



# **Evaluation of First Nations Individual Affairs**

February 2022

**ISC Evaluation**



Indigenous Services  
Canada

Services aux  
Autochtones Canada

Canada

# Table of Contents

List of Acronyms.....	i
Executive Summary .....	ii
Background.....	ii
Evaluation Scope and Methodology .....	iii
Main Findings.....	iii
Relevance: .....	iii
Effectiveness:.....	iv
Efficiency:.....	iv
Registration and Secure Certificate of Indian Status:.....	iv
Trust Moneys:.....	v
Estates: .....	v
Treaty Annuities:.....	v
Service Transfer: .....	vi
Best Practices: .....	vi
Early Impacts of COVID-19: .....	vi
Management Response and Action Plan.....	viii
Action Plan Matrix.....	x
1. Introduction .....	1
2. Individual Affairs Program Overview.....	1
2.1 Program Description.....	1
Registration and Secure Certificate of Indian Status (SCIS) .....	1
Indian Moneys .....	2
Estates .....	2
Treaty Annuities and the Treaty Annuity Payment Experience.....	2
2.2 Program Objectives and Expected Outcomes.....	3
2.3 Program Management, Key Partners, and Beneficiaries.....	4
Registration and Secure Certificate of Indian Status (SCIS) .....	4
Indian Moneys .....	4
Estates .....	5
Treaty Annuities.....	5
3. Evaluation Methodology .....	5
3.1 Scope and Evaluation Issues.....	5
3.2 Design and Methods.....	6
3.3 Limitations .....	6
3.4 Indigenous Engagement.....	7
3.5 Organization of Findings.....	7
4. Findings: Relevance.....	7
4.1 Fundamental Relationship between Government of Canada and First Nations Peoples .....	7
5. Findings: Effectiveness (Program Delivery).....	8
5.1 Access Needs for Urban Clients .....	8
5.2 Access to Training .....	9
6. Findings: Efficiency.....	10

6.1 Data Systems .....	10
6.2 Organizational Structures .....	11
7. Findings: Registration and Secure Certificate of Indian Status.....	12
7.1 National Program.....	12
7.2 Intended Outcomes .....	13
8. Findings: Trust Moneys .....	15
8.1 Minor Accounts Payout Initiative (MAPI) .....	15
8.2 Management of Trust Moneys .....	15
8.3 Trust Funds Disbursement.....	16
9. Findings: Estates .....	17
9.1 Access and Participation (On-Reserve Clients) .....	17
9.2 Human Resource Capacity (Estate file Backlog).....	17
9.3 Living Estates .....	18
9.4 Decedent Estates .....	19
10. Findings: Treaty Annuities .....	19
10.1 Treaty Annuity Payment Modernization .....	19
10.2 Treaty Annuity Payment Experience .....	20
11. Service Transfer.....	20
11.1 Legislative and Treaty Obligations .....	20
11.2 Pathways to Eventual Service Devolution.....	21
11.3 Trusted Source Partnerships .....	22
12. Findings: Summary of Best Practices .....	23
12.1 Registration: The Correctional Services Canada Partnership .....	23
12.2 Registration: “The Alberta Model” .....	23
12.3 Estates: “Colour Coded Forms” .....	24
12.4 Treaty Annuities: Manitoba’s Online Database System.....	24
13. Early Impacts of Covid-19.....	25
14. Conclusions .....	26
15. Recommendations.....	27
Annex A: Logic Model .....	30
Annex B: Evaluation Issues and Questions .....	31

## List of Acronyms

AFN	Assembly of First Nations
CFRDO	Chief Finances Results Delivery Office
CIRNAC	Crown-Indigenous Relations and Northern Affairs Canada
CIS	Certificate of Indian Status
CSC	Correctional Services Canada
ERS	Estates Registration System
FNIAP	First Nations Individual Affairs Program
FNLMA	First Nations Lands Management Act
FTE	Full-time Employee
HR	Human Resources
IA	Individual Affairs
IRA	Indian Registration Administrator
IRS	Indian Registration System
ISC	Indigenous Services Canada
NATOA	National Aboriginal Trust Officers Association
SCIS	Secure Certificate of Indian Status
TAPE-2	Treaty Annuity Payment Experience-2
TB	Treasury Board

## Executive Summary

This evaluation of the First Nations Individual Affairs program and its constituent service offerings, was outlined in the Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) Five-Year Evaluation Plan and the 2019-20 to 2023-24 Indigenous Services Canada (ISC) Five-Year Evaluation Plan<sup>1</sup>, and is in compliance with the Treasury Board (TB) *Policy on Results*.<sup>2</sup> The evaluation was undertaken to provide a neutral, evidence based assessment on the following domains: relevance, effectiveness (program delivery), efficiency, registration and secure certificate, trust moneys, estates, and service transfer. It also sought to highlight best practices, challenges, lessons learned and recommendations to strengthen the Individual Affairs program and its constituent service offerings.

## Background

This evaluation focuses on four Individual Affairs sub-programs, hereafter referred to as *service offerings*:

1. **Registration and Secure Certificate of Indian<sup>3</sup> Status (SCIS)** - As part of this service offering, the Individual Affairs Branch is mainly responsible for: registering eligible First Nations individuals in the Indian Register, recording life events in the Indian Register; determining eligibility for registration under the Indian Act; providing information to other government Departments using the Indian Register in accordance with the *Privacy Act*<sup>4</sup>; maintaining departmentally controlled Band lists and providing advice on matters of Band divisions or amalgamations; and issuing or replacing and Secure Certificate of Indian Status (SCIS) cards and developing policies and directives to facilitate the registration and card issuance process.
2. **Indian Moneys** - Indian Moneys are defined by the *Indian Act* as, “all moneys collected, received or held by Her Majesty for the use and benefit of Indians or bands.” Indian Moneys belong to bands or individual band members and are held in trust by Canada. There are two types of Indian Moneys: Trust Moneys and Band Moneys. Trust Moneys involves the creation and maintenance of individual accounts for per capita distributions and estates management, while Band Moneys are capital and revenue moneys held in separate interest-bearing accounts under the name of a particular band. The Individual Affairs Branch is mainly responsible for providing access to money held in Trust by the Government of Canada (Canada) on behalf of First Nation bands or individual band members.
3. **Estates** - As per sections 42 through 52 of the *Indian Act*, the Minister of Indigenous Services is responsible for the management of Indian estates. The Individual Affairs Branch supports the Minister’s obligations with the actual authorities for estates and moneys delegated to the Regional Director Generals. This includes the management of decedent estates, estates belonging to dependent adults, as well as the estates of minors. As part of this service offering, the Individual Affairs Branch is mainly responsible

---

<sup>1</sup> Note that the Individual Affairs Branch was the responsibility of CIRNAC at the time the Five-Year Evaluation Plans were finalized for CIRNAC and ISC, but transferred to ISC through an Order in Council in July 2019. Accordingly, ISC is now responsible for the conduct of the evaluation.

<sup>2</sup> TBS Policy on Results: <https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=31300>.

<sup>3</sup> The word “Indian” is only used in this document when referring to the *Constitution* or *Indian Acts*. Otherwise “First Nations” is used.

<sup>4</sup> Each agreement with other Government Departments is in accordance with the Privacy Act and are unique.

for developing policies and procedures; provides national guidance to regions with estates responsibilities guidance, information, support for the management and administration of estates at the national office and in the regions; appointing administrators and executors and acting as administrators of last resort.

4. **Treaty Annuities and the Treaty Annuity Payment Experience** - The treaty annuities program is responsible for the administration and payment of annual annuities based on treaties signed with the Crown. Individual band members of the signatory bands of thirteen treaties, namely the Robinson–Superior, the Robinson–Huron treaties, and the numbered treaties (1 to 11) are recipients of annuity payments. The Treaty Annuity Payment Experience (TAPE) provides departmental employees with a unique learning opportunity, by inviting them to assist with the treaty payment events held across the country. The Individual Affairs Branch is responsible for maintaining treaty pay lists; paying treaty annuities; and running the TAPE/TAPE-2 program.

## Evaluation Scope and Methodology

This scope of the evaluation the period from Fiscal Year 2014-15 to 2018-19 and includes each of the four service offerings managed by the Individual Affairs Branch. Moreover, although not part of the original scope, the evaluation also incorporates more recent data and actions taken by ISC to address service offering issues, especially in the context of devolution (service transfer) and the COVID-19 pandemic. At the request of the Individual Affairs Program, the evaluation team placed particular attention on services to individuals. Moreover, the evaluation team focussed on the most significant activities and business lines of the Branch, in terms of expenditures and contribution to intended outcomes. The evaluation was led by an evaluation team from the Evaluation Directorate within ISC.

Primary data collection occurred from November 2020 to March 2021. The evaluation relied on a mixed-methods approach that included the following lines of evidence: a document, literature and media review; key informant interviews and focus groups; and a country-wide survey of Indian Registration Administrators. As data collection occurred in the context of the COVID-19 pandemic with the resultant travel restrictions, direct site visits were not possible and were instead replaced by remote video/telephone interview through various communications platforms.

## Main Findings

### Relevance

The Evaluation found that there is a continued need for the Individual Affairs program and its constituent service offerings. The Individual Affairs branch delivers services that are legislative and/or treaty obligations of Canada. Pursuant to section 5 of the *Indian Act*, the Government of Canada is required to maintain an Indian Register, an official record of all peoples registered as Status Indians (both on and off-reserve).<sup>5</sup> The Act also defines Indian Moneys as “*all moneys collected, received or held by Her Majesty for the use and benefit of Indians or bands*,”<sup>6</sup> and sections 42 through 52 specify that the Minister of Indigenous Services is responsible for Indian estates.<sup>7</sup> The payment of Treaty Annuities adheres to treaty obligations. However, it is also a symbolic act. It represents one of the few direct ways that the Crown and First Nations

---

<sup>5</sup> Indian Act section 5(1) Indian Register.

<sup>6</sup> Indian Act section 2(1).

<sup>7</sup> Indian Act section 42-52.

communities are able to come together to uphold tradition, honour treaties, and build a continued relationship with one another.

Beyond the legislative and treaty obligations of the service offerings, registration was underscored as the “gateway to the department” and the “foundation to everything” by key informants. Registration is a prerequisite for accessing most other Indigenous Services Canada programs and services.

### **Effectiveness**

The evaluation highlights three important effectiveness concerns, namely backlogs and delays in meeting stated service standards (further discussed in the Registration and Secure Certificate of Indian Status below), service access challenges facing urban Indigenous clients and discrepancies in trainings offered across regions for ISC staff. ISC Respondents and partners across the regions emphasized that accessing registration and card issuance, as well as Treaty Annuity payments in urban areas remains a barrier. As of 2016, approximately 483,870 Status First Nations individuals lived either off-reserve or in urban areas.<sup>8</sup> To support the more than 50% of First Nations clients living either off-reserve or in urban areas, there are currently 16 kiosks available across the country. While these offer services to urban clients in the 16 locations, respondents emphasized that difficulties in accessing services in urban centres remains an accessibility barrier for cities without a kiosk. Training capacities and access to training tools also varies across regions and across service offerings. A Departmental internal review of the Indian Registration and Estates Management data systems (2018) highlighted that there is lack of formal training available for the four data systems and training material is outdated or may not exist for all systems.

### **Efficiency**

The majority of ISC respondents have highlighted that both the Indian Registration System (IRS) and the Estates Reporting System (ERS) are antiquated systems that hold large personal data with the potential risk of data loss and privacy breaches. ISC respondents noted that both systems lack investment, and there continue to remain difficulties in inputting data and making amendments since the 2013 Evaluation of Indian Moneys, Estates and Treaty Annuities<sup>9</sup>. In fact, as a legacy system, the IRS has survived beyond the time limit of a typical product life cycle management, with the last technical upgrade to the system made in 2013. Current data systems remain operational and continue to be used by ISC staff, however as the IA Branch continues to improve and enhance its service delivery model, it will require modern data systems that match its needs and that are designed with the client in mind. Data systems challenges have impact on client services, including timeliness concerns. There is also a need to review organizational structures, since there is very little consistency around responsibilities, scope, reporting relationships, and organizational structures across regions.

### **Registration and Secure Certificate of Indian Status**

While registration is a national program, the service experience of clients is of concern and can vary widely depending on where they seek registration and card issuance services due to inconsistent organizational structures and a delegation of all complex files to the national

---

<sup>8</sup> Indigenous Services Canada. (2020). *Annual Report to Parliament 2020*. Ottawa. Retrieved from <https://www.sac-isc.gc.ca/eng/1602010609492/1602010631711>.

<sup>9</sup> Aboriginal Affairs and Northern Development Canada, “Evaluation of Indian Moneys, Estates and Treaty Annuities,” Final Report, 2013, p.1-86 (<https://www.rcaanc-cirnac.gc.ca/eng/1382702626948/1539692995234>).

offices. There is concern among ISC interview respondents that there exists a variability in regional and national offices meeting service standards (6 months for rendering registration decisions; 8 months for rendering registration decisions where an adoption has taken place; and 16 weeks for issuing Secure Certificate of Indian Status (SCIS) cards to applicants). Delays in processing applications can have severe impacts on individuals, families and communities. It can also jeopardize the ability of the Crown to fulfill its obligations to First Nations. Delays with timeliness of registration decisions also leads to inefficiencies and extra work for programs outside of the Individual Affairs branch that require confirmation of Indian status for offering benefits and services.

## **Trust Moneys**

Available mechanisms exist for First Nation communities to manage their Trust Moneys. There are delays in approving and dispersing both band / individual moneys and challenges in finding clients that are owed individual moneys, which in some cases can result in the inability to pay for basic goods and services, especially for vulnerable individuals. A commonality between regions continues to be around the timeliness in releasing individual and band moneys.

## **Estates**

Overall, there are a range of barriers and opportunities that the estate service offerings face. The evaluation notes that on-reserve clients face access and participation challenges, specifically around accessing estates related information, accessing regional office representatives, and facing technological disadvantages. Furthermore, almost all regions are facing an estates backlog that is not proportional to their current staffing capacity to address it. In addressing the serious backlog that regional offices face and partially alleviating the workload burden, some regions have explored alternative approaches in closing simple files. There is a need to prioritize the adequate resourcing of Living Estates<sup>10</sup>, specifically focusing on clarifying roles and responsibilities between administrators. As the Department works towards eventual service devolution, increasing capacity among First Nations communities to provide frontline service may be a potentially effective approach to transfer assets to the lawful heirs and beneficiaries of eligible deceased individuals.

## **Treaty Annuities**

Given that the current payment amount is quite low (4-5 dollars<sup>11</sup>), many recipients do not return to their home communities to collect owed payments. It is believed that with the potential modernization of annuity funds<sup>12</sup>, there will be an anticipated heightened demand to collect treaty payments, especially for clients living in urban areas. This increased demand will bring with it a few challenges which ISC respondents, both regional and national, identified (i.e. physical payment of large sums of monies, accessibility concerns for urban clients, determining who is legally entitled to the annuities). The Treaty Annuity Payment Experience (TAPE) provides departmental employees with a unique learning opportunity, by inviting them to assist with the treaty payment events held across the country. ISC participants noted that TAPE had greatly enhanced their cultural competence and historical awareness of Indigenous culture and issues, but that additional pre-deployment training would be beneficial.

