



Citizenship and  
Immigration Canada

Citoyenneté et  
Immigration Canada

# Evaluation of Ministerial Instructions (Implementation)

Evaluation Division

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## List of acronyms

AEO	Arranged Employment Offer
C-50	Bill C-50 – proposed amendments to the <i>Immigration and Refugee Protection Act</i>
CAIPS	Computer Assisted Immigration Processing System
CEC	Canadian Experience Class
CIC	Citizenship and Immigration Canada
CIO	Centralized Intake Office
CPR	Central Processing Region
CVOA	Canadian Visa Offices Abroad
FSW	Federal Skilled Workers
iCAMS	Immigration Contribution Agreement Management System
IELTS	International English Language Testing System
IRPA	<i>Immigration and Refugee Protection Act</i>
MI	Ministerial Instructions
MI1	The first set of Ministerial Instructions (November 28, 2008)
MI2	The second set of Ministerial Instructions (June 26, 2010)
MI3	The third set of Ministerial Instructions (July 1, 2011)
NOC	National Occupational Classification
NHQ	CIC National Headquarters
OMC	Operational Management and Coordination

# Executive summary

## Purpose of the evaluation

This report presents the findings of the implementation evaluation of the first set of Ministerial Instructions (MI), which were issued in November 2008 on the basis of a legislative amendment made to the *Immigration and Refugee Protection Act* (IRPA) earlier that year. In keeping with the requirements of the Directive on the Evaluation Function (TBS, 2009) and the Treasury Board commitment for an implementation evaluation of Ministerial Instructions during the second year of operation, the purpose of the evaluation was to provide an objective assessment of:

- the continued relevance of MI as a legislative tool;
- the design and implementation of the first set of Ministerial Instructions (MI1);
- the performance of MI1 in achieving selected results; and
- the cost-effectiveness of the Centralized Intake Office (CIO).

It is important to note that although the original subject of this evaluation included MI1 and the CIO, it was expanded to include an assessment of the initial impact of MI2, which came into effect on June 26, 2010. The fact that MI2 had been in effect for almost a year at the time the data collection was taking place, and that it resolved some of the major issues with MI1, made it very relevant to this study.

While the plan for the evaluation was to look only at the cost-effectiveness of the CIO, some of the research conducted was also relevant to the question of whether the CIO is achieving its intended results.

Because the evaluation was conducted approximately two years following the announcement of MI1, it looks only at initial and intermediate results, and not at the longer-term outcome of labour market responsiveness. However, to the extent that applications can be shown to have been processed more quickly, wait times reduced and the eligible NOC codes drawn from high demand occupations, we would expect MI to be more responsive to the Canadian labour market in the long term.

## Ministerial instructions

The federal government elected to respond to the backlog of FSW applications by introducing amendments to the *Immigration and Refugee Protection Act* (IRPA), through Bill C-50, the 2008 *Budget Implementation Act*. Bill C-50, which came into effect on February 27, 2008, made a number of fundamental changes to the way in which immigration applications are managed: it eliminated the (previous) obligation to process all applications received; and authorized the Minister to issue instructions (Ministerial Instructions) to immigration officers regarding which applications were eligible for processing, based on the government's overall goals for immigration. Under these "MI authorities," the Minister had the power to limit the numbers of applications processed, accelerate some applications or groups of applications, and return applications without processing them to a final decision.

The first set of Ministerial Instructions (MI1), which articulated how the Minister would operationalize the authority inherent in the changes to IRPA, were announced as part of CIC's Action Plan for Faster Immigration on November 28, 2008, and were directed to the FSW Program. MI1 had three primary objectives:

- to control FSW application intake; and
- reduce the backlog of FSW applications by 50% by 2013; while
- remaining responsive to the Canadian labour market.

## Centralized Intake Office (CIO)

In conjunction with MI, and as part of the department's Modernization Agenda, CIC decided that the initial eligibility assessment of new FSW applications would be centralized in Canada. The Centralized Intake Office (CIO) was established in the Case Processing Centre (CPC) in Sydney, Nova Scotia, which was already undertaking citizenship and permanent resident card processing, and so had the infrastructure in place to administer the receipt and initial processing of FSW applications.

### The goals of the CIO were:

- To expedite the front-end processing of applications, thereby increasing the efficiency of the overall process;
- To reduce the workload in the missions, freeing mission staff to focus on non-clerical tasks;
- To provide consistency in implementing the Ministerial Instructions and assessing FSW applications; and
- To facilitate the management of fees.

There were subsequent administrative changes made at the CIO to coincide with MI2, the most important of which was that the final eligibility decision was made at the CIO, rather than at missions. Under this new process, missions could not reverse a positive eligibility decision, although they could refuse the application on other grounds. In addition, the CIO also awarded points as per the FSW grid and refused cases that failed to attain 67 points.

## Evaluation methodology and limitations

Data collection for this evaluation took place between March and June, 2011. The time period that is covered by the evaluation extends from the time that the 2008 Budget came into effect (June 18, 2008) until the end of the data collection phase.

Several lines of enquiry, including both quantitative and qualitative lines of evidence, were used for the evaluation:

- document review;
- interviews;
- review of administrative data;
- survey of Canadian Visa Offices Abroad (CVOA); and
- CIO site visit

Although the evaluation included a good balance of quantitative and qualitative lines of enquiry, and allowed for the triangulation of results, there were two notable limitations to the methodology:

- The potential for confusion between MI1 and MI2, given the timeframe in which data collection took place. This limitation was mitigated by ensuring that the discussions with key informants always distinguished between the two sets of Instructions. With respect to the

survey, where it was not possible to probe, contextual evidence was used to determine if there was some confusion between MI1 and MI2 and, where this was the case, responses were not included in the analysis.

- CIC maintains an activity-based financial system, the Cost Management Model (CMM), that is generally very useful for an analysis of processing costs. However, with respect to MI, it was not sufficiently detailed to be able to conduct a cost-effectiveness analysis of the introduction of the CIO. In order to address this problem, the evaluation expanded its assessment of the CIO to determine whether it is achieving its other objectives, all of which would contribute to the efficiency of the overall process.

## **Key findings**

### ***Relevance***

- All interviewees and two-thirds of CVOA survey respondents agreed that MI continues to be relevant as a legislative tool. The fact that MI has been used to make subsequent processing changes, both for FSW applications and for those in other immigration programs, supports this finding.

### ***Design and implementation***

- The majority of study informants rated the flexibility of the MI authorities as “excellent” or “good”. The fact that, when the limitations of the first set of Instructions were identified, the Minister was able to introduce a second set relatively quickly to address these issues, indicates that the design of MI is very responsive.
- Under MI1, CIC established a number of monitoring tools, which were seen as being very effective by virtually every key informant. The timeliness and quality of the information gathered from the monitoring processes made it possible for CIC to make relevant adjustments in a timely manner to policy and/or operations.
- Both the proportion of incomplete applications and the proportion that ended in negative eligibility assessments decreased fairly quickly following the announcement of MI1, suggesting that immigrants and immigration consultants generally understood the criteria. The majority of NHQ informants and mission survey respondents were of the opinion that immigrants understood MI1.

### ***Performance: Achievement of intended results***

- The initial processing time for MI1 applications fell within the target timeframe of 6-12 months. However, as applications continued to flow in at a higher rate than forecasted, the processing time increased. For the typical MI1 applicant whose case had been decided by May 2011, the time between submitting an application and the final positive case decision at CVOA was 412 days, about a month and a half above the upper limit target. However, while MI1 did not maintain the specific 6-12 month processing time objective, it was still faster than the previous FSW system: an average of 13.6 months, in comparison to 25.5 months for the period from January 2006 to February 2008 (pre-MI).
- Most interviewees at NHQ and those surveyed in the missions thought the consistency in CIO decision-making, from one decision to the next, was high. With respect to consistency



between the CIO and CVOA decisions, the assessment by key informants was somewhat lower. However, the percentage of CIO decisions that were reversed at the missions due to a differing assessment of eligibility was fairly low, between 5 and 10%.

- The intent, under MI1 was to limit the number of applicants who could apply as FSWs, thereby freeing up time to process the pre-MI backlog. Although the number of applications received was initially quite low, it rose steadily over the delivery period of MI1, from 5,000 applications in the first quarter (12 weeks) of 2009, to 25,000 in the second quarter of 2010. This represented the highest intake seen prior to the introduction of Bill C-50.
- With the implementation of MI1, CIC set a target of reducing the pre-MI backlog by 50% by 2013. By April, 2011, they had achieved this goal, two years ahead of schedule. However, because of the increasing volume of applications under MI1, a backlog of MI1 applications had developed during this time. This new MI1 backlog, together with the pre-MI backlog, represented a total reduction of 23% since February 2008, when the first set of Instructions were issued.
- Nearly every key informant mentioned at some point during the interview that the major strength of MI1 was that it provided essential information that informed the development of MI2, which was viewed as superior to MI1 in controlling application intake, increasing processing efficiencies and reducing the clerical workload at missions.
- Additional administrative changes were made at the CIO to coincide with MI2, the most important of which was that the final eligibility decision is now made at the CIO, rather than at missions. Many key informants - most CVOA interviewees and survey respondents, many CIO interviewees, and some at NHQ – identified this as potentially problematic because CIO staff don't have sufficient local knowledge to be able to detect fraudulent applications.

### ***Performance: Economy and efficiency***

- Although it was not possible to quantify the impact of the introduction of the CIO on FSW processing costs, there is some evidence, related to the CIO's original objectives, that centralization of the initial assessment of applications is more efficient than the previous model: the application processing time and clerical workload in missions were reduced; and consistency in decision-making and record-keeping were improved.

### **Conclusions**

- There is a continued need for CIC to be able to manage the intake and processing of immigration applications in a timely, efficient and responsive manner.
- The design of MI is both flexible and responsive, which is the key to its success as a policy tool.
- Although MI1 temporarily reduced the intake of FSWP applications, the numbers received rose very quickly to the pre-MI1 level. However, the data systems established as part of MI1 allowed for the early identification of this increase, and led to MI2, which has been much more successful in limiting intake.
- While MI2 has been more successful than MI1 in limiting applications, the transfer of the eligibility decision to the CIO under MI2 was viewed as potentially problematic, particularly

by staff in the missions. The scope of this evaluation did not allow for an assessment of the impact of this change.

- The implementation of MI1 contributed to a substantial reduction in the backlog, although there was a subsequent, and unanticipated, development of an MI1 backlog.
- While it was not possible to conclude that CIC costs were reduced as a result of centralizing the front-end processing of FSW applications, the CIO did achieve a number of objectives that contribute to improving the efficiency of the overall process.

## Recommendations

**Recommendation 1:** CIC should conduct a more formal assessment of the impact of further centralization of the processes historically undertaken in missions. Specifically, this assessment should examine the risks associated with centralizing decision-making, particularly in relation to the potential of not detecting fraud. This study should also include the identification of mitigation strategies, as required.

**Recommendation 2:** As part of its overall approach to program performance measurement, CIC should ensure that there is financial data that is sufficiently robust and detailed to support the on-going analysis, and periodic evaluation, of program costs.

The research for the evaluation identified a number of findings that were not, by themselves, sufficient to support a recommendation, but were suggestive of particular actions or further considerations by the department. These are presented below.

**Recommendation 3:** The department should consider each of the following observations, investigate further, as required, and decide on how best to proceed:

- **Communications**

CIC should permit and facilitate direct communications between missions and the CIO. The implementation of a feedback loop could help to identify any systematic errors and improve decision-making. Lessons learned through interaction with individual missions should be shared across the network.

- **Electronic Application**

The department should expedite the move to an e-application for the FSW Program, particularly now that GCMS has been fully implemented.

- **Fee Payment**

The electronic application platform should facilitate fee payment through such means as PayPal, etc. Also, consideration should be given to charging a fee for processing applications that are determined to be ineligible. This will help to cover some of the associated costs and deter applicants who know they are unlikely to be successful.

- **CIO Pilot Status**

Given that it appears to have a continued and increasing role in processing FSW applications, the CIO should be designated a permanent operation.

## Evaluation of Ministerial Instructions (implementation) - Management response

Recommendations	Response	Action/Deliverables	Accountability	Completion date
<b>Program Relevance</b>				
1. CIC should conduct a more formal assessment of the impact of further centralization of the processes historically undertaken in missions. Specifically, this assessment should examine the risks associated with centralizing decision-making, particularly in relation to the potential of not detecting fraud. This study should also include the identification of mitigation strategies, as required.	CIC agrees with this finding. However, it is equally important to ensure that the benefits and efficiencies gained through centralization are leveraged along with the modernization of systems and processes (i.e. distributing application processing based on level of risk).	<ul style="list-style-type: none"> <li>Finalize the report on the network-wide QA exercise of MI2 undertaken in 2011 to help identify areas for further improvement and to better manage the risks associated with centralization.</li> <li>Assessment of processing of CEC/PNP files in Buffalo and CPP-O (undertaken to help achieve 2011 immigration levels).</li> <li>Assessment of the centralization of PNP and QSW intake began on Dec 01, 2011 at the CIO.</li> <li>Other assessments will be conducted on additional lines of business as they are centralized.</li> <li>Development of tools to support centralized case processing.</li> </ul>	<p>OMC</p> <p>OPMB</p> <p>OPMB</p> <p>OPMB</p> <p>OMC</p>	<p>Mar. 31, 2012</p> <p>Mar. 31, 2012</p> <p>Dec. 1, 2013</p> <p>Ongoing</p> <p>Mar. 31, 2012</p>
2. As part of its overall approach to program performance measurement, CIC should ensure that there is financial data that is sufficiently robust and detailed to support the on-going analysis, and periodic evaluation, of program costs.	CIC agrees with this finding. Integrated, detailed and accurate financial data are of increasing importance to the measurement and evaluation of CIC programs.	<ul style="list-style-type: none"> <li>A departmental Data Management Vision is currently being developed to streamline and coordinate the management of data at CIC. The Vision will comprise current and future scenarios with regard to data integrity, stewardship, governance, reporting and dissemination, infrastructure, and roles and responsibilities. Cost management has been identified as a critical element of the overall vision. Findings expected in FY 2012-13 (Quarter to be determined).</li> <li>New Performance Measurement Strategy (PMS) guidelines will be developed to require program directors to: (1) consult with Finance for the development of the PMS; (2) receive sign-off from Finance for the completion of the PMS; and (3) receive ADM approval for the PMS as part of the Integrated Corporate Plan.</li> </ul>	<p>OPMB</p> <p>Research &amp; Evaluation</p>	<p>2012</p> <p>Q4 2011-12</p>

Recommendations	Response	Action/Deliverables	Accountability	Completion date
3. The department should consider each of the following suggestions, investigate further, as required, and decide on how best to proceed.				
(i) Communications <ul style="list-style-type: none"> <li>▪ CIC should permit and facilitate direct communications between missions and the CIO. The implementation of a feedback loop could help to identify any systematic errors and improve decision-making. Lessons learned through interaction with individual missions should be shared across the network.</li> </ul>	CIC agrees with this finding.	<ul style="list-style-type: none"> <li>▪ The CIO has established a dedicated e-mail address to allow visa offices to communicate directly with the CIO.</li> <li>▪ The Department works cooperatively on issues of mutual concern, i.e. fraud trends, processing concerns, emerging situations to allow for the transfer of knowledge.</li> </ul>	CPR/IR  CPR/IR	Completed  Ongoing
(ii) Electronic Application <ul style="list-style-type: none"> <li>▪ The department should expedite the move to an e-application for the FSW Program.</li> </ul>	CIC agrees with this finding. GCMS has been fully implemented for Citizenship and Overseas Immigration processing. Implementation of GCMS for in Canada Immigration processing is in process. In July 2011, CIC introduced a 2D bar coded form for all Permanent Resident applications, including FSW applications. CIO and missions have started to receive applications and are able to upload these	<ul style="list-style-type: none"> <li>▪ CIC is moving forward with introducing online submission of temporary resident e-applications received overseas by the end of fiscal 2012-13.</li> <li>▪ Building on the 2D technology, CIC will be in a position to start accepting electronic PR applications online by the end of fiscal year 2012/2013.</li> </ul>	GCMS  GCMS	Q4 2012-13  Q4 2012-13

Recommendations	Response	Action/Deliverables	Accountability	Completion date
	applications directly to GCMS. Use of this technology reduces the amount of time required to create applications and creates consistency in data entry. CIC will monitor the rate of applications submitted using 2D bar coded application forms.			
(iii) Fee Payment <ul style="list-style-type: none"> <li>▪ The electronic application platform should facilitate fee payment through such means as PayPal, etc. Also, consideration should be given to charging a fee for processing applications that are determined to be ineligible. This will help to cover some of the associated costs and deter applicants who know they are unlikely to be successful.</li> </ul>	CIC agrees with this finding. However, PWGSC/Receiver General determines which mode of payment will be acceptable to GoC. Currently Paypal or other electronic means (from banks) are not available.	<ul style="list-style-type: none"> <li>▪ Receiver General is looking into expanding/changing the way it will accept e-payments, but any subsequent decision will be made by them.</li> <li>▪ IPRMS system to modernize fee payment to be completed in 2013 (TBC).</li> <li>▪ CIC is commencing a fee review in 2012, but this item is out-of-scope of the upcoming fee review. It could be considered for future fee reviews.</li> </ul>	Finance is lead on fee payment mechanisms in liaison with Receiver General  Finance with GCMS and IMTB  Finance	2013 (TBC)  2013  Ongoing
(iv) CIO Pilot Status <ul style="list-style-type: none"> <li>▪ Given that it appears to have a continued and increasing role in processing FSW applications, the CIO should be designated a permanent operation.</li> </ul>	CIC agrees with this finding.	<ul style="list-style-type: none"> <li>▪ Once this evaluation is finalized, it is anticipated that CIO will be made a permanent operation.</li> </ul>	CPR	March 2012 (anticipated)



# 1. Introduction

This report presents the findings of the implementation evaluation of the first set of Ministerial Instructions (MI), which were issued on November 2008 on the basis of a legislative amendment made to the *Immigration and Refugee Protection Act* (IRPA) earlier that year. In keeping with the requirements of the Directive on the Evaluation Function (TBS, 2009) and the Treasury Board commitment for an implementation evaluation of Ministerial Instructions during the second year of operation, the purpose of the evaluation was to provide an objective assessment of:

- the continued relevance of MI as a legislative tool;
- the design and implementation of the first set of Ministerial Instructions (MI1);
- the performance of MI1 in achieving selected results; and
- the cost-effectiveness of the Centralized Intake Office (CIO).

It is important to note that the original subject of this evaluation included MI, MI1, and the CIO. However, since the introduction of MI1, CIC has issued a second, third and, very recently, a fourth set of instructions<sup>1</sup>. Although these new instructions were beyond the scope of the implementation evaluation, the research did include a preliminary assessment of the impact of MI2. The fact that MI2 had been in effect for almost a year at the time the data collection was taking place, and that it resolved some of the major issues with MI1, made it very relevant to this study.

