

Committee of Council Memo



Date October 3, 2023
To Accessibility Advisory Committee
From Clerk's Office
Service Area Corporate Services
Department Clerk's Office
Subject Voting Method and Enhancement Research

The City of Guelph is committed to providing accessible and barrier-free election services. Ahead of each municipal and school board election, the Accessibility Advisory Committee (AAC) is engaged to provide input on various areas of election planning, including voting methods and accessible voting considerations. This report provides context and background information to inform the workshop being held on October 3rd. This workshop is being facilitated to support the AAC and the Clerk's Office as a recommendation on voting methods and enhancements is developed. Final staff recommendations will be presented to Council in early 2024.

Background

On November 22, 2021, City Council directed staff to research and investigate further accessible voting service enhancements, including the Remote Accessible Vote by Mail (RAVBM) method, in consultation with the AAC, in advance of the 2026 municipal and school board election and to report back to Council by Q2 of 2024 for implementation during the 2026 municipal election.

City Clerk's Office, Accessibility Services and Community Engagement staff prepared a [one-year engagement plan](#) on the topic of voting methods and accessible voting service enhancements and presented it to the AAC on April 18, 2023. Highlights of that engagement plan include:

- April – Discussion and feedback on what voting methods and accessible voting service enhancements to include in the research phase.
- August – Presentation of research findings; as well as discussion and feedback on decision-making criteria.
- September – AAC facilitated workshop to document member feedback and priorities on all options.
- October – Presentation summarizing AAC feedback to date and seeking a resolution on the AACs recommendations.
- December – Presentation and discussion of the final staff recommendation that will be presented to Council by Q2 2024.

Scope

The scope of this project includes the discussion, identification and recommendations regarding alternative voting methods and accessible service enhancements for the 2026 municipal election.

This project's scope does not include any legislated requirements of the [Municipal Elections Act](#) (MEA). For example, the day that is set as Voting Day. It also does not include other election related matters other than alternative voting methods or accessible voting service enhancements.

Key definitions

Accessible voting service enhancements - options that support a voter with a disability to mark and cast their ballot as independently as possible at an in-person voting location. For example, accessible audio-tactile voting equipment, braille sleeves, masked and scent-free locations, City Hall as a central hub for accessible enhancements, American Sign Language (ASL) translation or magnifying sheets.

Alternative voting methods - ways that a voter can mark and cast their ballot as an alternative to in-person voting at a physical voting location. For example, internet voting, vote from home, vote by mail, vote by phone or remote accessible vote by mail (RAVBM).

Decision making criteria - the principles, requirements and guidelines that are used to make a decision.

Disenfranchisement - means to deprive someone of the right to vote when they are legally eligible. For example, someone who is unable to access any voting method available could be said to be disenfranchised.

Staff acknowledge that these terms may be defined differently by others and are open to receiving alternative definitions where there is a difference in meaning. Any alternative definitions will be referenced in future public reporting so that distinctions are transparent.

Options

Alternative voting methods that are being considered for 2026 include:

- Internet voting
- Vote from home
- Vote by mail
- Vote by phone
- Remote accessible vote by mail

Accessible voting service enhancements for in-person voting locations that are being considered for 2026 include:

- Accessible voting equipment (audio-tactile interface [ATI] with sip and puff and paddle attachment)
- Braille sleeves
- Masked/scent-free locations
- City Hall as a central hub for accessible enhancements

- ASL translation
- Magnifying sheets

Following the April AAC meeting, a survey was conducted with the Committee to determine if there were any additional options that should be researched. Three (3) survey responses were received. One (1) was blank, one (1) indicated there were no additional options to be added and one (1) provided feedback on how one of the existing options could be offered in a more accessible way. No new options were brought to the attention of staff.

Research findings

Comparator Municipalities

Who we engaged with

We reached out to comparator municipalities and heard back from Oakville, Chatham-Kent, Hamilton, Kingston, Kitchener, Mississauga, Greater Sudbury, Cambridge, Barrie and Burlington. We also reached out to three cities that have a larger population than Guelph; Vaughan, Ottawa and Toronto.

