

Post-Election Survey Report 2020 Local General Elections

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Introduction

In 2020, most Saskatchewan municipalities and school boards held their elections to elect mayors, council members, and school board members. Local government elections take place every four years and are conducted in accordance with The Local Government Election Act, 2015 (“the LGEA”), The Local Government Election Regulations, 2015 (“the regulations”) and any election bylaw a municipality has adopted.

Following general local elections, the Ministry of Government Relations (“the ministry”) surveys municipalities and school boards to help shed more light on local election experiences across Saskatchewan.

The 2020 post-election survey collected information on voter turnout, use of advance polls, mail-in ballots and other measures to enhance access and improve turnout (special polls, mobile polls). It also aimed to identify the challenges faced by municipalities and school boards in holding their elections specifically related to COVID-19 and inclement weather. In addition, the survey allows local election officials to suggest improvements to local election processes, legislation and regulations.

1. Key Survey Findings

Detailed results of the survey are outlined and illustrated further in this report. Key findings for the ministry as a result of the survey responses include:

- **Increased Survey Response:** 460 municipalities and school boards responded to the survey in whole or in part, an 86 per cent increase from the 2016 post-election survey which received 247 responses.
- **Little Use of Voter’s Lists:** Only six per cent of survey respondents indicated they use enumerated voter’s lists and, as a result, can only estimate total number of voters and voter turnout.
- **Voter Turnout:** The average of the voter turnout estimates reported by survey respondents was 45 per cent, similar to the average reported for the 2016 local elections.
- **Advance Poll Usage Increased:** 76 per cent of respondents used advance polls and half of those respondents noted an increase in advance poll use from 2016, while 32 per cent used advance polls for the first time in 2020; of note also is that 32 per cent of votes counted came from advance voting.
- **Mail-in Ballots, Special and Mobile Polls Not Widely Used (But Still Increased):** 19 per cent of survey respondents used mail-in ballots up from nine per cent of respondents in 2016 and 11 per cent used mobile and special polls up from about four per cent in 2016.
- **COVID-19, Weather & Other Challenges:** 41 per cent of respondents noted some challenges in conducting their elections due to COVID-19 such as finding poll facilities suitable for social distancing; 44 per cent of respondents had challenges with the inclement weather on election day. The November timing of the election was also noted by some respondents as challenging.

- **Best Practices COVID-19 Guide & Resources Useful:** The vast majority of respondents were positive about the ministry's guide for conducting safe elections and the Chief Electoral Office's sharing of unused personal protective equipment, dividers and signage from the provincial elections.
- **Newer Forms/Legislation Overlooked:** Several comments indicate local election officials appear unaware that election forms are available in Word format and/or are using outdated legislation.
- **Matters for Further Consideration:** Areas noted include more flexibility for returning officers to deal with emergent situations, criminal record checks, non-resident voting and tie votes.

2. Key Changes in The Local Government Election Act, 2015 for the 2020 Local General Elections

The ministry typically opens the LGEA between the general local elections held every four years to address issues identified by the sector and the ministry. The LGEA and regulations were most recently amended in 2018-19.

Of importance, the 2018-19 amendments introduced a change to the municipal/school board election date from the fourth Wednesday in October to the second Wednesday in November as a result of the proximity to the provincial election held on October 26, 2020. The 2020 general municipal election was set in legislation for Monday, November 9, 2020, due to Remembrance Day falling on the second Wednesday of November. Municipal elections will return to the second Wednesday of November starting in 2024.

The change in election dates followed extensive consultations with municipal and school board stakeholders. The second Wednesday in November appeared to be the most palatable and administratively workable for the municipal and education sectors. It did not require council/board members to extend their term of office beyond their original mandate and continued the longstanding practice of holding municipal/school board elections on a Wednesday.

In addition to the change in local election dates, other key amendments included:

- **Advance Voting:** Requiring all municipalities to provide some form of advance voting for voters (either by mail-in ballot or advance poll) and greater flexibility for advance poll dates and hours;
- **Public Disclosure Statements:** Requiring candidates to submit a disclosure statement as part of filing nomination papers to identify potential conflicts of interest in advance;
- **Criminal Record Checks:** Discretionary authority for school boards to require candidates to provide a criminal record check with their nomination papers, similar to existing authority for municipalities;
- **Controverted Election Provisions:** Updating and consolidating the provisions of The Controverted Municipal Elections Act into the LGEA providing a single reference source for local elections for local election officials, local elected officials and the public; and

- **Stakeholder Suggestions:** A number of stakeholder suggestions for improvements and clarification were made, such as:
 - Making the inclusion of a candidate’s occupation on the ballot optional;
 - Adding alternatives for providing public notice;
 - Clarifying the eligibility for a volunteer firefighter to run for office; and
 - Clarifying that campsite tenants are not lessees and therefore ineligible to vote in the municipal election in which the campsite is located.