While the plan for the evaluation was to look only at the cost-effectiveness of the CIO, some of the research conducted was also relevant to the question of whether the CIO is achieving its intended results.

Because the evaluation was conducted approximately two years following the announcement of MI1, it looks only at initial and intermediate results; the first set of instructions were not in place for a sufficient length of time to assess the longer-term objective of labour market responsiveness. However, to the extent that applications can be shown to have been processed more quickly, wait times reduced and the eligible NOC codes drawn from high demand occupations, we would expect MI to be more responsive to the Canadian labour market in the long term.

The MI logic model and original evaluation matrix are provided in Appendix A. As described above, however, two additional sub-questions were added to this matrix. Table 1-1 presents the questions that were assessed in the study, and the linkages between those questions and the five core issues required by TBS for all evaluations.

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<sup>1</sup> The second set of Ministerial Instructions was issued on June 26, 2010; MI3 came into effect on July 1, 2011; and MI4 on November 5, 2011.

**Table 1-1: Summary of evaluation questions**

TBS evaluation core issues	Related question for MI evaluation	Comments
Relevance		
Continued need for the program	1. Is there a continued need to issue Ministerial Instructions?	As indicated above this question refers to the need for MI, as a policy tool, to be able to respond quickly to changing conditions.
Alignment with government priorities		MI is a tool, not a program, so these questions are not applicable. Accepting that the FSW Program is aligned with government priorities, roles & responsibilities, then its internal management tools are also aligned. The relevance of the FSW Program was assessed positively in the FSW Evaluation. <sup>2</sup>
Alignment with Federal roles and responsibilities		
Design and Implementation		
	2. Is the design of the MI flexible and responsive?	Because the evaluation was intended to look at the implementation of MI1, questions specifically relating to design and implementation were included.
	3. Did stakeholders and prospective immigrants understand the first set of MI criteria once issued?	
Performance		
Achievement of expected outcomes	4. Does program delivery under the first set of MI facilitate the timely, consistent and transparent processing of prospective skilled worker immigrants?	MI2 was introduced to address some of the shortcomings of MI1, so although the original scope of the evaluation was limited to MI1, a question was added to look at the initial impact of MI2.
	5. To what extent has the first set of MI reduced the intake of applications and contributed to reducing the backlog of FSW applications?	
Demonstration of efficiency and economy	6. Is the processing of FSW applications through the CIO more cost-effective than the previous approach?	Because there was limited financial data to assess cost-effectiveness, the evaluation also looked at whether the CIO is achieving its intended objectives, all of which are intended to make the assessment process more efficient.

## 1.1. Organization of the report

The report is organized in four chapters: Chapter 1 provides background information on CIC's Federal Skilled Worker (FSW) Program, and the introduction of MI and the CIO; Chapter 2 presents the methodology used for the evaluation; the study findings are presented in Chapter 3; and Chapter 4 provides the evaluation conclusions and recommendations.

Where qualitative evidence is presented, the following scale has been used in reporting to indicate the relative weight of the responses for each of the respondent groups.

<sup>2</sup> Citizenship and Immigration Canada, 2010. *Evaluation of the Federal Skilled Worker Program*, available at [www.cic.gc.ca/english/resources/evaluation/fswp/index.asp](http://www.cic.gc.ca/english/resources/evaluation/fswp/index.asp)



All	Findings reflect the views and opinions of 100% of the key informants in the group;
Majority /Most	Findings reflect the views and opinions of at least 75% but less than 100% of key informants in the group;
Many	Findings reflect the views and opinions of at least 50% but less than 75% of key informants in the group;
Some	Findings reflect the views and opinions of at least 25% but less than 50% of key informants in the group; and
A few	Findings reflect the views and opinions of at least two respondents but less than 25% of key informants in the group.

In addition, the interviews and survey asked respondents to rate various aspects of the performance of MI using an alphabetic scale: A (excellent); B (good); C (average); D (below average); F (Poor). The mean grade of their responses was calculated by assigning numeric values to the letters, determining the average value of the responses, and then using equal intervals to re-convert the numeric average into an average letter grade.<sup>3</sup>

## 1.2. Background

Immigration has been a critical cornerstone of Canada's success since the nation's founding. Among the many benefits to Canada are population growth, economic growth, and social and cultural enrichment. With a low birth rate and an aging workforce, Canada depends on immigrants for continuing prosperity. Although Canada is a destination of choice for potential immigrants around the world, there is heavy international competition for immigrants with needed skills. If Canada is to compete in the global economy, it must attract and keep skilled immigrants through effective policies and programs, and through efficient processing.

Over the last decade, the number of applications received under the Federal Skilled Worker (FSW) program has exceeded the department's ability to process them, resulting in long processing times and a growing inventory. This backlog had reached 640,800 by 2008 which, under the regulations at the time, represented a wait time of up to six years for processing an application, which was substantially longer than that of some of Canada's international competitors.<sup>4</sup> Consequently, this backlog was felt to represent a roadblock in Canada's ability to attract "the best and the brightest". It also reduced the ability of the FSW program to be responsive to changing labour market conditions, threatened program integrity, and was highly inefficient, as substantial resources were required to manage the inventory.

### 1.2.1. Ministerial Instructions (MI)

The federal government elected to respond to the backlog issue by introducing amendments to the *Immigration and Refugee Protection Act* (IRPA), through Bill C-50 (the *Budget Implementation Act*), Bill C-50, which came into effect on February 27, 2008 and made a number of fundamental

<sup>3</sup> The numeric values used were: A=1; B=2; C=3; D=4; and F=5. Equal intervals were established to stand for the grade average: 1 to 1.167=A; 1.168 to 1.5=A-; 1.501 to 1.834=B+; 1.835 to 2.167=B; 2.168 to 2.5=B-; 2.501 to 2.834=C+; 2.835 to 3.167=C; and so on.

<sup>4</sup> For example, according to one source the processing times for Australian Offshore Skilled Visas are generally 12 to 24 months: [www.nationalvisas.com.au/skilled/visaprocessingtime.htm](http://www.nationalvisas.com.au/skilled/visaprocessingtime.htm) (current information as of Sept 1, 2011); Processing times for the Skilled Migrant category in New Zealand range from six to nine months: [www.immigration.govt.nz/branch/aucklandcentralhome/processingtimes/](http://www.immigration.govt.nz/branch/aucklandcentralhome/processingtimes/) (current information as of Sept 1, 2011)

changes to the way in which most immigration applications<sup>5</sup> and requests were managed: it eliminated the (previous) obligation to process all applications received; and authorized the Minister to issue instructions (Ministerial Instructions) to immigration officers regarding which applications were eligible for processing, based on the government's overall goals for immigration. Under these "MI authorities," the Minister had the power to limit the numbers of applications processed, accelerate some applications or groups of applications, and return applications without processing them to a final decision.

## **MI1**

The first set of Ministerial Instructions (MI1), which articulated how the Minister would operationalize the authority inherent in the changes to IRPA, were announced as part of CIC's Action Plan for Faster Immigration on November 28, 2008, and were directed to the FSW Program<sup>6</sup>. MI1 had three primary objectives:

- to control FSW application intake; and
- reduce the backlog of FSW applications by 50% by 2013; while
- remaining responsive to the Canadian labour market<sup>7</sup>.

Under MI1, FSW applications were eligible for expedited processing if they:

- were from a skilled worker who had at least one year of experience within 10 years preceding the submission of an application under one or more of 38 specific high-demand occupations (known as FSW1 within CIC); or
- included an offer of arranged employment (FSW2); or
- were from a foreign national living legally in Canada for one year as a temporary foreign worker or international student (FSW3).

Under MI1, it was anticipated that FSW applicants would receive a final decision within six to 12 months from the time they submitted their application. New applications that failed to meet the eligibility criteria were not processed, and the application fee was refunded.

## **MI2**

MI2 was issued on June 26, 2010 and introduced a number of changes to the processing of FSW applications, including a revised list of eligible occupations (29 instead of 38); an annual cap of 20,000 on the total number of new applications to be considered for processing in the FSW class per year, with no more than 1,000 applications in any one of the 29 occupations; and revised eligibility criteria with respect to evidence of official language proficiency and work experience. In addition, the stream for temporary foreign workers and international students living in Canada for one year (FSW3) was eliminated due to concerns about overlap with the Canadian Experience Class and the Provincial Nominee Program, both of which target similar pools of applicants.

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<sup>5</sup> MI cannot be used to manage the processing of applications in the Protected Persons Class or from persons making applications on humanitarian and compassionate grounds from within Canada.

<sup>6</sup> Subsequent Instructions (MI3 and MI4) have been directed toward CIC's Business Programs and Family Reunification, respectively.

<sup>7</sup> These general objectives are supported through the attainment of a number of immediate and intermediate outcomes, as depicted in the logic model. Thus, in addition to assessing the extent to which MI1 achieved the first two general objectives, the evaluation also reviewed the timeliness, consistency and transparency of selection decisions.

### 1.2.2. The Centralized Intake Office (CIO)

In conjunction with MI, and as part of the department's *Modernization Agenda*<sup>8</sup> CIC decided that the initial review of FSW applications would be centralized in Canada. The Centralized Intake Office (CIO) was established in the Case Processing Centre (CPC) in Sydney, Nova Scotia, which was already undertaking citizenship and permanent resident card processing, and so had the infrastructure in place to administer the receipt and initial processing of FSW applications. The goals of the CIO were:

- To expedite the front-end processing of applications, thereby increasing the efficiency of the overall process;
- To reduce the workload in the missions<sup>9</sup>, freeing mission staff to focus on other, non-clerical tasks;
- To provide consistency in implementing the Ministerial Instructions and assessing FSW applications; and
- To facilitate the management of fees.

The CIO was created as a pilot project to test assumptions concerning CIC's long-term vision for client service, including centralizing the front-end processes of file creation in Canada. Lessons learned from this centralization effort were intended to be applied to other lines of business in the department.

During its initial implementation, the CIO focused solely on FSW1 applications. By April of 2009 the CIO started to process FSW2 and FSW3 applications. CIC made the decision for CIO to only accept a simplified application because they wanted to avoid shipping large amounts of paper overseas. The process in Sydney and in missions is illustrated in Exhibit 1. A description of the work flow under MI1 is presented in Appendix C, Technical Report of the CIO Visit.

For MI1, the CIO had four central tasks: completeness checking; cost recovery (collecting fees and issuing refunds); file creation (data entry); and initial eligibility determination under the Ministerial Instructions. The last task comprised an examination of the application documents at face value; if the case appeared to meet the criteria it would go forward to the mission.

All FSW applicants had to send an initial application to the CIO. The initial application consisted of the FSW forms, a copy of the applicant's passport bio-data page, the fee, the CIO checklist and one or two documents supporting eligibility. The CIO assessed whether an applicant met the criteria for processing. Under MI1 it did not assess whether an applicant met selection or admissibility requirements under the *Act* and *Regulations*. If the client met MI1 eligibility criteria, the CIO created a file in the Computer Assisted Immigration Processing System (CAIPS) and transferred an electronic file to the visa office identified by the applicant. The CIO also sent a letter to eligible applicants informing them that they had 120 days to submit all their supporting documents to the mission. Incomplete applications were sent back to the applicant and the fee returned.

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<sup>8</sup> This agenda, *Modernization 2015*, was launched in 2010 and encompassed a variety of initiatives intended to provide a higher quality of service delivery through better client service, more efficient and effective application processing, stronger program integrity, reduced fraud, optimal use of technology, and policy and program changes.

<sup>9</sup> "Missions" is a generic term that refers to Canadian embassies, high commissions and consulates. Most, but not all, missions include a "visa office" that processes visa applications; these visa offices are also sometimes referred to as Canadian Visa Offices Abroad (CVOAs). The three terms - mission, visa office and CVOA - are used synonymously in this report.

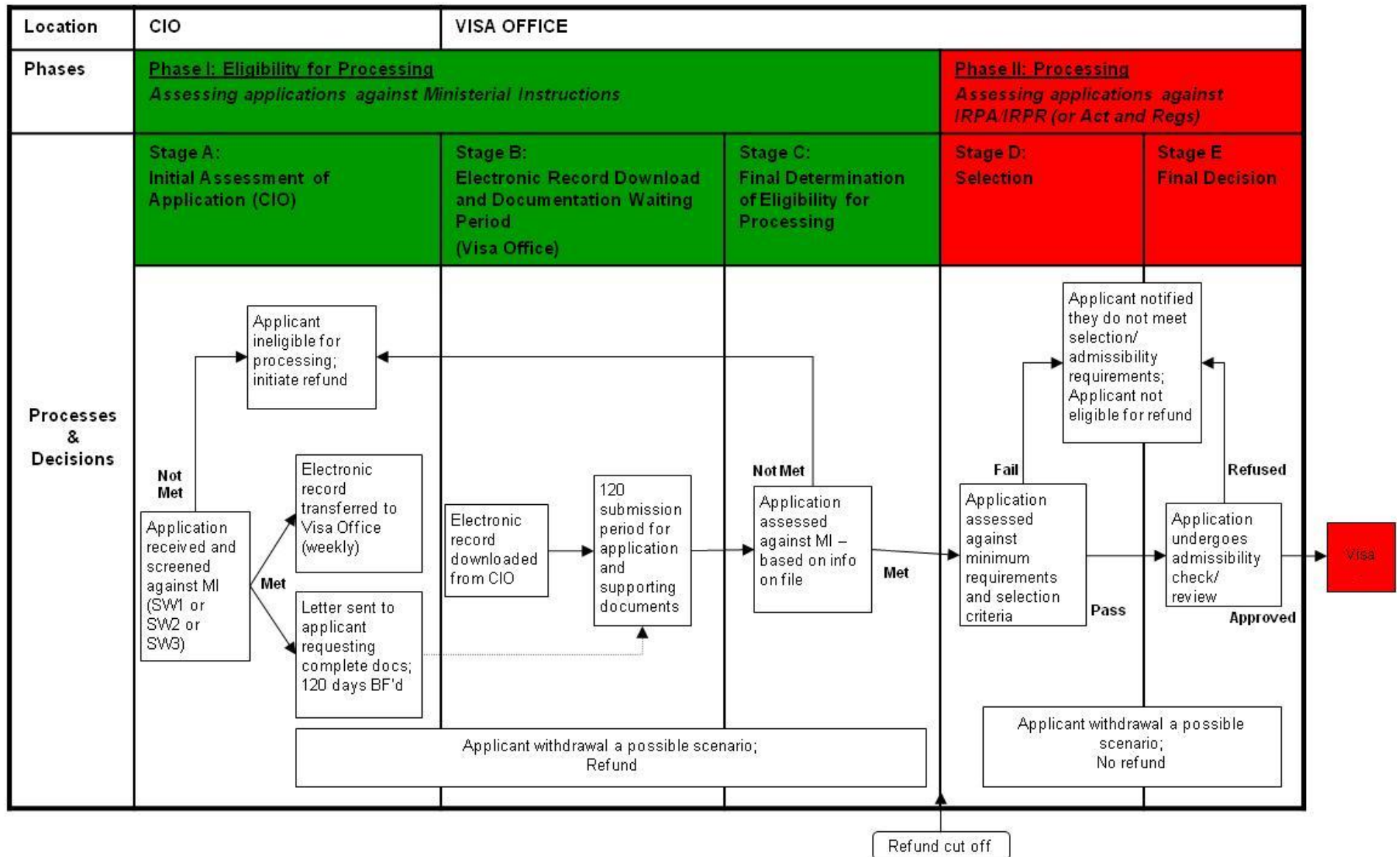
Once they received the necessary documents, the mission confirmed whether the applicant met the MI1 criteria. If their assessment agreed with that by the CIO, the application was processed on a priority basis; if the applicant was determined to not meet the MI1 criteria, the applicant was informed, supporting documents were returned and the fee refunded.

There were subsequent administrative changes made at the CIO to coincide with MI2, the most important of which was that the final eligibility decision was made at the CIO, rather than at missions. Applicants sent their complete application packages, with supporting documents and results from the International English Language Testing System (IELTS), to the CIO. Staff at the CIO then reviewed the application and made the final eligibility decision.<sup>10</sup> They returned and refunded those applications that were not eligible and sent the eligible applications, together with associated documents, to the missions to be processed. Under this new process, missions could not reverse a positive eligibility decision, although they could refuse the application on other grounds.

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<sup>10</sup> There are four decision points in post-MI FSW processing: 1) eligibility assessment to determine if applicant meets MI criteria, and under MI2 this is done at the CIO; 2) selection - missions do this under MI1 and MI2 and it consists of reviewing documents and assessing points (note that the CIO does some negative selection decisions under MI2, that is, weeding out applicants who are not going to meet the points, but the missions do all positive and some negative selection decisions); 3) admissibility – criminality and health check done by missions; 4) visa issuance done by missions.

Figure 1-1: MI1 application process





## **2. Methodology**

Data collection for this evaluation took place between March and June, 2011. The time period that is covered by the evaluation extends from the time that the 2008 Budget came into effect (June 18, 2008) until the end of the data collection phase. This includes the time after which MI2 came into effect (June 26, 2010) because the scope of the evaluation goes beyond MI1.

Several lines of enquiry, including both quantitative and qualitative lines of evidence, were used for the evaluation. Although the number and type of methods used for each question varied, all questions were investigated using two or more methods. The advantage of using multiple lines of evidence is that one may examine each question from several perspectives, and can have greater confidence in the reliability and validity of the findings when these lines of evidence converge.

### **2.1. Document review**

The purposes of the document review were to enable the evaluators to learn about MI and its context, and to collect pertinent program information. Key documents reviewed included: statistical reports; 2008 federal budget papers; briefing documents; operational procedures for the FSW Program; operational bulletins; the November 2009 Auditor General Report; and more general literature dealing with immigration policy respecting skilled workers. Appendix D provides a list of the documents reviewed.

### **2.2. Administrative data review**

When CIC implemented MI1 and established the CIO, it also initiated comprehensive data-collection and monitoring systems that provided extensive administrative data on the processing of MI applications. The analysis of this data was a key source of information for the evaluation. Data related to MI1, MI2 and pre-MI FSW applicants were extracted from databases provided by CIC's Research Datamart Portal, from C-50 monthly reports, and from FSW-CIO production summaries.

### **2.3. Key informant interviews**

Interviews with key stakeholders were conducted in order to assess program implementation and operation; to explore interviewees' perceptions of the success of MI in achieving its immediate and long-term objectives; to examine communications; and to gather suggestions for improving the program. Key informants were identified and interview guides were designed to govern the interviews. A list of interviewees is provided in Appendix E; interview guides and protocols are in Appendix F. A total of 31 people were interviewed, including CIC officials from national headquarters (NHQ), immigration program managers in the missions, and provincial government immigration officials. Table 2-1 provides a breakdown of the interviewees in each category. Interviews lasted between 45 minutes and two hours.



