

Information Report



Service Area	Corporate Services
Date	Friday, June 4, 2021
Subject	Vote from Home Service Pilot for the 2022 Municipal Election

Executive Summary

Purpose of Report

To provide Council with an update on the vote from home service pilot mentioned as part of report number 2021-30 on [voting systems and alternative voting methods for the 2022 municipal election](#) before a by-law is brought forward on July 19, 2021 for Council adoption.

Key Findings

A vote from home service pilot is recommended to support voters who cannot leave their homes and would be unable to vote using any other alternative voting options due to illness, injury or disability. This alternative method would be implemented during the advanced voting period.

Financial Implications

The cost to implement a vote from home service will depend on the number of voters who use this alternative voting method and the number of days it is offered.

Preliminary estimates anticipate a maximum cost of \$8,000 to offer 60 appointments over three days during the advanced voting period.

This service can be fully funded from the election reserve and final costs will be reported as part of the post-election report to Council.

Report

Details

Prior to each municipal election, Section 42 (1) of the Municipal Elections Act (MEA) requires that:

- 42 (1) The council of a local municipality may pass by-laws,
 - (a) authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators;
 - (b) authorizing electors to use an alternative voting method, such as voting by mail or by telephone, that does not require electors to attend at a voting place in order to vote. 1996, c. 32, Sched., s. 42 (1).

On February 17, 2021, a report on [voting systems and alternative voting methods for the 2022 municipal election](#) received Council approval for the use of vote tabulators and vote by mail as an alternative voting method. This report mentioned that the City Clerk's Office was considering a vote from home service pilot which was encouraged by a unanimously passed Council resolution "that City Council supports the potential implementation of a pilot for the delivery of a home visit program during the 2022 municipal and school board election".

Upon reviewing the language in the MEA, it is not completely clear whether a vote from home service is considered an alternative voting method that requires Council approval. In the interest of clarity, staff feel it is beneficial to have a by-law which specifically enables vote from home approved by Council. This by-law will be brought forward on July 19, 2021 for Council adoption.

The last day for Council to pass a by-law authorizing this service for the 2022 municipal election is May 1, 2022. However, passing the by-law at this time will allow for greater planning and preparation.

Supporting voter access and enfranchisement

A vote from home service pilot is recommended to support voters who cannot leave their homes due to illness, injury or disability. This service would enhance voter access and enfranchisement where in-person voting, vote by mail and proxy voting options would not enable voters to cast a ballot.

This service is not legislatively required for municipalities; however, this service aligns with the MEA requirement that:

12.1 (1) A clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities. 2009, c. 33, Sched. 21, s. 8 (8).

Proposed pilot

The home vote service would be available to eligible voters who are unable to vote using other voting methods due to illness, injury or disability. This service could not be requested for other people in the home to vote at the same time if they are able to vote using any other voting method. The service would not extend beyond City of Guelph boundaries. Due to the nature of home visits, candidates and scrutineers would not be permitted to attend the home vote appointments; however, they would be able to attend ballot counting and results tabulation on Election night.

A pilot approach would involve placing a cap on the number of appointments offered in 2022, offering appointments only on designated days at designated times during business hours. Staff are recommending that 60 vote from home appointments be offered over three advanced voting days during business hours. This number of appointments could be supported by two teams of election officials, would allow sufficient time to pick up supplies, drive between appointments and securely drop off supplies and marked ballots at the end of each day. This method would be communicated on the City's election webpage, on voter notification cards and shared with the Accessibility Advisory Committee (AAC) and community groups that provide support services for individuals living with disabilities. During the pilot

phase, broader advertisement and communication through social media would be limited.

A pilot approach would help anticipate the level of service to plan for and could be scaled up based on lessons learned in future elections and by-elections. This pilot approach is consistent with what has been offered in other municipalities, including Toronto, Oakville and Brampton. In discussion with the Federal and Provincial Returning Officer for Guelph, the number of people accessing this service can be up to 70 individuals. In the event that additional requests could be accommodated, the Clerk would use discretion in booking additional appointments above the cap of 60 appointments planned for.

A vote from home service would be offered as a final option only for voters who are otherwise unable to use any other method. Staff appreciate that there is increased need for considerations to support individuals who are immunocompromised in the context of the COVID-19 pandemic. Each request for an appointment would confirm that no other voting methods could be accessed. Should pandemic considerations continue into 2022, staff are committed to working with Wellington-Dufferin-Guelph Public Health (WDGPH) to ensure that all voting methods are safe and all recommended precautions are in place. With over 95,000 eligible voters, it would not be possible to scale up the vote from home service to accommodate all voters who have concerns with attending in-person voting locations or using vote by mail. A number of other municipalities successfully ran by-elections during the pandemic, including Cambridge, Toronto, Ottawa, Windsor and Pelham. Lessons learned would be used when planning for all voting methods.

