

February 11, 2026

Corrina Giles, Town Clerk
Town of The Blue Mountains,
32 Mill Street,
P.O. Box 310, Thornbury, ON N0H 2P0

Via Email: cgiles@thebluemountains.ca

Re: Use of Corporate Resources for Election Purposes FAQ

This is further to your email of February 7, 2026.

You have asked us to respond to a query posed at the February 2, 2026 Committee of the Whole meeting, when Committee had before it an updated FAQ on the use of corporate resources during an election year.

Committee requested clarification on the highlighted portion of our Answer to the Question referenced below:

Q. Can Town staff lend support to a Member's campaign?

A. Members cannot use the services of any Town staff (during hours in which those persons receive any compensation from the Town) to assist in any communication activity related to the promotion of a candidate, or the preparation or distribution of election related materials or events. **Provided they do not identify themselves as a Town employee, or use Town resources as they do so, staff can support a Member's campaign as a private citizen.**

(emphasis added)

We have been asked to revisit the highlighted portion of the Answer in light of the *Employee Code of Conduct Policy* as it pertains to "perceived conflict", and the *Accountability and Transparency of Town Actions to the Public Policy*.

For context, the FAQ is designed to provide general guidance to its readers. There may be some positions for which incumbents are independently identifiable and for which participation in a campaign, even on their own time, may be problematic.

Two such positions come immediately to mind. It would not be prudent, for example, for either the CAO or the Clerk to engage in any form of political campaigning for those positions demand a perception of absolute neutrality. The same is not true of the majority of positions in a municipality – and when measured against an individual's Charter-protected right to free expression (s. 2(b)), and to association (s. 2(d)), care must be taken to impair rights as little as reasonably possible, with view to the proportionality of the overall impact.

Principles Integrity

Employee Code of Conduct Policy – ‘perceived conflict’

The *Employee Code of Conduct Policy* defines a ‘perceived conflict’ as follows:

A Perceived Conflict of Interest arises where an Employee's Personal or Private Interests would appear, to a reasonably well-informed person, as potentially compromising their impartiality or decision-making, even though there may not be an actual Conflict of Interest.

The policy assists with its interpretation through the inclusion of the following:

Nothing in this Code is meant to conflict with the Town’s obligations to its Employees under applicable employment legislation, collective agreements or employment contracts. Similarly, some Employees (engineers, accountants, planners, etc.) may have professional obligations and should seek clarification from both their manager and their professional associations in the case of a perceived conflict.

It also provides:

Employees are expected to conduct themselves based on the following standards:

2. c) [Under the heading Integrity] Take all possible steps to prevent and resolve any Real, Apparent, Perceived or Potential Conflicts of interest between their official responsibilities and their private affairs in favour of the public interest.

...

4. a) [Under the heading Conflict of Interest] A Conflict of Interest arises when an Employee’s Personal or Private Interests conflict with their duties and responsibilities as an Employee of the Town. A Real, Apparent, Perceived, and/or Potential Conflict of Interest can exist whether a Pecuniary advantage has been or may have been conferred on an Employee or an Immediate Relative.

...

4. f) Employees are to take immediate action to prevent or resolve Real, Apparent, Perceived or Potential Conflicts, and to inform their supervisor / manager that they are unable to act on a matter in which there is a Real or Apparent Conflict of Interest.

4. g) Disclose to their Manager and/or Director, in the case of Directors, to the CAO, in the case of the CAO to Council, in writing in a timely manner, any matter in which there is a Real, Apparent and/or Potential Conflict of Interest. The potential for Perceived Conflicts should also be raised verbally or in writing and in a timely manner, in order to mitigate where possible.

Principles Integrity

4. h) Not participate in the analysis of information or make decisions on an issue or matter in which there is a Real, Apparent, Perceived and/or Potential Conflict of Interest.

[In the final two paragraphs of section 4]

All existing Employees must inform the Manager of Human Resources and their Director immediately of current/changes to personal or Private Interests that have the potential to create a real or Perceived Conflict of Interest as indicated in i – iii above.

The Town, at the discretion of the CAO and in compliance with relevant laws and legislation, reserves the right to make changes to employment terms and status in circumstances where other mitigation options are not available to address real and/or Perceived Conflicts of interest resulting from Personal or Private Interests.

The policy also has a definition for Political Activity:

Political Activity: Includes, but is not limited to, being a candidate for elected office, campaigning for a candidate for elected office, fundraising for an election campaign, or promoting a political party or cause.

and gives only the following treatment to that term:

In section 5(c),

c) Keep individual political activities separate from the business of the Town, including not engaging in any political activities at the Workplace, during working hours or using Town Property or resources.

There is no specific provision in the Town's *Employee Code of Conduct Policy* which derogates from the Answer provided in the FAQ respecting whether a staff member can participate in an election campaign on their own time, and without using corporate resources¹. Indeed section 5(c) of the policy contemplates that political activity is permissible, so long as it is kept separate from the business of the town, is carried out outside working hours, and does not involve the use of Town resources.

With that said for some positions engagement in outside political activity without using corporate resources may be an impossibility given the inherent identification of some incumbents with their role and title, as well as the need for a perception of absolute neutrality as they carry out their duties. For those positions it may be a reasonable restriction on Charter-protected rights to restrict after-hours political activity, but only if the restriction is proportional and minimally done.

¹ For clarity, using one's title or position as a Town employee in the course of a political campaign is to use a corporate resource in the course of campaigning

Principles *Integrity*

Accordingly the FAQ can be modified as follows:

Q. Can Town staff lend support to a Member's campaign?

A. Members cannot use the services of any Town staff (during hours in which those persons receive any compensation from the Town) to assist in any communication activity related to the promotion of a candidate, or the preparation or distribution of election related materials or events. Provided they do not identify themselves as a Town employee, or use Town resources as they do so, staff can support a Member's campaign as a private citizen. For employees whose prominence makes it impossible to not be identified as Town staff, and whose positions require a perception of absolute neutrality (such as the Town Clerk and the CAO), clarification should be sought from the CAO.

It would assist the CAO, if any other positions (aside from the CAO and Clerk) are to be identified as meeting the exceptional criteria noted above (keeping in mind the balancing of Charter-protected rights against reasonable and proportionate restrictions), to carefully identify those positions in advance, and to incorporate an accompanying provision in the *Employee Code of Conduct Policy*, perhaps as an amendment to section 5(c).

Accountability and Transparency of Town Actions to the Public Policy

As requested, we have reviewed the *Accountability and Transparency of Town Actions to the Public Policy* in the context to the Answer referenced above. That policy speaks to how the municipality is to be accountable to the public for the actions it takes, and how it is to be transparent in doing so. It does not speak to the activities staff may undertake on their own time, without using corporate resources, including for election campaign purposes.

We trust the foregoing is of assistance. We would be happy to provide a revised FAQ following Council's consideration of this response.

Sincerely,

Principles *Integrity*
Integrity Commissioner for
the Town of the Blue Mountains