**Table 2-1: Summary of interviewees**

Interview Group	Number of Interviewees
CIC NHQ	18
CIC Immigration Program Managers (IPMs)	4
Provincial representatives <sup>11</sup>	9

## 2.4. Site visit to the CIO

To learn how MI applications are processed and to ask questions relating to the first set of MI, the evaluation team visited the Centralized Intake Office in Sydney, Nova Scotia. The visit commenced with a tour of the CIO to observe the processing sequence for MI1 and MI2. Next, CIO managers were interviewed in a group session lasting five hours, which thoroughly considered the CIO staff's perspective on the evaluation issues. Finally, a file review was conducted of a random sample of 90 MI1 applications received by the CIO, comparing their actual progress to the intended design of the MI1.

## 2.5. Survey of visa offices

A survey of Canadian visa offices abroad (CVOA) was carried out in June 2011. There being a finite number of CVOAs that dealt with MI1, there was no need to sample, which obviated sampling error and the need for statistical tests on data obtained from the survey. The questionnaire was devised based on the requirements of the evaluation framework and a copy can be found in Appendix F.

The survey was pre-tested with the visa offices in London and Buffalo. The immigration program managers were asked to fill in the survey and to answer a short list of questions pertaining to the questionnaire. Their feedback was used to revise the questionnaire.

To maximize the response rate, CIC International Region emailed the survey to all CVOAs (except London and Buffalo). Missions were asked for one consolidated response (one survey) per office. The response rate, after a reminder, was 77% (37 of 48).

## 2.6. Assessment of financial data

Because the evaluation framework included a question on the cost-effectiveness of the CIO, the evaluation team worked with representatives from Finance, Central Processing Region and International Region to compile and analyze financial data. Specifically, the goal was to use data from CIC's Cost Management Model (CMM)<sup>12</sup> to determine the cost of processing one FSW application pre-MI, to the cost for one received under MI1.

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<sup>11</sup> Although there were nine provincial representatives included in this line of evidence, they represented only four provinces: Ontario; Alberta; British Columbia; and Nova Scotia. The interview with Alberta included four program representatives; those with Nova Scotia and Ontario each included two.

<sup>12</sup> The Department's Cost Management Model (CMM) is an activity-based costing model that links financial and non-financial data (results). Model data is updated each fiscal year to provide a snapshot of how resources were used to deliver programs and services for that fiscal year. (*CIC's Cost Management Model, Guide for Fund Centre Managers, 2010-11 Data Gathering Exercise*)



## 2.7. Limitations of the methodology

The evaluation contains a balance of qualitative and quantitative lines of evidence and allows for the triangulation of research findings. However, there are two methodological concerns that should be noted.

The first stems from the fact that the primary focus of the study was the implementation of MI1, but data collection took place after MI2 had been in place for almost a year. This introduced the potential for some confusion between the two on the part of key informants. While the evaluation team was very careful to distinguish between the two sets of instructions in interviews, they did not have the same opportunity in the survey, which was administered on-line, with no opportunity to probe or clarify responses. In those cases where other contextual evidence in the survey responses suggested some confusion between MI1 and MI2, the evaluators have not included the response in the analysis.

Another limitation of the methodology had to do with the available financial data. As will be discussed further in section 3.3.4 *Economy and Efficiency*, CIC maintains financial data on the processing of applications, but it is not sufficiently detailed to allow for a comparison of the pre and post-MI costs. In order to address this problem, the evaluation expanded its' assessment of the CIO to determine whether it is achieving its other objectives, all of which would contribute to the efficiency of the overall process.

## 3. Findings

### 3.1. Relevance

Using information from the document review, interviews, and survey, this section presents the key findings regarding the relevance of MI.

**Q1: Is there a continued need to issue Ministerial Instructions?**

Stakeholder views and the existence of a backlog for MI1 applications support the continued need for a policy tool, such as Ministerial Instructions, to allow CIC to respond to changing external conditions. This legislative change allowed the Minister to announce a second set of instructions to quickly address issues emerging from MI1, and subsequently, to issue new Instructions for other immigration programs.

The legislative amendments included in the *2008 Budget Bill* (C-50) were intended to better manage the immigration system by providing the Minister with the ability to make changes fairly quickly to the number of, and manner in which, applications are processed. The primary processing concern at the time MI was approved was the backlog of FSW applications which, by 2008, was over 640,000, and represented a wait of up to six years for applicants to be processed. With this length of waiting period, it is difficult to attract “the best and the brightest”, or to be responsive to current and emerging labour market needs. It also has a negative impact on program integrity, as employers and provinces turn to other immigration programs to attract skilled workers; and the impact of policy changes are diluted, as they generally can’t be applied to files in process. Further, this lengthy delay risks political pressures, rising complaints from applicants and their representatives, and potential litigation. Finally, it is very costly for the Department to manage an inventory of this size as information has to be updated and enquiries are more frequent.

Consequently, the first set of Instructions limited the eligibility criteria for FSW applicants, which was expected to reduce the volume of applications received, and thereby allow CIC to process the existing backlog more quickly. As discussed in the next chapter, MI1 reduced the number of applications received only temporarily and a new backlog of MI1 cases developed in a fairly short period of time. MI allowed the Minister to then quickly issue a second set of Instructions to address the problems with MI1. This ability to respond quickly to changing economic and processing conditions points to the continued relevance of MI.

All interviewees agreed the management of FSW application intake is critical, especially since the backlog of applications continues to exist. In addition, two-thirds of CVOA survey respondents felt that MI as a legislative tool continues to be relevant, at least to some extent. Judging by their answers to other survey questions, those who downplayed the relevance of MI were not dismissing the importance of controlling application intake or dealing with the backlog, but were dubious about whether MI was the best way of doing so.

### 3.2. Design and implementation

Because the introduction of MI authorities was a new change to IRPA, the evaluation included several questions related to its design and implementation. Specifically, the evaluation team, in consultation with program partners, highlighted the need to examine the flexibility of MI’s

design, communications within CIC and how the *Regulatory* change was communicated to stakeholders.

### 3.2.1. Flexibility and responsiveness of MI design

CIC policy makers considered a variety of options for dealing with the backlog problem prior to the implementation of MI. These included raising the pass mark, increasing the resources devoted to processing and offering a refund of the application fee to any FSW applicants who withdrew their application. However, these alternatives were either rejected or found to be relatively ineffective: raising the pass mark risked giving the impression that Canada was “closing its borders” at a time when there were shortages of many types of skilled labour; adding resources to process the backlog did nothing to stem the number of applications; and refunds were offered, but did not generate many application withdrawals.<sup>13</sup>

The amendments to IRPA, which gave the Minister the authority to make changes to the way in which most categories of applications are managed, was seen by CIC policy makers as a broad and flexible tool to address both current and future processing issues. The MI authority was not, however, without its detractors. Opposition parties asserted that the provisions were too vague; the Canadian Bar Association echoed this concern, claiming that it gave the Minister unprecedented power to issue instructions without prior public debate and stakeholder input;<sup>14</sup> and immigration associations and refugee advocates worried that the discretionary powers would be used to discourage family reunification. To address these concerns, CIC undertook an extensive consultation process wherein the Minister and senior department officials visited every major city in Canada to explain the need for the change and allay the fears about its potential abuse. The amendments to IRPA were passed in Bill C-50, the 2008 *Budget Implementation Act*.

#### Q2: Is the design of the MI flexible and responsive?

The MI authorities allow for a significant amount of flexibility and give the Minister a great deal of scope to affect change. In addition, the implementation of effective systems and methods of monitoring the performance of MI1 and the CIO allow decision makers to make relevant adjustments to policy and/or operations, making the system very responsive.

The major evidence indicating the flexibility and responsiveness of the MI design is that, as noted in the discussion of relevance in section 3.1, when the first set of Instructions demonstrated limitations, the Minister was able to introduce a second set to address these issues.

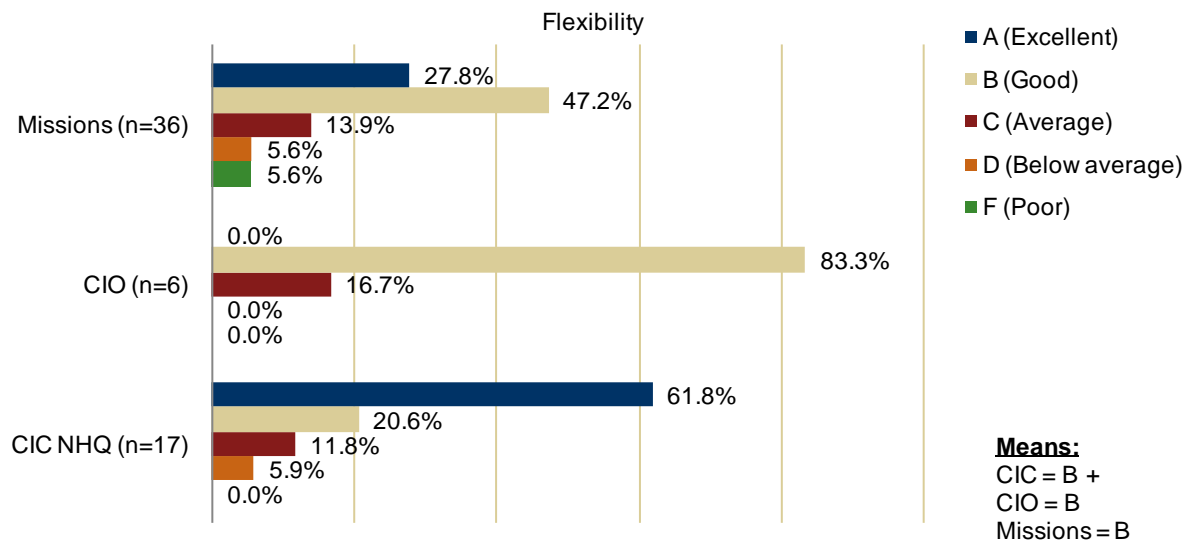
The majority of informants also felt that the MI authorities were sufficiently flexible (Figure 3-1), giving it a rating of excellent or good (mean grade B+). They suggested that the MI authorities give the minister a needed ability for crafting measures to manage application intake. Those giving a lower rating regarding flexibility pointed to the need to go to Cabinet to change the instructions as a limiting feature.

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<sup>13</sup> A letter-writing campaign to pre-February 2008 FSW principal applicants in 2008-09 invited them to withdraw their old application and make an application under MI. There was only a 3.6% take-up rate. (CIC, *Budget 2008 Measures to Modernize the Immigration System: Status Update*, Nov. 2009).

<sup>14</sup> While this is the case, CIC Minister Finley released principles to guide the implementation of MI on April 8, 2008. These principles required, among other things, that all instructions issued be informed by consultations and be approved by Cabinet before being published in the *Canada Gazette*.

**Figure 3-1: Flexibility according to CIC NHQ and CIO interviewees and CVOA survey respondents**



Source: Interviews and CVOA survey

The implementation of MI1 was accompanied by the establishment of a number of monitoring tools:

- C-50 monthly reporting – operational data, such as the volume of applications, approval rates, and outcomes at key decision points, throughout the processing continuum (i.e., from the CIO to processing and visa issuance at overseas missions);
- Mission reporting – a questionnaire to assist missions in reporting their observations about their experience with MI1, which allowed CIC to follow qualitative trends and identify problems and potential solutions;<sup>15</sup>
- A DG Steering Committee on Production Management and Capacity, Operational Dashboard and Performance Measurement Strategy approved by Treasury Board;<sup>16</sup>
- A monthly call to immigration program manager of each mission ; and
- An intra-departmental working group to ensure the successful implementation of the instructions and successful operationalization at the missions. They met very often initially to discuss issues, identify challenges and make recommendations on immediate operational concerns.<sup>17</sup>

The timeliness and quality of the information gathered from the monitoring processes made it possible for CIC to make relevant adjustments in a timely manner to policy and/or operations. Examples include: highlighting the over-subscription of certain NOC codes under MI1 such as college instructors, which suggested a cap was needed; identifying challenges around interpretation of language of instructions and addressing them with updated manuals (e.g., how one year's worth of work experience or education should be determined); spotting uneven workloads and moving work from busy to less busy missions; identifying oddities such as “ghost consultants” (undeclared and illegal immigration consultants) from the appearance of the same

<sup>15</sup> Note that some CIO informants asserted that many missions did not complete these reports.

<sup>16</sup> CIC, *Performance Measurement Strategy: Funding to Modernize the Immigration System and Manage the Backlog*, May 2009.

<sup>17</sup> It currently meets every second week for trouble-shooting and to come to a consensus on outstanding issues.

address on multiple letters received by CIO; and through spotting inconsistencies in what missions around the world were requiring in terms of supporting documentation (which enabled the department to increase the standardization of requirements so every mission is using the same list of documents to support decisions). Ultimately, it was the data from these systems that provided the evidence to make additional changes to the terms of the eligible occupation list under MI2 (June 26, 2010) and MI3 (July 1, 2011).

The systems/monitoring processes were seen as being very effective by virtually every key informant. Informants could not think of any improvements to the monitoring of the initiatives with the minor exception of making some statistical reports easier to read.

### 3.2.2. Stakeholder and immigrant awareness and understanding of MI1 criteria

**Q3 Did stakeholders and prospective immigrants understand the first set of MI criteria once issued?**

CIC undertook extensive consultations to ensure that a wide variety of stakeholders were informed regarding MI1. Over time, the reduction in incomplete and ineligible applications provided evidence that prospective immigrants generally understood the MI1 criteria. These conclusions were also supported by most interviewees.

In order to address stakeholders' concerns regarding the influence the MI authorities gave the Minister, the government conducted a rigorous consultation process. The Minister, Deputy Minister, assistant deputy ministers, and other department officials made a number of public presentations across the country with the provinces and territories, the Canadian Bar Association, immigration consultants, ethnic communities, community groups and the media, explaining the rationale behind MI and how the new authority was expected to operate. Many questions, most put forward by immigration consultants, were answered. The introduction of the Ministerial Instructions authorities was published in the Canada Gazette.<sup>18</sup> No media time was purchased, but the media covered the events as news. Given this level of effort, CIC NHQ interviewees were of the opinion that stakeholders were well-informed about MI.

All provinces were consulted during the planning stage of MI1, although they were not satisfied with the outcome of these consultations, suggesting that their individual needs were not incorporated. More specifically, all of the provincial representatives interviewed were opposed to the concept of a national occupation list. They also reacted against the particular list that was established, claiming it did not respond to their needs, although only three provinces had provided CIC with a list of their priority occupations.

To convey the new eligibility criteria to potential immigrants, MI1 was featured in the FSW application kit and displayed centrally on the CIC portal for many months.<sup>19</sup> Responses to frequently asked questions were drafted and posted on the website. In addition, a letter-writing campaign to principal applicants in 2008-09 alerted them to MI and invited them to withdraw their old application and make an application under MI.

<sup>18</sup> Government of Canada, 2008. Canada Gazette Part I: Notices and Proposed Regulations. Vol. 142, no. 48, November 29, 2008. [www.gazette.gc.ca/rp-pr/p1/2008/2008-11-29/html/notice-avis-eng.html](http://www.gazette.gc.ca/rp-pr/p1/2008/2008-11-29/html/notice-avis-eng.html)

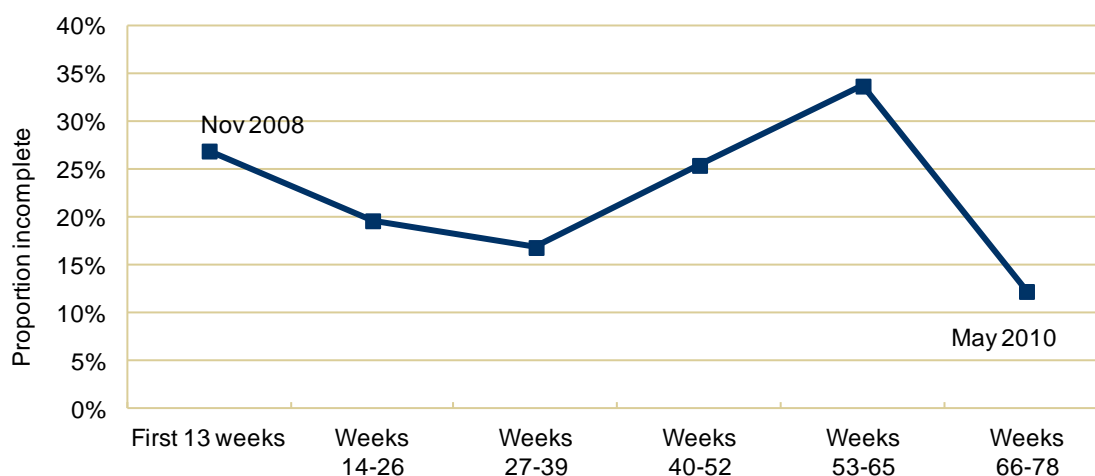
<sup>19</sup> In addition, the Department's website ([www.cic.gc.ca/english/immigrate/skilled/index.asp](http://www.cic.gc.ca/english/immigrate/skilled/index.asp)) contains links to a number of on-line self-assessment tools, which enable prospective applicants to: obtain all necessary information regarding the skilled worker selection system; obtain information about their NOC category and skill level; and make an informal assessment of their own ability to qualify before expending the money and the effort on the submission of a formal application (OP 6 Federal Skilled Workers, Dec 2010).

The following two indicators support the conclusion that both immigrants and immigration consultants increased their awareness and understanding of the MI1 criteria over time:

- **The first indicator is the proportion of files returned to applicants because they were incomplete.**

As Figure 3-2 demonstrates, the percentage of incomplete applications began around 27% and ultimately fell to around 12% in May 2010, although it was not a continual decrease. CIO managers were asked to explain the fact that the rate actually increased between weeks 27 and 53. Although they couldn't be certain, they felt it might be the strict way in which applications were assessed. For example, if the 'other countries of residence' field was not filled in on the application form, the CIO returned the application as incomplete for a period of time until instructed to do otherwise. This was driving up the proportion of incomplete applications by about 15 to 20 percentage points, according to CIO managers. But in spring of 2010 CIC decided that it was acceptable if this field was left blank, so the proportion of incomplete applications fell dramatically.