---

<sup>10</sup> Living estates supports the federal obligation to protect vulnerable individuals under its jurisdiction. It involves the administration of assets of minors and dependent adults that are living on reserve.

<sup>11</sup> List of First Nations entitled to treaty annuities.(2021). Retrieved from: <https://www.sac-isc.gc.ca/eng/1595274954300/1595274980122>.

<sup>12</sup> Modernization of annuity funds refers to the potential adjustment of treaty annuity payments as a result of inflation related increases.



## **Service Transfer**

Any transfer of Individual Affairs-related services to First Nations communities, as both ISC and First Nations respondents noted, is fundamentally complicated by the fact that these services are a statutory obligation under the Indian Act, which implies Ministerial accountability. However, there are potential pathways to eventual service devolution, including further supporting the capacity building of Indian Registration Administrators (IRAs) and expanding their role to register simple applications on reserve, certify documents, and potentially provide Estates support in their offices on-reserve. This could further facilitate First Nations communities' ability to perform greater service on-reserve and directly to clients. An additional path towards eventual devolution includes the increased number of Trusted Source Partners<sup>13</sup> to take on increased administrative responsibilities as delegated by the Indian Registrar, with the aim of having increased Indigenous control and involvement in the service delivery of the registration and status card issuance process. The recommendations below are, where applicable, presented in the context of gradual transfer of Individual Affairs services to First Nations care and control.

## **Best Practices**

The evaluation presents several best practices that were discussed by key informants both at national and regional offices. Of the list of best practices presented in the evaluation includes the following areas of focus: Correctional Services Canada Partnership with Indigenous Services Canada, Indian Registration Administrators in Alberta receiving capacity building support, practical approaches to supporting clients complete estate forms, and Manitoba's use of an online database treaty annuity system to process seamless payments to clients.

## **Early Impacts of COVID-19**

Although not within the original scope, the evaluation investigated the early impacts of the COVID-19 pandemic on Individual Affairs service offerings. Informants addressed the following themes in the context of the COVID-19: effects on planned Individual Affairs (IA) activities; challenges relating to Individual Affairs service offerings; and any unintended impacts as a consequence of ISC's COVID-19 pandemic response. The effects of the COVID-19 pandemic on the Individual Affairs program, and associated service offerings, have been notable.

Therefore, it is recommended that ISC:

1. Work with First Nations partners to create a training program, or programs, for Indian Registration Administrators (IRAs), in which they receive increased access to the Indian Registration System and are eventually able to complete simple registrations on-reserve. Increased responsibility should come with a renewed resourcing model and also expand their knowledge of the Estates service offering to be a point of contact in community.
2. Building on on-going data management and data system efforts, and with IM/IT support, work with the ISC Chief Data Officer (CDO), Chief Information Officer (CIO), and First Nations partners, to develop a clear data system strategy plan to address the systems issues in the program, acknowledging that the right to First Nations self-determination includes data sovereignty. This should include: focus on preserving data integrity, clear

---

<sup>13</sup> A Trusted Source is an individual, organization, or federal or provincial department that has been designated by the Individual Affairs Branch to assist clients in accessing Individual Affairs Branch programs and services.

guidance on consistent utilization of systems, flexibility in user access levels, ensuring systems are GBA Plus compliant from a data collection perspective, and safe storage of Individual Affairs data and data systems. The data strategy should also be created with service transfer in mind.

3. Develop performance measurement tools that measure the Branch's ability to meet client service standards for the service offerings, and to assess progress towards service transfer. Where applicable, this should be undertaken with input from First Nations partners.
4. Provide more clarity and precision to ISC Living Estate administrators by updating training and guidance materials to better support administrators on the management of property and financial affairs of dependent adults.
5. Create, in consultation with First Nations partners, a renewed National Workload Management system for Registration and explore options for addressing registration backlog by developing a consistent strategic national approach. This would require updated tools to allow for digital processing of documents.
6. Work with Regions, IM/IT supports, Human Resources, and the Chief Finances Results Delivery Office (CFRDO) to undertake and lead an organizational capacity assessment across the service offerings, specifically focusing on internal ISC human resource capacity.
7. In collaboration with First Nation partners, Bring services closer to urban clients by expanding access to client services in urban areas. This includes, but is not limited to, digitizing access to service, urban treaty annuity payment events and expansion of trusted source partnerships.

## Management Response and Action Plan

The Individual Affairs Branch (IAB) would like to thank the evaluation team for the in-depth analysis that has gone into this report and for collecting many valuable insights directly from employees, community-based Indian Registration Administrators and other partners who are deeply and directly engaged in services to Individuals. The program supports the recommendations of the evaluation which are aligned with current activities and plans to advance and improve the client experience, ensure accuracy and efficiency in operations and continue on a pathway to further transfer care and control to First Nations.

The evaluation of the IAB service offerings is based on evidence collected from a period of time: 2014-15 to 2018-19. It is important to note that this snapshot in time may not fully reflect the natural ebb and flow of the workload within the program which include factors outside its control, for example legislative amendments, litigation, protests, settlement agreements, the fluctuating volume of applications and the thoroughness of information provided in applications. Subsequent to the evaluation, numerous service improvements have been initiated by the program that relate directly to the evaluation recommendations. These include a range of transformative initiatives designed to modernize operations including digital and online solutions and system enhancements as well as capacity building efforts and policy and program improvements to improve accuracy and efficiency in operations. Specific examples include the roll out of a digital application solution for registration and the Secure Certificate of Indian Status, and other complementary activities including more processing capacity with the establishment of the Quebec City Processing Unit, policy changes to support discretionary decision making, the expansion of services to the urban setting including treaty annuity payments, and active work to inform the pathway to transfer of estates services.

Correct and accurate decision making, beyond processing efficiency is critical to all of the work done in the IAB programs. Some applications for registration are straightforward and some are complex requiring varying levels of historical research. Though there are specific legislative provisions and policies that IAB follows, each registration application is entirely unique and requires its own diligent review of numerous sources of information. The registration program is not simply a system where applications are inputted and outputted. The statutory decisions made on an individual's application have significant impacts on that individual's life, and underpin billions of dollars in federal and provincial spending. Similarly, the administration of estates requires careful consideration and due diligence, working with family and loved ones in order to comply with wishes, intent, laws and policies.

The importance of maintaining the Indian Register and band membership lists, issuing confirmation of registration documents (the Secure Certificate of Indian Status), decedent and living estates management, administration of moneys held in trust and treaty annuities are essential to the daily lives of individuals. The manner in which they are delivered has a direct impact on how individuals view the Government of Canada's commitment to rights recognition and reconciliation as the Program collectively transitions away from the colonial assumptions and practices of the *Indian Act*.

It is also important to note that IAB requires sufficient and stable resourcing to fully deliver on the recommendations of this evaluation. Further, because the accountability for the IAB service offerings is shared across regions, communities, headquarters and corporate services, cooperation and support from all parties is also essential to deliver fully on the recommendations of the evaluation.

Continuing to build on efforts to modernize systems and processes and identifying pathways to service-transfer based on the needs and readiness of First Nations are paramount in implementation of all recommendations.

## Action Plan Matrix

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
<p>1. Work with First Nations partners to create a training program(s) for Indian Registration Administrators (IRAs), in which they receive increased access to the Indian Registration System and are eventually able to complete simple registrations on-reserve. Increased responsibility should come with a renewed resourcing model and also expand their knowledge of the Estates service offering to be a point of contact in community.</p>	<b>We concur</b>	<p>1a) Senior Director, Registration and Integrated Program Management, Individual Affairs Branch; Directors responsible for IAB service offerings across all regions</p> <p>1b) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch; Directors responsible for IAB service offerings across all regions</p> <p>1c) Senior Director, Registration and Integrated Program Management, Individual Affairs Branch; Directors responsible for IAB service offerings across all regions</p>	<p>1a) Training Module Implementation Date Q4 2021-2022 Completion Date Q2 2022-2023</p> <p>1b) Develop a work description and training plan for an expanded role in estates administration Q3 2022-2023</p> <p>1c) Develop resourcing model options Q4 of 2022-2023</p>	<p><b>Implementation has not commenced</b></p> <p>Beginning in the 1970s, the administrative functions required to maintain the Indian Register began to be devolved to First Nations which resulted in the Band employee position known as the Indian Registration Administrator (IRA).</p> <p>Since then, there has been some further transfer of responsibility and, in some regions, greater system access by the band employed IRAs.</p> <p>There are currently over 600 IRAs – exclusively on reserve. Approximately 235 have read only access to the Indian Registration System for their respective First Nation, and 96 have write access to the system to complete more advanced registration activities for their respective First Nation.</p> <p>Consistent with the departmental mandate, there is a need to build capacity and bring consistency to IRA access to the system, roles and responsibilities and corresponding tools and training in order to provide a more standardized and value added service to individuals closer to home.</p> <p>Furthermore, there is an opportunity and an interest to further expand the role of the IRA in the area of estates administration which is in line with current efforts underway on pathways to transfer the estate services to First Nation care and control.</p> <p>The current resourcing model for IRA's is population and transaction based and was last updated in 2016-2017. A renewed resourcing model is important to consider and is aligned with efforts to expand and standardize the role and responsibilities of the IRA.</p>
	<p>1a) Updates will be made to the National Training Module to include a progressive approach to build IRA capacity in registration activities and status card issuance with roles and responsibilities and system access better defined, taking into account best practices, privacy, quality assurance, and legal considerations. Information Management Branch (IMB) will be engaged on information management and records management. The Program will implement the expanded model through outreach and training targeting regions and IRA's.</p>			
	<p>1b) Establish a working group to guide the development of an expanded role for IRA's in estates administration. Develop corresponding training to support the expanded role.</p> <p>1c) Options for a renewed resourcing model will be developed, with input from IRA's, First Nations leadership, regional offices, and informed by best practices from other Departmental and Government of Canada funding authorities. The resourcing options will take into account an expanded role for IRA's and the impacts of the broader agenda for digital solutions and service transformation,</p>			

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
	<p>respecting the unique needs in the community with whom they are employed. Options will also consider an expansion of the IRA model or an alternate model for IAB service offerings off reserve (in line with recommendation #7)</p>			<p>In doing so, consideration should be given to addressing corresponding service gaps to individuals off reserve.</p> <p>Implementation of the training module will take place in the current quarter (Q4 2021-2022).</p>
<p>2. Building on on-going data management and data system efforts, and with IM/IT support, work with the Chief Data Officer (CDO) and Chief Information Officer (CIO) to develop a clear data system strategy plan to address the systems issues in the program. This should include: focus on preserving data integrity, clear guidance on consistent utilization of systems, flexibility in user access levels, ensuring systems are GBA Plus compliant from a data collection perspective, and safe storage of Individual Affairs data and data systems.</p>	<p style="text-align: center;"><b>We concur</b></p> <p>In collaboration with Information Management Branch (IMB) modernization efforts with respect to data management and systems are well under way across IAB service offerings.</p> <p>2a) With respect to registration and card issuance, the Digital Application Solution (DAS) that is in development will modernize the way the program receives and processes applications and, in doing so, the DAS will deliver on recommendation #2.</p> <p>The DAS follows the Government of Canada standards for management of IT projects to ensure IT security and controls are in place. The DAS is designed to:</p> <ul style="list-style-type: none"> <li>• Improve the data management capability and combine the existing Indian Registration system and Secure Certificate of Indian Status systems into one;</li> <li>• Improve data integrity by having strict user access</li> </ul>	<p>2a) Director, Operations, Individual Affairs Branch and Director, Application Development Database and Data Administration, Information Management Branch</p>	<p>2a) The DAS will begin to be implemented in Q4 2022-2023 with a completion target of Q4 2023-2024</p>	<p><b>Partially Implemented</b></p> <p>The Program has made attempts in the past to modernize its systems and progressive changes have been made to stabilize and makes some enhancements to the current systems while planning for the future state that will incorporate digital solutions.</p> <p>However, the Program recognizes that the current legacy systems have limitations and require investment to safeguard the personal information used to underpin billions of dollars of program funding across federal, provincial and territorial governments.</p> <p>Work to develop the DAS has begun and the system will be implemented in Q4 2022-2023.</p> <p>Planning sessions have been held with developers for the replacement of the TPS.</p> <p>Work to digitize historical band trust accounts has begun.</p> <p>Training has commenced with staff working at the Kiosk on the solution to service desks.</p> <p>The Program will continue consultations with key stakeholders to ensure system and data enhancements are meeting client service goals, safeguarding data</p>

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
	<p>controls, common procedures and full audit tracking capabilities;</p> <ul style="list-style-type: none"> <li>To support completeness of applications through advanced logic</li> </ul> <p>The DAS will also allow expansion to additional services to applicants when available (such as treaty annuity account payment and trust account payment)</p> <p>The DAS is also designed to include a number of performance measurement and client service features (see response to recommendation #3)</p> <p>2b) With respect to treaty annuities, the Treaty Payment System (TPS) is being replaced to meet the current and future needs of the program and improve service delivery, leveraging authoritative source data, where, available to ensure data integrity and avoid duplication of effort.</p> <p>2c) With respect to trust funds, IAB is developing data sharing agreements to facilitate opportunities to bundle additional services to First Nations and individuals that approach ISC for a specific service.</p> <p>2d) IAB is digitizing historical band trust account records (1838-1983) and making the records available to the respective First Nations electronically. First Nations will also have access to</p>	<p>2b) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch; Application Development Database and Data Administration, Information Management Branch</p> <p>2c) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch</p> <p>2d) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch</p>	<p>2b) TPS implementation date of Q2 2022-2023 and completion date of Q4 2022-2023</p> <p>2c) Data sharing agreement implementation in Q4 of 2021-2022 and completion date of Q1 2022-2023</p> <p>2d) Digitization implementation date of Q2 2021-2022 and completion date of Q3 2022-2023</p>	<p>integrity and personal information while improving accuracy and efficiency in processing.</p>

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
	<p>their trust account data from 1983 to present electronically.</p> <p>2e) IAB has developed and is deploying a solution to service desks (kiosks, Regions, Headquarters, Public Enquiries Call Centre) to allow at a glance, all authoritative data relating to an individual. This will avoid agents having to log-in to multiple systems and applications to retrieve data.</p>	<p>2e) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch</p>	<p>2e) Solution implementation date of Q3 2021-2022 and completion date of Q1 2022-2023</p>	
<p>3. Develop performance measurement tool(s) that measures the branch's ability to meet client service standards for the service offerings.</p>	<p style="text-align: center;"><b>We concur</b></p> <p>The Program has developed management tools – specifically dashboards for the Secure Certificate of Indian Status Program and for the Estates services program. In doing so, the Program can better track the inventory of work, realign as priorities change and follow the workload in order to provide better client service and meet service standards.</p> <p>3a) The development of the Digital Applications Solution (DAS) (see recommendations #2) is also designed to include a number of performance measurement and client service features specific to registration and card issuance including:</p> <ul style="list-style-type: none"> <li>• A client portal whereby applicants will have an account providing them real-time information on the progression of their applications, including the ability to submit missing documents, similar to what is used in other government</li> </ul>	<p>3a) Director, Operations, Individual Affairs Branch; Director, Application Development Database and Data Administration, Information Management Branch;</p>	<p>3a) The DAS will begin to be implemented in Q4 2022-2023 with a completion target of Q4 2023-2024.</p>	<p><b>Partially Implemented</b></p> <p>The Program aims to issue the Secure Certificate of Indian Status within eight to twelve weeks, 90% of the time, and is currently able to track, monitor performance and issue reports in this regard for applications sent to HQ. The proposed actions will allow for an expansion of this function across all service offerings and service entry points including regions. The Program's objective is to issue registration decisions within a year of receiving an application, in all circumstances.</p> <p>The Program will continue consultations with stakeholders on performance measurement tools for the delivery of its programs (Regional Offices, IMB, IM/IT, Internal Policy, Operations, Internal Policy Group, Monitoring and Compliance, Communications).</p> <p>The Program continues to brief Senior Management and Executive on the progress of the DAS as well as the various oversight committees, including the internal Transformation Innovations Oversight Committee.</p> <p>Continue the internal departmental gating process for the DAS project to ensure compliance and the necessary approvals are in place.</p>



Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
	<p>services, such as Revenue Canada.</p> <ul style="list-style-type: none"> <li>Advanced and customized dashboard function to help management to measure performance and progress to meet client service standards.</li> <li>Aid in workflow and workload management to automate the triaging of work and have the ability to manage the inventory more efficiently;</li> <li>Internal notifications for applications that are coming close to exceeding service standards.</li> </ul> <p>Concurrent to performance management tools, the Program will continue to make improvements to client communications on application requirements in order to increase the number of complete applications and by extension, processing efficiencies across IAB service offerings. This work will include:</p> <p>3b) Updating the information on the website. This work will be guided by user experience testing and will be done in collaboration with the ISC communications team. This is expected to result in more complete applications that can be processed more efficiently.</p> <p>3c) Working with the IMB on a review and options analysis to enhance client service via the department's Public Enquiry Contact Centre.</p>	<p>3b) Director, Digital Communications, Communications Branch; and Director, Operations, Individual Affairs Branch</p> <p>3c) Director, Operations, Individual Affairs Branch and Director, Corporate Information Management Directorate,</p>	<p>3b) User testing is scheduled to be completed by June 2022, with implementation of content improvements in the last half of FY 2022-2023.</p> <p>3c) Work to begin in Q4 2021-2022 with a completion date of Q2 2022-2023.</p>	<p>The Program continues to brief Senior Management and Executive on the progress of the Estates initiatives, repatriation of Band trust moneys and treaty annuity payments.</p> <p>Continue the internal departmental gating process and development for the Treaty Payment System Replacement Project.</p> <p>Within the context of the Departmental Results Framework (DRF) renewal for 2023-24, the Program is working to update DRF performance indicators, which will be reported on publically in the Departmental Results Report.</p>

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
	<p>3d) Implementing GCNotify, a government solution enabling text/email messages, supplementary to the traditional letters sent by mail. This application will allow the program to send text/emails to applicants to highlight errors or issues where information is incomplete.</p> <p>In the area of treaty annuities, estates and trust moneys:</p> <p>3e) Further develop an advanced and customized dashboard based on Estate caseloads and activities nationally and regionally.</p> <p>3f) Through the replacement of the Treaty Payment System, integrate performance measurement reporting and dashboards for payments and events both on and off reserve.</p> <p>3g) Develop and implement tools and /or system enhancements to facilitate and measure on going and recurring band trust account transactions under various legislative authorities (<i>Indian Act</i> or other legislation) to ensure timeliness and accuracy, and to reduce duplication of effort.</p>	<p>Information Management Branch</p> <p>3d) Director, Operations, Individual Affairs Branch</p> <p>3e) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch</p> <p>3f) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch</p> <p>3g) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch</p>	<p>3d) Target Implementation completed in Q2 2022-2023</p> <p>3e) Dashboard implementation date of Q2 2022-2023 and completion date of Q4 2022-2023</p> <p>3f) TPS implementation date of Q2 2022-2023 and completion date of Q4 2022-2023</p> <p>3g) Band trust transactions implementation date of Q3 2022-2023 and a completion date of Q4 2022-2023.</p>	

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
<p>4. Provide more clarity and precision to ISC Living Estate administrators by updating training and guidance materials to better support administrators on the management of property and financial affairs of dependent adults.</p>	<b>We concur</b>			<p><b>Implementation did not commence</b></p> <p>The dependent adults served by the Living Estates Program are a vulnerable population, and administering their estates requires a great deal of expertise, care and attention.</p> <p>A cost/benefit analysis will be done to determine how to deliver the most efficient and high quality services which may involve recommendations for potential transfer to another entity.</p> <p>Some regions (Manitoba and Northwest Territories) have arrangements with Public Guardian Trustees (PGTs) to implement services, others may have had challenges doing so, and others may not yet have explored this option.</p> <p>Best practices by regions and provincial estate regimes will highlight how to manage dependent adult estates most efficiently and provide recommendations for future service delivery.</p>
	<p>In collaboration with regions and taking into account legal considerations, quality assurance and improved client service; the program will :</p> <p>4a) Undertake a cost and benefit analysis in order to develop a recommendation for continuing to administer living estates by ISC officials or to pursue a model whereby ISC transfers responsibility and funding to provincial or territorial public trustees and guardians (as it has done in two regions). The cost and benefit analysis will consider client needs and preferences as a priority.</p> <p>4b) In the short term, ISC will survey regions to determine key operational needs and develop and implement a plan accordingly, that will take into account documents or supports (e.g. tools, training, monthly working group meetings) that will aid / facilitate the ability of regional estates administrators to effectively and efficiently administer living estates.</p>			
<p>5. Create a renewed National Workload Management system for Registration and explore options for addressing registration backlog by developing a consistent strategic national approach. This would require updated tools to allow for digital processing of documents.</p>	<b>We concur</b>	<p>5a) Director, Operations, Individual Affairs Branch; Individual Affairs Directors; Director, Application Development Database and Data</p>	<p>5a) The DAS will begin to be implemented in Q4 2022-2023 with a completion target of Q4 2023-2024</p>	<p><b>Partially implemented</b></p> <p>Because the Program provides services directly to individuals, it is important develop service models that bring a consistency to the client service experience and service standard regardless of point of service access.</p> <p>To this end, the Program has already started to take steps towards a workload management approach within the three HQ processing</p>
<p>5a) The Digital Applications Solution (DAS) currently underway (see recommendations #2 and #3) will allow for applications to be received directly in the system which will result in a national queue for Registration and SCIS applications that can be</p>				

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
	<p>more efficiently triaged and processed across regions and HQ. This will result in more consistent processing and workload management.</p> <p>Until the DAS is implemented, the Program, in collaboration with regions, will take the following actions towards a national workload management system.</p> <p>5b) Develop and implement measures to improve tracking of new workload and processing times of current applications.</p> <p>5c) Create a process to monitor, realign and triage work as appropriate across HQ and regions with a goal that the oldest file in the queue is no more than one year old.</p> <p>5d) Develop tools, training and protocols to shift workloads to regions where capacity permits.</p>	<p>Administration, Information Management Branch;</p> <p>5b) Director, Operations, Individual Affairs Branch; Directors responsible in regional offices</p> <p>5c) Director, Operations, Individual Affairs; Directors responsible in regional offices</p> <p>5d) Director, Operations, Individual Affairs; Directors responsible in regional offices</p>	<p>5b) We will begin to be implemented in Q4 2022-2023 with a completion target of Q4 2023-2024</p> <p>5c) We will begin to be implemented in Q4 2022-2023 with a completion target of Q4 2023-2024</p> <p>5d) We will begin to be implemented in Q4 2022-2023 with a completion target of Q4 2023-2024</p>	<p>centres. The actions underway and proposed will expand on this work and will allow the tools, standards and system enhancements to support a national workload system inclusive of HQ and regions.</p> <p>The operational and organizational needs to deliver on a national approach to workload management will be in considered as part of actions in support of recommendation #6.</p>

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
<p>6. Work with Regions, IM/IT supports, Human Resources and the Chief Finances Results Delivery Office (CFRDO) to undertake and lead an organizational capacity assessment across the service offerings, specifically focusing on human resource capacity.</p>	<p style="text-align: center;"><b>We concur</b></p> <p>6a) The program will undertake a systematic assessment of its operational and organizational capacity across all regions and HQ. The assessment will also include a review and analysis of the Department's Public Enquiries Call Centre (PECC) to inform service enhancements to the current model.</p> <p>The comprehensive organizational and operational review will be conducted with input from regional offices and corporate services partners (IM/IT, communications, CFRDO, etc). Options to bring consistency to service models in regional offices and in HQ will be developed with a goal of better defining roles and responsibilities, and better achievement of client service consistency across service access points. It will take into account the goal of a national approach to workload management (as per recommendation #5)</p> <p>The operational assessment will also consider options to strengthen accountability across HQ, regions, communities and corporate services given the shared responsibility for these service offerings and need for consistency in client service in the service model.</p>	<p>6a) Senior Director, Registration and Integrated Program Management, Individual Affairs Branch</p>	<p>6ai) A proposal will be developed by Q4 of 2021-2022.</p> <p>6a ii) The organizational assessment will be completed in Q4 of 2022-2023.</p>	<p><b>Partially implemented</b></p> <p>Work to develop the proposal, which will set out the scope of the systematic assessment, is underway.</p> <p>The operational and organizational analysis will consider the range of resource requirements but will target HR (staffing) resources in particular. Front line in-person resources and those required to support all steps of IAB service offerings, including policy development, training and support services like IM/IT, will be considered in the analysis in order to provide a comprehensive assessment of the global resources required to deliver on the range of IAB services.</p> <p>Specific to the PECC, the scoping of the proposal will take into account an analysis and report already underway on call centre performance.</p> <p>Given the shared accountability for IAB service offerings, the operational assessment will also offer advice on means and measures to ensure consistency in the service model and client service experience.</p>

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
<p>7. Bring services closer to urban clients by expanding access to client services in urban areas. This includes, but is not limited to, digitizing access to service, urban treaty annuity payment events, and expansion of trusted source partnerships.</p>	<p><b>We concur</b></p> <p>Given the large and increasing population who compromise the client base of the IAB service offerings, the Program has been taking steps to improve access to those living in urban settings. For example, the program has developed the tools and technology to host treaty pay events in urban settings and has developed a number of trusted source partnerships to improve access to some registration and card issuance activities in a number of urban settings.</p>			<p><b>Partially implemented</b></p> <p>More than half of all First Nation peoples live in urban areas, the majority of whom reside in 13 major cities across Canada. The importance of reaching those living in urban settings is further underscored when considering the majority of individuals newly entitled to registered following Bill S-3 live off reserve.</p> <p>The Department has existing funding and such as the Urban Programming for Indigenous Peoples. This has resulted in a large network of urban area service providers that focus on providing programs and services to the Indigenous communities in these</p>

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
	<p>To further enhance the program's ability to deliver its services to the urban population the program will:</p> <p>7a) Engage relevant areas of the department who fund urban population to explore expanded service models for IAB service offerings, and leverage existing resources and networks. Continue to expand the urban treaty pay model in more settings and develop a plan to expand the services offered at each such event.</p> <p>7b) In line with recommendation #1, develop options for an expansion of the IRA model or a corresponding service offerings in a different model off reserve (such as at urban treaty payment events).</p> <p>7c) Digitizing the treaty payment form to allow for on-line/digital submission Developing a social media campaign to raise awareness of online options and treaty event information.</p> <p>7d) Continuing to expand the range of offerings at ISC service kiosks to allow treaty pay issuance and minors account pay outs</p>	<p>7a) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch; Director, Operations, Individual Affairs Branch; Director of Digital Communications, Communications Branch; and other Directors</p> <p>7b) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch; Director, Operations, Individual Affairs Branch; Director of Digital Communications, Communications Branch; and other Directors</p> <p>7c) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch; Director, Operations, Individual Affairs Branch; Director of Digital Communications, Communications Branch; and other Directors</p> <p>7d) Director, Trust Moneys, Estates and Treaty Annuities, Individual Affairs Branch; Director,</p>	<p>7a) Implementation date of Q4 2021-2022 and completion date of Q4 2022-2023</p> <p>7b) Implementation date of Q3 2022-2023 and completion date of Q4 2022-2023</p> <p>7c) Implementation date of Q1 2022-2023 and completion date of Q3 2022-2023</p> <p>7d) Implementation date of Q1 2022-2023 and Completion</p>	<p>urban areas in a culturally sensitive and appropriate manner.</p> <p>Opportunities exist to work collaboratively and build on the expertise of partners within the Department currently working with urban First Nations peoples, including the Education and Social Development Programs and Partnerships.</p> <p>The Program will engage with urban community groups and other areas of the department to explore opportunities to leverage/ expand into IAB service offerings. This includes exploring opportunities to increase urban focused initiatives, such as trusted source partnerships.</p> <p>The Program will examine the feasibility of increasing the total number of urban treaty payment events, and also expanding each event to include additional relevant service offerings by departmental and other GoC service providers.</p> <p>The Program has already begun digitizing the treaty payment form as a way to remove barriers associated with traditional paper forms, and has used social media to increase accessibility and awareness of options to receive treaty annuities.</p>

Recommendations	Actions	Responsible Manager (Title/Sector)	Planned Start and Completion Dates	Action Item Context/Rationale
		Operations, Individual Affairs Branch; Director of Digital Communications, Communications Branch; and other Directors	date of Q4 2022-2023	



# 1. Introduction

The overall purpose of the evaluation was to examine the First Nations Individual Affairs Program (FNIAP) and its constituent sub-programs, as outlined in the Five-Year Evaluation Plan of Indigenous Services Canada (ISC), and in compliance with the Treasury Board (TB) of Canada *Policy on Results*. The evaluation focussed on the following Individual Affairs sub-programs, hereafter referred to as **service offerings**: Registration and Secure Certificate of Indian Status; Indian Moneys; Estates, and Treaty Annuities (including the Treaty Annuity Payment Experience).

## 2. Individual Affairs Program Overview

### 2.1 Program Description

The Individual Affairs Program is the lead program for the government's legislative and administrative responsibilities for registration, membership, Indian status cards, treaty annuity payments, trust moneys, and estates. The work of the Program is diverse and comprehensive, including supporting the Indian Registrar, issuing registration documents such as the Secure Certificate of Indian Status, issuing treaty annuity payments as provided for by the historic treaties, administering estates as provided for under the *Indian Act*, and providing access to moneys held in trust by Canada on behalf of First Nations.<sup>14</sup> The following service offerings were reviewed as part of this evaluation.

#### Registration and Secure Certificate of Indian Status (SCIS)

Pursuant to section 5 of the *Indian Act*, the Government of Canada is required to maintain an Indian Register, an official record of all peoples registered as Status Indians (both on and off-reserve), as defined by the *Indian Act*.<sup>15</sup> People who are registered as Status Indians have access to a number of services, benefits, and programs which are unavailable to those who are not registered.

