



MINUTES OF PROCEEDINGS

OTTAWA, Thursday, November 30, 2023
(29)

[English]

The Standing Committee on Internal Economy, Budgets and Administration met this day at 9:01 a.m., in room C128, Senate of Canada Building, the chair, the Honourable Lucie Moncion, presiding.

Members of the committee present: The Honourable Senators Boehm, Boyer, Dalphond, Forest, Loffreda, Marshall, Moncion, Moodie, Plett, Quinn, Saint-Germain, Seidman, and Smith (13).

Other senators present: The Honourable Senator Audette and Cotter (2).

Participating in the meeting: Pascale Legault, Chief Corporate Services Officer and Clerk of the Standing Committee on Internal Economy, Budgets and Administration; Gérald Lafrenière, Interim Clerk of the Senate and Clerk of the Parliaments and Chief Legislative Services Officer; Philippe Hallée, Law Clerk and Parliamentary Counsel; senior Senate officials and other support staff.

WITNESSES:

The Honourable Senator Raymonde Saint-Germain, Chair, Subcommittee on Human Resources;

The Honourable Senator Larry W. Smith, Chair, Subcommittee on Communications;

The Honourable Brent Cotter, Chair, Standing Senate Committee on Legal and Constitutional Affairs;

Élise Hurtubise-Loranger, Senior Parliamentary Counsel, Office of the Law Clerk and Parliamentary Counsel;

Jeremy LeBlanc, Clerk Assistant and Director General, International and Interparliamentary Affairs;

Mélisa Leclerc, Director General, Communications, Broadcasting and Publications Directorate;

David Plotkin, Parliamentary Counsel, Office of the Law Clerk and Parliamentary Counsel;

Julia Zayed, Officer, Accessibility, Communications, Broadcasting and Publications Directorate.

Pursuant to rule 12-7(1) of the *Rules of the Senate*, the committee continued its consideration of financial and administrative matters concerning the Senate's internal administration.

The senators introduced themselves.

CIBA/2023-11-30/325(P) — Adoption of *Minutes of Proceedings* from November 9, 2023 (public)

The committee considered the Minutes of Proceedings from November 9, 2023 (public).

The Honourable Senator Plett moved that the Minutes of Proceedings of Thursday, November 9, 2023 (public), be adopted.

The question being put on the motion, it was adopted.

CIBA/2023-11-30/326(P) — Report from the Subcommittee on Human Resources — Senators' Regional Offices (Continued)

The Honourable Senator Saint-Germain made a statement and, together with Élise Hurtubise-Loranger and Philippe Hallée, answered questions regarding the subcommittee's Twelfth Report.

After debate, the Honourable Senator Saint-Germain moved that this matter be referred back to the Subcommittee on Human Resources.

The question being put on the motion, it was adopted.

CIBA/2023-11-30/327(P) — Second Report from the Subcommittee on Communications

The chair of the Subcommittee on Communications, the Honourable Senator Smith, presented the subcommittee's Second Report as follows:

Thursday, November 30, 2023

The Subcommittee on Communications of the Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

SECOND REPORT

Your subcommittee, which was authorized by the Standing Committee on Internal Economy, Budgets and Administration (CIBA) to examine and report on issues related to Senate communications and broadcasting, and to provide advice on the Senate's communications strategy and its implementation, including communication approaches used to promote the role and work of the Senate and senators, now presents its second report.

On November 20, 2023, your subcommittee met to consider the following four items:

1. QUARTERLY REPORT ON INTELLECTUAL PROPERTY REQUESTS

Your subcommittee received a presentation for information from the Communications, Broadcasting and Publications Directorate (COM) relating to requests from the public to use Senate intellectual property (IP) for a commercial benefit.

On May 11, 2023, the Senate adopted an amendment to the *Senate Administrative Rules* to allow COM, in consultation with the Office of the Law Clerk and Parliamentary Counsel, to make decisions on requests that involve commercial uses of Senate IP that are “insignificant in nature.” As these requests had previously been assessed by CIBA’s Subcommittee on Agenda and Procedure (Steering), CIBA required that COM report quarterly about any such requests.

Your subcommittee heard that during the third quarter of fiscal year 2023-2024, the Senate received one IP request that was deemed to involve a commercial use insignificant in nature.