Voters who meet the criteria for this service would be able to request a home voting appointment by contacting the City Clerk's Office. Appointments would be booked between mid-September, after voter notification cards go out, until the last day the vote from home service is offered during the advanced voting period. During appointment booking, a voter would be asked to confirm that they are eligible for the vote from home service, in that they are unable to leave their home due to illness, injury or disability and that they are unable to vote using any other method. In the interest of privacy, they would not be asked to verify their eligibility. Further information would only be gathered if the voter indicates that specific accommodations are needed in order to assist them in voting. City Clerk's Office staff would also check if the voter is on the voters' list and could add or update information as required. The appointment would then be finalized and the voter would be given information on what to expect when the election officials arrive for their appointment.

To conduct a home visit, election officials would go out in a team of two. Before entering the voters' home, officials would call the central election team to confirm their arrival and call the voter before knocking and entering. Voter identification would be checked to verify the name and address of the voter and ensure it matches what is on the voters' list. The voter would sign a form acknowledging that they have cast their ballot using the vote from home service. If required, the voter could request assistance from election officials to mark the ballot. If the voter would like a caregiver or family member to assist in marking the ballot, this would be allowed after the person assisting swears an oral oath indicating they will mark the ballot as directed by the voter and that the secrecy of the vote will be upheld.

This is the same process followed at an in-person voting location. The ballot would be provided in a secrecy folder with instructions on how to mark it. The voter could mark their ballot in another room of the house or behind a secrecy screen so that confidentiality is maintained. After being marked, the ballot would be returned in the secrecy folder and deposited into a ballot box. After leaving the voters home, election officials would call back into the election team to verify that the person voted so that they could be struck off the electronic voters' list. The election officials would then proceed to the next home visit. At the end of each day this service is offered, the ballot box would be sealed and secured back at a central election location.

Procedures would be developed to provide clarity around when home vote ballots would be counted and how to handle a ballot if it is rejected under different circumstances. For example, if it is under-voted, over-voted, blank or damaged. The results would be uploaded and reported with other vote by mail or in-person votes. Vote from home results would be fully integrated with other results reporting to ensure secrecy and confidentiality of the vote.

Principles of the MEA

A vote from home service pilot would support all principles of the MEA by:

- Maintaining the secrecy, confidentiality and integrity of the voting process. Procedures would be similar to in-person voting with a voter receiving and returning their ballot in a secrecy folder and no way to connect the ballot in a ballot box with the voter who cast it.
- Supporting a fair, unbiased and accessible election by enabling voters to mark and cast their ballot.
- Providing certainty that results reflect votes cast would be assured with procedures similar to in-person voting and a paper ballot that could be audited or recounted if needed.

Engagement feedback

The City Clerk's Office has engaged with Accessibility Services staff and the AAC on the use of vote-counting equipment and alternative voting methods, including the vote from home pilot. City Clerk's Office staff attended the December 22, 2020 meeting of the AAC to seek feedback prior to the voting methods by-law coming forward on February 17, 2021. Staff also attended a subsequent meeting of the AAC on April 20, 2021 to seek feedback prior to the vote from home pilot report and by-law coming forward.

During the meeting on April 20, 2021, the AAC passed a resolution with recommendations related to the vote by mail and the vote from home alternative voting methods. Each recommendation and associated actions are outlined below followed by the position of the City Clerk's Office. The motion has been provided as Attachment-2 to this report for full transparency.

Recommendation 1 - The AAC sub-committee recommend that the AAC recommend to the City that they offer mail in voting with an electronic ballot marking option as the first and foremost to accommodate people with disabilities to participate in the 2022 municipal election. Which could include:

- Increase operating hours of local libraries during election for use of computers to mark their ballots; and
- Make printing from local libraries available and free of charge to print ballots completing the voting process.

It is the position of the City Clerk's Office that [by-law \(2021\) – 20575](#), passed on February 22, 2021, does not authorize the electronic delivery or marking of a ballot. At the time of passing, Council approved a process of receiving and marking a mailed paper ballot based on what was indicated in the report on [voting systems and alternative voting methods for the 2022 municipal election](#) and questions answered by staff.

The option to electronically receive and/or mark a ballot is a different alternative voting method, often referred to as remote vote by mail. A voter is able to access an electronic ballot, mark it on their personal device, print and mail the ballot. The ballot is not sent or counted electronically which differentiates it from internet voting. It is unknown whether this method meets the principles of the MEA. It would support the election being accessible to voters, however, further research is needed on how secrecy, confidentiality and the integrity of the voting process would be maintained. Careful selection of a vendor would be required to ensure that any paper ballot printed was indistinguishable from other ballots in order to maintain secrecy of the vote and that they could be counted by vote tabulators. This method has been used in the United States; however, staff are not aware of any use in Canadian elections at the federal, provincial or municipal levels of government. Without municipal comparators to learn from, careful planning is needed to ensure that legislative requirements are met, and procedures can be developed for this method. This would be an additional alternative voting method and staff would need further Council direction before it could be offered for the 2022 municipal election.