As part of this service offering, the Individual Affairs Branch is mainly responsible for:

- registering eligible First Nations individuals in the Indian Register;
- recording life events in the Indian Register;
- determining eligibility for registration under the *Indian Act* and sharing the Indian Register with other government departments;
- maintaining departmentally controlled Band lists and providing advice on matters of Band divisions or amalgamations;
- issuing or replacing Secure Certificate of Indian Status (SCIS) cards and developing policies and directives to facilitate the registration and card issuance process; and
- addressing matters related to protests, litigation, and correspondence with applicants and the public.

The Individual Affairs Branch looks to consult on broader issues relating to Indian registration, band membership and citizenship with a view on reforms; and to develop departmental

---

<sup>14</sup> CIRNAC (2017). Performance Information Profile Individual Affairs.

<sup>15</sup> Indian Act section 5(1) Indian Register.

responses to court decisions, which impact upon existing registration entitlement provisions of the *Indian Act*.<sup>16</sup>

## **Indian Moneys**

Indian Moneys are defined by the Indian Act as, “*all moneys collected, received or held by Her Majesty for the use and benefit of Indians or bands.*”<sup>17</sup> Indian Moneys belong to bands or individual band members and are held in trust by Canada in the Consolidated Revenue Fund (CRF). The Minister of Indigenous Services approves Indian Moneys expenditures requests from individuals and Bands pursuant to the *Indian Act*. There are two types of Indian Moneys, namely capital moneys and revenue moneys. As part of this service offering, the Individual Affairs Branch is mainly responsible for administering the process for First Nation bands or individual band members to access money held in Trust by Canada. Trust Moneys involves the creation and maintenance of individual accounts for per capita distributions and estates management, including settlement type moneys.<sup>18</sup>

## **Estates**

As per sections 42 through 52 of the *Indian Act*, the Minister of Indigenous Services is responsible for the management of Indian estates. The Individual Affairs Branch supports the Minister’s obligations with the actual authorities for estates and moneys delegated to the Regional Directors General. The Minister has exclusive jurisdiction over decedent estates, which relates to ensuring that “*property of registered individuals, who were resident on reserve before death, is passed on to the rightful heirs.*”<sup>19</sup> The Minister additionally has exclusive jurisdiction over the finances and property of registered Indians who live on reserve and who are declared by the province or territory to be “dependent adults”, and has discretionary jurisdiction for the property of First Nation minors.<sup>20,21</sup>

As part of this service offering, the Individual Affairs Branch is mainly responsible for developing policies and procedures; provides national guidance to regions with estates responsibilities, information, support for the management and administration of estates in the national office and in the regions; appointing administrators and executors and acting as administrators of last resort.

## **Treaty Annuities and the Treaty Annuity Payment Experience**

The treaty annuities program is responsible for the administration and payment of annuities based on treaties signed with the Crown. Individual band members of the signatory bands of thirteen treaties, namely the Robinson-Superior, the Robinson-Huron treaties, and the numbered treaties (1 to 11) are recipients of annuity payments.<sup>22</sup> Every year, the Department holds treaty annuity payment events in about 350 urban, rural or remote communities in British Columbia, the Northwest Territories, Alberta, Saskatchewan, Manitoba, and Ontario.

---

<sup>16</sup> AANDC (2010). Summative Evaluation of Contributions Made to Indian Bands for the Registration Administration. 57 pages.

<sup>17</sup> Indian Act section 2(1) Interpretation, Definitions.

<sup>18</sup> AANDC (2013). Evaluation of Indian Moneys, Estates and Treaty Annuities. 69 pages.

<sup>19</sup> AANDC (2013). Evaluation of Indian Moneys, Estates and Treaty Annuities. 69 pages.

<sup>20</sup> Ibid

<sup>21</sup> Dependent adults are individuals deemed by provincial/territorial law to be unable to manage their own financial and legal affairs.

<sup>22</sup> AANDC (2013). Evaluation of Indian Moneys, Estates and Treaty Annuities. 69 pages.

The Treaty Annuity Payment Experience (TAPE) provides departmental employees with a unique learning opportunity, by inviting them to assist with the treaty payment events held across the country. In addition to developing cultural awareness and learning in employees, the program provides support to regions during the busy treaty annuity payment months. The TAPE program began in 2002 and was redeveloped in 2016-17 into the TAPE-2 program.

The Individual Affairs Branch, in collaboration with regions, is responsible for maintaining treaty pay lists; paying treaty annuities; and running the TAPE/TAPE-2 program.

## 2.2 Program Objectives and Expected Outcomes

While the Individual Affairs Branch was previously housed within the Department of Crown-Indigenous Relations and Northern Affairs (CIRNAC), it was shifted to ISC in July 2019. When it was housed within CIRNAC, the Branch was linked to the Core Responsibility of Rights and Self-Determination within CIRNAC's Departmental Results Framework. The Branch is part of a suite of programs that supports "*Indigenous and northern organizations, individuals, communities and governments in controlling and managing their own affairs and interests based on the recognition and honoring of rights, respect, collaboration and partnerships.*" Individual Affairs contributes to the following departmental results: Indigenous peoples and Northerners determine their political, economic, social and cultural development; Indigenous peoples and Northerners advance their governance institutions; and past injustices are recognized and resolved.

The *Ultimate Outcome* of the Individual Affairs Program is:

**First Nations peoples, communities and governments control and manage their own affairs.**<sup>23</sup>

The *Intermediate Outcome* of the Individual Affairs Program is:

**First Nations citizens and communities exercise rights and self-determination to broader policy and legislative reform through increased involvement and collaboration.**

The *Immediate Outcomes* of the Individual Affairs Program are:

- **Decisions on Individual Entitlements to registration under the *Indian Act* are rendered;**
- **First Nations peoples and communities manage their estates and Indian Moneys;**
- **Individual rights to receive treaty annuities are fulfilled.**

Based on these outcomes the overall goal of the Individual Affairs Branch is to administer federal and Departmental enabling legislation correctly, efficiently, and with integrity.

The full Logic Model for the Individual Affairs program and its service offerings is presented in Annex A.

---

<sup>23</sup> Note that the original wording in the Program's logic model in all outcome statements was *Indigenous*. As the focus of the Individual Affairs program is First Nations exclusively, the wording has been altered to reflect this.

## **2.3 Program Management, Key Partners, and Beneficiaries**

The Individual Affairs Program operates under the Regional Operations Sector at ISC. Across the four service offerings, activities are jointly organized and carried out by headquarters and regional offices, as well as through Indian Registration Administrators (IRAs) at the band level. Roles and responsibilities for program management, other key stakeholders and beneficiaries are described below relating to each service offering.

### **Registration and Secure Certificate of Indian Status (SCIS)**

There are three levels involved in registration administration and related activities: the Individual Affairs Branch at headquarters; each regional office; and the local IRAs and/or other band administrators in First Nations communities. The Individual Affairs Branch at headquarters is responsible for direction of the registration and band membership programs, including strategic planning; policy development; and implementation of the national Indian registration, band lists, and membership programs. It also manages the issuance of SCIS, plays a role in monitoring and compliance and is responsible for complex cases of Registration (e.g., adoptions) and the operation of a storefront kiosk. ISC regional offices are responsible for the day-to-day administration and operations relating to registration including more straightforward cases (e.g., new birth and intake of SCIS applications). IRAs, who are band employees and supported by regional offices, administer their band's membership list (in some cases), provide assistance to individuals during the registration process, issue CIS cards and intake of SCIS card applications. It is important to note that CIS cards are issued only on-reserve by IRAs, while SCIS cards are administered through IAB, sometimes with assistance from IRAs.

The clients of the Registration program are individuals who already have, or who apply for registered Indian status (whether they are eligible or not). Other key roles to the service offerings include the Indian Registrar, who holds a quasi-judicial position and is responsible for making determinations related to Indian registration and band membership; delegating administrative authorities to regional employees, who are responsible for much of the day-to-day administration of the program; as well as IRAs who are Band employees offering services to clients on-reserve.

### **Indian Moneys**

The Indian Moneys program is jointly managed by the Individual Affairs Branch (headquarters) and regional offices. The Individual Affairs Branch leads the development and implementation of national directives, policies and procedures, training materials, provides advisory services and manages the Trust Lands Information Management System related to the administration of Indian Moneys. Most of the administrative and operational responsibilities for the day-to-day administration of Band and Trust Moneys have been delegated to the regional offices. They are responsible for the approval of requests for revenue expenditures and some capital expenditures. Regional band money officers, in consultation with the Indian Moneys program at headquarters, provide advice to First Nations on varying aspects of the administration of moneys.

The primary beneficiaries of the Indian Moneys program are individuals and bands who have funds held in the CRF. Other relevant stakeholders involve the Lands Branch of the Lands and Economic Development Sector within ISC, which ensures that moneys are collected as prescribed in agreements and collected pursuant to the Financial Administration Act; Indian Oil and Gas Canada, which assists First Nations in negotiating, issuing and managing oil and gas resources; the departmental Chief Financial Officer, who is responsible for corporate accounting

and financial administration; and the department's Legal Services Unit, which provides advice on how expenditures affect the fiduciary obligations in relation to the administration of Indian Moneys.

## **Estates**

The Estates program is managed jointly by the Individual Affairs Branch at headquarters and regional offices. The Individual Affairs Branch leads the development and implementation of policies and procedures for the program's operation in the regions and certain administrative functions, provides advisory services, training and oversight, and manages the Estates Reporting Systems. It also supports the *"fulfillment of the Minister's quasi-judicial role in matters of litigation, allegations, and disputes involving estates."*

First Nation individuals, particularly those who fall under the legal definitions of decedent, dependent, are the primary clients of the Estates program. First Nation communities, bands, and tribal councils also have a role to play in the estate-related matters of their members, particularly when land-holdings under an estate are involved. Other stakeholders include the Lands Branch of the Lands and Economic Development Sector within ISC, the department's Legal Services Unit, as well as the Office of the Indian Registrar. Additionally, in Manitoba and the Northwest Territories, the Department holds Memoranda of Understanding with Provincial and Territorial Public Guardians and Trustees to provide services for estates administration.

## **Treaty Annuities**

Treaty annuity payments are administered by regional offices with guidance and support from the Individual Affairs Branch at headquarters. While the Branch develops the standards and processes specific to treaty annuity administration and manages the Treaty Payment System, annuity payments themselves and the organization related to their distribution are the responsibility of the regional offices.

The beneficiaries of the Treaty Annuities program are individuals who have registered Indian status and are members of a First Nation that has entered into a treaty with the Crown (namely, one of the numbered treaties or the Robinson-Huron and Robinson-Superior treaties). Other relevant stakeholders include the Royal Canadian Mounted Police, which play a symbolic role during treaty payment events; Treaty Payment program volunteers; and the department's Legal Services Unit.

# **3. Evaluation Methodology**

## **3.1 Scope and Evaluation Issues**

This evaluation covers the period from Fiscal Year 2014-15 to 2018-19 per Treasury Board requirements and includes each of the four service offerings managed by the Individual Affairs Branch. The evaluation was undertaken to provide a neutral and evidence-based assessment of relevance, performance (program delivery), efficiency, lessons learned, and best practices for the following activities: Registration and Secure Certificate of Indian Status, Indian Moneys, Estates, and Treaty Annuities. Moreover, although not part of the original scope, the evaluation also incorporates more recent data and actions taken by ISC to address service offering issues, especially in the context of devolution (service transfer) and the COVID-19 pandemic. The evaluation was led by an evaluation team from the Evaluation Directorate within ISC.

At the request of the Individual Affairs Program, the evaluation team placed particular attention on services to individuals. Moreover, the evaluation team focussed on the most significant activities and business lines of the Branch, in terms of expenditures and contribution to intended outcomes. In this regard:

- The evaluation included all aspects of the Individual Affairs Branch's work in the area of Registration, but placed less emphasis on the issuance of CIS cards as the Branch's role is very limited in this work, with First Nation bands almost entirely responsible;
- As part of Trust Moneys, the evaluation placed greater focus on trust accounts for decedent estates, dependent adults and minors, and less on those for adoptees, missing heirs and suspense accounts.

The evaluation operated through a lens of Gender Based Analysis Plus (GBA Plus), the impact on children and families, and reconciliation.

Annex B of this report lists the specific questions and issues that guided the evaluation.

### **3.2 Design and Methods**

The evaluation was led by a team from the Evaluation Directorate within ISC. The Methodology Report was finalized in October 2020, with primary data collection occurring from November 2020 to March 2021.

The evaluation relied on a mixed-methods approach that included the following lines of evidence: a document, literature and media review; 52 key informant interviews with ISC representatives in the national and regional offices, as well as other government of Canada informants outside the IA program, and partner organizations including various Indigenous Friendship Centres and Land Management Organizations and the National Aboriginal Trust Officers Association (NATOA); 17 focus group discussions with Indian Registration Administrators (IRAs), Indigenous Land Managers, and TAPE-2 participants, and; a survey of 256 IRAs from communities across Canada.

Following the initial data collection phase described above, the evaluation team also investigated the impacts of COVID-19 on IA service offerings by conducting follow-up interviews with ISC staff at both headquarters and in the regions.

### **3.3 Limitations**

The primary limitation of the evaluation was the inability of the evaluation team to conduct site visits to both regions and communities, due to travel restrictions as a consequence of the COVID-19 pandemic. As a result, the evaluation team pivoted to conducting remote key informant interviews and focus groups by leveraging communications technology, as well as the distribution of the IRA survey which received robust responses from all regions involved in the IA program across Canada. While the inability to conduct site visits and in-person interviews was not ideal, the necessitated switch to remote data collection did not have an impact on the overall findings, conclusions and recommendations of the evaluation. A secondary limitation was a lack of data on the measurement of service delivery, in terms of the Individual Affairs Program meeting service standards in some regions and at the national office.

### 3.4 Indigenous Engagement

Individual Affairs service offerings are of great significance to First Nations in Canada. As such, the Assembly of First Nations (AFN) was offered an opportunity to provide input into the methodology of the evaluation and at the preliminary findings stage. The evaluation report was shared with the AFN. Additionally, the evaluation team was able to conduct multiple focus groups with IRAs and other Indigenous partners linked to Individual Affairs service offerings, including 7 key informant interviews with Friendship Centers, 13 focus group discussions with IRAs, and 1 focus group discussion with Indigenous Land Managers.

### 3.5 Organization of Findings

While this evaluation looked at the IA program as a holistic entity, the key focus was, to a greater extent, on the performance of each of the four individual service offerings, as there is little overlap, from a management and operational perspective, amongst them. As such, many of the evaluation's findings are service offering-specific, as opposed to program-wide. Findings 1-5 may be considered to cross-cut two or more IA service offerings, while the remainder are specific to the four service offerings.

