

C18-010

REPORT

TO: Chair & Members
Corporate Services Committee

FROM: Sharon R. Goerke
Clerk

DATE: February 6, 2018

RE: Accessibility – 2018 Municipal Election

Recommendation

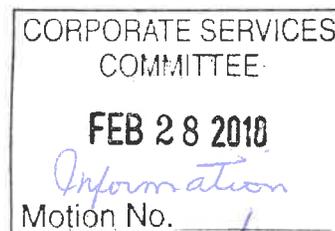
THAT Corporate Services Report No. C18-010, dated February 6, 2018, with respect to the Accessibility for the 2018 Municipal Election be received as information.

Background

The following are excerpts from sections of the *Municipal Elections Act*:

- 12.1 (1) *A Clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities.*
- 12.1 (2) *The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.*
- 12.1 (3) *Within 90 days after voting day in a regular election, the Clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.*

In order to ensure accessibility for the 2018 Municipal Election, a comprehensive review of the election process, facilities and materials will be undertaken as follows:



LEGISLATION

The *Municipal Elections Act* and Reg. 429/07 with respect to Accessibility Standards for Customer Service will be reviewed as background to ensure an accessible election for our voters.

In providing an accessible election, the Clerk will be making reasonable efforts to provide the following:

1. Accessible customer service training for all election staff, including election officials and third parties.
2. Establish procedures for responding to feedback.
3. Allow for the use of service animals and support persons.
4. Provide notice of temporary disruptions of services.
5. Provide documents in alternate format that take into account a person's disability.
6. Provide notice of availability of the above documents.

The standard requires the following provisions:

Establish Policies, Practices & Procedures

The procedures must respect the dignity and independence of our electors and the election process should ensure that the policies, practices and procedures are consistent with the core principles of the independence, dignity, integration and equality of opportunity. As well, the election process must allow for assistance devices and any communications shall be in a manner that takes into account the person's disability.

- The Clerk's Department will complete a comprehensive review of the Election Procedures and Manual for each phase of the process ensuring that accessibility was a focus of the services to be provided.
- Attached as **Appendix "1"** are the procedures developed by the Clerk to ensure accessibility for persons with disabilities during the election process.

Allow for the Use of Service Animals & Support Persons Provisions

It is not always apparent whether an animal is a service animal. Election staff will be trained that a service animal is allowed to go anywhere the public is allowed and reminded that there is "no touch, no talk and no eye contact" with a service animal.

- The accessibility training provided to all election staff will include service animals.

Provide Notice of Temporary Disruptions of Service

Section 53 of the *Municipal Elections Act* permits the Clerk to declare an emergency if circumstances have arisen that are likely to prevent the election being conducted in accordance with the Act. The Clerk is required to make arrangements that are advisable for the conduct of the election. These arrangements should include notice of a temporary disruption of service and must include the reason, anticipated duration, a description of alternatives and must be placed in a conspicuous place on the premises.

Based on the method of election the Clerk must contemplate all aspects of the election and plan for potential impediments where involvement with the electors is concerned. The Clerk has developed procedures in the event of an emergency during the election.

Provide Training for All Staff, Volunteers & Third Parties

Municipalities must provide training on providing accessible customer service to all staff who deal with the public or who develop policies. They must also ensure any third party vendors who provide services on their behalf also provide training to their staff.

The scope of the training shall include:

1. Review of the purposes of the Act and the requirements of the accessible customer service regulation – *Ontario Regulation 429/07*.
 2. How to interact and communicate with persons with various types of disability.
 3. How to interact with persons who use an assistive device or service animal.
 4. How to use equipment or devices available to assist with the provision of services.
 5. What to do if a person is having difficulty accessing the service.
 6. Keep records of the training provided, including the dates on which training was conducted and the number of people who were trained (eg. List of attendees).
- All staff involved with the election will receive accessibility training to ensure they can meet the needs of our voters.

Procedure for Responding to Feedback

Municipalities are required to set up a process that provides every person the opportunity to give feedback on the provision of municipal services to people with disabilities. This process must also indicate the action to be taken when feedback is received.

- Feedback from our electors gives the Clerk opportunities to learn and improve the voting process with regard to accessibility. The Municipality recognizes the right of our electors to make a complaint, compliment or suggestions on ways to improve our election services.
- Voters will be encouraged to contact the Clerk's Department in person, by telephone, in writing or by e-mail. A feedback form will also be included on the Township's website.
- The Clerk's Department will respond to each feedback received and make amendments to the election process to address concerns, if required.

Notice of Availability of Documents / Alternative Formats

All documents are to be made available in a format to take into account the person's disability.

- As required, notices will be placed in the voting stations and on the Township's website advising that alternative formats of documents are available from the Clerk's Department upon request.

TRAINING

The Clerk has already attended training sessions hosted by AMCTO with respect to the 2018 Municipal Election. AMCTO has developed a "Clerk's Guide to Conducting Accessible Elections" which provides a comprehensive review of the requirements and tips for accessible elections.