3. Background on the 2020 Post-Election Survey & Response

The 2020 municipal elections were held on Monday, November 9, 2020. On November 19, 2020, the ministry sent a survey link to municipalities and to municipal and school board associations asking for their responses on electoral matters and processes by December 31, 2020.

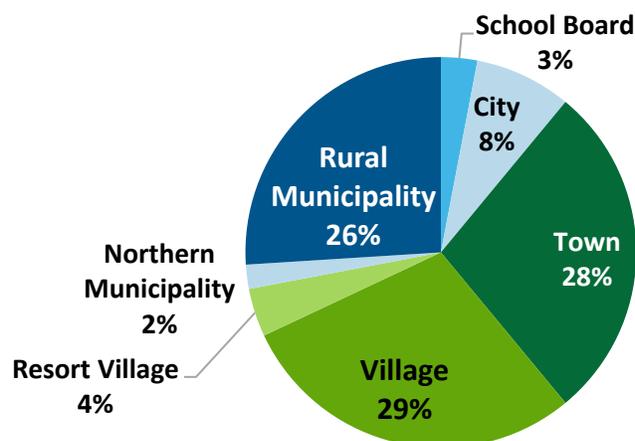
The 2020 post-election survey included 10 questions, focusing on the following areas:

- General information on how municipalities and school boards ran their elections, including how they determine voter turnout;
- Numbers of candidates for mayor/reeve and council;
- The use of advance voting mechanisms such as advance polls, mail-in ballots, special/mobile polls and northern election date options;
- The impact of COVID-19 and inclement weather on local election processes and procedures;
- The usefulness of resources provided by the ministry and the Chief Electoral Office; and
- Potential improvements and legislative amendments to the LGEA and its associated regulations.

NOTE: Responses in the survey may not equal 100% as questions were not mandatory and some questions allowed for multiple answers to be selected.

A total of 460 responses were received from 448 municipalities and 12 school boards; an 86 per cent increase in responses from the 2016 local election survey. Of respondents, 56 per cent (259) completed the entire survey while the remaining 44 per cent (201) partially completed the survey.

The respondents who identified their organization are shown below:

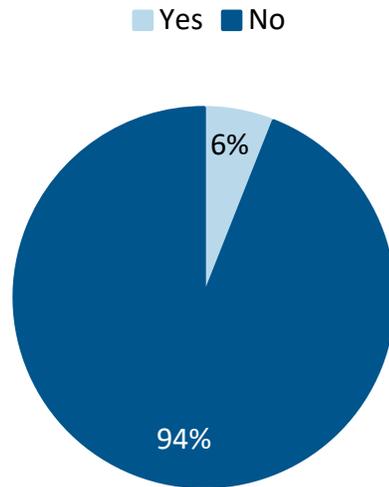


4. Detailed Survey Results

4.1 Voter's Lists and Voter Turnout

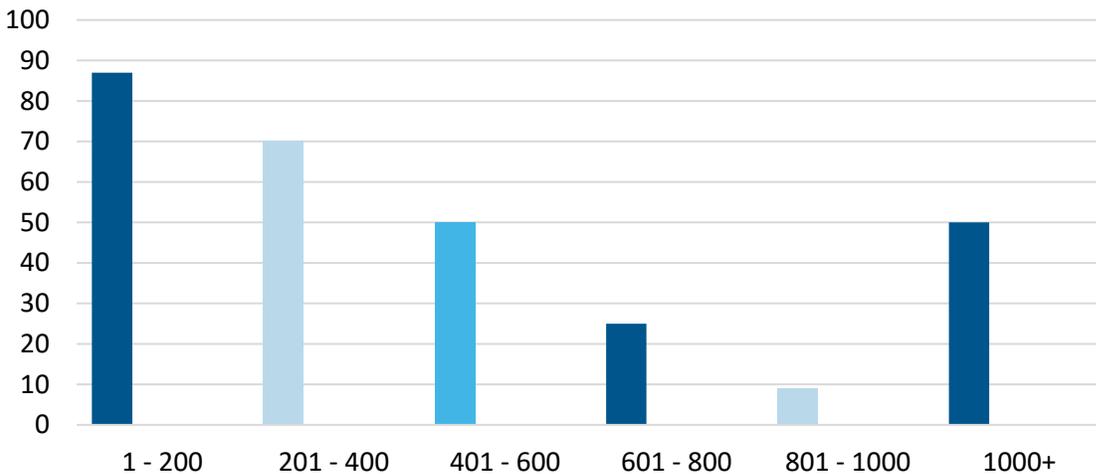
The use of enumerated voter's lists is optional in legislation. As shown in the chart below, only six per cent of survey respondents indicated they use enumerated voter's lists.