## 4. Findings: Relevance

### 4.1 Fundamental Relationship between Government of Canada and First Nations Peoples

***Finding 1: The Individual Affairs Service offerings operationalize fundamental aspects of the relationship between the Government of Canada (and the Indian Act) and First Nations Peoples.***

The Individual Affairs branch delivers services that are the legislative and/or treaty obligations of Canada. Pursuant to section 5 of the *Indian Act*, the Government of Canada is required to maintain an Indian Register, an official record of all peoples registered as Status Indians (both on and off-reserve).<sup>24</sup> The Act defines Indian Moneys as “*all moneys collected, received or held by Her Majesty for the use and benefit of Indians or bands,*”<sup>25</sup> and sections 42 through 52 specify that the Minister of Indigenous Services is responsible for Indian estates.<sup>26</sup> Treaty Annuities are symbolically one of the few direct ways that the Crown and First Nations communities are able to come together ceremoniously to uphold tradition, honour treaties, and build a continued relationship with one another. The treaty annuities program is responsible for the administration and payment of annuities based on treaties signed with the Crown. Individual band members of the signatory bands of thirteen treaties, namely the Robinson–Superior, the Robinson–Huron treaties, and the numbered treaties (1 to 11) are recipients of annuity payments.<sup>27</sup>

Beyond the legislative and treaty obligations of the service offerings, registration was underscored as the “gateway to the department” and the “foundation to everything” by key

---

<sup>24</sup> Indian Act section 5(1) Indian Register.

<sup>25</sup> Indian Act section 2(1)

<sup>26</sup> Indian Act section 42-52.

<sup>27</sup> AANDC (2013). Evaluation of Indian Moneys, Estates and Treaty Annuities. 69 pages.

informants. A national office respondent stated that registration is a “*fundamental aspect of our [ISC’s] relationship with First Nations,*” and that “*to some degree all programs rely on registration.*” The foundational aspect of registration was referenced heavily both in key informant interviews and in the literature and document review for this evaluation. An example of this includes access to health care which was noted by a respondent from the First Nations and Inuit Health Branch. Through a Jordan’s Principle lens, determining if children are entitled to be registered in a timely fashion has serious implications for their ability to access services right away (be it in an emergency or otherwise).<sup>28</sup>

## 5. Findings: Effectiveness (Program Delivery)

### 5.1 Access Needs for Urban Clients

***Finding 2: Registration and Treaty Annuity Services are not delivered in a way that is centred on accessibility and meeting the needs of urban clients.***

ISC Respondents and partner organizations across the regions emphasized that accessing registration and card issuance, as well as Treaty Annuity payments in urban areas remains a barrier. As of 2016, 14% of registered Indians live off-reserve and 45% of Non-Status Indians live in urban areas.<sup>29</sup>

To provide registration and card issuance services in urban areas, there are currently 16 kiosks that offer services off-reserve. While these offer service to urban clients in the 16 locations, respondents emphasized that difficulties in accessing services in urban centres remains an accessibility barrier for cities without a kiosk. “*[The] barrier we have is environmental geography... we know not everyone can come to Winnipeg to get SCIS [Secure Certificate of Indian Status], so let’s set-up areas in Island Lakes or Thompson. People can get closer to get the processes done,*” stated a Manitoba ISC respondent, although this a common barrier expressed by many regions. Partner organizations reported that the kiosks simply do not cover sufficient geographic scope. The alternative to the kiosks is the toll-free telephone number (public enquiries contact centre is managed by the Chief Finances Results Delivery Office), but respondents noted that it does not offer the guidance or information they require. The barriers to urban service provision will likely continue to be an issue, as with changes to the *Indian Act* (including Bill S-3<sup>30</sup>), the majority of those who are newly eligible for status are urban First Nations peoples.

---

<sup>28</sup> It should be noted that as of the July 2020 Canadian Human Rights Tribunal decision, a First Nations child under Jordan’s Principle is not limited to children with Indian Status or children on-reserve. (*First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada, 2020*, Section 3C. *First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada* (representing the Minister of Indigenous and Northern Affairs Canada) - Canadian Human Rights Tribunal (chrt-tcdp.gc.ca))

<sup>29</sup> Indigenous Services Canada. (2020). *Annual Report to Parliament 2020*. Ottawa. Retrieved from <https://www.sac-isc.gc.ca/eng/1602010609492/1602010631711>.

<sup>30</sup> Bill S-3 was implemented in 2017 with the goal of changing the Indian Act to address known sex-based inequities in registration. Further amendments were made in 2019 to remove the 1951 cut-off to ensure the entitlement of all descendants of women who lost status going back to 1869.

Bill S-3: Eliminating known sex-based inequities in registration. (2021). Retrieved from <https://www.sac-isc.gc.ca/eng/1467214955663/1572460311596>



Some ISC respondents suggested partnering with Friendship Centres and Tribal Councils to deliver registration and status card application to allow for greater support in urban centres. Friendship Centre respondents noted that they often do support clients with their applications and noted the difficulties (both with the complexity of the process and the financial strain) of the process. *“We’re already doing this work. We’re already picking up the slack. Shielding the clients so that when you have to make those calls, we will provide services to make it easier and we will follow up because they [clients] may not have the strength to do so,”* stated one Friendship centre respondent. Friendship Centre respondents also stated a need to consult with the clients and Nations they serve before committing to offering such services.

In terms of urban accessibility of Treaty Annuities, both IRAs and ISC respondents noted that many individuals, while eligible for annuity payments, have not returned to their communities for several years, resulting in non-payment of many treaty beneficiaries (in fact, there was a recorded non-payment amount of \$845,102 in 2019/20<sup>31</sup>). While there have been pilot payment events in some Canadian urban areas, many ISC respondents expressed that additional mechanisms need to be put in place to meet the growing off-reserve demand, especially in the context of potential modernization. Urban events have also tended to draw in young people that are unsure if they are eligible. These urban events allow clients to determine if they are eligible without travelling to sometimes remote treaty locations.

One proposed partnership between ISC and Service Canada would potentially be able to reach more people where Indigenous Service Canada regional offices are not easily accessible to community members. Regional ISC respondents also indicated they would like to see an online platform for submission of applicants in a portal format to also improve ease in which clients can access treaty payments. There are currently mail in options for those who cannot attend live events as well as a fillable email-in form being developed.

## 5.2 Access to Training

### ***Finding 3: Access to service offering specific training varies across regions and service offerings.***

Training capacities and access to training tools also varies across regions and across service offerings. For example, while there exists dedicated training for decedent and living estates, there is a lack of training modules for minors and dependent adults. Regional ISC staff have also reported that they are unaware of estates training modules and tools offered in the French language. In response to the lack of training modules available, some regions have taken to developing in-house training materials to better support current employees and with on-boarding new employees. Additionally, while some IRAs in certain regions receive further training (i.e. supporting clients to complete estate forms), while other IRAs are unaware of estates related information to share with clients and this can limit their ability to address queries from their communities. This can also place IRAs in difficult circumstances who have limited access to training on new legislation and subsequent impact on registration procedures (i.e. Bill S-3), in providing clients with correct information and/or challenging misinformation from community leadership.

It was also highlighted in a Departmental internal review of the Indian Registration and Estates Reporting Systems, that there is a lack of formal training available for the four data systems (the other two being the Treaty Payment System and the SCIS web application), as well as the fact

---

<sup>31</sup> Individual Affairs Branch, Internal Departmental Figures, 2021.

that training material is outdated or may not exist for all systems. This can be especially challenging for new employees who rely heavily on on-the-job training to perform their duties and engage with the various data systems and may be engaging with systems inconsistently.

## 6. Findings: Efficiency

### 6.1 Data Systems

***Finding 4: The timeliness of Registration and Estates services are being impacted by the lack of modernization of data systems within the branch. The Indian Registration System (IRS) and the Estates Reporting System (ERS) are barriers to providing quality and timely service to clients and presents a significant risk to the Department.***

The Indian Registration System (IRS)<sup>32</sup> and the Estates Reporting System (ERS)<sup>33</sup> are outdated and are not meeting the needs of clients and end-users. As a legacy system, the IRS has survived beyond the time limit of a typical product life cycle management, with the last technical upgrade to the system made in 2013. ISC Respondents, both national and regional, noted that both the IRS and ERS systems lack capital and technical investment, and there continue to remain difficulties in inputting data and making amendments to files, as noted in the 2013 Evaluation of Indian Moneys, Estates and Treaty Annuities<sup>34</sup>. ISC respondents highlighted the potential risk of data loss with antiquated systems that hold large amounts of personal data. Current data systems remain operational and continue to be used by ISC staff, however as the IA Branch continues to improve and enhance its service delivery model, it will require modern data systems that match its needs and that are designed with the client in mind.

A Government of Canada respondent expressed a lack of investment in changing the status quo: *“Incremental improvements are not enough. No way the system can change as little as it has in the last 10 years in the next 10 years and that means that the systems will in no way be ready for service transfer. We need to change the way were investing in it.”*

These system challenges have a significant impact on client services. *“IT tools are a constant factor that’s woven into our work. Things are slow, things fail, things don’t work with any speed, and we wait for a long time for files to open or download. It takes 15 minutes to even log in. If you’re going to expect appropriate results, you need to give employees appropriate tools,”* another ISC respondent explained.

It is critical to address the limited functionality of both the IRS and ERS as the IA Branch faces the potential consequences of providing inaccurate information to First Nations, monitoring an incorrect number of living estates leading to potential failure of administering estates files, and further adding to the serious backlog of registration applications. From a project management perspective, the inability to generate reliable data and the inconsistencies of Regional Offices

---

<sup>32</sup> The Indian Registration System (IRS) maintains status Indian profile information, historical life events and family ancestry details; the secure Certificate of Indian Status Web Application (SCIS) supports the management of Secure Cards that are used as evidence of Indian status in order to receive benefits.

<sup>33</sup> The Estates Reporting System (ERS) supports the management of living estates and deceased estates for First Nations.

<sup>34</sup> Aboriginal Affairs and Northern Development Canada, “Evaluation of Indian Moneys, Estates and Treaty Annuities,” Final Report, 2013, p.1-86 (<https://www.rcaanc-cirnac.gc.ca/eng/1382702626948/1539692995234>)

usage of the systems have further contributed to this backlog. To offer improved client services, ISC respondents (national and regional office) stated a need to be able to accurately track and report system data, including the need to be able to access a client's file and provide an accurate update to the client regarding their application status. *"There is no way that I can say 'show me this person's file' [in the IRS]."* One ISC National respondent imagined a system in which a client or their family could track the status of their application like one would track a shipment. More broadly, there is no way to track how many applications have come into a regional office in any given time period, making it difficult to track progress and resource full-time employees properly. This problem was highlighted for both the IRS and ERS.

The systems also present great risk to the branch and the Department as they are at constant risk of crashing. *"The [IRS] structure right now like is like a Jenga tower, you can poke and play a little bit with it but can't do too much because we know it will crash,"* aptly highlighted by an ISC respondent. The risk of a system that holds so much personal data as well as facilitates one's access to ISC services is high. As well, the aforementioned Departmental internal review of the IRS and ERS supports this, stating that the most significant risk is related to recoverability of the IRS should the system encounter data loss. Privacy breaches are also a potential concern.

Ultimately, the limitations of both the IRS and ERS may affect the ability of the Crown to fulfill its obligations to First Nations.

## 6.2 Organizational Structures

***Finding 5: Organizational structures, staffing levels and processes of the registration program are outdated, inconsistent and do not favour efficient service delivery for clients.***

Many respondents indicated that there is very little consistency around responsibilities, scope, reporting relationships, and organizational structures across regions. It is common for staff working in different classifications and levels to be responsible for the same tasks. This was identified as creating internal tensions in some cases as those staff at working levels, regardless of classifications are all responsible for similar deliverables. *"It's all over the place. I've been places where a PM3 runs the show alone, or a single CR4 sitting alone, other place it's a PM1,"* shared one national office respondent. These inconsistencies in staffing have a deep impact on client service and overall program management. Some regions were considered by respondents to be effectively managed while others were considered to be managed less effectively, but there is no clear picture of what each office is doing, what is working well and what can be applied more broadly across offices.

Inconsistencies over the organizational structures has had large impacts on regional offices. Part of the reason for the backlog in registration is the need to train people elsewhere than the national office to deal with complex files (including pre-1985 applications). The amendments to the *Indian Act* that have unfolded, Bill S-3 and the 60s Scoop Settlement for example, have required that the Registration and Card Issuance service offering be adaptable. *"[These changes] impact our operations. We need to change our policies, we need to do new job aids for staff, get them trained. Every time there is a change it has impact on operations,"* stated one ISC respondent. Many ISC staff agree that national workload management, which allows staff from across the country to pick-up each other's files, would be a good strategy. However according to one manager, *"it will never be a true national workload if it's one-way, if we [HQ] can take their [regions'] work but they [regions] can't take ours [HQ]. The big backlog isn't in the regions – it's at HQ that there is a backlog of 25,000 files. The numbers speak for themselves. I*

*don't know why we pretend we don't need the help or pretend we're doing workload management if nobody can take our workload.*" Many ISC regional staff agree that regions should be brought to deal with complex files, should access the same training and be able to access the same elements of the IRS system. In addition to the need to expand processing of complex files, a key challenge highlighted by ISC staff was the length of time it takes to train new employees to do registration. *"[It is a] minimum of 6-12 months to grasp what registration is. It's not made for everyone."* Consequently, when a large influx of applications follows a settlement it takes many months to build the human resource capacity to address it.

The evaluation team noted much desire amongst ISC regional respondents to further decentralize tasks, including providing greater responsibility and possibility for regional offices to take on increasingly complex decisions and IRAs to take on greater responsibility and access to the IRS.

## **7. Findings: Registration and Secure Certificate of Indian Status**

### **7.1 National Program**

***Finding 6: While registration is a national program, the service experience of clients can vary widely depending on where they seek registration and card issuance services due to inconsistent organizational structures and a delegation of all complex files to the National offices.***

ISC Interview respondents, both regional and national, suggested that there is great variability in the extent to which each regional and national office meet service standards, with some having no backlog and others struggling to process applications. Many ISC and partner respondents also suggested that clients' service experience can vary widely depending on which office they submit their application to. This is problematic in a national program which aims to deliver services to clients consistently across the country, regardless of the point of service entry. Highlighting these concerns, two ISC respondents stated the following:

*"A Registered Indian in Toronto decides to take their application right to HQ. They walk to the kiosk and drop off [their child's] registration application. That individual goes into the HQ queue, at the bottom of the HQ pile. If this same person had walked into the Toronto regional office, there is a chance that this person's child would have been registered within 1-3 weeks. Because he thought it would be quicker to come to Ottawa, it could take 2-3 years. This person doesn't know. Nobody at HQ took the time to look at the file and say, 'this should go to the region'. It just goes into the queue."*

(ISC staff member)

*"For example, you can walk into [the] Nova Scotia Amherst office, you are served right way, and you leave with a number. You walk into the Vancouver office with the same situation, but you don't walk away with a number, and you need to wait months to get the same type of decision."*

(ISC national office Respondent)

According to many ISC respondents, it is believed that processing time inconsistencies exist due to two main factors. The first is rooted in all complex files being delegated to national office

and the lack of a national workload management system as outlined in finding 5. The second is the discrepancies in organizational structure across regions and national office. Specifically, since there exists differences in processes and staffing levels at both regional and national office levels, it undoubtedly impacts the timeliness for processing registration applications.

## 7.2 Intended Outcomes

***Finding 7: Registration and card issuance services are not meeting intended outcomes regarding timeliness of service delivery which has important consequences for people and programs.***

The Individual Affairs branch has established a service standard of 6 months for rendering registration decisions; 8 months for rendering registration decisions where an adoption has taken place; and 16 weeks for issuing Secure Certificate of Indian Status (SCIS) cards to applicants.