All employees and election personnel will be instructed to have regard to the Township's Accessibility Customer Service Policy. The Township of Severn has been committed to the following:

- ✓ The Clerk shall have regard to the needs of electors with disabilities and give consideration to the *Ontarians with Disabilities Act, 2001*, as amended, while providing all eligible electors full access and the right to vote during the election
- ✓ All employees and election personnel shall be trained on accessibility policies and procedures to include:
 - How to interact and communicate with persons with various types of disabilities
 - How to interact with persons who use an assistive device or service animal
 - How to use equipment or devices available to assist with the provision of services
 - What to do if a person is having difficulty accessing the election.

ELECTION VOTE METHOD

At the August 24, 2016 Corporate Services Committee Meeting, staff reported to the Committee on the Rank Ballots for the 2018 Municipal Election and the following resolution was enacted:

MOTION CSC082416-03: Moved by Member Stevens and seconded by Member Cox that the 2018 election be conducted with regular ballots and tabulators.

CARRIED

Since receiving the decision of Council for a regular ballot voting method with the enhancement of tabulators, staff has continued their review of accessibility for the voters.

TABULATORS

The Clerk has now participated in and assisted with the RFP process for a combined proposal for the Township of Severn and the City of Orillia to lease the required tabulators for the election. There is considerable cost savings with this combined effort for shipping and training requirements. The RFP was distributed to eleven (11) vendors who supply alternative voting methods for elections. There was only one vendor who responded to the RFP process which was Dominion Voting. This was the company used for our 2014 election tabulators.

The combined municipalities were given a demonstration on the tabulators to be provided by Dominion and the lease contract has been accepted for the 2018 election. The Clerk has reviewed the requirement for the AutoMark Ballot Machine for persons with disabilities which was used at the Advance Votes in 2014. The machine was only used by one voter unsuccessfully in 2014. Unless the voter is familiar with the type of machinery offered by Dominion Voting it can cause confusion and frustration while attempting to vote. Therefore, this voting option will not be available for the 2018 election and the voting stations will continue to provide assistance to vote to all persons with a disability, if required.

ASSISTANCE TO VOTE

While the legislation provides that all electors shall have the ability to vote unassisted, the election staff are given instructions on assisting voters, if required, to ensure that all electors are given the opportunity to vote. The following methods are provided to the election staff:

- ✓ Allow a friend/relative to assist with the ballot
- ✓ Attend outside the Voting Station to assist an elector to vote if they cannot access the facility
- ✓ DRO may assist an elector to vote as they have taken an Oath of Secrecy
- ✓ Acceptance of service animals and support persons

AREA ELECTION GROUP

The Clerk has once again joined an Election Group comprised of election personnel from neighboring municipalities including the Township of Severn, Township of Ramara, City of Orillia, Township of Oro-Medonte and Township of Springwater who are meeting monthly to assist each other with the election process including accessibility standards and issues to be addressed in order to ensure compliance with legislation. The group will be reviewing each section of the *Municipal Elections Act* as the process evolves to ensure compliance with accessibility requirements.

During this process, the following steps will be taken:

- ✓ Review of legislation/standards
- ✓ List of accessibility requirements for Voting Stations
- ✓ Various methods of voting
- ✓ Improvements required from the 2014 election process
- ✓ Advertising of “accessible locations”
- ✓ Reviewed CNIB standards for printed materials
- ✓ Review of various types of ballots, fonts and coloured paper supplies for voters with sight disabilities
- ✓ Review of policies for voters requiring assistance to vote
- ✓ Review of election tabulators / accessibility equipment

ADVERTISING

The Township of Severn ensures that notice is given on the Township Website that the Advance Votes to be held at the Administration Office are be “fully accessible” for the voters and requesting anyone with a special need to contact the Clerk’s Office so special arrangements could be made to ensure they are able to vote (**see Appendix “2”**).

CONSULTATION – MUNICIPAL ACCESSIBILITY COMMITTEE

The Clerk intends to meet with the Township of Severn Municipal Accessibility Committee to review the election process and requirements under legislation. All of the items contained in this report will be reviewed and input received from the members of the Committee with respect to access to Voting Stations, assistance during the vote and election materials.

Additionally, the Clerk’s Department will visit each Voting Place to ensure that the facility is accessible and appropriate for any elector with disabilities. Staff will tour each facility to ensure proper lighting, accessibility entrances and parking.

With the change in ward boundaries for 2018, the former Voting Station at the Lake St. George Community Centre is no longer located within Ward 5. Therefore, the Washago Community Centre will be the new voting location for Ward 5 on Election Day. Extensive advertising will be used including the website, outside notice boards and Orillia Today to ensure the voters are aware of this new location. Also, the accessible entrance at this location will be an improvement over the Lake St. George Community Centre which is only accessible by a ramp on the outside of the building which required an election official to open and close the door for voters with disabilities. This is considered an increase in service for the voters with disabilities.