**Figure 3-2: Proportion of incomplete applications under MI1**



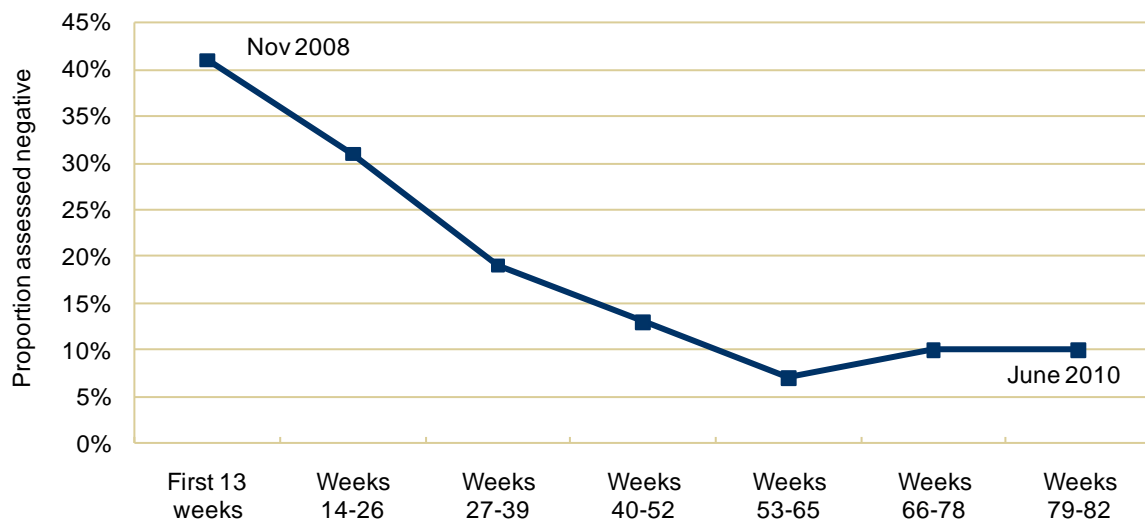
Source: FSW-CIO - Intake and Production Summary, Case Processing Centre, Sydney, NS

- **Another indicator of how well applicants understood MI1 is the proportion of applications that ended in negative eligibility assessments.**

As highlighted in the following figure, the proportion of applications that ended in negative eligibility assessments started out at over 40%, but fell over time, suggesting that immigrants and immigration consultants generally understood MI1 criteria over time.<sup>20</sup>

<sup>20</sup> The initial rejection rate would have been slightly inflated, as applicants continued to submit applications between February and November 2008, despite the fact that the specific requirements under MI1 had not been published. Most of these applications would have been refused when they were processed in the first months following the MI1 announcement.

**Figure 3-3: Proportion of negative eligibility assessments at the CIO**



Source: FSW-CIO - Intake and Production Summary, Case Processing Centre, Sydney, NS

In the initial period of MI1, the monitoring information gathered in the two previous figures informed CIC that it needed to make adjustments to its tools such as application kits, guides and forms. As a result, CIC continually improved these products, which helped inform immigrants and consultants, eventually leading to the reduction in the number incomplete applications and negative eligibility assessments.

The majority of NHQ informants were of the opinion that immigrants understood MI1. They suggested that the sheer volume of applications received is evidence of this understanding. Over time the acceptance rates on applications increased, which was an indicator that applicants were learning and understanding the new process; applicants (or their consultants) were quick to figure out how to creatively meet the requirements. Most respondents from missions (83%) believed prospective immigrants understood MI criteria at least to some extent.

### 3.2.3. Communications

Although the evaluation framework did not include any questions related to communications, the data collection did address this issue in relation to the level of communication between the CIO, Centralized Processing Region (CPR) and CVOAs.

**Communications:** While communication between the CPR and CIO was reported to be excellent, that between the CIO and CVOAs was indirect and insufficient.

Most informants indicated that the level of communication between the CPR and the CIO is excellent, commenting that the CPR provides oversight and is in regular contact with the CIO. There were no suggestions offered to improve the communications between these two groups.

Under MI1, communication between the CIO and CVOAs was indirect. The main mode of communication between the CIO and the visa offices was through CPR in its discussions with International Region via the intra-departmental working group and monthly conference calls. Neither CIO nor the visa offices were satisfied with the level of communication under MI1. On occasion, CVOAs received information on the volume of applications the CIO was receiving, but there was little information exchange beyond this.



With the introduction of MI2, the missions were able to provide feedback to the CIO about decision-making, but there still remains some dissatisfaction regarding communications. The CVOA survey respondents gave a C+ grade to communications between their office and CIO, stating that there is still no direct and effective line of communication between the CIO and overseas missions – both parties have to channel questions through Ottawa. One rationale for why non-case related feedback from visa offices is sent via IR to CPR is to ensure that the CIO is not bombarded with inconsistent direction about how to process their files.

One informant with CPR stated that program managers at missions too often take their complaints directly to senior decision makers in the department before giving the CIO the chance to respond to, and potentially rectify any problems. CVOA informants wanted a more dedicated channel of communication with the CIO. Recently, an email box was set up for visa offices to communicate with the CIO, which has improved communications, though CIO and CVOA informants said that it is mainly used for clarifying information related to specific files. A more formal mechanism was desired by the visa officer staff to be able to provide constructive feedback to the CIO.

### 3.3. Performance

The key findings concerning program performance are presented in this section. It begins with an assessment of two of the three key objectives of MI1: to process applications in a timely, consistent and transparent manner; and to limit the intake of applications and reduce the FSW backlog. The last sections discuss cost-effectiveness, the impact of centralization and MI2.

#### 3.3.1. Timely, consistent and transparent decision-making

##### *Timeliness*

**Q4** Does program delivery under the first set of MI facilitate the timely, consistent and transparent processing of prospective skilled worker immigrants?

Processing of MI1 applications started off within planned timelines (6-12 months), but soon fell behind as the number of applications climbed. However, the processing time was substantially faster for MI1 cases than it was for those submitted prior to the implementation of Ministerial Instructions.

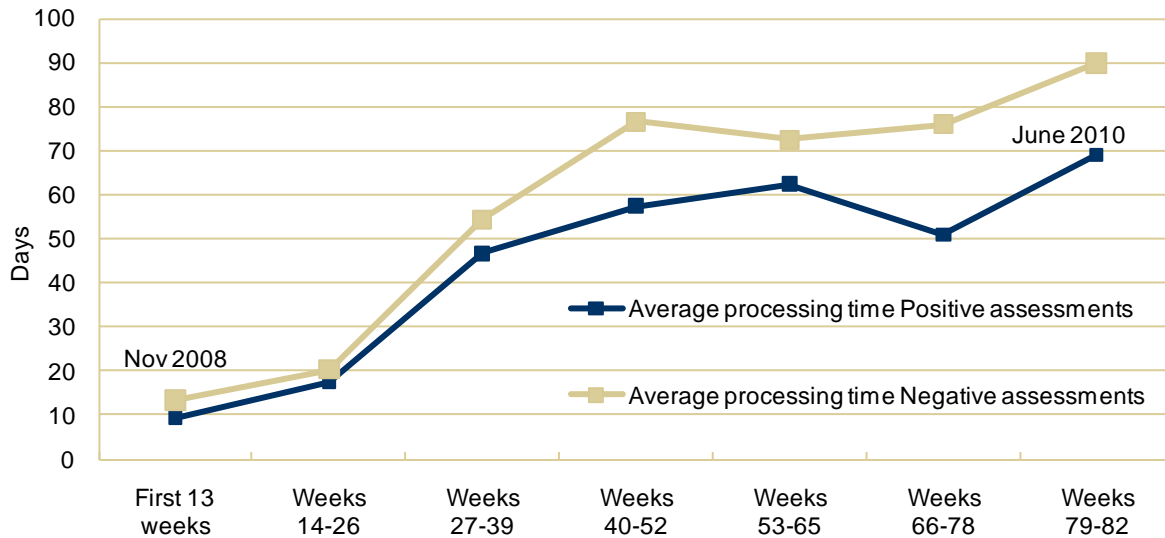
In order to reduce wait times for new Federal Skilled Worker applicants, the *Action Plan for Faster Immigration* set the following MI objective: all eligible applicants should receive a decision on their application within six to 12 months. Administrative data shows that during the initial period of MI1 implementation, processing times were in line with CIC's timeliness target. However, as the number of applications increased, CIC's ability to process them within the stated objective decreased.

As the next graph (Figure 3-4) shows, the CIO average processing time was less than two weeks during the initial weeks of MI1. But as applications continued to flow in at a higher rate than



forecasted, mean processing times climbed until they reached 90 days for negative assessments and 70 days for positive assessments as MI1 ended.<sup>21</sup>

**Figure 3-4: Mean processing time trends for initial CIO eligibility assessments under MI1**



Source: FSW-CIO - Intake and Production Summary, Case Processing Centre, Sydney, NS

For the typical MI1 applicant whose case had been decided by May 2011, the time between submitting an application and the final positive case decision at CVOA was 412 days, about a month and a half above the upper limit target of 12 months.

However, as illustrated in further detail in the cost-effectiveness section, while MI1 did not achieve the specific 6-12 month processing time objective, it was still faster than the previous FSW system. Processing times varied between 11 and 16 months, with an average of 13.6, in comparison to 25.5 months for the period from January 2006 to February 2008 (pre-C50).

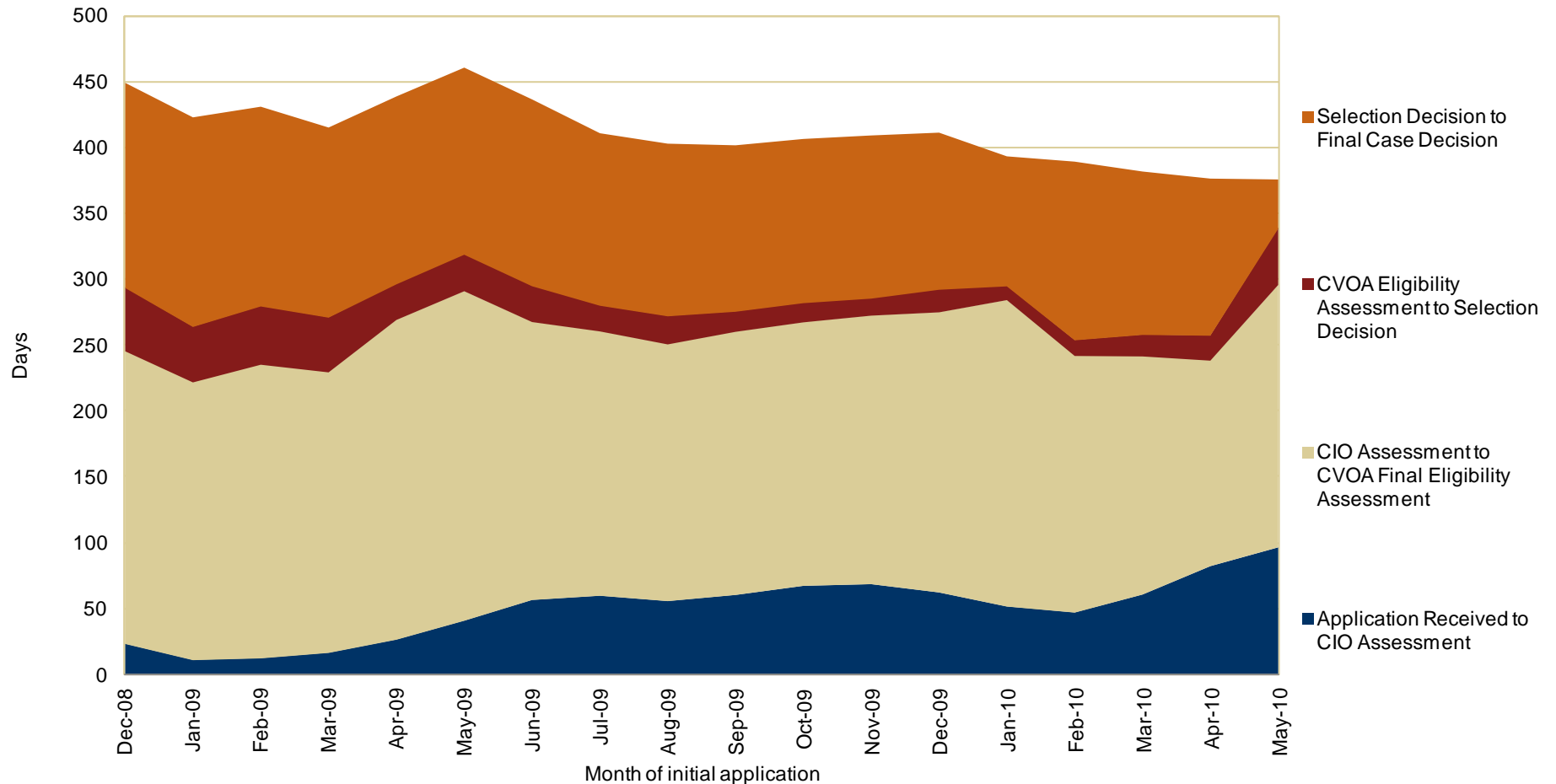
Figure 3-5 shows time trends for each stage in the MI1 process. The time it took for missions to complete the final eligibility assessment, including the 120 days applicants had to submit all their documents, accounted for approximately half of the wait time on average. The time between selection decision and final case decision, which corresponds to the time required for background checks, took about a third of the total time on average.

Note that the overall time to final case decision appears to decline somewhat over time, but most of the decline is accounted for by a shorter timeframe for the final step, which is likely a statistical artefact; i.e., all cases that applied in May 2009 where a final decision was rendered within 24 months are included in the graph, but only those May 2010 cases where a decision was rendered within 12 months are included. The great majority of May 2010 (and subsequent) applicants are still in the queue.

<sup>21</sup> The reason negative assessments take longer on average is that a negative assessment is a two-stage process. The agent doing the first level assessment must send the file to an officer for a second-level assessment at the CIO; the officer is delegated to make any negative determination.



**Figure 3-5: Mean elapsed days between application received at CIO & final case decision at CVOA, positive decisions**



Source: CIC Cube data

Notes: November 2008 and June 2010 are excluded because of lack of data (The FSW program was ramping up in Nov 2008 (MI1) and winding down in June 2010 (in the wake of MI2)). The times (lags) are calculated by taking the number of qualifying cases (i.e., positive at previous decision to a decision at the next stage), looking at the total days it took for them to get from one decision to the next, and dividing by that number of cases. Average processing times were for cases decided by May 2011, excluding pending cases. It is possible that more problematic cases are over-represented among those in the queue, meaning the mean processing time could eventually rise, but most of the MI1 queue is now there because MI2 has processing priority.



## Consistency

**Q4** Does program delivery under the first set of MI facilitate the timely, consistent and transparent processing of prospective skilled worker immigrants?

The consistency in CIO decision-making from one officer to another, and the consistency between the CIO and CVOA eligibility decisions, was good. Although missions reversed 16% of CIO's eligibility decisions, only 5-10% of these were due to a mistaken decision in the CIO.

### *Consistency in CIO decision-making*

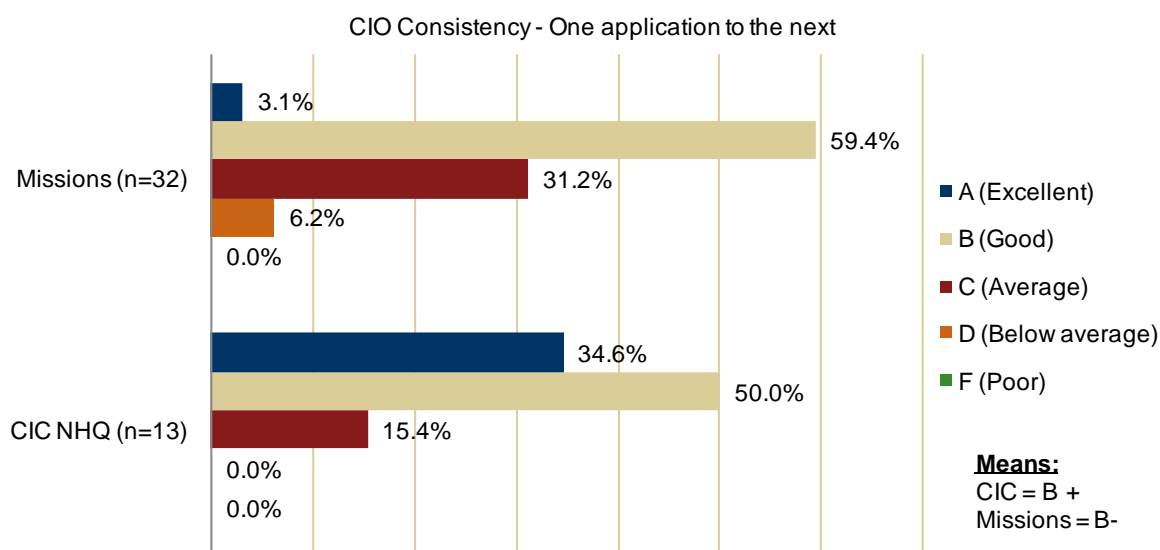
One of the reasons for centralizing the eligibility assessment under MI1, which is discussed in greater detail in section 3.3.4, was to ensure that all applications were treated in the same way, regardless of the country from which they originated.

In support of this objective the department implemented a variety of training and quality control initiatives to ensure that eligibility decisions were consistent from one CIO officer to another.

In addition to some initial training, staff at the CIO received coaching from experienced officers, and shared information and ideas informally among staff. It was also noted that all negative determinations were reviewed by a senior officer at the CIO. When a processing inconsistency was discovered, all staff received the same message and directions on how to handle the issue. The location of the CIO in Sydney, where staff turnover is low, also contributes indirectly to consistent decision-making, as staff became very experienced.

Interviewees at NHQ and those surveyed in the missions thought that consistency in CIO decision-making from one decision to the next was high, giving this element a mean grade of B+, and B- respectively. Those saying consistency was excellent tended to focus on the benefits of centralized intake on consistency, suggesting that when required administrative tasks are completed in one office instead of dozens of offices around the world, consistency should improve. Some CVOA informants pointed out that consistency was likely to be high under MI1 because the CIO did not have supporting documents for applications, so it had to accept that the information provided in the application was valid.

**Figure 3-6: CIO consistency according to CIC NHQ and CVOA survey respondents**



Source: Interviews and CVOA survey

### **Consistency between CIO and CVOA decisions**

The consistency between the CIO and visa office eligibility decisions was assessed using administrative data, the file review during the CIO site visit and the CVOA survey.

One of the indicators for assessing consistency was the reversal rate for CIO decisions. Reversals refer to an application that received a positive eligibility decision at the CIO, but had this decision reversed at the mission. In total, 76,781 MI1 cases were determined eligible at the CIO and referred to missions. In these cases, missions reversed 12,342, for an overall reversal rate of 16.1%.<sup>22</sup> However, it is important to recognize that some of these reversals were for cases that were withdrawn, or because applicants failed to send in the necessary documents within the 120 day time limit.

There are no central data at CIC to identify the different reasons that CIO eligibility decisions were reversed, so the site visit included a file review to better understand this issue. According to this file review, missions reversed the CIO decision because of a difference in their assessment of the case in only 4% of the cases: either because of an ineligible NOC (1%); or because the applicant did not meet the one-year experience requirement (3%). A further 5% were reversed because the applicant did not send the required documents within the 120-day deadline; and 4% were withdrawn by the principal applicant.

