

Municipality Of Chatham-Kent

Community Development

Municipal Governance

To: Mayor and Members of Council
From: Judy Smith, Director Municipal Governance/Clerk
Date: May 22, 2018
Subject: Election Candidate Information Requests

Background

The Chatham-Kent Municipal Election will be Monday, October 22, 2018. The nomination period opened on May 1 and will close on Friday, July 27, 2018 at 2:00 p.m.

Candidates often research information for their campaign. The Municipality is committed to being an open and transparent municipal government and ample information is available on the municipal website.

Comments

Candidates have interest in getting information from municipal employees for their campaign. Administration understands the need to do research for election campaigns once an individual becomes a candidate for Council.

Senior staff are encouraged to provide answers to questions from candidates, without requiring a Freedom of Information application, when the question is brief and does not invoke privacy concerns.

In instances where the request is lengthy or requires a significant amount of staff time, a Freedom of Information application is required. Privacy concerns often arise when candidates are seeking information relating to employees, services, contracts, etc. The Municipality is obligated in all instances to follow the relevant legislation, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) as well as its sister legislation known as PHIPPA. Forms for such a request costs \$5.00, plus cost of staff time at \$30 per hour. Requests for information should be directed to the Municipal Clerk.

In regard to privacy, candidates and the public are reminded that administration is obligated under MFIPPA and PHIPPA not to disclose some information to the public. The municipality can be liable for disclosure of personal information that it is obligated at law to keep confidential.

Most information can be researched on the municipal website. For example, Council is regularly informed of detailed financial matters in staff reports that are public information and can be found on our Council agenda, reports and minutes of meetings. Staff do not research information on our public website for candidates for council.

Some candidates have requested meetings with senior staff. This is not something which administration recommends. It provides an unfair playing field for candidates if some are granted meetings and interviews while others are not. Senior staff cannot meet with all candidates. In addition, senior staff must remain neutral throughout the election and should not be seen to be helping one candidate over another. Senior staff should remain neutral and usually silent on issues raised by candidates.

Consultation

The Executive Management Team was consulted regarding information requests received from candidates.

Financial Implications

There are no financial implications to this report.

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RTC:Legislative Services/2018 files/Municipal Governance/May 28 - Election Candidate Information Requests