

**THE CORPORATION OF THE TOWNSHIP OF PERRY  
BY-LAW NO. 2019-26**

Being a By-law to adopt a Social Media Policy

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**WHEREAS** the Council of the Corporation of the Township of Perry deems it expedient to establish policies;

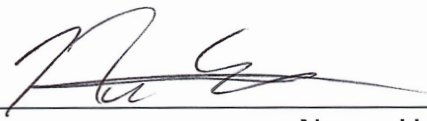
**AND WHEREAS** Section 5(3) of the *Municipal Act, 2001, S.O. 2001*, as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS** Section 10(2) of the *Municipal Act, 2001, S.O. 2001*, as amended, further authorizes that single tier municipalities may pass by-laws regarding accountability and transparency of the municipality and its operations;

**NOW THEREFORE** The Council of The Corporation of The Township of Perry enacts as follows:

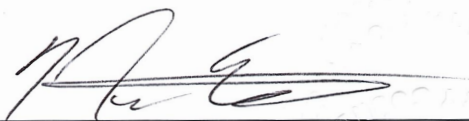
1. That Council hereby adopts the Social Media Policy as presented in Schedule "A".
2. That this By-law shall come into force and take effect upon its third and final reading thereof.


READ a First and Second Time this 1<sup>st</sup> day of May, 2019.

  
\_\_\_\_\_  
Norm Hofstetter, *Mayor*

  
\_\_\_\_\_  
Beth Morton, *Clerk/Administrator*

READ a Third and Final Time and Enacted in Open Council this 1<sup>st</sup> day of May, 2019.

  
\_\_\_\_\_  
Norm Hofstetter, *Mayor*

  
\_\_\_\_\_  
Beth Morton, *Clerk/Administrator*



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Information in this policy is organized under the following headings:

Definitions & Interpretation Rules

Purpose

General Scope

Guiding Principles

- Administration
- Content
- Photos & Photo Galleries
- Advertising
- Control of Content
- Unsuitable Content
- Removal of Content
- Archiving of Content/Retention
- Response to Public Inquiries/Comments
- Individual Usage Guidelines
- Accessibility
- Policy Compliance and Enforcement
- Disclaimer
- Protecting Personal Information
- Use of Non-Personal Information
- Leaving the Township Site(s)
- Ownership of Content and Permission to Reproduce

Appendix A - Employee Acknowledgement Form

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### Definitions and Interpretation Rules

Wherever a word is used in this Policy with its first letter capitalized, the term is being used as it is defined in this Section. Where any word appears in ordinary case, its regularly applied meaning in the English language is intended. Defined terms may be used throughout this policy in different grammatical contexts.

"Accessibility" means the degree to which the website site is available to as many people as possible, including people with disabilities. The concept of accessible design ensures both "direct access" (i.e. unassisted) and "indirect access" meaning compatibility with a person's assistive technology (for example, computer screen readers).

"Commercial endorsement or solicitation" means endorsement by the Township of one product or service over another, as well as statements requiring or requesting receipt of any product, service or assets for personal gain or use.

"Confidential information" means classified as confidential, or proprietary records in the possession of the Township, as well as information about members of the public, municipal staff and elected officials.

"Council" means the elected Council of the Township. A "Councillor" is any member of the Council.

"Department Head" means a Township Employee with administrative responsibilities for a Township Department.

"Designate" means any Township Employee authorized in writing by the Department Head or Clerk-Administrator to act in his/her stead.

"Discriminatory language" means any discriminatory, demeaning or derogatory portrayal of individuals or groups, or contains anything which, in light of generally prevailing community standards, is likely to cause deep or widespread offence. It also means language that promotes, fosters or perpetuates discrimination on the basis of race, creed, colour, age, religion, gender, marital status, family status, status with regards to public assistance, national origin, physical or mental disability or sexual orientation.

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"Employee" means a person who works for the Township of Perry.

"Event" means any information, in the form of a post, notice or event, deemed to be relevant, important or in the interest of the community as determined by Council, the Clerk-Administrator, Department Heads, or Designate(s).

"External Link" means any hyperlink that takes the Website user from the Township's official Website to a third-party Website of another organization, association or group.

"Facebook" is a social networking website intended to connect friends, family, and business associates.

"Personal political content" includes support of, or opposition of, political campaigns or matters before Township Council, personal comments or opinions about Township staff and/or elected officials as well as personal views about the municipal political process.

"Objectionable material" includes matter which may contain, but is not limited to, material promoting hate and/or violence, materials of pornographic, profane or sexually explicit nature. It also includes text that links to sexual or sexually explicit content, content that encourages illegal activity or contains information that may compromise the safety and security of the public or public systems or postings which violate a legal ownership interest of any party including interest in copyright and other intellectual property.