Responses to "Did your municipality use a voter's list?" is shown below.

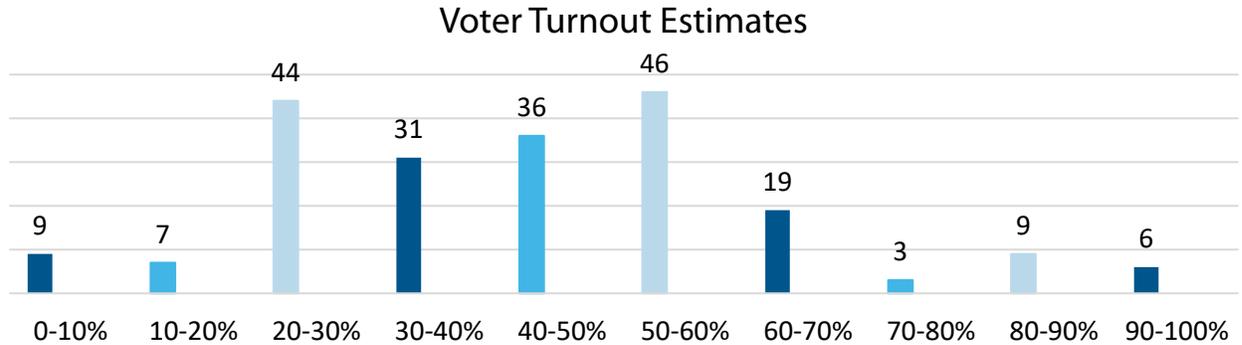


As a result, the reported number of eligible voters and reported voter turnout is largely based on estimates (over 93 per cent of respondents confirmed their numbers were estimated). Various mechanisms are used to determine total eligible voters and voter turnout. The most common method is census data on the number of citizens who are 18 years or older. Another method is the number of properties. The figure below shows the estimated number of eligible voters reported by respondents.

Estimated Number of Eligible Voters



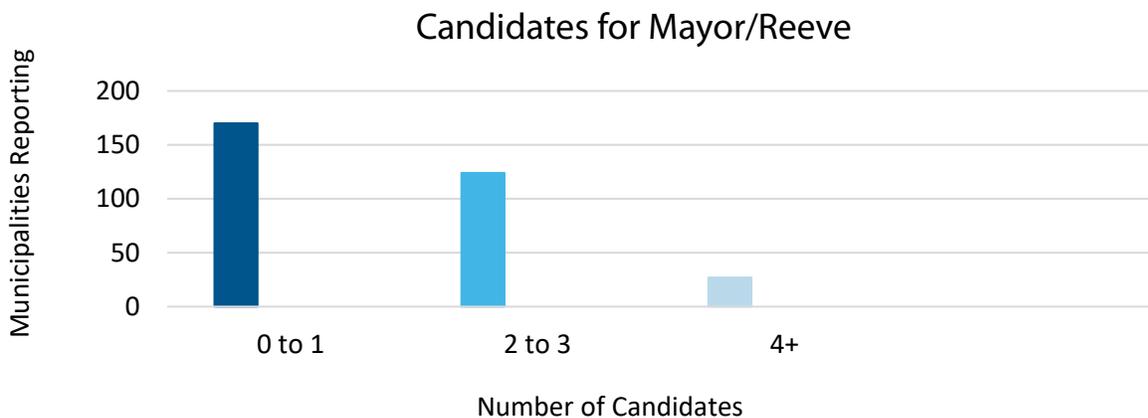
Voter turnout reported by survey respondents is varied and again is based on estimates. The average of the voter turnout estimates reported is 45 per cent, consistent with that reported in the 2016 post-election survey (42 per cent). The lowest turnout reported in 2020 was three per cent, and the highest turnout reported was almost 100 per cent. The below chart shows the voter turnout estimates reported and the number of respondents reporting in each range.