The evaluation team was unable to obtain recent data regarding the extent to which the branch is meeting these service standards, at the national or in the regional offices. According to program documents from 2018-19, the national office is processing only 38% of registration applications within the service standard timeframe and has incurred a backlog of over 4,000 [registration] files. National office ISC respondents indicated that there has been an increase in the backlog of registration applications following Bill S-3 legislative amendments. Regular access to reliable data regarding the number of registration applicants and the time for processing applications, disaggregated by region, would allow the registration team to identify areas that require the most attention for improvement.

Respondents indicated that the time for rendering decisions can be unpredictable and variable. “[The] service standard for registration is just words” a respondent said. “Having to write a letter saying it could take 6 months – 2 years to render a decision is unacceptable... We should be able to make a decision right away,” said another. Additional respondents also provided anecdotal evidence that certain registration decisions can take years to be rendered, including straightforward, simple decisions:

*“Turn around for registration: Four years is absurd. Even when it’s all been proven – when brothers and sisters and aunts and uncles are registered? Why would it take four years to get registered? Had to go through an MP to follow up. Got no phone call or letter and were hanging in limbo for three years. All the information they needed, they already had. Lack of response and that waiting time is not right.”*

*(Friendship Center Respondent)*

Delays and/or issues with timeliness of rendering registration decisions has significant consequences for people’s lives, as status acts as a gateway to accessing other ISC services and rights they are entitled to. As individuals await registration decisions they can be placed at great risk, both physically and financially, because they are unable to receive services and benefits, they would otherwise be eligible for during the waiting period. In short, significant delays in processing applications can have severe impacts on individuals, families and communities, as well as their access to treaty annuity payments where eligible. It can also jeopardize the ability of the Crown to fulfill its obligations to First Nations.

Delays with timeliness of registration decisions also leads to inefficiencies and extra work for programs outside of the Individual Affairs branch that require confirmation of Indian status for offering benefits and services. For example, respondents from one ISC program indicated that they are increasingly doing extra work to avoid children having a gap in their access to services:

*“There are some cases that are pretty straight forward, where both parents have status, the child will be eligible. It’s just a matter of processing the file. If we can confirm this, we don’t want there to be a gap in that child’s eligibility for health benefits coverage. That’s where we’ll put a temporary number in place. Is it extra work for our team? Yes. Is it extra work for the registrations team? Yes. People on both teams have to be calling on the phone, checking status, it brings about extra volume of work for both teams to have to informally validate that stuff pending actual completion of the registration process.”*

*(ISC program respondent)*

This ISC program also indicated that they increasingly receive complaints from their clients:

*“It can take months if not years for them [clients] to go through the [registration] process and confirm whether or not they can be registered. That delay – we feel pain on the end of that. When a client does get registered and comes to us, we get questions like requests for backdating. They say, “I sent an application two years ago, it’s not my fault it took a really long time, you should consider that period to be a period of eligibility.” This comes up more and more. ... We do have workarounds in place, but it shouldn’t be for a program like ours to have to consider questions of backdating almost as a matter of fairness to try to compensate people for undue delays that aren’t their fault.*

*(ISC program respondent)*

Finally, delays in processing registration and card issuance have been perceived and expressed as a lack of investment in serving First Nations people and as disrespectful and racist. This was noted by IRAs in both the survey and focus group discussions, as well as in the media.<sup>35</sup> Often times, respondents have compared the registration wait times to applying for a driver’s license, health card, or passport, in which wait times are clearly communicated to clients, with quick turnaround times. The months or years-long wait for an SCIS card is seen by some as a lack of respect for First Nations populations and their needs. *“Make it easier for people to access it. It is ridiculous how hard it is”* stated a partner organization representative.

When it comes to SCIS, ISC respondents reported that their service standard of 16 weeks is being met. Despite this, 75% of IRA survey respondents noted the time it takes to obtain an SCIS card is a barrier to uptake. In other words, 16 weeks is too long to incentivize a change. IRAs highlighted that many clients are accustomed to walking out of the IRA’s office with a new CIS card and are not able to wait multiple months for a new SCIS card. In addition, 66% of respondents from the IRA survey agreed that not having a way to track progress of card issuance is a barrier for clients to switching to the SCIS card. Other challenges noted by IRAs included: the difficulty in finding guarantors, and many clients not having access to two forms of identification required when applying for a SCIS card. While ISC intended for First Nations

---

<sup>35</sup> Compton, F. (2021). First Nations woman petitions to have status cards processed as quickly as passports | CBC News. Retrieved 2 November 2021, from <https://www.cbc.ca/news/indigenous/secure-certificates-of-indian-status-cards-petition-1.6014930>

peoples to transition away from the CIS card to the SCIS card, the lack of timeliness has proved to be a challenge.

## **8. Findings: Trust Moneys**

### **8.1 Minor Accounts Payout Initiative (MAPI)**

***Finding 8: The Branch continues to face difficulties in locating clients that are owed individual moneys.***

ISC continues to face difficulties locating clients that have trust accounts they may be unaware of and these unclaimed accounts have further contributed to the increase of Minors Accounts Payout Initiative (MAPI) accounts. ISC staff make every attempt to locate individuals who have trust accounts that have been established by their Nations and can be paid out once the individual reaches the age of majority in their province. Many of the times these individuals are not even aware of the existence of these trust accounts.

Key informants (regional and national office) have shared that there are various reasons that contribute to large number of MAPI accounts including: difficulties in locating clients (approximately 5000 MAPI accounts), ISC may have outdated, incorrect information or no contact information at all for clients, it is also possible that clients may be homeless, transient, incarcerated or deceased.<sup>36</sup> It is important to note that MAPI has assisted well with the service delivery of Indian Moneys. Despite this, there still exists a large number of MAPI accounts. Respondents from ISC regional office and from the National Aboriginal Trust Officers Association acknowledged the challenge in finding clients that have been adopted. A concerted, proactive approach for clients being adopted or have been adopted may need to be taken.

In addressing these challenges and minimizing the number of MAPI accounts that exist, ISC offices have implemented different strategies: including outreach, mail-outs to account holders, contacting IRAs, and conducting targeted searches (i.e. via social media). As well, ISC staff often utilize treaty annuity payment events as opportunities to inform individuals that may not be aware of trust funds that exists. National office respondents have reported that as of late, regional offices have begun to ensure that with any new trust accounts that have been created, strong efforts are made to not only inform clients of the existence of their trust account but also when and how they can access them. While there have been concrete advances in terms of locating clients, there is still father to go.

### **8.2 Management of Trust Moneys**

***Finding 9: There are available mechanisms for First Nations peoples and communities to manage their Trust Moneys.***

From the evaluative evidence reviewed, including both document review and key informant interviews, there are various mechanisms that First Nations communities can utilize to manage their own trust moneys. First Nations under Section 69 of the *Indian Act* have full control on how they manage their revenue accounts, and ISC's involvement is limited to processing transactions with an agreed understanding that the moneys will be utilized for the benefit of their

---

<sup>36</sup> ISC (May 2019). "Minors Accounts Payout Initiative (MAPI)." Presentation by IA Branch.

people. Regional office respondents have highlighted Section 69 aims to provide First Nations with greater involvement and control over the administration of band moneys. Regional offices did raise concerns that the process for First Nations to transfer to Section 69 can be quite cumbersome and time consuming for communities to actively pursue.

First Nations that are governed under Section 66, experience increased administrative involvement from ISC. Specifically, regional offices require additional information from the First Nation community, including a clear understanding of what the funds will be used for, reviewing supporting documentation and validating that the funds will be used for the betterment for their members. First Nations bands that are under the First Nations Land Management Act (FNLMA), have complete control over both their revenue and capital accounts. Regional office respondents have expressed that First Nations under FNLMA can be viewed as a form of instant devolution since funds are transferred to the community and allow them to build their own trusts, this also allows communities to manage their own resources in a timely manner.

There has also been considerable efforts made from ISC to ensure that the trust fund management system is well linked to the lands management tool, thus providing effective management of these moneys.

### **8.3 Trust Funds Disbursement**

#### ***Finding 10: There are delays in dispersing trust funds to individuals and bands.***

Indian moneys includes both individual and band moneys. Given the evaluative evidence available, implementation of these service offerings is systematic and adhere to the Indian Act closely. There have been two key findings: delays in approving and dispersing both band and individual moneys and challenges in finding clients that are owed individual moneys.

While many regions have shared in key informant interviews that they follow systematic processes and procedures in dispersing funds to clients, one commonality that many regions continue to share is around the timeliness in releasing individual and band moneys. Although there are many reasons that contribute to the delays for accessing capital and revenue moneys, the evaluation identified that there are many approval levels involved, including at times requiring the Ministers signature. This can contribute to clients not receiving funds in a timely manner. While it is relatively easy for bands to access revenue moneys compared to capital moneys, there are still procedural delays that exist. In recognizing the challenges around timeliness for accessing individual and band moneys, staff at the national office have shared that internal organizational charts are currently being updated to better streamline accountabilities and *“bring authorities down to more appropriate levels instead of having to go to the Minister for signature”*.

With regards to individual moneys, regional office key informants have stated that *“the process for dispersing (individual) funds can be cumbersome and requires tight planning, especially where people are vulnerable.”* For example, to demonstrate the process challenges associated in releasing funds, one regional office shared an experience of accessing funds for a client in need of a coat, *“...a client is urgently in need of a coat, you have to go through all kinds of legwork to find a new coat...heavier than if we had a bank account in the community and could ensure faster bank account disbursement.”* Some regional offices have reported that COVID-19 has provided them with an opportunity to respond to these delays and develop agile systems, including collaborating closer with teams in the mail rooms, so that clients can receive and



process payments in real time to reduce delays in clients awaiting cheques in the mail to pay for their rent and utilities.

## **9. Findings: Estates**

### **9.1 Access and Participation (On-Reserve Clients)**

***Finding 11: There are a range of barriers that prevent on-reserve clients from accessing and participating in the Estates process and the services that flow from it, including accessing estates related information, accessing regional office representatives, and facing technological disadvantages.***

Key informants including IRAs and ISC staff from both regional and national offices, have indicated that there exists a range of barriers to accessing and fully participating in estate service offerings. Through the evaluation's multiple lines of evidence, two significant barriers that on-reserve clients often face have been identified: accessing information, reaching the right regional office representatives, and digital disadvantage.

From a client-centric perspective, IRAs have noted that navigating the on-reserve estates service and accessing information in a timely manner can often become challenging and frustrating for clients. At times, it can take weeks for clients to find the right regional contact information and to speak with an estates officer with the aim of having their legal queries addressed or supported in completing the proper forms. In the meantime, estates remain in limbo and grieving families are unsure on how to proceed.

Another challenge that clients living on-reserve often face includes digital disadvantages (i.e. bandwidth, access to internet, clients might not have email addresses etc.), which can severely impact their ability to obtain access to and participate in the service offering. While the ISC regional office respondents shared that significant effort was put into ensuring that estates documents are accessible for clients, there continues to be challenges with clients correctly completing documents, ultimately requiring that clients seek additional support from regional office estate officers in properly completing documentation. Key informant interview respondents (both regional and national offices) have recommended that given the heavy legalistic nature of the service offering it would be significantly helpful to translate documents in local Indigenous languages, where applicable to further improve accessibility.

### **9.2 Human Resource Capacity (Estate file Backlog)**

***Finding 12: Human Resource capacity does not reflect the needs of Regional teams and is not proportional to the number of estate files opened leading to a serious estates backlog.***

The Estates program lacks a standard approach with regards to human resource (HR) capacity across regional offices. In conducting key informant interviews, the evaluation found that there exist large discrepancies in regional staffing capacities, organizational structures, and roles and responsibilities of estate officers across regions. Staff at the national office have also acknowledged that there is a strong need for standardized HR structures throughout the regions, taking into consideration that some regions may need more staff due to the population size that they support.

Currently, almost all regions are facing a backlog that is not proportional to their current staffing capacity and First Nations population sizes. This means that, estates are often not being addressed in a timely manner. For example, Quebec has reported that they have five full-time equivalent employees (FTEs) to address a backlog of 800 open cases. Manitoba faces a backlog of 10,000 files, with only three FTEs to support. These three employees are responsible for the 600 files that come in per year, but only have the capacity to process 400. With the current staffing support of three estate officers, it will be challenging for Manitoba to seriously clear the backlog without further staffing investment.

Unique only to British Columbia is a dedicated estates unit with officers that solely support estates related activities. This is vastly different from all other regional offices. Oftentimes, in many regions that have generalist officers as opposed to specialized officers, their roles and offices are vulnerable to responding to fluctuations in service offering demands (i.e. increase in registration applications due to S3).

In addressing the backlog that regional offices face and partially alleviating the workload burden, some regions have explored alternative approaches in closing simple files. For example, one regional office implemented a pilot process in 2018 with the aim of closing estate files and reducing its backlog by hiring additional temporary staff to provide support. Tapping into alternative staffing measures could improve services across regional offices.

### **9.3 Living Estates**

***Finding 13: There is a need to prioritize the adequate resourcing of Living Estates, clarify roles and responsibilities, and update training materials. There is also need to improve communication with provincial guardians and trustees to better confirm jurisdiction.***

Within the estates service offerings, it is widely acknowledged that living estates is a high priority given that it supports individuals who are the most vulnerable and at risk. Despite this, there is concern in the majority of regions from both ISC staff members and external partners regarding the overall management of this service offering.

Some ISC regional offices have expressed that the process for collaborating with Territorial and Public Guardian and Trustees, regarding confirming departmental jurisdiction over dependent adults, can be a time consuming process. As a result, any delays in jurisdictional decision making can potentially have very harmful consequences for the lives of dependent adults and their families. In helping to address the timeliness concerns, it may be beneficial for the Branch to work towards developing a systematic approach with territorial and provincial counterparts with the aim of improving communication between parties and helping to confirm departmental jurisdiction in a timely manner.

Furthermore, enhancing capacity building efforts among estate officers may also potentially support in addressing the estates backlog. Regarding training materials to support ISC staff, a majority of the regional ISC staff informants indicated that the training manual and guidance materials for Living Estates is outdated, lacking in precision, quality, and expressed that they were unaware if a fully translated French manual existed. As a result, they also expressed concern that staff are not being appropriately trained and prepared to fulfil their roles. This is important given the challenging and often complex files that ISC administrators are responsible.

## 9.4 Decedent Estates

***Finding 14: Further increasing capacity among First Nations communities to provide frontline service will contribute to the effective transfer of assets to the lawful heirs and beneficiaries of eligible deceased individuals.***

There exists a need to increase capacity among First Nation communities to increase knowledge and awareness regarding decedent estates given that the Department's preference is that a family member or someone of the deceased's choosing (i.e. by will) manage the estates given it is an intimate, private matter.<sup>37</sup>

One factor that is impacting the ability for the effective transfer of assets to the lawful heirs and beneficiaries of eligible deceased individuals is the absence of a legal will upon the death of a status First Nation individual. While actively supporting will writing is external to the Department's responsibilities, it is a factor that is contributing to the increased estates that the Department is currently responsible for and/or may be unaware that they are responsible for.