Direction may be provided prior to the legislated deadline of May 1, 2022, however, at this stage in election planning there would be impacts to timelines, and potentially to the budget and procurement process. Evaluating legislative compliance, process integration and initiating an additional procurement process would be challenging. The cost for this method has not been scoped by staff but would likely exceed the amount currently budgeted for alternative voting methods.

Should Council provide direction to staff that they wish to include this additional alternative voting method, an amended by-law would be brought forward for approval as soon as possible. Should Council approve an amended by-law permitting an electronic ballot marking process, staff would discuss the potential to extend library hours and offer reduced fees for ballot printing during the voting period with the Guelph Public Library.

If Council direction is not received, staff will further scope this alternative method with the Accessibility Services staff, the AAC and vendors prior to the alternative voting methods by-law coming forward for the 2026 municipal election.

Recommendation 2 - Further, supplementary options that may accommodate some people who cannot use an electronic ballot marking system should include, vote from home and traditional vote by mail.

These options should be implemented so that there is respect for the reality that accessibility needs vary and take into account that:

- COVID-19/post-pandemic concerns related to physical distancing need to be respected,
- City employees/volunteers receive prior training by Accessibility Services for communicating with those that have communication difficulties,
- Translation can be promoted and available by request (including Braille, American Sign Language (ASL) and English as a Second Language (ESL)),
- Scheduled contact-less drop off of voter's packages (in mailbox, front steps, front door):
 - By appointment only,
 - Hand sanitizer and personal protective equipment required,
 - Coordinate pick up and drop off over the phone (ballot drop off and completed ballot pick up),
 - Make phone assistance available so voters can receive step-by-step instructions without person-to-person contact, while the ballot is in front of them:
 - Such as but not limited to: Read ballot options to voter over the phone.
- Prepare step-by-step visual video to be emailed as a tool for voters using vote from home to maintain contactless communication; and
- Ballot pick up option (contactless pick up).

It is the position of City Clerk's Office staff that all COVID-19 pandemic and post-pandemic measures from the Provincial government and WDGPH will be planned for and in place for all voting methods, including in-person voting, vote by mail and vote from home. All health and safety precautions would be developed in consultation with WDGPH. A process would be developed and followed if a voter identified that they required an accommodation related to being immunocompromised when booking an appointment to vote from home. This process may include features as outlined by the AAC recommendation.

All election officials will be hired and trained on the Accessibility for Ontarians with Disabilities Act which includes providing accessible customer service. Elections officials supporting all Council-approved voting methods receive this training prior to each election. This would include training on communicating with individuals with communication difficulties.

Consultation with Accessibility Services staff is ongoing to determine the degree to which braille, ASL and ESL translation support could be offered.

Election trends

A vote from home method is legislatively required and offered by Elections Ontario and Elections Canada; however, it is not required municipally. Some municipalities have started to offer this service since 2014 based on community and Council interest.

To date, the following municipalities have offered a vote from home service:

- City of Brampton

- City of Toronto
- City of Oakville
- City of Cambridge
- City of Vaughan
- City of Newmarket

Administrative considerations

This method is familiar to many voters as it is offered for Provincial and Federal elections.

It would maintain the integrity, confidentiality and security of the voting process and would allow an audit or recount of ballots in the same manner as they were originally counted, or by alternative methods if ordered by a judge.

The City of Guelph has not offered this type of service in previous elections. However, the City Clerk's Office is confident that it can develop procedures, anticipate staffing and financial resourcing needs and offer a successful pilot based on the experience of Federal, Provincial and other municipal election administrators.

Financial Implications

The cost to implement a vote from home service will depend on the number of appointments booked and the number of days it is offered.

Preliminary estimates anticipate a cost of \$8,000 to support 60 appointments over three days during the advanced voting period.

This includes the cost of staffing, if election officials need to be hired externally, and supplies which are the main costs noted by municipalities already providing this service. Due to the sensitivity of a home visit, all municipalities that currently offer this service appoint existing City staff as the election officials that conduct home visits. This helps reduce risk, uses the expertise of staff already trained and experienced in working with vulnerable individuals or in visiting a residents' home. It also significantly reduces costs in that salaries are already covered by existing operational budgets. This will be explored and, if possible, will be the preferred option for staffing this service.

This service can be fully funded from the election reserve and final costs will be reported as part of the post-election report to Council.

Consultations

Accessibility Services

Accessibility Advisory Committee

Finance Department

Returning Officer for Guelph, Elections Canada and Elections Ontario

Strategic Plan Alignment

This report aligns with the Strategic Plan priority of Working Together for our Future. It addresses improvements to front-line customer service and communications by piloting an expansion of election services which would support voters who are unable to leave their home to cast a ballot.

Attachments

Attachment-1: Vote from home service by-law

Attachment-2: Motion by AAC sub-committee

Departmental Approval

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