Policy C-A-024, “Use of Municipal Resources during the Election Campaign Period.”

## BLOCKING, MUTING, UNFRIENDING

As noted above, challenging interactions are a potential pitfall of using social media. “Block early, block often” has become a common refrain on social media for those in the public eye who might regularly receive insulting or abusive messages online – particularly from anonymous members of the public, who may or may not even be constituents.

There is no specific rule under either Code of Conduct dealing with blocking, muting, or unfriending on social media. However, in light of the overarching principles of the Region, and the general principles guiding the conduct of Members, it is interpreted that those who use social media to engage with the public must do so in an open, transparent, and publicly accountable manner. As a general rule, blocking or unfriending members of the public should not be the automatic *go-to solution* for managing difficult social media interactions.

Members should never feel obligated to accept abuse, bullying, harassment, or threatening behaviour, and conduct by a member of the public which violates the law need not be tolerated. But Members must also balance their public obligations to engage in dialogue with those who may disagree with them. Disagreements – even vigorous ones – on matters of public policy come with the territory of being an elected representative.

If a Member is made to feel unsafe due to conduct or comments which may be abusive, harassing, or threatening in nature (e.g., “trolling”), then the Member may well be justified in blocking or unfriending the involved individual. Conduct which might violate the social media platform’s terms of service may also be reported to that platform. Criminal conduct, or conduct which violates the Ontario Human Rights Code, may be pursued with the appropriate authorities. Specific advice about whether it is appropriate to block someone on social media may be obtained via a Request for Advice from the Integrity Commissioner.