The CVOA survey also asked about this issue. Survey responses estimated the percentage of decision reversals to be about 9%, excluding those where the applicant had failed to send the documentation.<sup>23</sup> While this is higher than what was found in the file review, it is still lower than

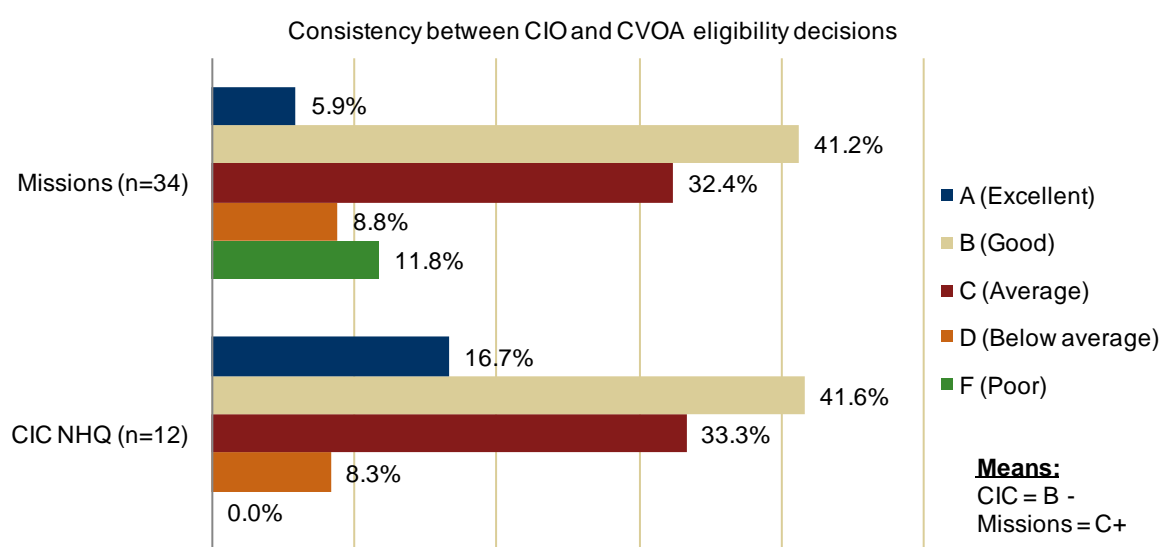
<sup>22</sup> The proportion of November 2008 reversals was not included in this analysis because it represented only 54 cases

<sup>23</sup> This excludes three outliers of 65%, 70% and 80%; the rest of the estimates (37) were 30% or less; most estimates were under 6%.

the total reversal rate and it is fair to conclude that the CIO error rate was probably between 5 and 10%.<sup>24</sup>

The mean grade NHQ informants gave for consistency between the CIO and CVOA decisions was B- and the mean grade given by staff at the visa offices was C+ (Figure 3-7). Many of those who thought that decision-making between the two groups was less than average also felt that it was, in large part, a result of the fact that the CIO had only a partial application (with no supporting documents) and the missions had the complete application. Moreover, the missions had the benefit of local knowledge and much greater experience processing FSW applications, which might dictate a different decision. Some interviewees felt that the number of disagreements decreased over time.

**Figure 3-7: Consistency according to CIC NHQ and CVOA survey respondents**



Source: Interviews and CVOA survey

## Transparency

**Q4** Does program delivery under the first set of MI facilitate the timely, consistent and transparent processing of prospective skilled worker immigrants?

Most NHQ informants and CVOA survey respondents thought that the requirements associated with MI1 were transparent to outside observers.

Overall, the majority of CIC NHQ informants and CVOA survey respondents felt that the transparency of CIO eligibility decisions was good, giving this criteria a rating of B-. The reasons given were that MI1 was clearly delineated on the website; the criteria were clear; the department went out of its way to inform provinces and territories, the Canadian Bar Association, immigration consultants and other stakeholders; and applicants were informed about the decision and given an explanation if deemed ineligible. Some respondents downgraded their rating

<sup>24</sup> As of May 5, 2011, almost 85,000 persons (approximately 32,000 cases) applying under MI1 were still awaiting an eligibility decision from missions. Thus the number of reversals may increase, although not necessarily the proportion.

because the department could not be open about what the content of MI1 was going to be prior to their publication (between February and November, 2008), both because they had not been finalized and because CIC worried there would be a surge in applications, as had been the case with the announcement of IRPA.<sup>25</sup>

Furthermore, the CIO worked to maximize transparency by following the *Act* and *Regulations* “to the letter”, not allowing room for much interpretation, and by developing templates of letters to clearly explain their decision to the applicant based on the *Regulations* (e.g., ineligible NOC; missing information in application).

### 3.3.2. Application intake and backlog reduction

#### *Intake of applications under MI1*

**Q5** To what extent has the first set of MI reduced the intake of applications and contributed to reducing the backlog of FSW applications?

Although the volume of applications under MI1 was initially quite low, it increased very rapidly, and by early 2010 the quarterly intake of applications was higher than it had been prior to C-50.

MI1, by limiting who could apply for the FSW Program, was intended to reduce the intake of new applications, thereby allowing CIC to process these new ones on a priority basis while retaining enough annual FSW application processing capacity to also draw down the backlog. From what was known in early 2008, using the National Occupational Classification (NOC) as the principal means of limiting the intake of FSW applications was a reasonable option. The NOC is the nationally accepted reference on occupations in Canada. It organizes over 30,000 job titles into 520 occupational group descriptions, although only those in the professional and skilled occupational levels (NOC 0, A and B) are eligible under FSW. Limiting the number eligible for immigration to Canada under the FSW Program to 38 NOC should have substantially reduced the number of applications. In 2007, with no occupations restricted, 81,292 applications were received under FSW.<sup>26</sup> Policy makers who were interviewed believed that MI1 would significantly reduce the number of applications, with few believing that the number would reach 50,000 annually.

Although the number of applications received was initially quite low, it rose steadily over the delivery period of MI1, from 5,000 applications in the first quarter (12 weeks) of 2009, to 25,000 in the second quarter of 2010. This represented the highest intake seen prior to the introduction of Bill C-50 (see Figure 3-10). In total, from February 2008 until June 2010, CIC received 164,210 applications, excluding incomplete applications.

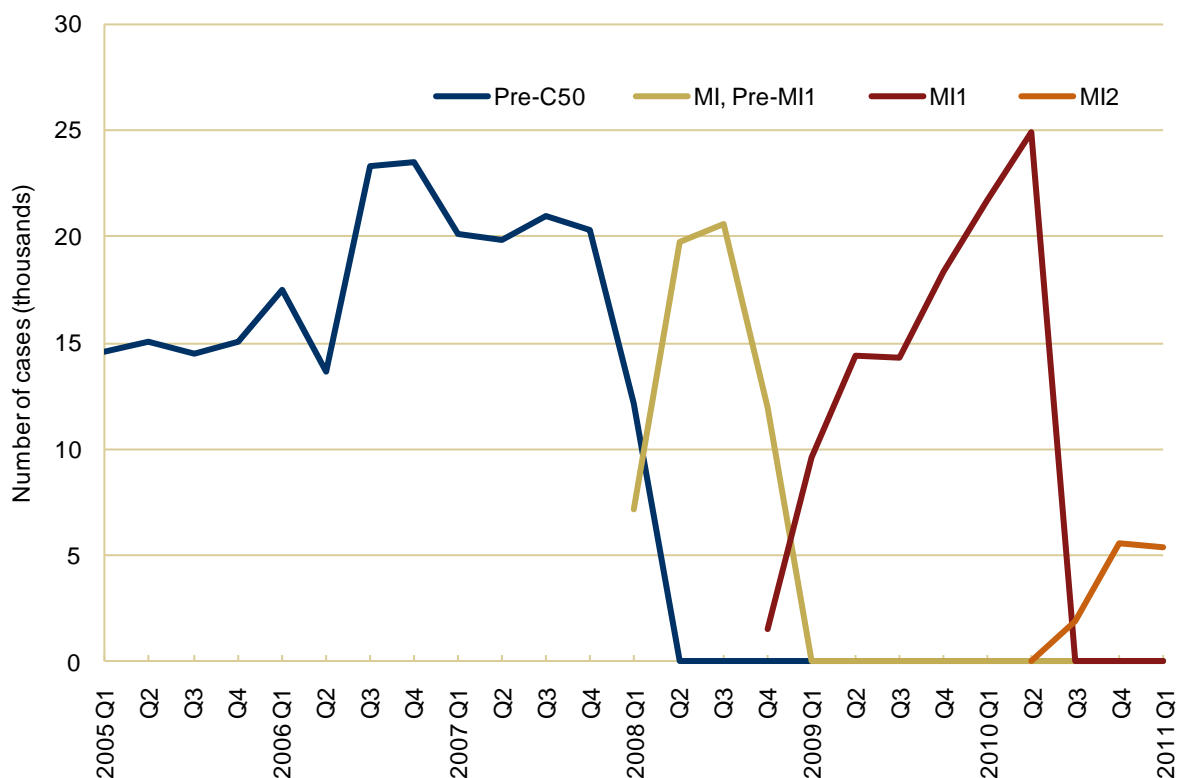
During the interim period between the effective date of the legislation (February 28, 2008) and the publication of MI1 on November 28, 2008, 59,442 FSW applicants applied even though the Department had not published the MI1 criteria and had strongly encouraged applicants to consider waiting until the new rules were published. During this period, referred to as pre-MI1, the only new applications processed were from those applicants with arranged employment (which are processed on a priority basis); most of the attention was placed on reducing the backlog, as discussed in the next section.

<sup>25</sup> The concern is that if prospective applicants learn of impending program changes prior to their taking effect, CIC often receives a surge of application intake from people who anticipate not being successful under the new criteria.

<sup>26</sup> Source: CIC Research Datamart Portal.



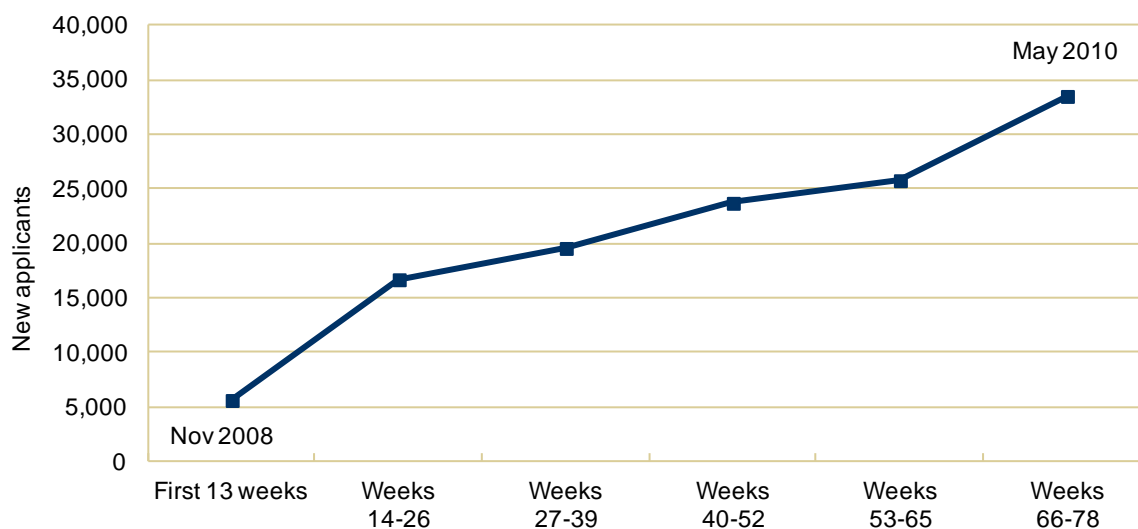
**Figure 3-8: FSW application volume**



Source: CIC Cube data

The next figure focuses on MI1 (excluding the “pre-MI1” cases applying in the interim period). The steady climb of applications is illustrated.

**Figure 3-9: New applications received under MI1**



Source: FSW-CIO - Intake and Production Summary, Case Processing Centre, Sydney, NS

Note: This chart includes incomplete applications, so the volumes are higher than in Figure 3-10

According to most informants, the rebound in applications was due to the use of NOC codes to limit intake. More specifically, some of the high-demand occupations included under MI1 are very broadly defined and applicants/immigration consultants were able to creatively complete the MI1 application form in a manner that met the new criteria. Among the occupations mentioned by informants as particularly subject to creative interpretation were nurses, and college and other vocational instructors.<sup>27</sup>

A number of informants also noted that defining a list of occupations needed by Canada created a type of “pull factor”, attracting applicants (many with creative resumes), who might otherwise not have applied.

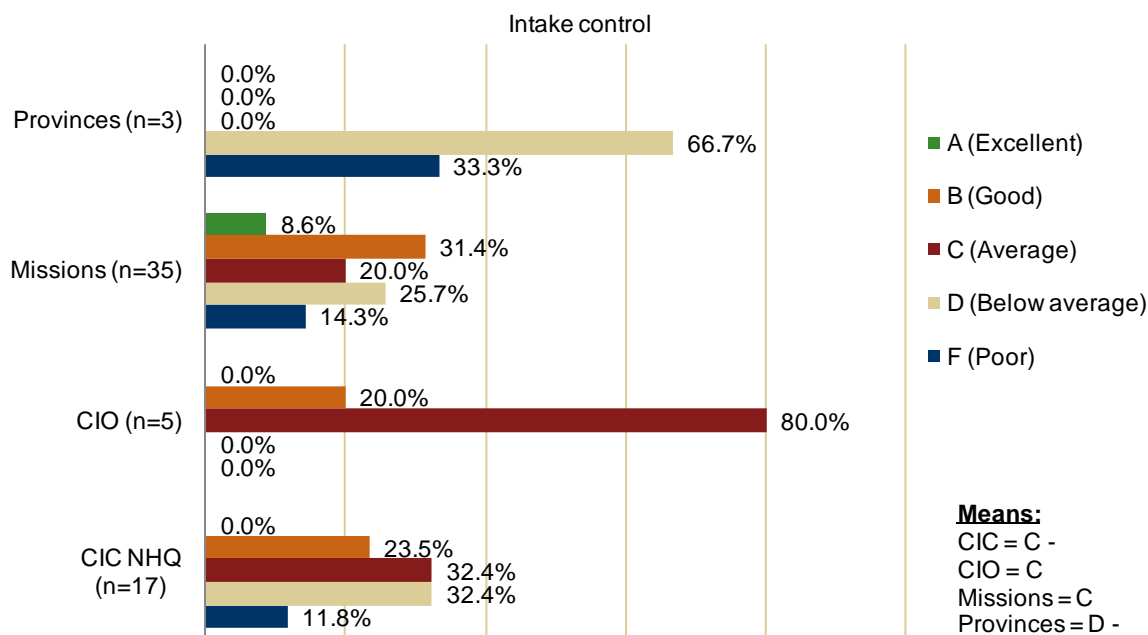
There were also problems in the other two categories of eligible applicants under MI1. Firstly, there was a surge in arranged employment applications. Some interviewees in the missions indicated that AEOs are subject to fraud and should not have been included under MI1 at all. However, in response, key informants at NHQ pointed out that because the AEO eligibility stream strongly supports the objective of responding to labour market needs, it could not realistically have been excluded. Secondly, the inclusion of the FSW3 category provided a venue for many temporary workers and foreign students in Canada to apply for permanent residence. FSW3 was a new category with no regulatory basis, hence no clear definitions of qualifications, something consultants soon identified as a loophole.

As a result of the above mentioned outcome, informants and survey respondents rated the performance of MI1 very poorly. On average, CIC NHQ informants gave intake control a grade of C-. Some said their rating would have been lower had it not been for the initial months of MI1, when intake was down considerably, albeit because people had not yet adapted to the new regime. CIO informants and CVOAs gave intake control a C grade. Provincial representatives gave it a D-.

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<sup>27</sup> An example according to two informants was if an applicant had ever made a presentation at work, he or she could claim to be a vocational instructor. Another example from the Philippines: “Clinical Instructors” were often students in a master’s level nursing program doing part time work as a teaching assistant.

**Figure 3-10: Intake control according to CIC NHQ, CIO and provincial interviewees and CVOA survey respondents**



Source: Interviews and CVOA survey

## Backlog reduction

**Q5** To what extent has the first set of MI reduced the intake of applications and contributed to reducing the backlog of FSW applications?

CIC was successful in substantially reducing the pre-MI backlog. However, as a result of the fact that MI1 did not ease application intake, a backlog of MI1 cases has subsequently been created.

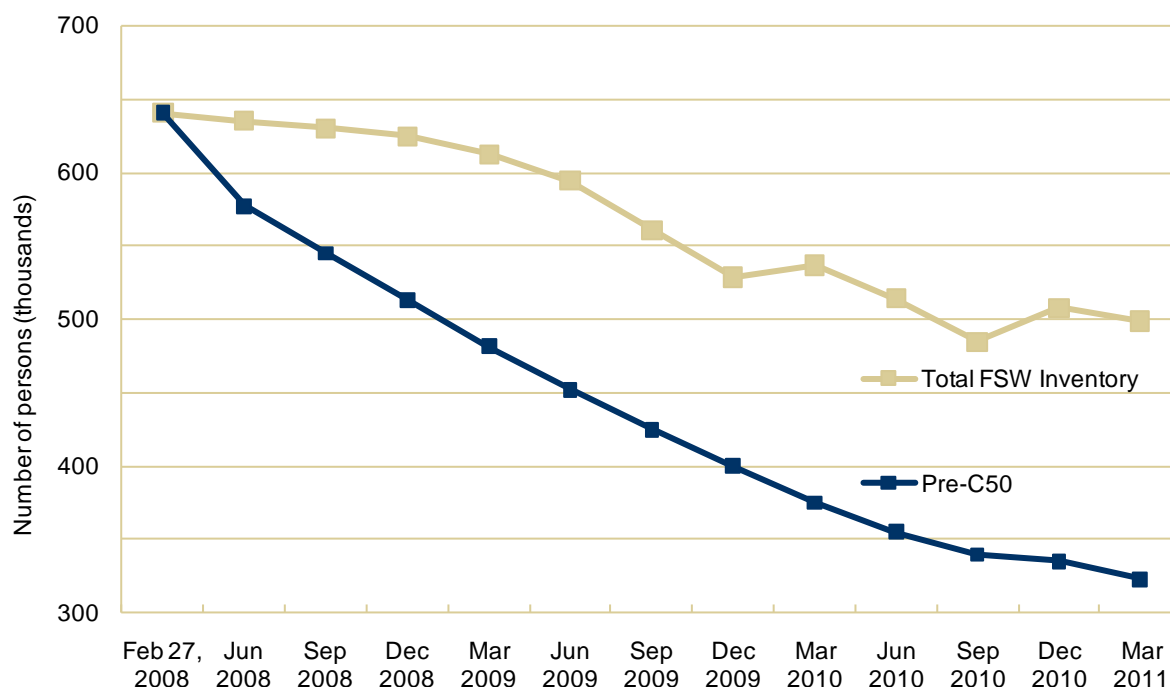
While the strategy under MI1 was to limit application intake, the primary end goal was to reduce the large backlog of FSW applications that had accumulated by early 2008, and thereby reduce the wait time faced by potential immigrants. The government set the goal of reducing the FSW application backlog of 640,813 persons by 50% by 2013. More specific targets were set for key missions and are presented in Appendix G.