There also exists communication concerns from the client's perspective as it relates to Decedent estates, that is further contributing to the ineffective transfer of assets to the lawful heirs and beneficiaries of eligible deceased individuals. One respondent, representing a First Nations land management organization highlighted communication challenges, stating that "*one problem is information is not forthcoming when you lose a family member ... it not easy to access information. Your grief is compounded by fact that it is hard to be aware of what support is included. A lot of families are looking after belongings, etc. at home. There is no openness on that. There is a shortfall in communication.*"

## 10. Findings: Treaty Annuities

### 10.1 Treaty Annuity Payment Modernization

***Finding 15: The potential modernization of annuity payments will likely result in significant challenges in terms of legal entitlements as well as changes in how payments are administered.***

Current treaty annuity payments are in the yearly amount of 4-5 dollars. In 2019, there were just over 601,000 eligible annuitants who were eligible for nearly 3 million dollars in annuities.<sup>38</sup> However, in the 2019-20 fiscal year \$845,102 of potential annuities were not collected by annuitants.<sup>39</sup> Given that the current payment amount, many recipients do not return to their home communities to collect owed payments. It is believed that with the potential modernization of annuity funds, the yearly amount paid will increase, leading to an anticipated heightened demand to collect treaty payments, especially for clients living in urban communities. This increased demand will bring with it a few challenges which ISC respondents, both regional and national, identified.

---

<sup>37</sup> It is important to note that, once a family member or someone of the deceased's choosing is appointed to administer the deceased's estates, it is not the responsibility of ISC to ensure that the administrator is knowledgeable of the estate process.

<sup>38</sup> Individual Affairs Branch, Internal Departmental Figures, 2021.

<sup>39</sup> Ibid.

With the potential modernization, there are three main concerns. The first concern is in the physical payment of such large sums of money which could place ISC employees at risk. One regional ISC interviewee noted, *“in no other government Department in the world would we send a government employee with a briefcase filled with \$50K in cash, advertise it to everyone that we are coming with \$50K in cash to pay it out and think that is: a) ok; and b) safe.”*<sup>40</sup> The second concern is that those who may not have collected annuities in the past, and would now see the benefit, are more likely to be urban or off-reserve clients, for whom annuity accessibility may be more difficult. The third, and perhaps most complex concern is determining who is legally entitled to the annuities. This is a major issue as in some instances community membership lists are not similar, as some are controlled by Canada or by the band. Drawing the line from the treaty signatory and the descendent who has that right is a known issue that may increase in urgency with modernization.

## 10.2 Treaty Annuity Payment Experience

***Finding 16: The Treaty Annuity Payment Experience program has been successful in enhancing the cultural competence and historical awareness of Indigenous culture and issues on behalf of ISC staff, but additional pre-deployment training would be beneficial.***

The treaty annuity payment experience program 2 (TAPE-2) has allowed staff to not only participate in the ceremonial aspect of the service offering, but to also visit communities and interact with local members in a way that has further enriched their Indigenous learning. One of the positive outcomes of the treaty annuity payment experience program is that it enhanced the Government of Canada staff’s cultural competencies and awareness of Indigenous cultures. This was unanimously noted in focus groups with TAPE-2 participants. However, most also noted that although they had received adequate training in terms of the historical perspective of annuity payments and their cultural importance, it would have been of benefit to have received additional information, from a practical standpoint, on what to expect and bring when travelling to communities, and operationalizing the payments themselves.

Some TAPE-2 Participants noted that *“I was going in blind”, “I found the training was short on logistics, I was flying up north, but it was more unclear what is my part, what do I have to bring versus what’s provided by the region”, “I’m not sure how we could be more prepared, but personally I think there could have been more concrete training or examples of what we were going to do.”*

## 11. Service Transfer

### 11.1 Legislative and Treaty Obligations

***Finding 17: The Crown has legislative and/or treaty obligations to First Nations peoples, further complicating any eventual service devolution.***

---

<sup>40</sup> It should be noted that the IAB is addressing the issue of physical safety through the Treaty Payment System replacement project focusing on electronic payments. This is also aiming to address issues of distribution and access as it may include automatic recurring payment options.

Any transfer of Individual Affairs related services to First Nations communities, as both ISC and First Nations respondents noted, is fundamentally complicated by the fact that these services are a statutory obligation under the Indian Act, which implies Ministerial accountability. Under the Indian Act, the Crown has a legislative and/or treaty obligations to First Nations peoples as previously stated in the Relevance Section of this evaluation.

Pursuant to Section 5 of the Indian Act, the Government of Canada is required to maintain an Indian Register, an official record of all peoples registered as Status Indians (both on and off-reserve).<sup>41</sup> With regards to the Estates service offering, the Minister has exclusive jurisdiction over decedent estates, which relates to ensuring that *“property of registered individuals, who were resident on reserve before death, is passed on to the rightful heirs”*<sup>42</sup>.

Treaty annuity payments are also significant aspects of the relationship between the Government of Canada and First Nations, and ISC Interview respondents, both regional and national, expressed that transferring this service is contrary to the Crown/Treaty recipient exchange. There is some concern among the aforementioned key informants that any transfer of administration to the band may likely exacerbate disagreements on who belongs to which First Nation. There is also a risk that those individuals not recognized by the Band would be left without annuities if transferred or that Canada would be held responsible for a breach of its treaty obligation.

Additionally, there was significant concerns raised by ISC and partners around privacy issues if service transfer leads to Bands or other service-providing entities gaining possession of personal, sensitive information and are not governed by privacy legislation in the same way that the Government of Canada is.

There also exists key legislative pieces that outline the role of the Federal Government and the Minister in relation to band moneys. As a result, *“all title to reserve lands rests with the Crown and all moneys derived from reserve land activities are payable to the Crown”*<sup>43</sup>.

## 11.2 Pathways to Eventual Service Devolution

***Finding 18: The Individual Affairs Branch & Department can work towards eventual service devolution by providing IRAs with increased access to support with the Registration, Secure Certificate of Indian Status, and estates service offerings.***

The expansion of the IRA role presents a unique opportunity for service transfer. IRAs are currently the in-community access point for Certificate of Indian Status (CIS) cards and help with registration and Secure Certificate of Indian Status (SCIS) cards applications. IRAs offer a unique, pre-established building block for service transfer, as they are already delivering this service in community. Through both the online survey and focus group discussions, IRAs have highlighted the ways in which the registration and card issuance service offerings can be further transferred to them, including:

- Their is desire to receive further access to the IRS and to be able to administer SCIS cards on-reserve.

---

<sup>41</sup> Indian Act section 5(1) Indian Register.

<sup>42</sup> AANDC (2013). Evaluation of Indian Moneys, Estates and Treaty Annuities. 69 pages.

<sup>43</sup> Aboriginal Affairs and Northern Development Canada, “Evaluation of Indian Moneys, Estates and Treaty Annuities,” Final Report, 2013, p.1-86 (<https://www.rcaanc-cirnac.gc.ca/eng/1382702626948/1539692995234>)

- Many IRAs stated that they would like to be able to make amendments in the IRS, like changes related to marriages or divorces.
- The survey also found that 64% of respondents would like to see their role expanded to fully process registration applications.
- Many IRAs felt that they should be able to register births and deaths of their community members with one IRA stating that, “*we know our people*”.
- IRAs are also requesting to be allowed to certify documents, like long form birth certificates, so that the originals would not have to be sent to an ISC office. This would mitigate the risk of these important documents from being lost.
- IRAs also expressed the desire for regional IRA networks to be able to share best practices and ask questions within the larger IRA group.

In addition to potentially supporting registration and card issuance services, there is an opportunity to engage IRAs further on the estates service offering and providing increased in-community level support to on-reserve clients. This would specifically improve clients access to the information and providing increased front-line support to communities. Focusing on strengthening local community capacity (i.e. IRAs), both from a human resources and systems perspective may be a strong potential pathway to devolution.

Expanding the role of IRAs to register simple applications on reserve, certify documents, and potentially provide estates support, would further facilitate First Nations communities ability to perform greater service on-reserve and directly to clients.<sup>44</sup> As such, IRAs present a clear next step in service transfer of registration and card issuance services. However, it is important to note that there are some functions that are not administrative and cannot be fully delegated to IRAs, such as the Registrar’s discretionary decision-making abilities.

### 11.3 Trusted Source Partnerships

***Finding 19: Trusted Source Partnerships with regional Indigenous Organizations is a pathway to building community capacity and service devolution.***

Trusted source partnerships<sup>45</sup> allows partners such as regional Indigenous organizations to offer a suite of services around registration and Secure Certificate for Indian Status, especially in urban settings.<sup>46</sup> This change in policy will allow IRAs as trusted sources in their respective communities and ultimately provide increased service to clients on-reserve. As more partnerships are developed, this may also be seen as a pathway to devolution and further self-determination.

---

<sup>44</sup> At the time of writing this evaluation, the IA Branch has engaged in scans across service offerings to determine the readiness of eventual service devolution. In 2020-21, the Branch has undertaken capacity building efforts of IRAs to support devolution activities (training, increased access to Indian Registration System etc.).

<sup>45</sup> A Trusted Source is an individual, organization, or federal or provincial department that has been designated by the Individual Affairs Branch to assist clients in accessing Individual Affairs Branch programs and services. Trusted source partnerships were approved by the Department in 2019.

<sup>46</sup> At the time of writing this evaluation, the IA Branch has engaged in scans across service offerings to determine the readiness of eventual service devolution. In 2020-21, the Branch successfully approved its first two trusted source partnerships. This work is funded on a proposal basis.

## 12. Findings: Summary of Best Practices

### 12.1 Registration: The Correctional Services Canada Partnership

In June of 2019, a Memorandum of Understanding was signed at the Deputy level between Indigenous Services Canada and Correctional Services of Canada (CSC) to create a national strategy to facilitate intake of SCIS cards by CSC staff. The primary objective of the partnership is for First Nations peoples in federal custody to obtain a SCIS card prior to release from the correctional institution. An ISC respondent explained that one of the leading causes for re-incarceration is not having proper identification.<sup>47</sup> As of July 26th, 2021, 40 institutions in the prairie region (Alberta, Manitoba, Saskatchewan, and the Northwest Territories) are currently submitting applications for SCIS from correctional institutions. The target is for over 100 institutions to be submitting applications once the program is national.

ISC Respondents noted that the success of the project thus far originated from buy-in from senior management and a process designed to leverage what information CSC already had access to. The process was further streamlined to use the photo from the offender's CSC identification for the registration application. *"So really we are only talking about a form now,"* stated one respondent. The application is submitted electronically, cutting out the mail time and postage costs which would be significant for inmates and a liaison officer in the institution is trained to be a trusted source, eliminating the need for a guarantor. ISC respondents noted that this streamlined process has had great success and could potentially be expanded to other institutions outside of CSC.

### 12.2 Registration: "The Alberta Model"

Alberta region takes a unique approach to IRA duties and training. Regional respondents emphasized that their team is pushing for more authority to be transferred to IRAs. IRAs in Alberta are granted access to the IRS in a staged approach wherein IRAs are provided read access<sup>48</sup> six months into their position, and once they are comfortable, they receive write access<sup>49</sup> 6 months later. Once they are granted write access, IRAs receive write access training and the Alberta regional office tracks and conducts constant monitoring and compliance on the IRS submissions from IRAs.

Prior to the COVID-19 pandemic, the Alberta region implemented a job shadowing program for new IRAs. Through this program, IRAs would shadow regional office staff in the ISC offices, learning policy and procedure. This program was seen to build the skills and tools needed once they return to their First Nation's Band office. During COVID-19, the region has adapted to continue this one-on-one learning virtually. Virtual training lasts 1-2 months, with one-on-one IRA mentoring on their daily activities continues while they are at the membership desk. After

---

<sup>47</sup> It should be noted that First Nations people, as a group, are over-represented in the corrections system vis-à-vis non-Indigenous populations.

<sup>48</sup> This is a type of access permission, which allows the users to read the information on the Indian Registry System.

<sup>49</sup> This is a type of access permission, which allows the users to make necessary changes to client files in the Indian Registry System.

three weeks, the regional staff member is able to continue with their regional activities while addressing any of the IRAs questions from the corner of their screen. This has cut down on travel costs and allowed for strong relationship building between regional staff and IRAs.

The region also conducted a pilot project in which IRAs were considered receiving agents as if they were a part of the Department. This allowed them to collect and validate supporting documents.

### **12.3 Estates: “Colour Coded Forms”**

The Atlantic regional office has implemented an innovative practice whereby legal estate forms are printed on different coloured papers for clients to use. This colour coding system is accompanied by several instruction sheets to better support individuals in successfully completing the required forms. The office has noted that they have found this colour coding system to be particularly beneficial for several reasons: the colour coded system improves accessibility and reduces barriers for clients in completing the “correct” forms; the accompanying instruction sheets further explain what information is required and provides examples of the types of information that is required in each field; and lastly the colour coded system allows the client to have a better understanding of the estates process.

This innovative practice has also been beneficial for IRAs, as the first point of contact for family members that are reporting a death of a registered status Indian. The colour coded process has also assisted IRAs in better supporting clients to complete the correct legal forms. Overall, this implemented procedure has streamlined the estates process and has ensured that the right forms are completed by clients and returned to the Atlantic regional office for processing.

### **12.4 Treaty Annuities: Manitoba’s Online Database System**

Manitoba utilizes an online database (live payments) that allows ISC staff to process payments in a timely manner and was identified as a key success as opposed to sorting through several pay list books to process treaty payment. Furthermore, Manitoba hosts treaty payments in their communities using an online database. This process helps to facilitate the timely treaty payment process to status Indians that are entitled to receive payment through membership in bands and that have signed historic treaties with the Crown. Prior to using the online database system, Manitoba regional staff and TAPE-2 participants travelled to communities with several physical pay list books to host treaty annuity payments. In fact, key informants have stated that they would often travel with three different pay books, one book sorted by treaty numbers, another book sorted individuals by surnames, and the third book sorted individuals by their birthdays. This process of sorting through various physical pay list books was cumbersome, especially on individuals receiving payments as it was time consuming. Regional office key informants have acknowledged that at times it could take nearly twenty minutes to process one treaty payment. With this current online system being utilized in Manitoba, regional staff are now able to enter in individual names into the system and populate all their information, allowing them to facilitate a more seamless interaction for individuals entitled to receive treaty payments.