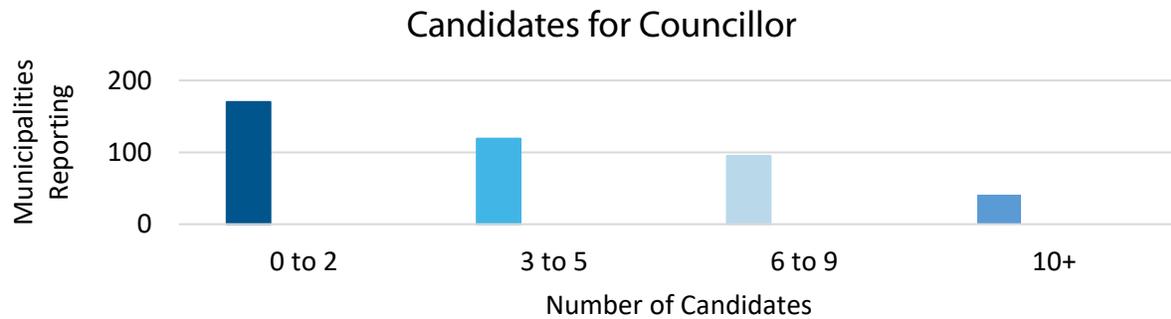


4.2 Number of Candidates

Of the over 300 municipalities that responded to survey questions about the number of candidates, 170 (57 per cent) reported zero or one candidate for mayoral/reeve elections indicating either no candidates (and a by-election needed) or the candidate was acclaimed. Some respondents may have considered an acclaimed incumbent as being zero or no candidates. Those reporting included all types of municipalities suggesting municipal capacity to recruit candidates for the head of council is challenged.

For councilor elections, 16 per cent reported having less than three candidates, while 39 per cent reported having between three to five candidates, 31 per cent reported having between six to nine candidates and 14 per cent reported having 10 or more candidates for councilor races.





4.3 Rejected Ballots

Less than a quarter of survey respondents (100 or 22 per cent) had any rejected ballots and two-third of those reporting rejected ballots rejected only one, two or three ballots. The most common reasons for ballot rejection cited by respondents were:

1. Blank ballot: a voter does not check any of the nominees.
2. Over-voting: voting for more candidates than allowed.
3. Spoiled ballot.
4. Identifiable ballots.
5. Incorrect marking.

The survey results do not suggest widespread problems with rejected ballots (only two municipalities reported rejecting over five per cent of the total ballots counted due to over-voting or blank voting). Rejected ballots could possibly be reduced with more awareness and instructions to the voter in election notices and advertising at polls and in voting ‘booths’ so voters are reminded of rules when casting their votes.

4.4 Advance Voting Options

For the 2020 local general elections, legislation required all municipalities to provide some form of advance voting. This could either be by mail-in ballot or advance poll. Prior to the 2020 elections, advance voting was optional for resort villages (RV) and rural municipalities (RM), while required in other municipalities (cities, towns, villages and northern municipalities).

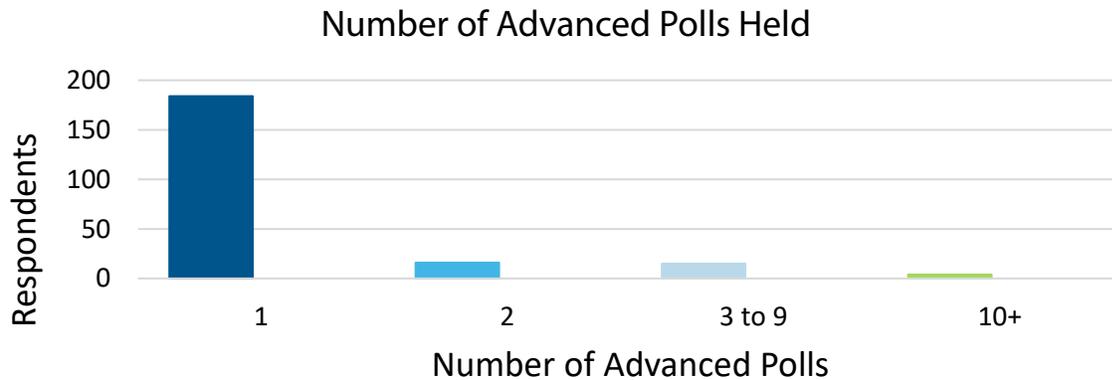
Requiring all municipalities to provide some form of advance voting is to help increase voter turnout. Previous surveys indicated that RMs and RVs that conducted an advance poll saw a 10 per cent increase in voter turnout. The 2020 post-election survey specifically asked about the use of advance voting measures, whether there was an increase/decrease in voter turnout at advance polls and if municipalities used mail-in ballots as a form of advance voting.