Conclusion

While we are limited to the facilities available within each ward for voting stations and with the provision of Advance Votes, each elector will be given every opportunity to vote for their respective candidates.

As required under Section 12.1(2) of the *Municipal Elections Act*, this report will be posted on the website for the public. Also, in accordance with Section 12.1(3), the Clerk will be reporting within 90 days after Voting Day about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and this report will be available to the public.

Financial Impact

The financial impact will be minimal for the 2018 Municipal Election.

Strategic Plan Impact

- Communications
- Service Excellence

Respectfully submitted,


Sharon R. Goerke, CMO, AOMC
Clerk

/srg



Director of Corporate Services



Chief Administrative Officer

Accessibility Procedures

- 33-1 The Clerk shall have regard to the needs of electors with disabilities and give consideration to the *Ontarians with Disabilities Act, 2001*, as amended, while providing all eligible electors full access and the right to vote during the election.
- 33-2 All employees and election personnel shall be trained on accessibility policies and procedures to include:
- ✓ A review of the purposes of the Act and the requirements of the accessible service Regulation 429/07.
 - ✓ How to interact and communicate with persons with various types of disabilities.
 - ✓ How to interact with persons who use an assistive device or service animal.
 - ✓ How to use equipment or devices available to assist with the provision of services.
 - ✓ What to do if a person is having difficulty accessing the service.
- The Clerk shall keep a record of those personnel trained for the election process.
- 33-3 All employees and election personnel shall have regard to the Accessibility Customer Service Policy enacted by the Township of Severn.
- 33-4 Each Candidate shall be provided with the Province of Ontario Candidate's Guide to Accessible Elections.
- 33-5 All designated Voting Places, including the Advance Vote, will be accessible to eligible electors with accessible parking spaces clearly marked. The Clerk shall give regard in each voting place for:
- ✓ A small seating area available for electors to rest a short time if needed.
 - ✓ Voting booths that are low and wide enough to enable wheelchair or scooter access.
 - ✓ Posting of a large print notice of the ballot and the method of voting.
 - ✓ The provision of magnifying sheets to assist a person with low visual impairment.
 - ✓ Corridors that are wide enough and easily traveled with a wheelchair or scooter.
 - ✓ Ensure that the voting place is clearly marked, well lit and visible.
 - ✓ Provide for curb side voting to ensure every elector is provided an opportunity to vote.

- 33-6 All Deputy Returning Officers will be provided with sight improvement implements to assist eligible electors with sight impairments.
- 33-7 The use of service animals and support people shall be accepted at all voting locations.
- 33-8 If requested, the elector shall be permitted to vote with assistance as provided in the Act by having the person to assist swear an Affidavit of Secrecy.
- 33-9 To allow an eligible elector to vote, a Deputy Returning Officer shall attend on the elector anywhere within the area designated as the Voting Place, if required.
- 33-10 When an elector is not able to attend at the Voting Station table:
- ✓ the Deputy Returning Officer shall secure the ballots and election material, place the Election Assistant in charge of the material, and attend to the elector with a ballot and the ballot box anywhere within the area designated as the Voting Place.
 - ✓ the Deputy Returning Officer shall also obtain the photo ID and name and address of the elector for stroking off the Voters' List.
 - ✓ The Deputy Returning Officer shall ensure that the ballot is placed in the ballot box in the presence of the elector and return to her station.
- 33-11 Feedback from our electors gives the Clerk opportunities to learn and improve the voting process with regard to accessibility. The Municipality recognizes the right of our electors to make a complaint, compliment or suggestions on ways to improve our election services.

To assist the Township of Severn in ensuring that the delivery of goods and services to those with disabilities is provided in an effective and timely manner, the elector is invited to provide their feedback in writing on the prescribed form as adopted within the Township's Customer Service Accessibility Policy at the following location:

Accessibility Co-ordinator
P.O. Box 159
1024 Hurlwood Lane
Orillia, Ontario - L3V 6J3
Phone: (705) 325-2315 – Ext. 250
Fax: (705)327-5818
E-Mail: mprophet@townshipofsevern.com

The *Township Clerk* will respond either in writing, in person, e-mail or telephone acknowledging receipt of feedback and will set out the action to be taken in response to any complaints or comments.



2018 MUNICIPAL ELECTION

VOTING PLACE LOCATIONS



Advance Vote

**Township Administration Office
1024 Hurlwood Lane**

**Saturday, October 13, 2018
10:00 a.m. – 6:00 p.m.**

**Wednesday, October 17, 2018
10:00 a.m. – 8:00 p.m.**

Total Accessible Location

ELECTION DAY MONDAY, OCTOBER 22, 2018 10:00 A.M. TO 8:00 P.M.

- Ward 1** Matchedash Community Heritage Centre
2095 North River Drive
- Ward 2** Coldwater Community Centre
11 Michael Anne Drive
- Ward 3** ODAS Park
4442 Fairgrounds Road
- Ward 4** Severn Shores Public School
2746 Cumberland Road
-  **Ward 5** Washago Community Centre
4361 Hamilton Street