Figure 3-11 shows the trend in backlog between 2008 and early 2011. The pre-MI line drops steadily until June 2010, when MI2 was introduced, after which time it remains fairly steady, which can be explained by the fact that MI1 application intake ceased and MI2 applications were the processing priority. By April of 2011, the government's goal of a 50% backlog reduction had been reached, two years ahead of schedule. The goal of a 50% reduction across seven key missions was also met by the end of 2010-11. By April 2011, the target of a 100% reduction in 15 specified missions had not yet been met by 13 missions, although eight additional missions were close to this target.

However, this finding needs to be understood in light of the fact that a substantial backlog of MI1 applications accumulated during this time, as a result of the higher than expected intake of applications, discussed above. As a result of the monitoring processes put in place, the CIO and CIC operations recognized this problem quite quickly. However, by the time the government

introduced MI2, 132,900 applications had been submitted under MI1, leaving a total backlog that stood at 176,222 cases (493,742 persons) by late spring 2011. When this is combined with the pre-MI backlog, it represents a reduction of 23% from the total on February 27, 2008. However, if MI1 had never been introduced, CIC estimated that the FSW backlog would have been at least 850,000 persons by 2012.

**Figure 3-11: Backlog reduction**



Source: RDIMS # 2763258; imm\_caips\_e\_c50 as of May 5, 2011

Note: Total FSW Inventory data for June and Sept 2008 are interpolated (estimated from preceding and following data points). Also, FSW data for the month of September 2010 exclude GCMS data, which were approximately 40,000 persons.

**Table 3-1: Inventory as of May 5, 2011 (persons)**

Stage	Pre-C50	Pre-MI1 (interim period)	MI1	MI2	Total Inventory
Pending eligibility	0	2,859	84,699	3,294	90,852
Pending selection	294,767	1,389	35,344	21,325	352,825
Pending final	24,525	3,695	16,780	5,065	50,065
<b>Total</b>	<b>319,292</b>	<b>7,943</b>	<b>136,823</b>	<b>29,684</b>	<b>493,742</b>

Source: RDIMS # 2763258; imm\_caips\_e\_c50 as of May 5, 2011

### 3.3.3. Impact of MI2

As discussed previously in this report, the various issues identified through closely monitoring MI1, especially the continued high volume of applications, suggested that changes were necessary. Other factors also contributed to this conclusion:

- The 2009 Auditor General's report put pressure on the department to take action to curb intake and minimize a backlog of MI1 cases;
- The recession reduced demand for labour in some of the NOCs included under MI1;
- Provinces and territories were pushing for changes in the occupation list to help with their labour market needs; and
- Competition for admissions space within the stable Annual Levels Plan continued to grow with increasing PNP admissions, growth of the Temporary Foreign Worker (TFW) Program<sup>28</sup> and the introduction of the Canadian Experience Class (CEC).

The Minister introduced a second set of Ministerial Instructions to address these concerns. As described in the introduction, MI2 reduced the number of eligible occupations, established limits on the number of applications to be processed annually, made changes to the evidence required to demonstrate language proficiency and work experience, and excluded FSW3. Additional administrative changes were made at the CIO to coincide with MI2, the most important of which was that the final eligibility decision was made at the CIO, rather than at missions.

**Impact of the introduction of MI2:** Virtually all key informants asserted that MI2 is superior to MI1 in almost every respect and many gave credit to the lessons learned from MI1 for helping the department to do much better for the second iteration. However, the transfer of the eligibility decision to the CIO, which was done with the implementation of MI2, raises questions about the appropriate balance between efficiency and program integrity.

Nearly every key informant mentioned at some point during the interview that the major strength of MI1 was that it provided essential information that informed the development of MI2, which was viewed as superior to MI1 in many ways:

### ***Controlling intake***

- Mandatory language testing and removing FSW3 reduces the number of applicants.
- By establishing caps, CIC has total control over intake; i.e., once the cap is reached, new applications are not accepted.
- In fact, initial monitoring data suggests that MI2 has been successful at limiting application intake (which was less than 17,000 eligible applications for the first year of MI2, compared to about 52,000 for the first year of MI1).

### ***Improving processing efficiency***

- The caps may actually reduce the number of incomplete applications, because there is a risk to potential immigrants if there are delays in processing their applications; i.e., the cap will be reached.
- Using language test scores, rather than having to read and subjectively score written submissions, makes the assessment process faster.
- MI2 is much more prescriptive and clear in language of instructions. CIC now has documented decisions on how to handle specific situations.

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<sup>28</sup> TFWs are not part of the levels plan, however, the increase in work required to respond to the growing TFW demand affects CIC's processing capacity and ability to process permanent applications, which in turn often affects CIC's ability to meet its levels commitments.

- These improvements in efficiency should reduce the time required to process an application which will, in turn, make the system more responsive to Canada's labour market needs.

### ***Reducing the workload in missions***

- The two-step eligibility process under MI1 led to delays and confusion, so all eligibility decisions are now made at the CIO and go to the missions for positive selection determinations, admissibility, and visa issuance.
- Since there is no refund if an application is deemed positive at the CIO and negative decisions are not sent to the missions, missions have less clerical work to do and do not now have to deal with refunds (except for permanent resident fee refunds).

The CVOA survey respondents rated MI2 (B -) higher than MI1 (C +) overall. On average, missions felt MI2 decreased their workload somewhat as compared to MI1.

Despite these improvements under MI2, some of the associated administrative changes were viewed as potentially problematic. The most important of these was the fact that the eligibility decision now rests with the CIO. Key informants, particularly those at the missions and the CIO, but also some NHQ representatives, indicated that centralizing too much of the processing decision could increase the level of fraud, as CIO staff don't have the local knowledge (e.g., language ability, understanding of the relevant education system or being able to verify the reliability of documentation) that is necessary to identify problematic applications. Some informants state that training CIO officers (possibly cross-training CIO staff overseas) and a more formal feedback loop would help to partially address this issue.

Related to this, while mission staff had no problem with the CIO making negative eligibility decisions, as the applicant can re-apply, many stated that their inability to reverse positive decisions can result in substantial additional work at the mission. In cases where they disagree with the CIO assessment, it is necessary to re-review the application and contact the applicant for further evidence of eligibility, in order to demonstrate procedural fairness.

Another administrative concern related to MI2 involves the need to keep track of the occupational caps. Both MI1 and MI2 allowed applicants to specify more than one NOC code for consideration, which was not a problem under MI1 because there were no limits on processing numbers. However, under MI2, with its various sub-caps, it is a substantial challenge. For example, it can be administratively challenging for CIO staff to manage applications if the applicant meets the criteria for multiple NOC codes. Because the initial cap counting is done at the clerical stage, when the file reaches the eligibility stage the cap for the particular NOC could be reached and the CIO officer would need to look at other eligible occupations. Similarly, if an applicant passes on eligibility and is included under the cap, but then has their credit card rejected, they need to be removed from the cap count, which is not easy under the current process.

### **3.3.4. Economy and efficiency**

Economy and efficiency are key issues in any evaluation. In the case of MI, however, the focus of the associated questions was strongly influenced by an audit of the *Selection of Foreign Workers under the Immigration Program* undertaken by the Office of the Auditor General (OAG) in 2009. This audit recommended, among other things, that the Department should, after the first year of operations, "evaluate the cost-effectiveness of the CIO and the extent to which it is meeting its

objectives.”<sup>29</sup> This section of the report presents the available information on the cost-effectiveness of the CIO on the overall selection process. Because this information is inconclusive, and in order to comply with the OAG recommendation, it also looks at the achievement of other CIO objectives, most of which contribute to processing efficiency.

### ***Cost-effectiveness of the CIO***

**Q6: Is the processing of FSW applications through the CIO more cost-effective than the previous approach?**

The financial data available to assess the impact of the introduction of the CIO on FSW processing costs was not sufficiently detailed to arrive at definitive conclusions related to cost-effectiveness.

Extensive consultations were undertaken with Finance, CPR and International Region to compile financial data that would allow for a comparison of the costs before and after the establishment of the CIO. The original goal was to use data from CIC’s Cost Management Model (CMM) to determine the cost of processing one FSW application pre-MI, to the cost for one received under MI1. However, the level of detail captured in the CMM was not sufficient to allow for this assessment. More specifically, the time required to process an FSW application overseas does not distinguish between the three categories of skilled workers that are processed: Quebec skilled workers; FSWs who applied prior to the introduction of MI1; and FSWs who applied under MI1.<sup>30</sup> However, according to key informants, the actual level of effort to process each type of application is significantly different: generally, Quebec cases take less time than the other two types, and pre-MI cases take longer than MI1 files. Therefore, if the CMM identifies fluctuations in the total time dedicated to processing FSWs in a mission from one year to the next, it may be due to changes in the composition of the caseload, rather than to changes in the time required to process one of the three types of FSW applications.

Despite this limitation, a partial cost analysis of the CMM data<sup>31</sup> from 2006/07, 2007/08 (pre-MI), and 2009/10 and 2010/11,<sup>32</sup> was conducted, and concluded that no general trend could be drawn in terms of the cost of processing an application over the four-year period. The average overseas cost/application fluctuated by 5-8% each year, but the direction of this fluctuation was not consistently up or down: i.e., the cost in 2006/07 was less than that in 2009/10, but the cost decreased a bit between 2009/10 and 2010/11.

Although it was not possible to quantify the impact of the introduction of the CIO on FSW processing costs, there is some evidence, related to the CIO’s original objectives, that centralization of the initial assessment of applications leads to efficiencies compared to the previous model.

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<sup>29</sup> *Report of the Auditor General of Canada Fall 2009.*

<sup>30</sup> This analysis will be even more difficult with the inclusion of MI2, MI3 and MI4, which will be part of the overall Federal Skilled Worker stream.

<sup>31</sup> Costs were based on the CMM level 1/principal process (FSW) only and did not include the associated feeder processes; for example, it didn’t include time used to respond to applicant enquiries.

<sup>32</sup> FY 2008/09 was excluded from the analysis as it was the year MI1 was introduced and would not represent a typical processing year.

## ***Achievement of CIO objectives***

**Achievement of CIO objectives:** The CIO, by addressing its specific objectives, has introduced a variety of improvements and potential efficiencies to the processing of FSW applications.

As discussed in section 1.1.2, the decision to centralize the front-end processing of FSW applications had four specific objectives, none of which were directly related to cost-effectiveness:

- To expedite the front-end processing of applications, thereby increasing the efficiency of the overall process;
- To reduce the workload in the mission, freeing mission staff to focus on other tasks;
- To provide consistency in implementing the Ministerial Instructions and assessing FSW applications; and
- To facilitate the management of fees.

While a detailed assessment of the achievement of these objectives was beyond the scope of the original evaluation framework, the associated research did identify a number of relevant findings.

### ***Front-end processing***

The elapsed time required to process FSW applications under MI1, as discussed in section 3.2.3, was significantly less than under the previous process. Figure 3-12 presents the time it took from application to visa issuance under MI1 as compared to the previous system. In the pre-MI period from January 2006 to February 2008, the typical file took 25.5 months to process, although this had fallen to 18.7 months on average over the final six months.<sup>33</sup> But even in comparison to those last six months, selection processing time was much faster under MI1 than under the previous system, varying between 11 and 16 months, with an average of 13.6.<sup>34</sup> This decrease in processing time should have a positive impact on labour market responsiveness of the FSW Program, as new immigrants in high demand occupations will arrive in Canada more quickly. In addition, assuming that the level of effort required for processing applications doesn't change from the previous model, centralization of front-end processing is more efficient; i.e., the department will achieve better results (faster decisions) for the same resources. In addition, the time currently required to manage the inventory (e.g., responding to enquiries, updating information, and the need for, and transport to, storage facilities) will be reduced as that inventory diminishes; i.e. the department will achieve the same result (management of the inventory) with fewer resources.

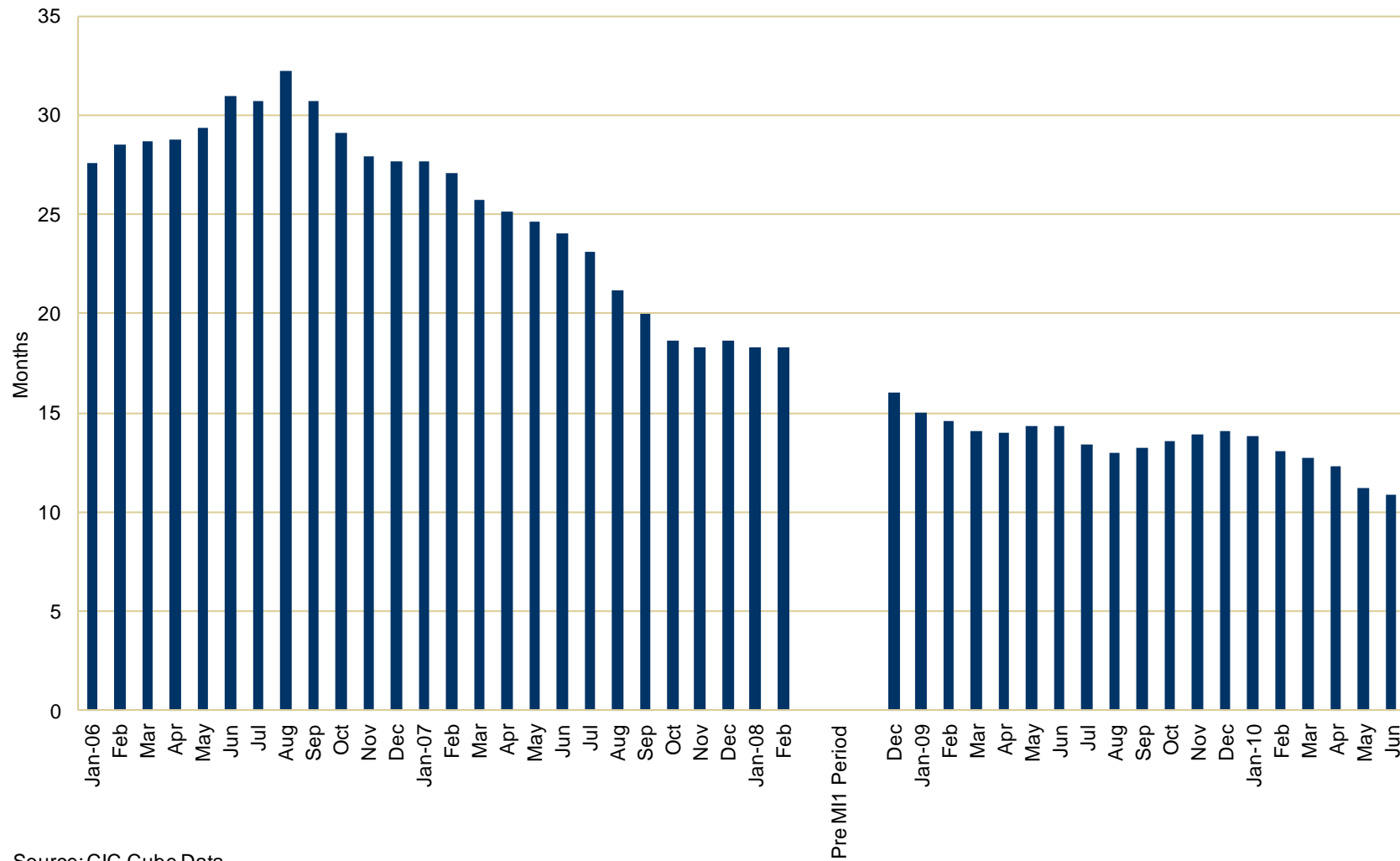
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<sup>33</sup> Policy and programs officials were asked to explain this. The most likely explanation is that as 2007 came to a close it was apparent that the targeted number of immigrant landings would not be achieved. The department put on a push to accelerate processing, mostly via the Buffalo office.

<sup>34</sup> It should be noted that many MI1 cases are still in the queue and therefore the average processing time for MI1 applications will go up. However, this is in large part because MI2 cases now have processing priority.



Figure 3-12: From application received date to visa issuance date – in months





## ***Workload in Missions***

In general, mission respondents felt that the CIO had reduced their clerical workload under MI1, although this was offset by the need to spend more time on other tasks, such as responding to applicant complaints (particularly from those in the backlog), tracking three types of FSWs, closing 120-day cases, monthly reporting, and communication with the CIO. However, mission staff were largely positive about the role of the CIO under MI1 because doing the completeness check, file creation and cost-recovery in Canada freed up mission staff for work in clearing the backlog. However, it is important to emphasize that this sentiment only reflects missions' views about the CIO in the context of MI1 and not MI2/MI3. As discussed in the previous section, missions contend that there are serious risks relating to program integrity that can result from the further centralization of processing tasks.

## ***Consistency in implementation, assessment and record-keeping***

Part of the reason for establishing the CIO was to be able to implement MI1 quickly and consistently: when the administrative tasks are done in one place by the same people, with the same training and quality control procedures, it is reasonable to expect that decisions will be more consistent than when these tasks are done in dozens of offices around the world. Section 3.2.3 provides evidence to demonstrate that the consistency in CIO decision-making (from one officer to the next), and the consistency between the CIO and CVOA eligibility decisions, were good.

However, it is also important to note that centralizing the front-end processing of applications has a positive impact on the consistency of data collection, as the same variables are collected from every mission. It also improves data reliability because the data are captured in the same way from all missions; for example, the CIO noticed that missions had different ways of entering applicant names into the data system and was able to establish consistent data entry protocols. Centralized processing also enabled the CIO to identify anomalies such as ghost consultants.

## ***Management of fees***

The centralization of fee payment, like the centralization of front-end processing, reduces the clerical workload in missions, and thus contributes to the overall efficiency of the process. However, as noted in the OAG report, the Department encountered some problems in managing application fees when it centralized the intake of FSW applications. While applicants under MI1 were instructed to pay the application fee to the CIO in Canadian funds<sup>35</sup>, it was quickly discovered that there were some countries where a certified Canadian bank instrument is impossible, or at least very difficult, to obtain.

In response, on May 29, 2009, Operational Bulletin 121 was released outlining new cost-recovery procedures at selected missions to assist applicants who could not obtain certified Canadian bank instruments. These procedures allowed applicants to pay their application fees at these missions in the local currency. Missions were also able to reimburse/refund clients where appropriate. Early in September 2009, applicants were also given the option of paying their FSW application fee with a credit card. This was a preferred solution for many clients, as it was easier and more efficient.

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<sup>35</sup> Certified cheques, bank drafts, or international money orders made payable to the "Receiver General for Canada" were accepted

Generally, interviewees were supportive of centralizing the handling of payments and the department continues to work on initiatives, in partnership with GCMS and the Receiver General, to identify processes whereby most applicants can pay via electronic solutions.

## 4. Conclusions and recommendations

This chapter of the report focuses on the major conclusions of the study, and offers suggestions for areas, that continue under MI2 and centralized processing, where further investigation is warranted.

### 4.1. Relevance

1. There is a continued need for CIC to be able to manage the intake and processing of immigration applications in a timely, efficient and responsive manner.