4.4.1 Advance Polls

Of the 291 municipalities and school boards who answered this question, 76 per cent (221) indicated they used advanced polls in the 2020 local election. Of importance is that half of these municipalities noted an increase in the number of voters in these polls over 2016, and 18 per cent noted a decrease in the number of advance poll voters. This suggests advance voting is an effective means of improving and retaining voter turnout.

Also important is that 32 per cent of those responding to this question held an advance poll for the first time, in part due to the legislative changes that required some form of advance voting in all municipalities in 2020. This suggests advance voting may still be in its infancy in some communities and may not be widely known by residents of those communities.

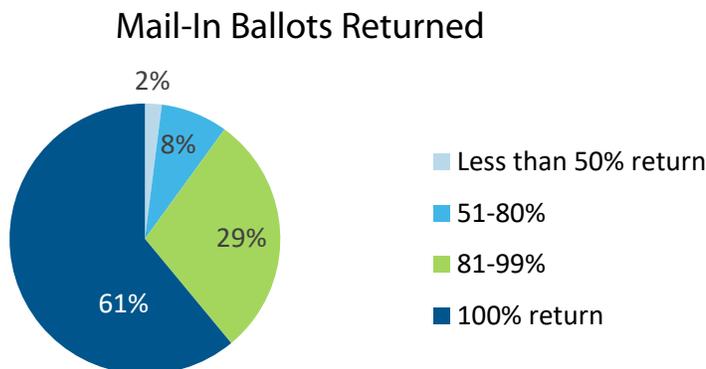
The large majority of those holding an advance poll, held one advance poll. The chart below illustrates the number of advance polls held per municipalities.



4.4.2 Mail-in Ballots

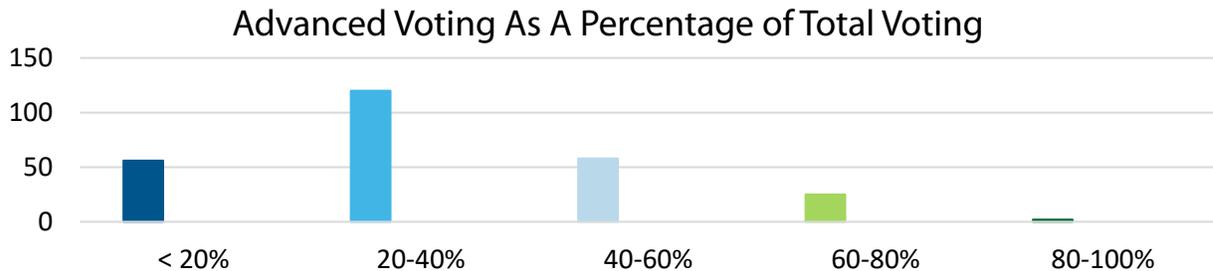
Of the 285 survey respondents who answered this question, 19 per cent (53) offered voters the ability to submit a mail-in ballot, compared to nine per cent (22 respondents) in 2016. Over a quarter of those that offered a mail-in ballot (14 respondents) indicated an increase in mail-in ballot use over 2016. The majority of respondents (37 or 70 per cent) offered the mail-in ballots for the first time.

The number of mail-in ballots issued ranged from 1 to over 9,000 reflecting community size. More importantly, the return rate of mail-in ballots averaged 95 per cent, with over half of the respondents offering mail-ballots having a 100 per cent return rate as shown below. Even those sending hundreds or thousands of mail-in ballots reported return rates of 80 to 95 per cent, indicating the effectiveness of mail-in ballots and that ballots requested are in large part returned and accounted for.



4.4.3 Impact/Importance of Advance Voting

With COVID-19 and inclement weather in some communities on election day, advance voting played an important role in the 2020 local elections. An average of 32 per cent of the vote counted in elections where advance voting was provided came from advance voting. The below chart shows advance voting as a percentage of total votes counted and the respondents reporting within each percentage range.



4.5 Mobile/Special/Homebound Voting Polls

Over 284 respondents answered this question and 30 or 11 per cent indicated they offered mobile, curbside, special or homebound polls, an increase from the four per cent or nine respondents that offered these voting options from the 2016 survey. Of the 30 respondents, 60 per cent used these types of polls for the first time in 2020, 20 per cent saw an increase in use over 2016, and 20 per cent saw a decrease.

4.6 Vote Counting Machines

Of the 283 respondents that answered this question, 10 or 3.5 per cent used vote counting machines. Interestingly, these included all types of respondents – cities, smaller urban and northern municipalities, RMs and school boards. In 2016 only four cities reported using the machines.