"Social Media" means any form of electronic communication (as Websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (as videos).

"Staff" means any individual employed by the Township at the time of disposition.

"Third Party Website" means a Website, opening a new browser window, resulting from a link from within the Township of Perry URL. Websites of this type are the responsibility of the owner of the site and do not reflect the information, interpretation, comments or opinions of the Township of Perry.

"Township" means The Corporation of the Township of Perry.

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"Twitter" is a website which offers a social networking and micro blogging service, enabling its users to send and read messages called tweets. Tweets are text-based posts of up to 140 characters displayed on the user's profile page.

"YouTube" is a video-sharing website on which users can upload, share and view videos.

### **Purpose**

The purpose of this policy is to explain the roles and responsibilities of all individuals involved in the management and application of the Township Social Media accounts. To establish and provide Employees with guidelines and direction for the proper use of and professional responsibilities for approved Township Social Media accounts regarding content, procedures for revisions, updates, and maintenance, for the Township of Perry.

### **General**

This policy establishes guidelines for the use of approved Social Media applications, specifically so that the disbursement of timely and accurate information is balanced with the Corporation's need to ensure that:

1. The use of Social Media tools do not compromise public safety or the Township's image.
2. The information provided through Social Media is in line with the Corporation's vision and guiding principles.
3. Social Media content does not violate individual privacy or conflict with existing municipal policies and By-laws or other regulations as applicable.
4. Social Media content posted on behalf of the Township is accurate, accessible, transparent and accountable.

The Township of Perry is committed to excellence in municipal management with a focus on accountability, transparency, communication and customer service. As a result, the Township strives to provide open access to information about its policies, services, and initiatives.

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The Township recognizes that Social Media applications are widely utilized as communication tools with the potential to provide the public with timely information. The Township is committed to disbursing information in a range of formats to reach a variety of stakeholders.

In a municipal setting, Social Media tools can be used to communicate public notices, upcoming meetings, special events, public service information, etc. Specific Social Media applications, such as YouTube, may be utilized from time to time under appropriate circumstances. Videos posted to YouTube will follow the same guidelines as all other Social Media applications as noted below and outlined in this policy.

In addition to information and services pertaining to The Corporation of the Township of Perry, the Township's Social Media accounts may also contain links to organizations that provide additional information to programs and services offered by the Township, within the geographical boundary of the District of Parry Sound, as well as links to Websites and/or other Social Media accounts that offer other community based information.

The Township encourages the use of approved Social Media sites to further the goals of the Township and the missions of its departments, where appropriate. Employees and Township Council members representing the Township government via Social Media outlets must conduct themselves at all times as representatives of Township of Perry. All content (text and visual) shall contribute to a professional and unified corporate brand.

The Township shall administer and maintain the following Social Media Accounts:

Clerk's Department – Administration

- Corporate Facebook
- Corporate Twitter

### Scope

This policy applies to all Employees and Members of Council authorized to use, edit and maintain the Township Social Media Accounts, and any other domains owned by the Township.

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### Guiding Principles

#### Administration

The Clerk's Department shall be the lead department for the Township's online Social Media communication strategies. All Social Media sites and activity must be approved by the Clerk-Administrator or Designate(s). The Clerk's Department will maintain the approved Social Media sites. Technical maintenance and assistance will be requested from the current Information Technology (IT) vendor as required.

Login and passwords should adhere to strong password guidelines and provided to the Clerk-Administrator. Passwords are to be unique and confidential.

User setup for editing purposes of the Social Media accounts will be administered through the Clerk's Department.

#### Content

Social networking applications shall be executed following the same guidelines as other Township communication applications. The following information will be permitted:

- Information pertaining to Township business and Township sponsored events and activities;
- Information pertaining to Township recreation, not for profit, service clubs and/or community Events or associations;
- Information pertaining to public health and safety (i.e. road closures, inclement weather, etc.).
- Other at the discretion of the Clerk-Administrator and in reference to the Guiding Principles of this Policy.

#### Internal Content & Submission Requests

Township Staff and Council members may submit information for inclusion on Social Media accounts, according to the criteria outlined further in this policy, to the Clerk's Department for consideration.

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The information must:

- Be open to the general public;
- Occur within the boundaries of the District of Parry Sound;
- Be organized by the Township of Perry;
- Be funded in full, or in part, by the Township;
- Be sponsored by the Township.