The legislative amendments included in *the 2008 Budget Bill* (C-50) allow the Minister to make changes to the way in which immigration applications are processed in order to be more responsive to changing external conditions. The fact that, when limitations to MI1 were identified, the Minister was able to issue a second set of Instructions, that have had better results, supports this conclusion. Further, many of the conditions that precipitated the implementation of MI – high numbers of immigration applications, growing backlogs and slow processing times – are still concerns in CIC immigration programs.

### 4.2. Design and implementation

2. The design of MI is both flexible and responsive, which is the key to its success as a policy tool.

The MI authorities not only gave the Minister the power to limit the number of applications processed and to accelerate some applications or groups of applications, they gave him the authority to return applications without processing them to a decision if they do not meet the requirements of the Ministerial Instructions.

Moreover, the language of the legislation makes it relatively easy to initiate new Ministerial Instructions to meet the emerging immigration needs of the country, or, as it happens, to rectify problems with earlier instructions. When the department discovered that MI1 was not controlling intake, the minister was able to quickly authorize new instructions that have controlled intake, without the time-consuming and arduous process of crafting and passing new legislation.

### 4.3. Performance

3. Although the number of applications received under MI1 was initially quite low, it rose fairly quickly to pre-MI1 levels. However, the data systems established as part of MI1 allowed for the early identification of problems, and led to MI2, which has been much more successful in reducing the intake of applications.

The department established excellent monitoring systems in support of the implementation of the first set of Ministerial Instructions. This allowed them to quickly identify the escalating number of applications under MI1, and to identify the main reasons for the problem. This enabled CIC to design the new instructions to overcome these problems. Key provisions in MI2 – particularly the overall cap and sub-caps, the language requirement, and the removal of problematic NOCs – have been successful in controlling intake.

4. While MI2 has been more successful than MI1 in limiting applications, the transfer of the eligibility decision to the CIO under MI2 was viewed as potentially problematic, particularly by staff in the missions. The scope of this evaluation did not allow for an assessment of the impact of this change.

Although most key informants asserted that MI2 is superior to MI1 in almost every respect, there were some concerns regarding the transfer of the final eligibility decision from the missions to the CIO. This was primarily due to the fact that CIO staff do not have the local knowledge necessary to detect misrepresentation in applications, which will increase the risk of fraud. Allowing missions to reverse positive eligibility decisions is one way in which this issue could be addressed; providing additional mission-specific training to staff at the CIO could also contribute to alleviating concerns.

*Recommendation 1: CIC should conduct a more formal assessment of the impact of further centralization of the processes historically undertaken in missions. Specifically, this assessment should examine the risks associated with centralizing decision-making, particularly in relation to the potential of not detecting fraud. This study should also include the identification of mitigation strategies, as required.*

5. The implementation of MI1 contributed to a substantial reduction in the backlog, although there was a subsequent, and unanticipated, development of an MI1 backlog.

The government set the goal of reducing the FSW application backlog by 50% by 2013 and actually achieved this goal by April 2011. However, because MI1 did not ultimately reduce the volume of applications being received, a substantial backlog of MI1 applications accumulated during this time. The inclusion of the MI1 backlog in this assessment reduces the overall reduction of backlog to 23%.

While the overall backlog is decreasing and is expected to continue decreasing, a ministerial directive stipulated that MI2 applications be processed before those submitted under MI1, and MI1 files be processed before addressing the pre-existing backlog. This means that the time required for a final decision for the group in the pre-C50 backlog - almost 300,000 persons - will likely increase by several years.

6. While it was not possible to conclude that CIC costs were reduced as a result of centralizing the front-end processing of FSW applications, the CIO did achieve a number of objectives that contribute to improving the efficiency of the overall process.

In order to conduct a proper cost-effectiveness analysis of a program or initiative, it is necessary to have very detailed cost data related to the activities under study, and a baseline against which to compare current costs. While CIC has a well-established activity-based costing model, the data related to processing overseas applications was not sufficiently detailed to support an analysis of these costs before and following the introduction of MI.

*Recommendation 2: As part of its overall approach to program performance measurement, CIC should ensure that there is financial data that is sufficiently robust and detailed to support the on-going analysis, and periodic evaluation, of program costs.*

Although it was not possible to assess cost-effectiveness, the evaluation did find that centralization has reduced the time required to process applications, improved the consistency of

the implementation of MI, and on-going decision-making and record-keeping, and reduced the clerical workload in missions. These impacts, by improving performance or reducing the resources required to process applications, contribute to the efficiency of the overall process.

## **4.4. Operations**

The research for the evaluation identified a number of findings that were not, by themselves, sufficient to support a recommendation, but were suggestive of particular actions or further considerations by the department. These are presented below.

*Recommendation 3: The department should consider each of the following observations, investigate further, as required, and decide on how best to proceed:*

### **Communications**

CIC should permit and facilitate direct communications between missions and the CIO. The implementation of a feedback loop could help to identify any systematic errors and improve decision-making. Lessons learned through interaction with individual missions should be shared across the network.

### **Electronic application**

The department should expedite the move to an e-application for the FSW Program, particularly now that GCMS has been fully implemented.

### **Fee payment**

The electronic application platform should facilitate fee payment through such means as PayPal, etc. Also, consideration should be given to charging a fee for processing applications that are determined to be ineligible. This will help to cover some of the associated costs and deter applicants who know they are unlikely to be successful.

### **CIO pilot status**

Given that it appears to have a continued and increasing role in processing FSW applications, the CIO should be designated a permanent operation.





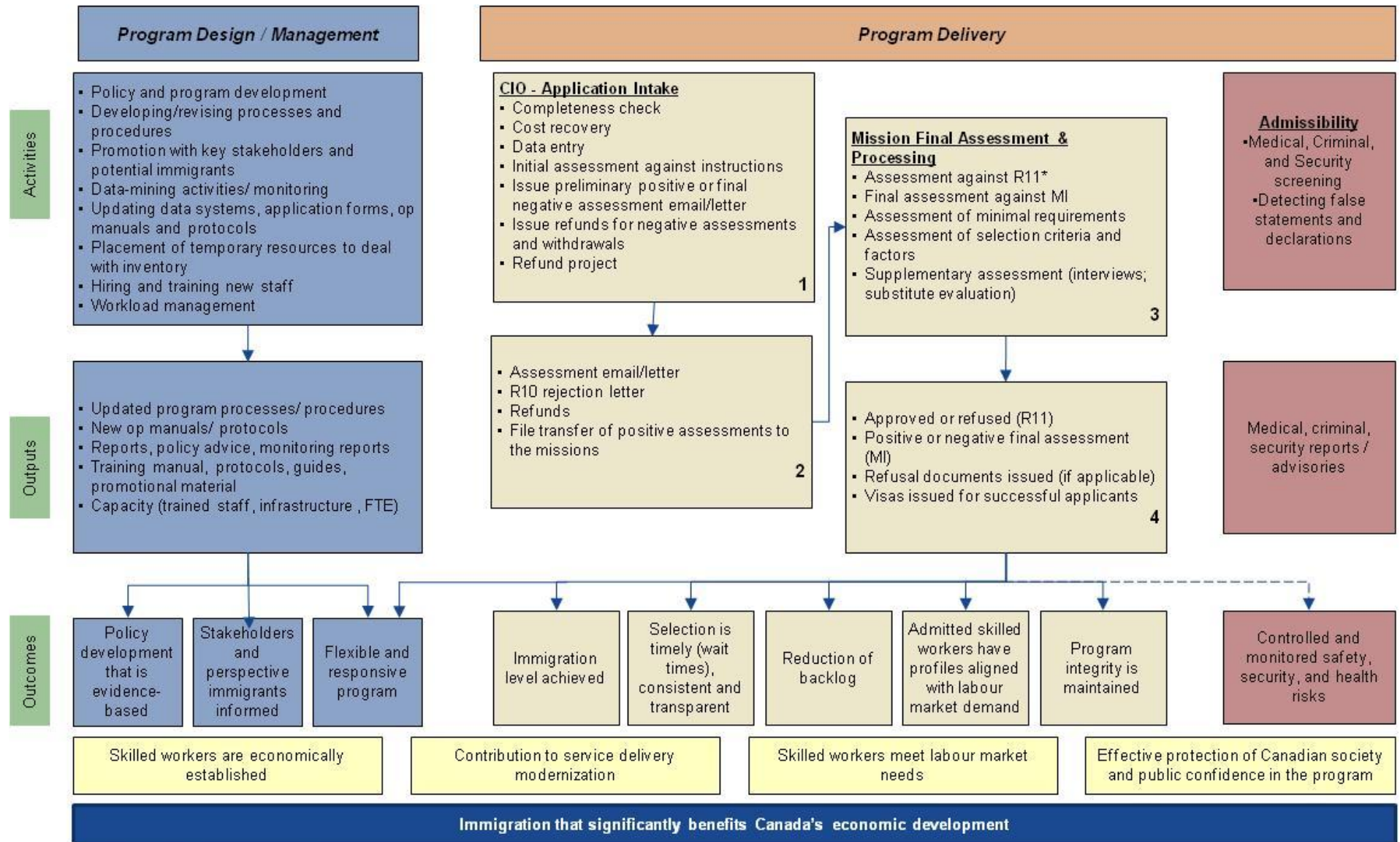
## Appendix A: Ministerial instructions logic model and original evaluation matrix

Question	Indicator	Source
<b>Relevance</b>		
1. Is there a continued need to issue Ministerial Instructions (MI)?	1.1 Key stakeholders identify continuing need for the MI 1.2 Stakeholders feedback regarding need to manage application intake 1.3 Consideration and analysis of alternative methods to manage intake (pass mark, etc.)	<ul style="list-style-type: none"> <li>▪ Key-informant interviews (Immigration Branch, OMC, International Region, CPR, Legal Services, CVOA)</li> <li>▪ Document review (2008 Budget, OAG report, Action Plan, Briefing material, “Pressure notes”)</li> <li>▪ CIO site visit</li> </ul>
<b>Design and implementation</b>		
2. Is the design of the MI flexible and responsive?	2.1 Stakeholders’ perception of the ability to make adjustments to the system (i.e. controlling the FSW intake with the first set of MI) 2.2 Evidence of regular monitoring and related adjustment as required	<ul style="list-style-type: none"> <li>▪ Key-informant interviews (Immigration Branch, OMC, International Region, CPR, Legal Services, CVOA)</li> <li>▪ Document review</li> <li>▪ Data Analysis (Monthly monitoring reports)</li> <li>▪ CIO site visit</li> </ul>
3. Did stakeholders and prospective immigrants understand the first set of MI criteria once issued?	3.1 Level of stakeholders and prospective immigrant awareness of the first set of MI 3.2 Stakeholder perception and understanding of MI objectives	<ul style="list-style-type: none"> <li>▪ Key informant interviews (Communications, Call Centres, Immigration Branch, International Region, OMC, CPR, CIO, CVOA)</li> <li>▪ Document review</li> <li>▪ Media analysis/reports</li> <li>▪ CIO site visit</li> </ul>
4. Does program delivery, under the first set of MI, facilitate the timely and efficient processing of prospective skilled worker immigrants?	4.1 Completeness and accuracy of information provided by clients (application) <ul style="list-style-type: none"> <li>▪ % of incomplete applications (disaggregated by cost-recovery, etc.)</li> <li>▪ Number of applications intake (compared to previous years)</li> <li>▪ % of non eligible applications</li> <li>▪ Number of positive referrals to CVOA that resulted in negative decisions</li> </ul> 4.2 Application Intake (CIO) <ul style="list-style-type: none"> <li>▪ Lapsed time for completeness check</li> </ul>	<ul style="list-style-type: none"> <li>▪ Data analysis (CAIPS, FOSS - CIO, OMC Stats)</li> <li>▪ CIO site visit</li> <li>▪ Document Review</li> <li>▪ Key-informant interviews (Communications, Call Centres, Immigration Branch, International Region, OMC, CPR, CIO, CVOA)</li> <li>▪ CVOA survey</li> </ul>

Question	Indicator	Source
	<ul style="list-style-type: none"> <li>▪ Time for assessment against MI</li> <li>▪ Lapsed time between application received and referral to CVOA</li> <li>▪ Application volumes/inventory at CIO</li> </ul> <p>4.3 Processing and Final assessment (CVOA)</p> <ul style="list-style-type: none"> <li>▪ Wait time between each step application assessment</li> <li>▪ Time between application received at the CIO and final decision at CVOA</li> <li>▪ Time between application received at the CVOA and final decision/visa issuance</li> <li>▪ Wastage rates and related trends</li> <li>▪ Application volumes/ inventory in Missions</li> <li>▪ Consistency of CIO and CVOA decisions (applications sent to CVOA where the decisions were reversed)</li> </ul> <p>4.4 Trends in consistency, transparency and timeliness</p> <ul style="list-style-type: none"> <li>▪ Trends in processing times</li> <li>▪ Number of complaints and legal challenges</li> <li>▪ Perceptions of consistency, transparency, and timeliness of processing</li> </ul>	
5. To what extent has the first set of MI reduced the intake and contributed to the reduction of the backlog of FSW applications?	<p>5.1 Number of applications in the MI inventory (CIO and CVOA)</p> <p>5.2 % reduction of pre-MI backlog</p> <p>5.3 Evidence of whether the backlog reduction target was met or not</p> <p>5.4 Stakeholders' perception of the effectiveness of MI in reducing the backlog</p>	<ul style="list-style-type: none"> <li>▪ Data analysis</li> <li>▪ Document Review</li> <li>▪ Key-informant interviews (CVOA, CIC, CPR, CIO, OMC, Immigration Branch, International Region)</li> <li>▪ CIO site visit</li> <li>▪ CVOA survey</li> </ul>

Question	Indicator	Source
<b>Performance and Unexpected Outcomes</b>		
6. Is the processing of FSW applications through CIO more cost-effective than the previous approach?	6.1 Costs to process MI / FSW application (pre/post MI) 6.2 Stakeholders view on possible improvements to the application process 6.3 Evidence of processing efficiency for FSW applications with the CIO compared to previous approach (benefits re: level of effort/cost/fees/transparency) 6.4 Evidence of rationale for CIO (evidence-based decision making)	<ul style="list-style-type: none"> <li>▪ Data analysis (Cost-Management Model)</li> <li>▪ Key-informant interviews (Immigration Branch, OMC, CPR, Finance, CVOA)</li> <li>▪ Document Review (Financial data, CIO documents, budget)</li> <li>▪ CIO site visit</li> <li>▪ CVOA survey</li> </ul>
7. Have there been any unanticipated outcomes?	7.1 Evidence of outcomes not accounted for in original plan and design (positive or negative) 7.2 Stakeholders identify potential processing challenges	<ul style="list-style-type: none"> <li>▪ Key-informant interviews (Immigration Branch, International Region, CPR, CIO, OMC, CVOA)</li> <li>▪ Document Review</li> <li>▪ CIO site visit</li> <li>▪ CVOA survey</li> </ul>

## Appendix B: Ministerial Instructions (MI) Logic Model



\* Place of application for permanent resident visa

## Appendix C: CIO site visit - work flow and file review

Copy of the CIO site visit - work flow and file review (Appendix C) is available upon request to [Research-Recherche@cic.gc.ca](mailto:Research-Recherche@cic.gc.ca).

## Appendix D: List of documents reviewed

### Background documents for evaluation of Ministerial Instructions

- Funding to Modernize the Immigration System and Manage the Backlog (2008)
- Modernizing the Immigration System (*April 2008*)
- New Ministerial Instructions: Advancing Action Plan for Faster Immigration  
*Presentation to Minister Kenney (January 2010)*
- New Ministerial Instructions: Advancing Action Plan for Faster Immigration  
*Presentation to EXCOM (January 2010)*
- Budget 2008 Measures to Modernize the Immigration System: Status Update  
*Presentation to the DG Steering Committee on Production Management (December 2009)*
- C-50 Reporting Data  
*Monthly updates on C-50 application volumes, decisions made, inventories, etc. by mission prepared by OMC-Stats (June 2009-March 2010)*
- CIO Production Summaries  
*Monthly summaries of C-50 application volumes, assessments and processing times at CIO-Sydney (December 2009-April 2010)*
- C-50 Mission Reports  
*Monthly summaries of input received from missions regarding processing of C-50 applications (June-October 2009)<sup>36</sup>*
- C-50 Operational Manuals and Bulletins  
*One Operational Manual (OP) and several Operational Bulletins (OB) provide guidance on the processing of C-50 applications (December 2008-March 2010)*
- Adjusting the Balance: Fixing Canada's Economic Immigration Policies  
*ALLIES Learning Exchange. June 2009, Naomi Alboim*
- 2009 Fall Report of the Auditor General of Canada –  
*CIO information relating to need to examine cost-effectiveness*
- Recommendations and Departmental Action Plan  
*November 2009 Auditor General Report; Chapter 2 – Selecting Foreign Workers under the Immigration Program*
- Towards Improving Canada's Skilled Immigration Policy: An Evaluation Approach by Charles M. Beach  
*July 2010 for the C.D. Howe Institute, Toronto*
- Improving Canada's Immigration Policy by Charles M. Beach, Alan G. Green & Christopher Worswick
- Schematic for c-50 mission reports
- C-50 Mission Reporting Summary reports for June through September, 2009
- Performance Measurement Strategy - Funding to Modernize the Immigration System and Manage the Backlog  
*Citizenship and Immigration Canada*

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<sup>36</sup> Immigration Branch is currently finalizing a roll-up report of input received from missions to date. As a result, the most recent monthly report is from October 2009.

