



Report to Council

REPORT NO.: CAO-18-20
DATE: November 5, 2018
ATTACHMENT: 2018 Municipal Election Accessibility Plan
SUBJECT: **2018 Municipal Elections - Accessibility**

Recommendation:

THAT Report No. CAO-18-20 entitled “2018 Municipal Elections – Accessibility” regarding information about the identification, removal and prevention of barriers that affect voters and candidates with disabilities in relation to the 2018 Municipal Election be received.

Background:

In accordance with Section 12.1 of the Municipal Elections Act, 1996, the Clerk shall have regard to the needs of electors and candidates with disabilities. This means that all electors should be provided equal opportunity to participate in the electoral process and election procedures should be integrated into the regular election process unless an alternate is necessary.

Section 45(2) of the Municipal Elections Act requires the Clerk to ensure that all voting places are accessible to electors with disabilities. In addition, election processes should also allow for assistive devices and any communications should be in a form that takes into account the person’s disability.

Section 12.1(2) requires the Clerk to prepare a plan regarding the identification, removal and prevention of barriers that affect voters and candidates with disabilities and to make the plan available to the public before voting day.

Section 12.1(3) of the Municipal Elections Act, 1996 also states that the Clerk shall prepare a Report to be submitted to the Council, 90 days after voting day, about the identification, removal and prevention of barriers that affect voters and candidates with disabilities.

Comments/Analysis:

In preparing the 2018 Municipal Election, the Clerk prepared the attached 2018 Municipal Election Accessibility Plan, which was made public on the Township’s website. All of the initiatives to identify, remove and prevent barriers that affect voters and candidates with disabilities were implemented.

The Clerk also included an Accessibility section in the Procedures for Alternative Voting Method - Vote By Mail that states the following:

29. ACCESSIBILITY

- 29.1 *Pursuant to the Act, as well as, the Ontarians with Disabilities Act, 2001 and the Accessibility for Ontarians with Disabilities Act, 2005, the Clerk shall have regard to the needs of candidates and electors with disabilities.*
- 29.2 *The Township of Malahide has chosen the Vote by Mail method of voting to facilitate the opportunity for electors to cast their vote from anywhere and at any time during the voting period.*
- 29.3 *The Clerk shall prepare a Plan regarding the identification, removal and prevention of barriers that affect voters and candidates with disabilities. Such report shall be made available to the public for viewing by posting it on the Municipal Website before Voting Day in a regular election.*
- 29.4 *The Clerk shall endeavor to ensure that the Ballot Return Station is accessible to electors with disabilities.*
- 29.5 *The Clerk shall endeavor to ensure that the Counting Centre is accessible to candidates and scrutineers with disabilities.*
- 29.6 *All Election Officials shall be vigilant when communicating with any member of the public about the election to try to identify any accessibility issues for electors with disabilities. Election Officials will be available for assistance during normal office hours from 8:30 a.m. to 4:30 p.m., Monday to Friday, during the election period and on Voting Day from 8:30 a.m. to 8:00 p.m.*
- 29.7 *The Township of Malahide has established Accessible Customer Service Policies, Practices and Procedures. The 2018 Municipal Election for the Township of Malahide will be conducted with having regard to the policies as established.*
- 29.8 *All election officials shall, as soon as reasonably possible, bring any election related accessibility issue to the attention of the Clerk or Deputy Clerk.*
- 29.9 *The Clerk or Deputy Clerk shall, in a timely manner, respond to all election related accessibility issues that are brought to their attention. All responses will be based upon the following considerations:*
 - a) *The needs of the individual elector;*
 - b) *Compliance with the principles of the Municipal Elections Act, 1996;*
 - c) *Compliance with the municipality's policy on Accessible Standards for Customer Service; and*
 - d) *Compliance with Provincial statutes and regulations including, but not limited to, the Accessibility of Ontarians with Disabilities Act, 2005.*
- 29.10 *The Clerk shall prepare a Report, within 90 days after voting day, about the identification, removal and prevention of barriers that affect voters and candidates with disabilities. Such report shall be made available to the public for viewing by posting it on the Municipal Website.*

As well, the following additional documentation was published on the Township's Website:

- Booklet – Accessible Campaign Information and Communication, published by the Accessible Directorate of Ontario – Ministry of Community and Social Services.
- Booklet – Accessible All Candidates Meetings, Removing Barriers to Political Participation, published by the Accessible Directorate of Ontario – Ministry of Community and Social Services.

In addition, all Candidates were provided a copy of the 2018 Municipal Elections Accessibility Plan, prepared April 18, 2018; as well as the AMCTO Candidate's Guide to Accessible Elections when they filed their nomination papers.

Financial Implications to Budget:

N/A.

Relationship to Cultivating Malahide:

The *Cultivating Malahide* Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Local Government.

One of the goals that support the "Our Community" Strategic Pillar relates to "*Make Malahide an Inclusive Place to Live*".