### External Content & Submission Requests

Township Staff and Council members may submit information for inclusion on Social Media accounts, according to the criteria outlined further in this policy, to the Clerk's Department for consideration. The information must:

The Township will consider sharing external information on its Social Media accounts, if the information is in reference to:

- An official government Website (municipal, regional, provincial, federal);
- A government-funded agency or board;
- A registered not-for-profit organization operating within the Township or the District of Parry Sound that performs service work beneficial to Township residents;
- A business improvement area;
- A major community tourist attraction as determined solely by the Township;
- Sites which are deemed to be of interest to our visitors (i.e., businesses, organizations or community groups, frequently requested community related site (local media);
- Any site approved by Council.

Prospective sites will be reviewed to ensure that, in the sole opinion & discretion of the Township, they are in keeping with the above criteria. The Township reserves the right to accept or deny any requests for references to or links to Third Party Websites.

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The Township will not post information:

- For personal websites;
- For individual businesses (excluding major tourist attractions);
- For political parties;
- That are commercial in nature and, in the Township's sole opinion, are attempting to advertise, promote or sell products or services of an individual or an individual business;
- That promote, exhibit, illustrate or manifest hate or obscene/pornographic/sexual content of any kind;
- Do not comply with municipal, provincial or federal legislation;
- That promote an individual religion or religious service;
- For events deemed by the Township to be political in nature will not be posted after the writ has been dropped for a federal or provincial election, or after the 151<sup>st</sup> day of a municipal election year.

### Photos & Photo Galleries

Photo galleries will be developed and maintained by the Clerk's Department. Township Staff, Council members and the general public may submit a request to the Clerk-Administrator for inclusion of a photo on the Township's Social Media accounts. Eligible photos must be directly related to one of the following:

- The operation and provision of services within the Township's various departments;
- Local historical sites;
- Life, events and attractions within the Township of Perry;
- Local Wildlife.

Locations within photos must be clearly identifiable as a public place and/or space.

### Advertising

The publication, production and placement of advertisements on the Township's Social Media accounts will be done at the sole discretion of the Clerk-Administrator or Designate(s).

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### Control of Content

The Clerk's Department will work collaboratively with Staff and/or Council members to ensure that information published on Social Media sites regarding Township policies, programs, services, events and initiatives are accurate, easy to understand and accessible in multiple formats.

Complaints about any aspect of the Social Media Management & Usage Policy should be brought first to the attention of the Clerk's Department. Any unresolved issues will be addressed by the Clerk-Administrator.

The Township of Perry website ([www.townshipofperry.ca](http://www.townshipofperry.ca)) will remain the Township's primary and predominant internet presence for in-depth information, forms and online documents.

All Social Media sites will direct visitor comments, inquiries and/or complaints back to the appropriate section of the website.

Each department shall be responsible for ensuring the clarity, accuracy and relevance of content submitted for posting on approved Social Media sites. Each Department Head will be responsible for the review of online content relevant to that department.

Authorized Employees and Council members should carefully consider messages to be posted to approved Social Media sites. Content generated by Employees and/or Council members of the Township of Perry are records owned by the Corporation and not the individual Employee. In addition to being a record of the Township, content maintained in a Social Media format that is related to Township business is a public record and is subject to the rules of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O 1990.

Notwithstanding the criteria listed above, the Township reserves the right to post, refuse to post, or remove, any information from its Social Media page(s) or to delete information already posted on its site at any time, without notice.

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### Unsuitable Content

Content may be deemed unsuitable if it includes Commercial Endorsement or Solicitation, Personal Political Content, Confidential Information, Objectionable Material, Discriminatory Language, or violates the terms of this policy or other by-laws, policies or procedures of the Township of Perry. For the purpose of this Policy, refer to the content section for further clarification.

### Removal of Content

The Clerk-Administrator or Designate(s), in conjunction with the Clerk's Department reserves the right to edit or remove content from the Social Media sites that is deemed unsuitable, inappropriate or in violation of this Social Media Management & Usage Policy.

Content will be removed by the Township without notice if, but not limited to, any of the following conditions apply:

- An External Link, post, notification, Event or photo's original information has been altered and the context of the information has changed.
- The External Link, post, notification, Event or photo no longer meets the conditions listed above as acceptable.
- In the Township's sole opinion, the information becomes inaccurate and/or not trustworthy.
- Page formatting, lengthy download items or intrusive advertising make accessing information difficult.
- An External Link returns a "not found" error for more than 72 hours.
- The External Link, post, notification, Event, activity, program, meeting, festival or photo is deemed unsuitable.
- The External Link, post, notification, Event or photo content does not comply with Township, provincial or federal legislation.

### Archiving of Content/Retention

Information placed on Social Media accounts will be archived and/or retained as per the requirements of the Retention By-law.

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### Response to Public Inquiries/Comments/Complaints

Township Staff will not respond directly to comments, inquiries and/or complaints that are generated by the public as a result of content posted on Social Media sites used by the Township, except where deemed appropriate by the Clerk-Administrator or Designate(s).