4.7 Northern Municipality Alternate Election Date

Section 10 of the LGEA provides three optional dates for northern municipalities to hold their election:

- The second last Wednesday in September;
- The last Wednesday in September; or
- The first Wednesday in October.

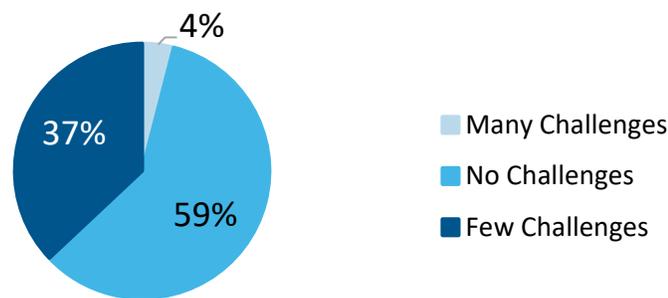
The six northern municipalities that responded to the question on alternate election dates did not use an alternate date. This suggests further discussion with northern stakeholders may be needed whether the alternate dates for northern local elections are still relevant and necessary.

5. Local Election Challenges - COVID-19 and Inclement Weather

5.1 Challenges Related to COVID-19

The 2020 Local Elections were unprecedented as they took place in the midst of the COVID-19 pandemic. The pandemic, provincial state of emergency and public health orders all created challenges for municipalities and school boards regarding local election timelines and the holding of local elections in abiding by and adhering to physical distancing requirements and restrictions on public gatherings that continued throughout 2020.

As shown below, of the 265 survey respondents that answered the question “Did you face challenges in holding your election due to COVID-19?”, 156 or 59 per cent indicated no challenges, 98 or 37 per cent indicated some or a few challenges, and 11 or four per cent reported many challenges.



Over 140 provided specific comments or details regarding the challenges faced. These are illustrated in word cloud below which provides an indication of the frequency of words in the comments provided giving greater prominence to words that appear more frequently.



The survey also asked municipalities and school boards of any additional efforts beyond offering advance voting to ensure voter turnout and voter safety as a result of the pandemic. These efforts included increased advertising using various platforms, accessible locations with different entrance and exit doors, free personal protective equipment, pencils and sanitizer at polling locations, additional staff to clean and sanitize locations, and direct and ensure voters adhere to social distancing.



5.2 Voter Compliance with COVID-19 Safety Measures and Protocols

Only 15 per cent or 40 of the 262 respondents that answered the question “Were there any issues with voter compliance with safety measures?” reported any issues. Mostly, these centered around some not wearing or refusing to wear masks, not following exit/entry directions, or not social distancing.



5.3 Resort Village Election Adjustments

RV elections are set in legislation for the last Saturday in July to maximize accessibility for RV voters, many of whom may be seasonal residents. With elections in July, nomination and other election timelines for RV occur in spring and were impacted by COVID-19 limitations and restrictions including those on travel, public gatherings, and social distancing.

In May 2020, government approved a Minister’s Order (“Order”) to extend RV elections by one month following a survey by the Provincial Association of Resort Communities of Saskatchewan of RV administrators and council members on rescheduling the election date and other election matters. The Order rescheduled RV elections to the last Saturday in August, from the last Saturday in July. The Order also adjusted other election timelines and processes that are based off the election date such as nomination and notice periods in accordance with the rescheduled date.

In addition, the Order made adjustments to help accommodate voters in RV municipalities being given extra time to vote in advance or get to the polls on election day and vote, including:

- Allowing advance polls to be held up to one day before the election day (from three days in legislation) giving more opportunity for advance polls to be held by the resort village;
- Requiring advance polls to be open for a minimum of three hours (to better allow for physical distancing and potentially accommodate more advance voters); and

- Extending the duration of the polls on election day to 8:00 am to 9:00 pm (from 9:00 am to 8:00 pm in the legislation).

The Order was made utilizing existing authority in the LGEA (Subsection 7(2)) that provides the Minister of Government Relations authority to “appoint a further or other time to do a thing under the Act, if the timeline cannot be met.”

(Note: the ministry considered whether a similar order should extend timelines for the general local elections to be held in November and worked with the Saskatchewan Urban Municipalities Association (SUMA) and the Saskatchewan Association of Rural Municipalities (SARM) to survey their respective members over summer 2020. The results of the association survey did not indicate any strong calls to alter any timelines for the November 9, 2020 election, particularly the date. The results indicated many municipalities would use the existing abilities in the LGEA to conduct safe elections and use mail-in ballots, more frequent advance polls, mobile polls and curbside voting).