What we heard

We heard that every municipality has a different configuration of voting methods and voting enhancements that they offer. Every voting method has its own benefits and drawbacks, and there is no 'one size fits all' solution; an option that one may find accessible isn't accessible to the next person. Comparator research did reveal additional voting methods that had not been previously considered by City staff, including a mobile voting location "the Vote Van", curbside voting and voter assist terminals.

Overall, it seems that those municipalities that used internet voting felt that it was a beneficial voting method, particularly for those with various abilities.

Municipalities noted that it is the easiest way for people to independently mark their own ballots using their own assistive technology, with little to no assistance from another person. It is also believed by these municipalities that internet voting increases voter turnout. There is one municipality that shared they had a contested election due to internet voting and were unsure if they would recommend it again. Some municipalities also noted that there was an increased demand for customer service to support internet voting, particularly for individuals who were unfamiliar with technology.

Vote-by-mail received positive reviews from comparator municipalities, with comments like the "mail-in voting program was a necessary complement to in-person voting to ensure casting a ballot remained safe, secure and accessible". One municipality also offered services in braille for the mail-in voting option. Drawbacks that were noted for this option were that although it does increase accessibility, it doesn't necessarily work for everyone. There was also an increased need for customer service to assist people in all the stages of this voting method.

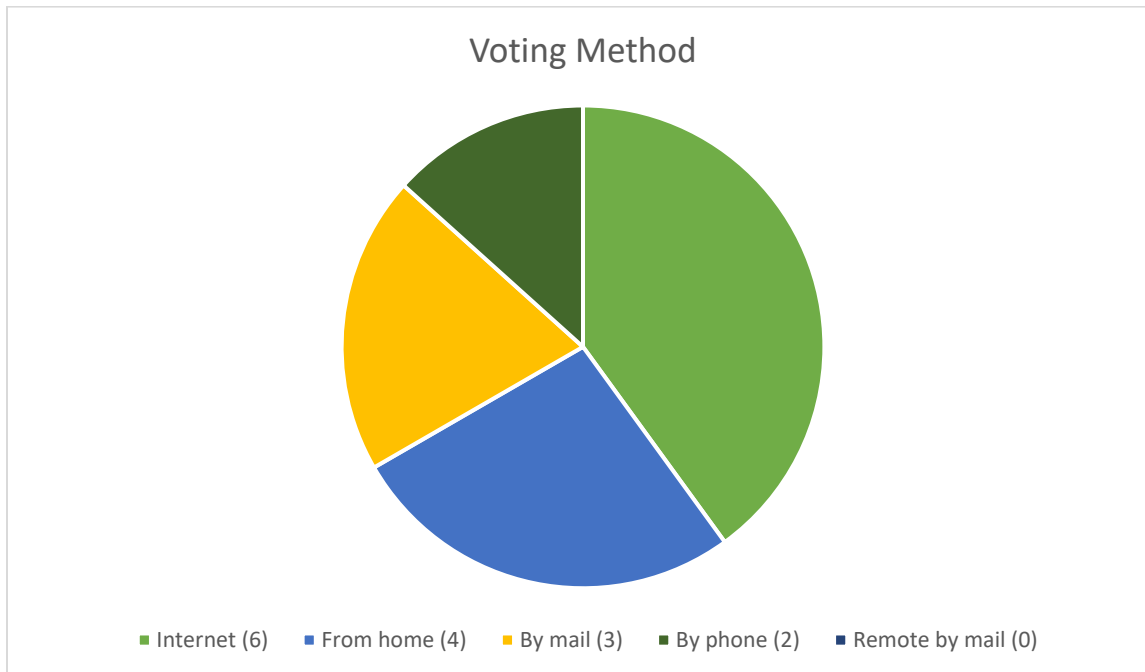
There wasn't much commentary on the last two voting methods. Telephone voting was identified as a confusing option and less likely to increase accessibility than

other methods. One municipality noted that a vote from home method was particularly helpful for house-bound voters.