By identifying and then working to remove and prevent barriers that affect voters and candidates with disabilities assists in making Malahide more inclusive.

Submitted by:

Michelle Casavecchia-Somers, Chief Administrative Officer/Clerk



2018 Municipal Elections Accessibility Plan

Prepared April 18, 2018

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1. Introduction

The Election's Accessibility Plan supports and strengthens the Township's commitment and efforts to respond to the needs of persons with disabilities.

The focus of this Plan is to ensure that electoral services are accessible to all electors and candidates, to identify and eliminate barriers for persons with disabilities, and to create a positive voting experience.

The Clerk's Office will continue to learn, develop, and adjust our approaches in order to meet the needs of persons with disabilities. The review of accessibility issues and initiatives and addressing barrier prevention or removal is an ongoing practice. This plan will be improved and updated as new opportunities are identified or become available.

1.1 Municipal Elections Act, 1996, as amended - Legislative Requirements

The Clerk is responsible for conducting municipal elections and establishing policies and procedures to ensure that all electors have the opportunity to fully participate in the 2018 Township of Malahide Municipal Election.

The Municipal Elections Act, 1996, as amended states the following:

- 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 (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. 2016, c. 15, s. 11.
- 12 (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. 2016, c. 15, s. 11.
- 41 (3) The clerk shall make such changes to some or all of the ballots as he or she considers necessary or desirable to allow electors with visual impairments to vote without the assistance referred to in paragraph 4 of subsection 52 (1). 1996, c. 32, Sched., s. 41 (3); 2001, c. 32, s. 30(1).
- 45 (2) In establishing the locations of voting places, the clerk shall ensure that each voting place is accessible to electors with disabilities.

1.2 Accessible Customer Service

The Clerk's Office is committed to making our services accessible to everyone, including people with disabilities. We comply with the customer service standards of the Accessibility for Ontarians with Disabilities Act, 2005.

In fulfilling our mission, the Clerk's Office will at all times provide its services in a way that respects the dignity and independence of people with disabilities. We give people with disabilities the same opportunity to access our services in the same place, and in a similar way as others.

1.3 Definition of Disability

The Accessibility for Ontarians with Disabilities Act, 2005 defines "disability" as follows:

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- (b) a condition of mental impairment or a developmental disability,
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Disabilities can take many forms, both visible and invisible. The following criteria were considered in the development of this Plan:

- Policies and procedures must be consistent with the principles of the Municipal Elections Act, 1996 and must respect the dignity and independence of persons with disabilities;
- Access to electoral services must be integrated and equitable;
- Initiatives should address and accommodate a wide range of abilities; and
- The Township's AODA-compliant customer service policy for providing services to people with disabilities must be followed throughout the election process. This policy can be found at:
http://www.malahide.ca/sites/default/files/malahide_accessibility_policy_-_2017.pdf.

2. Feedback

The Clerk welcomes feedback to identify areas where changes need to be considered and ways in which the Township can improve the delivery of an accessible Election.

This Plan is a living document and will continue to undergo changes.

Please provide us with your feedback so that we know how to best provide an accessible election. Feedback on this Plan can be submitted through the following channels:

Email: malahide@malahide.ca

Phone: 519-773-5344, ext. 225

Fax: 519-773-5334

By Mail: Township of Malahide
Clerk's Office - Elections
87 John Street South
Aylmer, ON N5H 2C3

If you require this information in a different format, please let us know.

3. Consultations

Consultations with individuals and community groups provide greater knowledge and understanding in conducting elections that are accessible to all.

Initiatives	Actions
<p>Consult with individuals and groups knowledgeable in providing services to persons with disabilities in order to gain better understanding of their needs and to obtain feedback on this Plan by:</p>	<ul style="list-style-type: none"> • Presenting election accessibility initiatives to the County of Elgin Accessibility Coordinator. • Enlisting the assistance of disability groups (as applicable) to disseminate election information and raise awareness about the Township's accessibility initiatives to its members. • Partnering with disability groups (as applicable) to channel election information through their networks and communities using newsletters, links to the Township's website, etc. • Conducting a post-election review to evaluate the success of the various accessibility initiatives.

4. Communications and Information

Communication and information initiatives ensure election information is accessible and available in alternative formats.

Initiative	Actions
Provide an informative and accessible election web page by: Link to Malahide Election Page	<ul style="list-style-type: none"> • Ensuring election information is available in clear, simple language. • Regularly updating election information posted on the Township's website to reflect the most recent developments and information. • Ensuring election web pages are WCAG 2.0 Level AA Compliant.
Provide election information in alternative formats (upon request) and through multiple channels by:	<ul style="list-style-type: none"> • Providing a How to Vote pamphlet in English and in additional languages (upon request) and make the pamphlet available at all voting places. • Producing a Township-wide mail-out election flyer that outlines key election information.