## Appendix E: List of interviewees

### Master list of interview subjects for MI evaluation

Name	Position
Strategic Policy & Planning Branch	
Les Linklater	Assistant Deputy Minister
Sandra Harder	Director General
James McNamee	A/ Director
Rosanne MacKay	A/Deputy Director - Horizontal Immigration Policy Division
Glen Bornais	Senior Analyst
Immigration Branch	
Heidi Smith	Director - Permanent Resident Policy & Programs
International Region	
Rénald Gilbert	Director General - International Region
Erica Usher	Senior Director - Geographic Operations
James Tieman (formerly IR, currently with CPR)	Operations Manager
Johanne DesLauriers (*Carole Turner)	Director - Operational Coordination
Centralized Processing Region	
Paul Armstrong	Director General - Centralized Processing Region
Patricia Nicoll	Director - Service Innovation Projects
Randy Orr (*William Hawke)	Senior Project Officer
Denise O’Keefe	A/Manager - Central Intake Office (Sydney, N.S.)
OMC	
Claudette Deschênes	ADM Operations
Caroline Melis	Director General
Amara Amath (*Jennifer Castronero)	A/Program Advisor - Permanent Resident & In-Canada Protection Program
Case Management Branch	
Karim Virani	Analyst
Provincial Representatives (ON/AB/BC/NS)	
ON - Alice Young	Director, Immigration Policy
ON - Matthew Lee	A/ Policy Advisor
AB - Percy Cummins	Executive Director, Immigration Policy & Programs
AB - Maryanne Everett	ADM, Employment and Immigration
AB - Vadim Kukushkin	Policy Analyst
AB - Sadiya Ansari	Policy Analyst
BC - Michael Newson	Senior Policy Analyst

NS - Lashauna Smith	Policy Advisor, P/T Immigration Secretariat
NS - Megan Edwards	Senior Policy Analyst
Missions	
London - Anne Arnott	Minister (Immigration) Canadian High Commission
London - Robert Stevenson	
New Delhi - David Manicom	Minister and Immigration Program Manager Area Director, South Asia Canadian High Commission, New Delhi
Buffalo - Burke Thornton	Consul (Immigration) Consulate General of Canada - Buffalo

Notes:

\*Carole Turner – on the Ministerial Instructions Working Group during MI1 implementation; is currently with CBSA

\*William Hawke – on the Ministerial Instructions Working Group during MI1 implementation; has been assigned to the embassy in Washington

\*Jennifer Castronero - on the Ministerial Instructions Working Group during MI1 implementation; as of March 14, will transfer to Refugees Branch

\*Eric Stevens - on the Ministerial Instructions Working Group during MI1 implementation; is currently counsel for Refugees Branch



## Appendix F: Interview guides and survey questionnaires

### Interview guide - CIC NHQ

As you may be aware, Power Analysis has been engaged by the Evaluation Division at Citizenship and Immigration Canada to conduct an evaluation of the first set of Ministerial Instructions (MI1). The purpose of this evaluation is to examine the relevance of the initiative, program design and delivery, program outcomes, and cost-effectiveness.

As part of the evaluation, Power Analysis is conducting interviews with key stakeholders involved in MI. The goal of the interviews is to gain a better understanding of MI, examine how the initiative was designed, coordinated, managed and implemented, collect information to assess performance in achieving results in terms of effectiveness, and identify possible improvements.

The following questions will serve as a guide for the interview. Note that the evaluation focuses on the first set of Ministerial instructions, and therefore we ask you to refer to MI1 when answering the questions. However, if there are differences between MI1 and MI2 that you believe would benefit the discussion, feel free to mention them. In some cases, questions will not be relevant to your particular situation; the interviewers will focus on those that are.

The responses you provide are confidential and will not be attributed to you in the evaluation report (only aggregate information will be released) or in any documentation.

#### ***Background***

1. Can you briefly describe your [unit/division/organization]'s role and involvement with the Ministerial Instructions? How long have you been involved with MI?

#### ***Program Relevance***

2. What was the primary rationale for issuing MI1? Does this rationale continue to be relevant?
3. Why is it important to manage application intake?
4. How well did MI1 align with CIC priorities? With Government of Canada priorities?

#### ***Program design***

5. What other options were considered for dealing with the large backlogs (e.g., changing pass mark) and why was MI1 determined to be the best option? (Probe: The Auditor General asserted that the inventory reduction strategy was not based on sufficient analysis. How did CIC respond to this?)
6. What was the primary objective of MI1? What were the strengths of MI1 in terms of its ability to meet its objectives? What were the weaknesses?

### ***Program management and delivery***

7. How does CIC monitor the initiative? Is the monitoring system adequate? Any suggested improvements? How were monitoring data used to make relevant adjustments to MI1? What were the major changes to MI1 brought about via program monitoring?
8. Could you describe how information regarding the program is communicated between CIC and CIO? Between CIO and CVOAs? How well does the communication system work?
9. How were the MI1 criteria communicated to potential immigrants to Canada? To other stakeholders? What evidence is there that stakeholders and prospective immigrants understood MI1 criteria?

### ***Results***

10. On an A to F scale, please rate how well MI1 did in controlling the FSW intake. (A is excellent; B is good; C is average; D is below average; F is poor)

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

11. On an A to F scale, please rate how well MI1 did in reducing the backlog of applications.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

12. On an A to F scale, please rate how transparent the decisions were under MI1.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

13. On an A to F scale, please rate the consistency of decisions from one application to the other under MI1.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

14. On an A to F scale, please rate the consistency of decisions between CIO and CVOA under MI1.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

15. On an A to F scale, please rate the flexibility of the design of MI.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

16. What have been the pros and cons of the second set of MI (MI2) as compared to MI1?

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

17. Were there any unanticipated outcomes with respect to MI1? MI2? If so, please discuss.

### *Cost-effectiveness/alternatives*

18. Was the amount of funding allocated to MI1 appropriate to achieve the objectives? For MI2? In your opinion, are there more cost-effective ways of achieving the program's objectives? If so, how?

19. What improvements do you suggest to the FSW application process under MI?

20. If you could change anything about MI what would it be?

*Thank you for your time and cooperation.*

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## Interview guide - CVOA

As you may be aware, Power Analysis has been engaged by the Evaluation Division at Citizenship and Immigration Canada to conduct an evaluation of the Ministerial Instructions. The purpose of this evaluation is to examine the relevance of the initiative, program design and delivery, program outcomes, and cost-effectiveness.

As part of the evaluation, Power Analysis is conducting interviews with key stakeholders involved in MI. The goal of the interviews is to gain a better understanding of MI, examine how the initiative was designed, coordinated, managed and implemented, collect information to assess performance in achieving results in terms of effectiveness, and identify possible improvements.

The following questions will serve as a guide for the interview. Note that the evaluation focuses on the first set of Ministerial instructions (MI1), and therefore we ask you to refer to MI1 when answering the questions. However, if there are differences between MI1 and MI2 that you believe would benefit the discussion, feel free to mention them. In some cases, questions will not be relevant to your particular situation; the interviewers will focus on those that are.

The responses you provide are confidential and will not be attributed to you in the evaluation report (only aggregate information will be released) or in any documentation.

### ***Background***

1. Can you briefly describe your office's role and involvement with the Ministerial Instructions? How long have you been involved with MI?

### ***Program relevance***

2. What was the primary rationale for issuing MI1? Does this rationale continue to be relevant?
3. Why is it important to manage application intake?
4. How well did MI1 align with CIC priorities? With Government of Canada priorities?

### ***Program design***

5. Are there better options for dealing with the large backlogs of FSW applicants (e.g., changing pass mark)? If so, please discuss.
6. Are the MI sufficiently flexible? What were the main strengths of MI1? What were the main weaknesses?

### ***Program management and delivery***

7. Could you describe how information regarding the program is communicated between CIO and your office? How well does the communication system work?

8. How were the MI1 criteria communicated to potential immigrants to Canada? What evidence is there that prospective immigrants understood MI1 criteria?
9. Was the distribution of roles and responsibilities between CIO and CVOAs appropriate under MI1? Under MI2? What can be improved?

### ***Results***

10. How well did MI1 do in controlling the FSW intake? In reducing the backlog of applications?
11. In your opinion are the CIO decisions transparent and consistent from one application to the next?
12. Please comment on the consistency of CIO and CVOA decisions (applications sent to CVOA where the decisions were reversed) under MI1. How has this changed under MI2?
13. What have been the pros and cons of MI2 as compared to MI1?
14. Were there any unanticipated outcomes with respect to MI1? MI2? If so, please discuss.

### ***Cost-effectiveness/alternatives***

15. In your opinion, are there more cost-effective ways of achieving the program's objectives? If so, how?
16. What improvements do you suggest to the FSW application process under MI?
17. If you could change anything about MI what would it be?

*Thank you for your time and cooperation.*

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## Interview guide - Provincial government officials

Power Analysis Inc. has been engaged by the Evaluation Division at Citizenship and Immigration Canada to conduct an evaluation of the Ministerial Instructions. The purpose of this evaluation is to examine the relevance of the initiative, program design and delivery, program outcomes, and cost-effectiveness.

As part of the evaluation, Power Analysis is conducting interviews with key stakeholders involved in MI. The goal of the interviews is to gain a better understanding of MI, examine how the initiative was designed, coordinated, managed and implemented, collect information to assess performance in achieving results in terms of effectiveness, and identify possible improvements.

The following questions will serve as a guide for the interview. Note that the evaluation focuses on the first set of Ministerial instructions (MI1), and therefore we ask you to refer to MI1 when answering the questions. However, if there are differences between MI1 and MI2 that you believe would benefit the discussion, feel free to mention them. In some cases, questions will not be relevant to your particular situation; the interviewers will focus on those that are.

The responses you provide are confidential and will not be attributed to you in the evaluation report (only aggregate information will be released) or in any documentation.

### **Background**

1. Can you briefly describe your [department/ministry]'s involvement with the Ministerial Instructions? How long have you been involved with MI? How familiar would you say you are with MI1? (Note to interviewer: if the informant is not particularly conversant with MI1 mention the criteria for MI1: New FSW applications were eligible for processing if they: included an offer of arranged employment; were from a foreign national living legally in Canada for one year as a temporary foreign worker or international student; or were from a skilled worker with at least one year of experience under one or more of the 38 priority occupations identified at that time.)
2. What was the primary rationale for issuing MI1? Does this rationale continue to be relevant?
3. Why is it important to manage application intake?
4. How well did MI1 align with your province's priorities?
5. What evidence is there that stakeholders and prospective immigrants understood MI1 criteria?

6. On an A to F scale, please rate how well MI1 did in controlling the FSW intake.  
(A is excellent; B is good; C is average; D is below average; F is poor)

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

7. On an A to F scale, please rate how well MI1 did in reducing the backlog of applications.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

8. On an A to F scale, please rate how transparent the decisions were under MI1.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

9. On an A to F scale, please rate the consistency of decisions from one application to the other under MI1.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

10. On an A to F scale, please rate the flexibility of the design of MI.

A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Please explain your rating.				

11. Are there better options for dealing with the large backlogs of FSW applicants (e.g., changing pass mark)? If so, please discuss.

12. What were the main strengths of MI1? What were the main weaknesses?

13. Were there any unanticipated outcomes with respect to MI1? MI2? If so, please discuss.
14. What improvements do you suggest to the FSW application process under MI?
15. If you could change anything about MI what would it be?

*Thank you for your time and cooperation.*

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# CVOA Questionnaire

## About this survey

Citizenship and Immigration Canada (CIC) is conducting an evaluation of the Ministerial Instructions. This research will provide essential information related to relevance, program design and delivery, program outcomes, and cost-effectiveness.

Central to the study is a survey of Canadian Visa Offices Abroad. We ask for one consolidated response per CVOA. Please feel free to consult with other visa officers in the office who deal with MI-FSW applications, but throughout the survey, we ask you to answer for your CVOA as a whole. The terminology will be using 'you' to refer to your CVOA.

The survey asks for your perspective on various aspects of Ministerial Instructions. Most questions refer to the first set of (MI1). MI1, published November 28, 2008, introduced eligibility criteria for all new Federal Skilled Worker (FSW) applications submitted on or after February 27, 2008.<sup>37</sup> According to this set of Instructions, new FSW applications would be eligible for processing if they:

- included an offer of arranged employment,
- were from a foreign national living legally in Canada for one year as a temporary foreign worker or international student; or
- were from a skilled worker with at least one year of experience under one or more of the 38 priority occupations identified at that time.

Please complete the survey by June 22, 2011. Please keep a completed copy on your computer in case the survey does not get to us and we need to ask you to resend it.

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The questions are easy to answer. We ask you to:

Click on the box next to your answer

☐ YES

☐ NO

or Enter a number in the appropriate space

\_ Years

or Provide a brief written answer

\_\_\_\_\_

Note: to change your selection, simply click on the box again to delete the x.

Thank you for your help.

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1. In what CVOA do you work? *(Click on grey box and type)*

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<sup>37</sup> A second set of Ministerial Instructions (MI2), including revised eligibility criteria for new Federal Skilled Worker applicants, was published June 26, 2010. As such the first set of Ministerial Instructions applies only to FSW applications received on or after February 27, 2008 and prior to June 26, 2010

## Ministerial Instructions in General

2. The original rationale for Ministerial Instructions was to address a large backlog in applications for the Federal Skilled Worker program. To what extent does this rationale continue to be relevant? *(Check one box on the 5-point scale)*

To a great extent		To some extent		Not at all	Unsure
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 9

3. How would you rate the flexibility the Ministerial Instructions give to the Minister in terms of supporting the attainment of the immigration goals established by the government?

- ☐1 A (EXCELLENT)  
☐2 B (GOOD)  
☐3 C (AVERAGE)  
☐4 D (BELOW AVERAGE)  
☐5 F (POOR)  
☐9 UNSURE

## First set of Ministerial Instructions

4. To what extent did prospective immigrants to Canada understand the criteria of MI1? *(Check one box on the 5-point scale)*

To a great extent		To some extent		Not at all	Unsure
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 9

5. Overall, how would you rate MI1?

- ☐1 A (EXCELLENT)  
☐2 B (GOOD)  
☐3 C (AVERAGE)  
☐4 D (BELOW AVERAGE)  
☐5 F (POOR)  
☐9 UNSURE

Comment?

6. How would you rate the quality of each of the following elements of MI1? (Check one box in each row) For any element you rated D or F, please explain why in the box below the rating.

Element of MI1	A (excellent)	B (good)	C (average)	D (below average)	F (Poor)
Communications between CIO and your office	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Clarity of the requirements for application	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
The timeliness of the response to applications	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Transparency of CIO eligibility decisions	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Transparency of CVOA eligibility decisions with respect to MI1	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Consistency of CIO eligibility decisions from one application to the next	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Consistency of CVOA eligibility decisions from one application to the next with respect to MI1	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Consistency between CIO and CVOA eligibility decisions	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Ability to control FSW intake	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					
Ability to reduce FSW backlog	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Reason for D or F.					

7. In processing FSW applications, how did the MI1 affect your workload as compared to your workload prior to the introduction of MI1? *(Check one box on the 5-point scale)*

Big increase in my workload		No effect	Big decrease in my workload	
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5

Comment?

8. Under MI1, approximately what proportion of CIO positive initial eligibility decisions did your office reverse, excluding applicants who failed to return the full application with the 120 day time limit?

%

9. As compared to the system prior to MI1, did the number of complaints from FSW applicants under MI1

- ☐1 DECLINE  
☐2 STAY ABOVE THE SAME  
☐3 RISE

10. Did MI1 have any consequences that were unexpected?

- ☐1 YES Please specify  
☐2 NO

## Second set of Ministerial Instructions

11. Overall, how would you rate MI2?

- ☐1 A (EXCELLENT)  
☐2 B (GOOD)  
☐3 C (AVERAGE)  
☐4 D (BELOW AVERAGE) Why?  
☐5 F (POOR) Why?  
☐9 UNSURE

12. In processing FSW applications, how does MI2 affect your workload as compared to your workload under MI1? *(Check one box on the 5-point scale)*

Big increase in my workload		No effect	Big decrease in my workload	
<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5

Comment?

## The Centralized Intake Office

13. Overall, how would you rate the CIO decision process as it exists today?

- ☐1 A (EXCELLENT)
- ☐2 B (GOOD)
- ☐3 C (AVERAGE)
- ☐4 D (BELOW AVERAGE) Why?
- ☐5 F (POOR) Why?
- ☐9 UNSURE

Comment?

14. Are there any current roles and responsibilities of the Centralized Intake Office (CIO) that should not be their responsibility?

- ☐1 YES Please specify
- ☐2 NO
- ☐9 UNSURE

15. Are there any services/activities that CIO does not currently carry out that it should be responsible for?

- ☐1 YES Please specify
- ☐2 NO
- ☐9 UNSURE

## Alternatives to Ministerial Instructions

16. Are there better options than Ministerial Instructions for controlling FSW intake?

- ☐1 YES Please specify
- ☐2 NO
- ☐9 UNSURE

17. Are there better options than Ministerial Instructions for dealing with the large backlogs of FSW applicants?

- ☐1 YES Please specify
- ☐2 NO
- ☐9 UNSURE

## Suggested Improvements

18. What improvements do you suggest to the FSW application process under MI?

19. What improvements do you suggest for the MI in general?

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## Appendix G: Mission pre-MI backlog reduction achievements

### Pre-C50 backlog reduction achievements

	Feb 27, 2008 Backlog	Apr 2011 Backlog	% reduction	Backlog Goal by Apr 1, 2011*
All missions	640,813	319,292	-50%	-25%
Key missions	313,802	157,907	-50%	-50%
London-RPC Region	103,758	57,703	-44%	
Manila-RPC Region	67,360	43,987	-35%	
Damascus-RPC Region	31,097	16,194	-48%	
Buffalo-RPC Region	35,277	567	-98%	
Hong Kong	35,704	23,817	-33%	
Singapore-RPC Region	24,750	12,680	-49%	
Beijing-RPC Region	15,856	2,959	-81%	
15 missions	43,589	11,321	-74%	-100%
Abidjan	1,136	293	-74%	-100%
Abu Dhabi	29	0	-100%	-100%
Colombo	4,905	739	-85%	-100%
Ankara	2,075	130	-94%	-100%
Berlin	5,169	884	-83%	-100%
Bucharest	1,367	8	-99%	-100%
Moscow	4,358	192	-96%	-100%
Paris-RPC Region	6,449	1,562	-76%	-100%
Warsaw**	9,538	7,045	-26%	-100%
Buenos Aires	336	4	-99%	-100%
Caracas	3,130	295	-91%	-100%
Havana	774	1	-100%	-100%
Lima	1,526	14	-99%	-100%
Santiago	170	4	-98%	-100%
Sao Paulo	2,627	150	-94%	-100%
All Other Missions	283,422	150,064	-47%	
Accra - RPC	20,099	15,167	-25%	
Bogota	3,681	2,305	-37%	
Cairo	11,037	6,744	-39%	
Guatemala	801	4	-100%	
Islamabad	41,570	735	-98%	
Kiev	2,244	98	-96%	

	Feb 27, 2008 Backlog	Apr 2011 Backlog	% reduction	Backlog Goal by Apr 1, 2011*
Kingston	3,358	1,603	-52%	
Kuala Lumpur	2,438	660	-73%	
Mexico	2,756	181	-93%	
Nairobi	7,635	5,770	-24%	
New Delhi	143,694	99,282	-31%	
Port of Spain	5,503	1,564	-72%	
Port-au-Prince	1,890	1,008	-47%	
Pretoria	3,965	2,863	-28%	
Rabat	3,112	1,377	-56%	
Rome	1,883	0	-100%	
Santa Domingo	0	136	-	
Seoul	9,288	2,247	-76%	
Sydney	5,117	1,442	-72%	
Taipei	4,780	1,626	-66%	
Tel Aviv	4,734	2,393	-49%	
Tokyo	1,107	469	-58%	
Vienna - RPC	2,624	968	-63%	
Sydney, Nova Scotia	106	0	-	
CPP-Ottawa	0	1,422	-	

\* CIC, Budget 2008 Measures to Modernize the Immigration System: Status Update, Nov 2009

\*\* A number of pre-C50 FSW files were transferred to Warsaw from New Delhi and Damascus.

Source: RDIMS # 2763258; imm\_caips\_e\_c50 as of May 5, 2011