Your subcommittee has provided the quarterly report below, for CIBA’s information:

REPORT

During the third quarter of fiscal year 2023-2024 (October 1, 2023, to December 14, 2023), the Senate received one (1) intellectual property (IP) request that was deemed to involve a commercial use. It was insignificant in nature and could not be easily characterized as fair dealing.

(Fair dealing is a right in the *Copyright Act* that allows for the use of copyrighted material in certain circumstances such as education, satire and criticism. *Senate Administrative Rules* 3:03 11(a) specifically allows the commercial use of Senate IP by way of fair dealing.)

The Communications, Broadcasting and Publications Directorate and the Office of the Law Clerk and Parliamentary Council evaluated the following request:

1. Photo and 30-second video clip of committee witness Audrey-Lise Rock-Hervieux’s testimony during a meeting of the Senate Committee on Indigenous Peoples (APPA) as part of Voices of Youth Indigenous Leaders 2023.
 - a. Requested by Pamplemousse Média for the television program “La Soirée Mammouth,” scheduled to be broadcast on Télé-Québec on December 8, 2023.
 - b. Request was deemed commercial but insignificant in nature and **approved by Senator Francis as Chair of APPA.**

2. REPORT ON ACCESSIBILITY

Your subcommittee received a presentation from the Senate Accessibility Officer (SAO) regarding the 2023 Senate Accessibility Plan Progress Report, a copy of which has been provided to CIBA. The role of the SAO is to co-ordinate, prioritize and communicate the Senate Administration's implementation of accessibility related objectives, in consultation with stakeholders.

Consultations took place in fall 2023 and included witnesses who testified during a committee study of Bill C-22, *Canada Disability Benefit Act*, where special accommodation measures had been put in place with the aim of removing barriers to witnesses who identified as having a disability. Consultations showed areas of strength (e.g., the creation of accessible document templates, responsiveness to accommodation requests) and areas of improvement (e.g., improving awareness of available accommodations, eliminating physical barriers in the built environment such as broken accessibility buttons). The Administration is acting on this feedback.

Your subcommittee felt that information sharing within the Senate Administration could be improved to better support employees with a disability. While safeguarding employee privacy is essential, the Administration's accessibility initiatives could be more effectively prioritized if anonymized information were made available to the SAO about the nature of disabilities and barriers that some employees experience.

Your subcommittee is pleased to note that 11 of the 12 goals due to be completed in 2023 have been achieved. The remaining goal — relating to wayfinding and signage — was delayed until Accessibility Standards Canada releases its national standards on wayfinding and signage, now expected in 2026.

The *Accessible Canada Act* and its regulations require the Senate to publish an annual progress report on the implementation of its accessibility plan by December 31, 2023. Once the report is published, the Senate must notify Canada's Accessibility Commissioner. The report will be published on the Senate website on December 20, 2023, after which the Accessibility Commissioner will be notified.

RECOMMENDATION

Accordingly, your subcommittee recommends that CIBA approve the 2023 Senate Accessibility Plan Progress Report and direct that the Senate Administration make available anonymized information about the nature of disabilities that Senate employees experience to the Senate Accessibility Officer.

3. PAID SOCIAL MEDIA SUBSCRIPTIONS

Your subcommittee received a presentation from COM regarding whether paid subscriptions to social media accounts for senators are eligible for reimbursement from a senator's office budget under the *Senators' Office Management Policy* (SOMP). There is currently no provision in SOMP that directly addresses this; an amendment to SOMP is required if paid subscriptions for social media accounts are to be eligible for reimbursement.

Paid social media subscriptions can offer enhanced visibility for posts and additional functionality and serve senators in their parliamentary functions. X (formally Twitter), Google (YouTube) and LinkedIn offer premium paid services; companies such as Meta (Facebook, Instagram) may follow suit. A subscription to the premium versions of X, LinkedIn and YouTube would cost approximately \$570 per year.

Your subcommittee emphasizes that social media use funded from a senator's office budget would have to comply with the *Senate Administration Rules* (SARs) as well as SOMP. SARs state that Senate resources may only be used for "the parliamentary functions of senators" and/or in "the service of the Senate." As such, certain types of partisan and commercial activities, for example, would not be permitted on social media platforms funded from a senator's office budget.