There were a few accessibility enhancement options that were offered, like ASL interpretation and ATI, that had no uptake, which is consistent with the experience in Guelph.

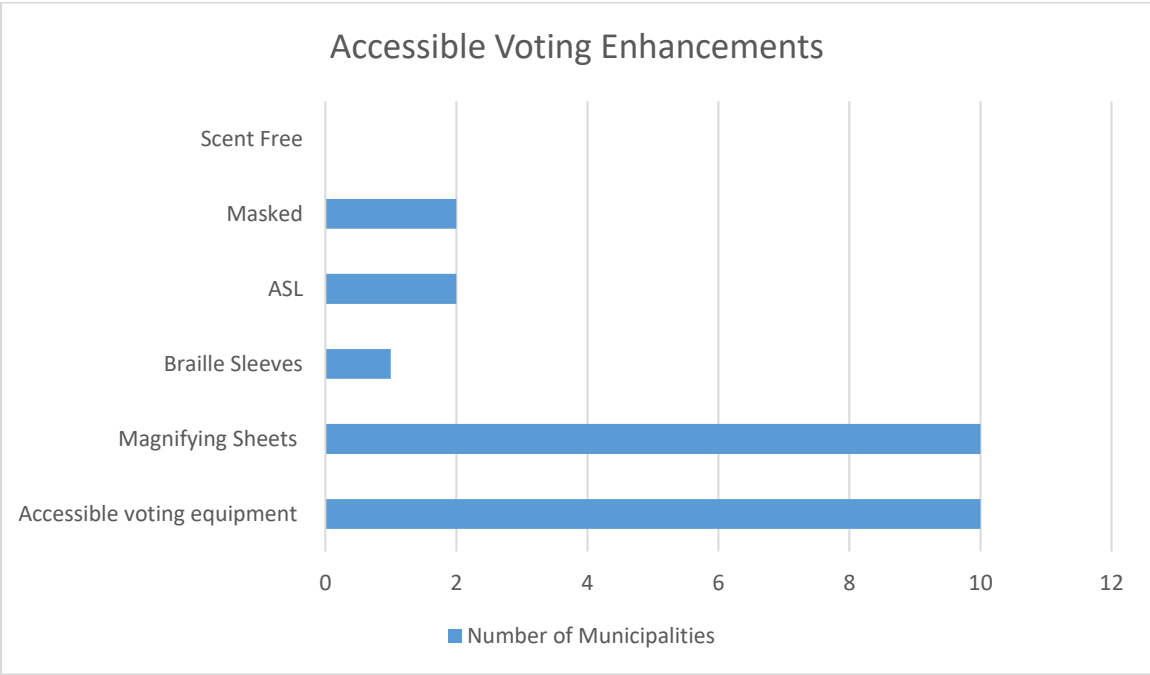
Voting Methods:

Below is a chart showing the voting methods used by comparator municipalities. This does not include the municipalities that are larger than Guelph. Of the three municipalities larger than Guelph, only one has used internet Voting, two have used vote from home and two vote by mail.



Voting Enhancements:

Below is a graph showing the number of comparator municipalities using the various voting enhancements identified. All municipalities (comparator and larger) used the accessible voting equipment and magnifying sheets. In the three municipalities that are larger than Guelph, two offered braille sleeves and one offered a masked location. None of the municipalities, comparator or larger, offered a scent-free location.



Stakeholders

Who we engaged with

Eight different community groups including the Canadian Hearing Services, Community Living Guelph Wellington, Guelph Independent Living, Canadian National Institute for the Blind, Immigration Services Guelph Wellington, T2ACOI, Guelph Wellington Senior Association and a First Nations group (who asked not to be named) were engaged for this project. City staff attempted but were unable to engage with the Disability Justice Network of Ontario, Canadian Abilities Foundation, Kerry’s Place and the ADHD and Spectrum Center.

What we heard

Through stakeholder engagement, it became increasingly evident that the voting method itself was less of a concern and the lack of understanding of the voting process in general was the largest barrier for the members of the various communities that these groups served. This does not directly correlate to the work the AAC is doing to review voting methods, but staff will take these comments into consideration when offering more information to all electors.