Regarding the change to the RV election date and other adjustments, 12 RVs that held an election responded to the survey question asking whether the changes were helpful. The results were mixed - half indicated they were helpful and half indicated they were not and may have reduced voter turnout as seasonal residents had returned to their permanent residences by late August.

A sampling of some of the comments received is below:

- “I think that the pandemic would not have affected the original date for resort villages ... the later date did reduce the number that voted due to preparing for return to school.”
- “Yes, having some extra time was definitely helpful...”
- “the extension of hours was not necessary...the change in date actually negatively affected the election...a lot of resort people had already returned to their permanent residence with back to school/work happening right away.”
- “found the extra time to prepare and ability to extend poll hours helpful...”
- “...delay of one month resulted in most electors being disenfranchised as they had already left for the winter... the terms of the existing council members should have been extended f or 12 months.”
- “there were probably fewer voters in August because fewer people are at the resort village in August due to vacations being over and harvest being in full swing...”
- “Yes, because of the rapidly changing COVID-19 situation, we needed time to put best practices in place.”

5.4 Use of Election Resources

5.4.1 Best Practices Guide

The ministry’s Policy and Program Services branch prepared and posted on the government website a Best Practices Guide (“guide”) to assist municipalities in conducting safe elections during the pandemic.

The guide contained information and resources for municipalities including tips on choosing polling places, promoting social distancing and safety at polls, tips for communicating with voters, advice for candidates while campaigning and links to resources including the Re-open Saskatchewan Plan, relevant Public Health Orders issued by the Chief Medical Health Officer, and best practices from communities in Saskatchewan and other jurisdictions that had held elections during the pandemic.

Over 300 survey respondents provided positive comments on the guide, indicating they found it useful and informative, easy to follow, and they implemented a number of the tips and strategies contained in the guide. A word cloud of the comments received is below.



5.4.2 Elections Saskatchewan Resources

Elections Saskatchewan also worked with the ministry and agreed to share with municipalities work they had done regarding protocols to conduct a safe election, downloadable resources such as signage and procurement of personal protective equipment.

Additionally, Elections Saskatchewan worked with SUMA and SARM to co-ordinate with municipalities the use of election materials such as cardboard and plexi-glass dividers and signage as well as unused safety and protective materials that remained in reasonable condition following the October 26th provincial election.

Almost 200 survey respondents indicated they made use of Election Saskatchewan resources and found the materials very helpful. The most commonly mentioned resources utilized were dividers, personal protective equipment, and signage and posters.

The ministry thanks Elections Saskatchewan and the municipal associations in helping communities prepare for the 2020 local elections, and municipalities and school boards for working hard to hold safe elections.

5.5 Challenges Related to Inclement Weather

On local election day, many communities faced inclement weather in the form of a snowstorm. Of the 261 survey respondents that answered questions about challenges in conducting their election as a result of the inclement weather, 146 or 56 per cent identified no challenges, 91 or 35 per cent said they faced a few challenges, and 24 or nine per cent of municipalities faced many challenges.

6.1 Suggestions for the Ministry of Government Relations

A number of respondents commended ministry efforts in responding to the pandemic and providing resources to assist with local elections including webinars, election calendar and the Best Practices Guide. Suggestions regarding how the ministry could better assist local elections, included:

- The ministry's authorization for returning officers to postpone the election due to the inclement weather could have been done earlier. Some suggested returning officers have the same powers as the Chief Electoral Officer to suspend provisions of local election legislation and regulations to assist in dealing with emergencies or unexpected circumstances.
- Ministry training for election officials was generally highly regarded by survey respondents. Suggestions included more training closer to the actual election date in the fall, more training on what to do with ballot boxes, and how to handle mail-in ballots.
- The ministry should execute a public awareness campaign on the local election, similar to that done for the provincial election. Also, given the sharing and use of resources with Elections Saskatchewan and Chief Electoral Office, there are more opportunities for collaboration on election matters between municipalities/school boards with Elections Saskatchewan.
- A few respondents commented on changing local election timing, noting November has greater possibility of winter storms and the November date makes the first meeting of council take place at a later date, creating difficulties for orientation, committees, budgeting and year-end procedures.

6.2 A Note About Local Election Forms and Current Legislation

Some respondents appear to not be using current forms or legislation. Many stated that election forms should be available in Microsoft Word format to be more easily tailored to the municipality. Others specifically thanked the ministry for providing forms in Word format stating they save time and money.