### 13. Early Impacts of Covid-19

Though not within the original scope, the evaluation investigated the early impacts of the COVID-19 pandemic from March 2020 to March 2021 on the Individual Affairs service offerings. Informants addressed the following themes in the context of the COVID-19: effects on planned IA activities; challenges relating to IA service offerings; and any unintended impacts as a consequence of ISC's COVID-19 pandemic response. The effects of the COVID-19 pandemic on the Individual Affairs program, and associated service offerings, have been notable. Both regional office staff, as well as community representatives through direct interviews and through the IRA survey, reported the following:

- Closure of band offices to members of the public as Individual Affairs services were not deemed essential. As a result, community members were unable to access registration, trust moneys and estate services, which has resulted in some individuals not receiving cheques/payments, which in turn resulted in their inability to pay rents, utilities, and other bills.
- As a result of the switch to working from home, many registrations were unable to proceed due to the fact that the process requires a physical scan to upload into the IRS system. Staff were unable to initially complete registrations from home as this would necessitate bringing protected information off-site. Consequently, additional backlogs have occurred.
- As noted previously, both the IRS and ERS systems have many shortcomings. As a result, many regions have come to rely on their own in-house paper-based systems rather than dealing with the issues with the electronic databases. However, the pandemic has forced people out of the office, and as such, they no longer have access to served to paper-based files. Consequently, this has increased times for processing.
- With respect to Treaty Annuities, COVID interrupted many treaty payment events, as travel to communities was restricted. Regional offices pivoted to offer communities "self-administration", where cash was delivered to communities for them to distribute. A list would then be provided to the regional office to reconcile. However, the COVID-19 pandemic has shown the importance of the treaty ceremony in parallel with the payment, with many communities not participating in the "self-administration" approach.
- With these COVID-related challenges, regional offices have shown remarkable initiative in developing innovative methods of ensuring that Individual Affairs services continue to the extent that they are able. For example:
  - "a system going with mail room to make sure we got things in real time to process payments. Those are the things we did to respond to COVID." (ISC regional respondent)
  - IA Branch developed agile systems to ensure clients continued to receive trust moneys.
  - Alberta pivoted its job shadowing program for IRAs to be fully virtual.
  - "COVID has given us the opportunity to change and be flexible to meet the needs of clients." (ISC regional Respondent)
  - Overall, national and regional offices collaborated and adapted to the new Covid-19 realities to continue to provide uninterrupted services to First Nations.

## 14. Conclusions

The Individual Affairs service offerings play an important legislative and treaty obligation role in the relationship between the Government of Canada and First Nations peoples.

Registration acts as the entry point for individuals to the other services that ISC offers, meaning its significance cannot be overstated. Despite its significance to the Department registration continues to experience substantial backlogs in processing applications. From a client perspective, the application process is often confusing, as guidance from the IA Branch and support is often inaccessible. For those at the department, registration is a complex process made increasingly difficult by the antiquated Indian Registration System. The registration process could better meet the needs of clients by expanding the role of IRAs to complete simple registration applications on-reserve, and by implementing a national workload model to process applications on a first-in-first-out basis.

The Minor Accounts Payout Initiative (MAPI) has proven to improve the ability to locate trust money recipients. Despite its success, locating recipients continues to be an issue. There continues to be a need to disburse funds more efficiently to both individuals and bands. Additional concerted efforts need to be made to continue to disburse funds to clients.

The estates service offering is in need of a human resources review to ensure that regional offices have sufficient capacity to process the current and expected estates backlog. For on-reserve clients there remains accessibility issues to the estates service offering, and difficulty communicating with the Department when needed. Living estates cases require additional resources and a clarification of roles and responsibilities to ensure that the most vulnerable are taken care of.

Treaty Annuity payments are an important aspect of maintaining the relationship between treaty First Nations and the Crown. Given potential modernization of treaty payments, it is important for the Department to better service urban First Nations peoples. Expanding already implemented urban treaty days would allow for this.

The four service offerings deal with often very personal aspects of First Nations people's lives, from registration of a new birth to estates files after a passing. Treaty Annuities maintain a long ceremonial history and relationship between communities and the Crown, and trust moneys allow for individuals to access personal funds. As such, the importance of these services, and their personal nature, requires that they be delivered in effective client-focused ways, in a manner that centres accessibility and efficiency of service delivery.

In the final analysis, the Individual Affairs program and associated service offerings are fundamental to the current relationship between the Crown and First Nations, and indeed provide the basis for most other programs ISC funds and delivers. While there have been continued issues with technological shortcomings, human resource capacity and training, and meeting stated service standards, the IA program has begun to take concrete strides to address these issues, especially since the program shift from CIRNAC to ISC. Indeed, though best practices and ongoing moves to transfer responsibilities for service offering elements to First Nations partners, the program has advanced progress towards First Nations peoples, communities and governments controlling and managing their own affairs, which is the ultimate goal of the IA program. It is expected that this progress will continue.

## 15. Recommendations

Based on the findings above, the evaluation presents the following recommendation for the Individual Affairs program and associated service offerings. It is recommended that the IA program:

**1. Work with First Nations partners to create a training program, or programs, for Indian Registration Administrators (IRAs), in which they receive increased access to the Indian Registration System and are eventually able to complete simple registrations on-reserve. Increased responsibility should come with a renewed resourcing model and also expand their knowledge of the Estates service offering to be a point of contact in community.**

IRAs present a unique and pre-established opportunity for service transfer. Creating a stepped training program for IRAs would be a way to systematically and gradually expand their role and duties. In this training program IRAs could receive increasing access to the IRS following periods of time on the job or files logged. The program could offer the opportunity to phase IRAs into processing simple registration files and acting as a point of contact for estates files. Given an increase in IRA responsibilities, an updated resourcing model should reflect the increased level of effort. ISC will also need to develop monitoring and compliance and privacy safeguards following these changes.

**2. Building on on-going data management and data system efforts, and with IM/IT support, work with the ISC Chief Data Officer (CDO), Chief Information Officer (CIO), and First Nations partners, to develop a clear data system strategy plan to address the systems issues in the program, acknowledging that the right to First Nations self-determination includes data sovereignty. This should include: focus on preserving data integrity, clear guidance on consistent utilization of systems, flexibility in user access levels, ensuring systems are GBA Plus compliant from a data collection perspective, and safe storage of Individual Affairs data and data systems. The data strategy should also be created with service transfer in mind.**

The Branch faces both data systems challenges and data integrity concerns. Specifically, the Branch lacks consistent utilization of the IRS and ERS data systems, especially on read access abilities, how and when the data systems are engaged, and overall safe storage of data. Some regional offices continue to use internal reporting systems (i.e. spreadsheets) in concert with the data systems, while others utilize the systems primarily when they close files. It is pertinent that a standard guideline is developed to ensure consistent engagement with the data systems to better understand true case workload and backlogs. It would be beneficial to increase IRS access levels for IRAs (write access), to be able to upload document and make necessary amendments to client files. Data systems face a potential risk of data loss, which is critical to address as the systems hold large amounts of personal data.

**3. Develop performance measurement tools that measure the Branch's ability to meet client service standards for the service offerings, and to assess progress towards service transfer. Where applicable, this should be undertaken with input from First Nations partners.**

The IA branch lacks a standard approach/tool to utilize across national and regional offices that will allow the branch to measure if client service standards are being appropriately met, despite

these service offerings being client-oriented. As well, unreliable or potentially unavailable data regarding the extent to which services and national/regional offices are meeting service standards needs to be fully examined. If not, data limitations can potentially impact the Department, as well as progress towards service transfer.

**4. Provide more clarity and precision to ISC Living Estate administrators by updating training and guidance materials to better support administrators on the management of property and financial affairs of dependent adults.**

The Living Estates service offering is a high priority given the vulnerable and at-risk group it supports. As it stands, both ISC staff and external partners are concerned about the overall management of the service offering. ISC administrators consistently navigate challenging and often complex files, as such there is concern from many ISC staff and external partners that administrators are not adequately trained and that current training materials do not provide detailed guidance. In the absence of in-house legal expertise<sup>50</sup> at the regional level, it is important to have clear and precise training materials and guidelines, that will either allow ISC administrators to carry out their roles effectively or know when to seek additional support from legal expertise.

**5. Create, in consultation with First Nations partners, a renewed National Workload Management system for Registration and explore options for addressing registration backlog by developing a consistent strategic national approach. This would require updated tools to allow for digital processing of documents.**

This national program is currently operating very differently across regions with clients' experience and wait times varying quite dramatically depending on where they access the service. Given the backlog of registration files at the national office and the unused capacity at regional offices, regional staff should be trained to process complex registration files within a first in, first out national model. This would allow for ISC staff from across the country to share workload and systematically work through applications.

**6. Work with Regions, IM/IT supports, Human Resources, and the Chief Finances Results Delivery Office (CFRDO) to undertake and lead an organizational capacity assessment across the service offerings, specifically focusing on internal ISC human resource capacity.**

Across many of the service offerings, specifically Registration and Estates, the current Departmental human resource capacity is unclear. In fact, the current backlogs that exist in many of the regional offices do not match existing staffing capacity. This approach is unsustainable, will make it difficult to truly address backlogs, and ultimately will impact the Department's ability to meet client needs. Conducting an organizational capacity assessment/review with the support of IM/IT and CFRDO, focusing on human resource management will allow the Department to identify the right resources required to alleviate and prevent backlogs, reviewing staffing structures/re-classification of roles, and determining true case workloads.

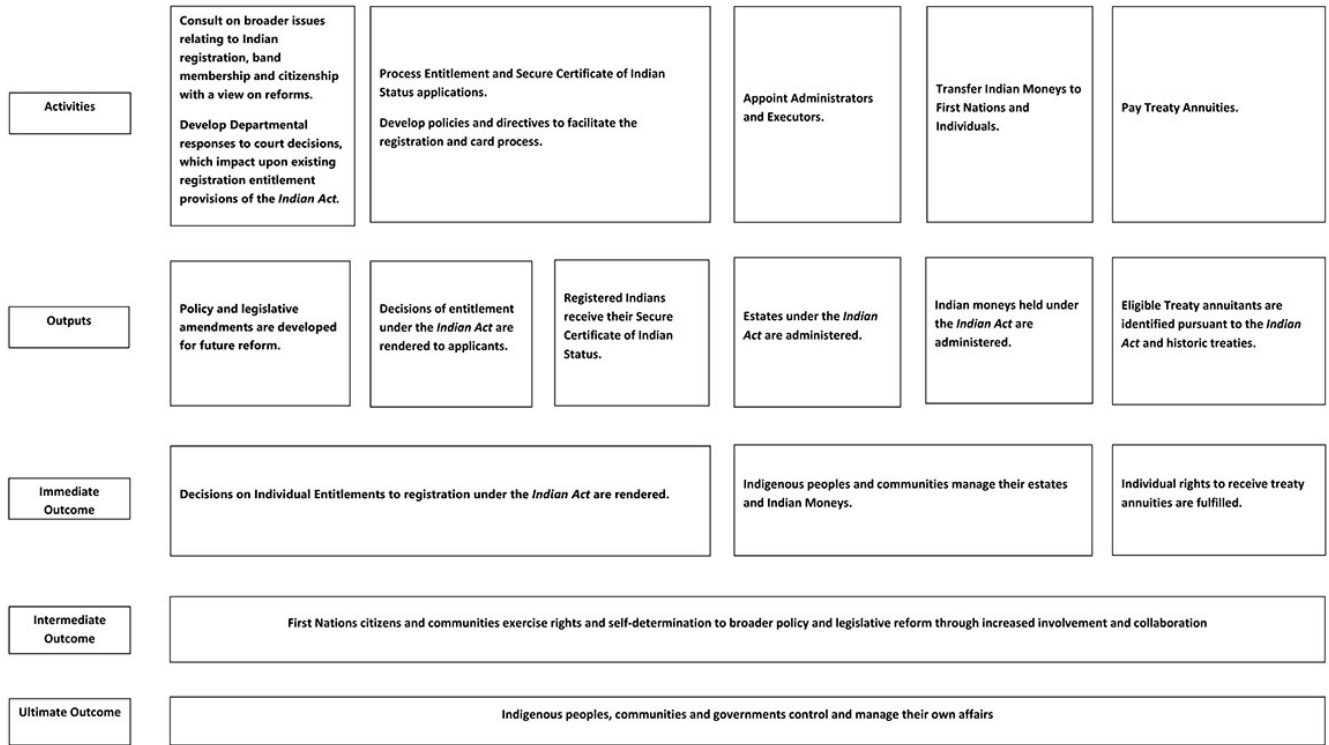
---

<sup>50</sup> ISC actively engages Department of Justice legal teams, despite this some ISC regional respondents have highlighted the need to have in-house legal expertise readily available to support ISC departmental administrators.

**7. In collaboration with First Nations partners, bring services closer to urban clients by expanding access to client services in urban areas. This includes, but is not limited to, digitizing access to service, urban treaty annuity payment events, and expansion of trusted source partnerships.**

Given the growing population of urban and off-reserve First Nations peoples and the potential modernization of treaty payments, it is imperative that the Individual Affairs program better explore ways to deliver services in urban centres.

# Annex A: Logic Model



## Annex B: Evaluation Issues and Questions

A number of evaluation questions refer to “diverse population groups”, in an effort to understand the way the service offerings were designed and experienced by different groups of clients being served. These include: women; youth; dependent adults; 2SLGBTQI; individuals on and off reserve; individuals eligible for settlement that Canada owes obligations to; and individuals newly eligible for status as a result of amendments to the *Indian Act* through Bill S-3.

The following are the main high-level questions the evaluation will seek to answer.

### Relevance

1. What is the need that these programs address? Is there a continued need for the Individual Affairs service offerings?
2. What are the current and ongoing issues in relation to Individual Affairs service offerings that contribute to the need for this program and how have these needs changed over the period covered by this evaluation?
3. What are the implications of increased First Nations self-government for the IA service offerings in the past five years?
4. How can the IA service offerings be adjusted to better align with and contribute to the Department’s vision of First Nations self-determination?

### Program Delivery

5. Are there regional differences in the delivery model of the service offerings?
6. What are the barriers to access and participation in the service offerings?
7. To what extent have the needs of diverse populations been considered in program design/delivery?
8. For each of the service offerings how many individuals have been processed, by region, according to service standards? (percentage of applications processed with service standard).
9. To what extent have intended outcomes been achieved as a result of the program? To what extent have outcomes differed across diverse population groups?
10. Have there been unintended (positive or negative) outcomes of the IA service offerings? Were actions taken as a result of these, if at all?
11. To what extent are programs responsive to the needs of First Nations in terms of the delivery model?

### Efficiency and Economy

12. Are the Individual Affairs service offerings being delivered efficiently?
13. How appropriate are the current divisions of roles and responsibilities between Headquarters, regional offices and bands?
14. What administrative impacts, if any, resulted from the creation of two departments in 2017? How has transition affected the contribution delivery structure?
15. Are there alternative delivery models that can be considered to improve the effectiveness and efficiency of the service offerings?

### Best Practices/Lessons Learned

16. What best practices and lessons learned can be drawn from the management and implementation of these service offerings in different regions, on/off reserve, in general and for diverse groups, including those groups referenced above.

**Specific Questions: Estates**

17. To what extent and how is the “administrator of last resort” policy used across regions?  
To what degree are administrators supported to fulfil their obligations?

**Specific Questions: Treaty Annuities**

18. What changes were brought to TAPE under TAPE-2?
19. What is the treaty annuity payment experience like? Is it convenient? Where is it offered? Did participants feel well prepared (training, other preparation)?

**Service Transfer**

20. How ready are the IA Branch and program service offerings for eventual service transfer from ISC to First Nations?

**Covid-19 Impact**

21. What has the impact of COVID-19 been on the IA program and its constituent service offerings? How has the IA program addressed COVID-19 impacts?