The Senate Administration has the capacity to process additional expense claims if fees are processed on an annual basis and eligibility for reimbursement would be restricted to senators' accounts.

RECOMMENDATION

Accordingly, your subcommittee recommends that CIBA:

- **Amend the Senators' Office Management Policy by adding a reference to social media to the title of section 5.12 and adding, after paragraph 5.12.4, the following paragraph (new text in *italics*):**

5.12 IT Equipment, Software *and Social Media*

...

5.12.5 Fees associated with accessing social media platforms or features that enhance the use of those platforms are eligible expenses paid for from a senator's office budget provided that

- a. the fees, if recurring, are paid on an annual basis;***
 - b. the platform or features have been approved by the Information Services Directorate; and***
 - c. the account established to access the platform or features belongs to the senator and is associated with a Senate email address.***
- **Direct the Senate Administration to make consequential amendments to the Senators' Office Expense Index to reflect the above amendment.**

4. INCLUSION OF MEDIA SOURCES IN THE CLIPPINGS

Your subcommittee received a presentation from the Communications, Broadcasting and Publications Directorate (COM) regarding a recurring issue about whether certain media sources should be included in the Senate clippings.

Your subcommittee heard that the clippings are compiled from sources for which a third-party service provider (Critical Mention, a web-based media monitoring tool) has distribution rights. The clippings currently include all available sources from Critical Mention that mention the Senate or a senator's name within a specified period. A source's inclusion in the clippings does not constitute an endorsement of the media source; the clippings are provided for information only.

Concerns have been expressed about the inclusion of specific sources in the clippings. COM has been requested to exclude these sources. Your subcommittee is of the view that it would be inappropriate for Senate Administration officials to suppress public mentions of the Senate, and that gaps in clippings coverage may prevent senators' staff and COM from providing the best possible communications advice to senators.

RECOMMENDATION

Accordingly, your subcommittee recommends that CIBA endorse the current practice of including all Critical Mention sources with public mention of the Senate in the media clippings and direct COM to amend the disclaimer in the clippings as follows (new text in *italics*):

The materials provided by the Senate Communications Directorate are obtained via Critical Mention and are intended solely for private, research, educational and non-commercial use by senators, their staff and the Senate Administration. *Sources are automatically included if they are available on Critical Mention and if the article or clip mentions the Senate or a senator's name.* Any resale, redistribution, downloading, or storage of these materials, in whole or in part, for any purpose other than private research or reference, is strictly prohibited. In addition, these materials may not be shared, republished, displayed or otherwise publicly exhibited outside of the Senate including by posting content, clips and links to social media or other public websites. Failure to comply may result in liability for copyright infringement or otherwise, pursuant to applicable laws.

Respectfully submitted,

LARRY W. SMITH

Chair

The Honourable Senator Smith made a statement and, together with Mélisa Leclerc, answered questions regarding the Second Report.

After debate, it was agreed that section 3 and 4 of the Second Report be deferred and that the subcommittee further study those items.

It was further agreed that the subcommittee's Second Report be adopted, as amended.

CIBA/2023-11-30/328(P) — Budget Request — Legal and Constitutional Affairs Committee

The Honourable Senator Cotter made a statement regarding the budget request by the Standing Senate Committee on Legal and Constitutional Affairs.

After debate, the Honourable Senator Forest moved that budget request of the Standing Senate Committee on Legal and Constitutional Affairs be approved.

The question being put on the motion, it was adopted.

CIBA/2023-11-30/329(P) — Budget Deficit — 30th Annual Session of the OSCE Parliamentary Assembly

Jeremy Leblanc made a statement and answered questions regarding the budget deficit of the 30th Annual Session of the OSCE Parliamentary Assembly.

After debate, it was agreed that this item be further discussed at a future meeting of the committee.

It was agreed that items 7, 8, 10 and 11 be deferred.

At 10:31 a.m., the committee suspended.

At 10:34 a.m., pursuant to 12-16(1), the committee proceeded in camera.

At 11:07 a.m., the committee adjourned to the call of the chair.

ATTEST:

Pascale Legault

*Chief Corporate Services Officer and Clerk of the Standing Committee on
Internal Economy, Budgets and Administration*

Keli Hogan

Recording Secretary