NOTE: All election forms have been available in Word format for a few years. Following the 2016 general municipal elections, the Ministry of Government Relations worked with the Ministry of Justice and Publications Saskatchewan to make election forms available in Word format to download. Forms can be downloaded as Word files or pdfs in the Related Products section on the LGEA regulations page on Publications Saskatchewan at: <https://publications.saskatchewan.ca/#/products/77907>.

6.3 Potential Amendments to The Local Government Election Act, 2015

Specific amendments to the LGEA and its regulations identified by survey respondents or as a result of survey responses and other correspondence received after the 2020 elections are tabled below. Many indicated no amendments were needed.

The ministry will consult with municipal and education sectors on any potential changes to legislation or regulations when the LGEA is next open for amendment.

Topic	Stakeholder suggestion	LGEA section
General election date	Consider moving local elections to provide further separation from the provincial election date.	10
Northern dates	Review northern election date options to see if necessary and relevant.	
RM division eligibility Non-resident voter eligibility	Mandate proof of the division that an RM elector is eligible to vote in, possibly through an assessment notice or tax notice. Consistent voter eligibility rules for non-residents. NOTE: The ministry has heard various sides to this issue – some wanting non-residents in urban municipalities such as business and property owners who do not live in the urban municipality to be allowed to vote (similar to the eligibility in RM elections), and some wanting the RM voter eligibility criteria to include residency in the RM or residency in Saskatchewan.	36
Powers of Returning Officers	More flexibility for returning officers to deal with emergent situations, an emergency or inclement weather, including the authority to alter provisions of the legislation to assist in conducting an election safely and proficiently – similar to the Chief Electoral Officer’s powers. More authority for returning officers to prosecute for offenses. Authority for returning officers to determine polling locations on election day (currently determined by council). Ability to delegate powers to poll clerks when polls are in same room.	47, 48
Nomination papers • Criminal record checks • Contact information • Public disclosure statements	Adjusting timelines for valid criminal record checks (CRCs) to be filed with nomination papers to give candidates more time to obtain CRCs from local detachments and more options, including electronic options. Require candidates provide contact information, allow returning officers to request this information if not provided in case follow up is needed. Include a candidate’s arrears No table of contents entries found. owing to municipalities; ensure disclosure statements filed with nomination papers are consistent with those filed after a candidate is elected.	67
Mail-in ballots	Require all municipalities to use mail-in ballots. Allow mail-in ballots to be accepted a couple of days after Election Day as long as they are sent in or postmarked by Election Day. Clarify school board decision to use mail-in ballots is only where school board conducts the election (like vote counting machine decisions).	92

Topic	Stakeholder suggestion	LGEA section
Breaking tie votes	Provide more or alternative and less random options for breaking tie votes. Current legislation only permits the use of drawing to determine the winning candidate.	LGEA 141
Votes on questions	Allow votes on questions and bylaws to be done electronically.	146(3)
Recount/vote counting machine	Require a judge to use a vote counting machine when conducting recount on an election where a vote counting machine is used.	166
Advertising	More clarity as there is some confusion around candidate advertising.	182
Forms (regulations) General comments Form C-A - mobile poll application Form C-I - nomination Form C-R - voter registration form	Some respondents want more forms and separated urban-rural forms (<i>NOTE: Forms <u>can</u> be tailored by a municipality to reflect its type</i>), others want fewer and more consolidation of forms. Review wording between the Act and the forms to ensure consistency – for example spoiled and declined/blank ballots may be contradictory. Specify types of addresses requested – mailing, legal, street, email. Require contact information of applicant (beyond address) to assist in arranging and advising of date and time for mobile or special poll Update nomination form, consider removing different requirements for signatures, add candidate contact information Form R appeared to cause confusion in several communities. Some think it could be shortened, simplified and contains repetition, others want it more detailed so voters know which requirements to complete.	LGEA Regulations

Conclusion & Thank You

The ministry thanks those who responded to the 2020 Local Government Election Survey. The 2020 elections were unprecedented and the survey responses and results show the ability and commitment of municipalities, school boards and local election officials to adapt to change when needed and hold safe, transparent elections for their communities and electorates.

The ministry will continue to work with local election stakeholders to strengthen local elections. This report will serve as the starting point for future consultations on potential changes to local election processes, legislation and regulations, and ministry resources in the coming years.

The ministry thanks all those who participated in the survey, provided their thoughts on the election process and identified potential legislative, regulatory and other improvements for local elections.