Decision making

A decision on the use of alternative voting methods must be made by Council as required by the MEA. [Section 42 \(1\)](#) states that:

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).

A decision to offer an accessible voting service enhancement is at the discretion of the City Clerk and the requirement under the MEA is to plan for the identification, removal and prevention of barriers that affect electors and candidates with disabilities under [Section 12.1 \(1\) and \(2\)](#). Accessible voting service enhancement options will be reported to City Council as part of the Q2 2024 staff report, however, the final decision on options offered in 2026 is legislatively the decision of the City Clerk.

Evaluation Criteria

- Is the option secure?
- Have there been any enhancements or improvements in the technology since past elections?
- What did we hear during our community and stakeholder engagement?
- Are there administrative considerations to be aware of? For example:
 - Is support offered by vendors sufficient to support this option?
 - How many alternative voting methods can we support with the resources we have?
 - Are there system integration or privacy considerations?
 - Are there workload or capacity levels needed for different options?
- Have there been any challenges experienced by other Ontario municipalities that have used the option in past elections?
 - If so, which municipalities and how do they compare to Guelph in terms of complexity of election, size, number of electors, etc.?
- Does the option support accessibility/barrier reduction?
- Does it meet the principles of the MEA:
 - a) the secrecy and confidentiality of the voting process is paramount;
 - b) the election shall be fair and non-biased;
 - c) the election shall be accessible to the voters;
 - d) the integrity of the voting process shall be maintained throughout the election;
 - e) there is to be a certainty that the results of the election reflect the votes cast;
 - f) voters and candidates shall be treated fairly and consistently; and
 - g) the proper majority vote governs by ensuring that valid votes are counted and invalid votes are rejected so far as reasonably possible.

These principles, while not established as part of legislation, are generally recognized based on case law.

Timing of decision

Our goal is to seek one (1) comprehensive Council decision on alternative voting methods. Staff have not decided on a recommendation at this time and will take into consideration the recommendations and advice provided by the AAC. The report that will go to Council in in Q2 2024 will incorporate all feedback received, not only from the AAC but also from other municipalities and community stakeholders; this will help Council to make a decision that considers all

engagement feedback and ensures all voices are heard. The timeline for this decision is Q2 2024. This leaves enough time to implement the Council decision for the 2026 election

Workshop details

An independent facilitator has been hired to facilitate the workshop with the AAC on October 3, 2023. During the workshop, we are going to look at all the voting methods that we have been discussing and evaluate them through an analytical lens to decipher the drawbacks and benefits of each method independently.

During the workshop, Committee members will be asked to consider and provide feedback on specific alternative voting methods as well as groups of alternative voting methods which may be mutually supportive. This is important because Council can approve any individual or combination of alternative voting method options. This ensures that the Committee's recommendation on every potential outcome is heard.

Committee members are asked to review workshop materials in advance to ensure the best use of limited time during the workshop. If a member has a question about the materials they are welcome to contact Stephen O'Brien, City Clerk, Jennifer Slater, Manager of Information, Privacy and Elections or Carrie Murray-Sprague, Council and Committee Coordinator in advance of the workshop. Contact information can be found in Appendix 4. Any answers to questions received will be shared with the remaining Committee members for information.

Next steps

Following the workshop with the AAC on October 3, 2023, a summary of what was heard will be compiled by the facilitator and shared as part of the AAC's October 17, 2023 meeting agenda. On October 17, staff will present a draft motion based on the information obtained at the workshop identifying what alternative voting methods and accessible voting service enhancement options are recommended by the AAC for the 2026 election.

This resolution will help inform the final staff recommendation which will be reported to the Committee during the December 19, 2023 meeting of the AAC. It will also be included as part of the Q2 2024 report so that it is transparent and publicly available.

Appendices

Appendix 1 – alternative voting method scorecards

Appendix 2 – accessible voting service enhancement scorecards

Appendix 3 – draft motion(s)

Appendix 4 – contact information