5. Assistance to Candidates

Providing candidates with information on how to make their campaigns accessible to the public and providing candidates with election information in accessible and alternative formats.

Initiative	Actions
Provide candidates with information on how to make their campaigns more accessible:	<ul style="list-style-type: none"> • Providing candidates with links to the following provincial publications from our Election website: <ul style="list-style-type: none"> - Accessible Campaign Information and Communication - Accessible All-Candidates Meetings. • Providing candidates with the AMCTO Candidates' Guide to Accessible Elections.
Provide candidates with access to information in alternative formats (upon request) by:	<ul style="list-style-type: none"> • Ensuring the candidate's guide and/or other relevant publications are available in an accessible format (upon request). • Making the Township of Malahide voters' list available in an electronic format, free of charge, to candidates with disabilities.
Ensure candidate information sessions are accessible by:	<ul style="list-style-type: none"> • Holding candidate information sessions in accessible locations. • Making accommodations and special services (for example, ASL interpreters) available upon request.

6. Voting Places

These initiatives cover all aspects of obtaining voting places that are accessible to all.

Initiatives	Actions
<p>Ensure all voting places are accessible to electors with disabilities by:</p>	<p>Inspecting all voting places to ensure each facility has:</p> <ul style="list-style-type: none"> • barrier free path of travel from the parking lot/sidewalk. • barrier free parking, where parking is provided. • door operators or accessible doors • adequate lighting. <p>Inspecting all voting places to ensure all locations are accessible:</p> <ul style="list-style-type: none"> • Where possible, make modifications to existing voting places to make them accessible, for example, temporary ramps. • Places that cannot be made accessible will be relocated or merged with other voting places in the vicinity. • Conduct an additional accessibility check in September/October to ensure that there have been no changes to the locations. • Have election staff perform final accessibility checks during the advance vote and on Election Day to verify the accessibility of the voting place.
<p>Ensure all voting place access routes and entrances are clearly identified by:</p>	<ul style="list-style-type: none"> • Ensuring there is designated or reserved parking for persons with disabilities at each voting location where parking is available. • Marking parking spaces clearly with accessibility symbol or sign. • Providing appropriate signage at voting places. • Ensuring electors with accessibility needs are directed to the accessible voting entrance by prominent signage. • Where possible the accessible entrance is the same as the main entrance.

Initiatives	Actions
Provide mechanism for feedback on the list of proposed voting places by:	<ul style="list-style-type: none"> • Inviting disability groups and individuals (as applicable) with disabilities to provide feedback on the list of proposed voting places. • Using the received feedback to ensure that all voting places are accessible to electors, as required by the Municipal Elections Act, 1996.
Set up process to facilitate notification of disruptions to service or last minute changes to voting places so that:	<p>In the event of disruptions to service or unforeseen circumstances that affect the accessibility of voting places during the advance vote or on election day, notices of disruption will be posted in real time:</p> <ul style="list-style-type: none"> • On the Township’s website • On Facebook: Township of Malahide • At the site of the disruption. <p>When applicable, a media advisory will be issued.</p>

7. Voting Provisions for Electors with Disabilities

Various initiatives regarding voting places are used to achieve our goals of a barrier free election.

Initiative	Actions
Welcome the use of support persons and service animals in voting places:	Any person with a disability accompanied by a support person or service animal may enter the Clerk's Offices or any voting place with his or her support person or service animal.
Provide assistance to electors with disabilities as required by:	Having an election official in the voting place to assist a voter in casting his/her ballot when requested.
Provide for curb-side voting:	While all voting places are accessible to all electors, electors with a physical disability can request that the ballot be brought out to their vehicle or to another location within the voting place.
Provide supplies to assist electors with disabilities:	<ul style="list-style-type: none"> • Having magnifying sheets (4x) available at all voting places to assist electors with low vision. • Having note pads and pens available at all voting places to assist communication with electors who are deaf, deafened, or hard of hearing. • Having a How to Vote pamphlet available at all voting places.

8. Accessibility Training for Election Officials

Develop accessibility training and development of reference materials for all election staff.

Initiative	Actions
Ensure all election officials receive accessible customer service training by:	<ul style="list-style-type: none"> • Holding training sessions for election staff on accessibility requirements, serving people with disabilities and on the accommodations and special services available to assist electors. • Requiring all staff to sign that they received elections and accessibility training.
Develop reference materials for all election officials highlighting how to serve voters with disabilities by:	Including AODA, customer service standard, and serving people with disabilities messaging in all training materials and classroom training being provided to all elections staff.

9. Post-election Report

Section 12.1 (2) of the Municipal Elections Act, 1996 as amended states the following:

“Within 90 days after voting day in a regular election, the clerk shall submit a report to council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.”

The Clerk’s post-election report will be posted on the Township’s web site in a format accessible to persons with disabilities and distributed to disability groups and other stakeholders as requested.