All public comments, inquiries and/or complaints are to be directed to the Township Website inquiry/comment portal.

### Individual Usage

Personal pages online are not to be used for discussion of Township issues, employees, clients and/or business relationships. Staff and Council members are encouraged to direct all comments, inquiries and/or complaints to the Township Website. (ie no campaigning using official account, avoid conflict of interest, not a venue to criticize Staff, Council, or other forms of government - municipal, provincial or federal).

This policy is not intended to interfere with the private lives of staff and Council members, or to impinge the right to freedom of speech. This policy is designed to ensure that the Township's image and branding are maintained.

### Accessibility

The Township of Perry values the contributions and participation of all citizens and Staff. To facilitate this involvement, the Township is committed to working towards providing goods, information, services and programs that are accessible to all.

### Disclaimer

Information on the Township Social Media accounts is provided solely as a guide to services offered, and as a source of communication for upcoming events and public notices. Every effort will be made to ensure that the content contained within the Social Media accounts are relevant, current, timely and accurate; however, due to

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circumstances beyond the control of the Township, information may change without notice.

The Township is not responsible for comments made by subscribers or members related to its Social Media applications and reserve the right to remove any content that is inappropriate for any reason and at any time. Third-party Social Media sites are private businesses with their own terms of service and privacy policies. The Township does not accept any responsibility for the operation of third-party Social Media sites and is unable to guarantee the privacy of individuals who access content provided to such sites by the Township.

The Township does not make any representation or warranty, expressed or implied, concerning the accuracy, quality, likely results or reliability of the information contained in externally linked Websites.

The Township is not responsible for, and does not endorse, the information on any linked web site unless the Township's website states otherwise.

### Protecting Personal Information

The Township is staffed by professionals who strive to serve its residents and clients with quality customer service. The Township Social Media accounts are operated in accordance with this same set of values. The Township is committed to protecting the privacy of visitors to the Township Social Media accounts.

The Township will not collect or use techniques to collect personal information without the express consent of the Social Media visitor. Any identifiable data about visitors will be securely stored through the company hosting database and through the guidance of the Information Technology (IT) vendor.

The Township will provide specific notice before collecting any personal information (details that can identify individuals, such as a name or address). The Township will explain what information is being collected, and how it will be used.

The information collected will be under the authority of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990.

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### Use of Non-Personal Information

The Township's Social Media outlets are public sites. Leaving the Township Site(s), this policy discloses the privacy practices for Township's Social Media accounts. However, the Township site(s) may contain links to other sites, which may be subject to privacy policies that do not coincide with those of the Township of Perry.

### Ownership of Content and Permission to Reproduce

The copyright in all materials displayed on or contained within the Township's Social Media accounts owned or operated by the Township, including without limitation, the underlying HTML, text, illustrations, designs, icons, audio clips, video clips, documents and all other content is either owned by the Township or is owned by the original creator, or an assignee of that creator. Some materials on Social Media sites may be subject to copyrights held by other organizations or individuals.

In some cases, it may be necessary to seek permission to reproduce the materials from the original author or copyright holder.

The Township does not grant permission, without prior consent, to reproduce, distribute, republish, download, display, post or transmit in any form or by any means, information that is proprietary to the Township.

### Policy Compliance & Enforcement

Senior Management is expected to ensure that staff under their supervision are aware of this policy and take appropriate measures to ensure compliance.

All Township Social Media activity must also comply with relevant municipal policies, standards and By-laws. including, but not limited to:

- Accessibility and Customer Service Policy
- Accountability and Transparency Policy
- Code of Conduct for Members of Council, Local Boards and Committee Members
- Workplace Violence & Workplace Harassment Policy
- Municipal Freedom of Information and Protection of Privacy Act

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All Township Employees and Council members are expected to comply with this policy. Employees who participate in inappropriate use of Social Media and/or online communication, including those made during off working hours, may be subject to disciplinary action including termination of employment.

This policy will be implemented and administered through the Clerk-Administrator, or Designate(s), in cooperation with all Department Heads. Each item shall be reviewed by authorized Employees prior to placement on approved Social Media accounts to ensure the information provided meets the standards and criteria as set out in this policy.

The ultimate decision regarding the addition, removal or denial of Social Media material will be made by the Clerk-Administrator or Designate(s).

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### Appendix "A"

#### Policy Acknowledgement & Agreement

I, \_\_\_\_\_, acknowledge that I have read and understand the Social Media Management & Usage Policy of the Corporation of the Township of Perry.

I agree to adhere to this policy and understand that if I violate the rules of this policy, I may face legal, punitive or corrective action, up to and including termination of employment and/or criminal prosecution.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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