

Settlement Renewal
Lessons from the Past, Directions for the Future



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

Workshop Report
January 5, 2010

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Background

This paper reports on a workshop that took place on January 5, 2009, hosted by Citizenship and Immigration Canada. The workshop focused on the realignment in federal-provincial responsibilities for settlement that took place in the 1990s. The goal of the workshop was to extract lessons from the previous two decades of experience and to suggest how these lessons might inform future directions. At the table were former and currently active federal and provincial officials as well as academics. The workshop operated according to Chatham House rules, meaning that participants cannot not identified and remarks may not be attributed to individuals.

As a matter of design, the workshop focused on British Columbia and Manitoba, the two provinces – Quebec aside – where responsibility for settlement services was fully devolved to the provinces. Separate exercises will be undertaken with regard to provinces and territories where co-management arrangements are in place and where Citizenship and Immigration Canada still retains full responsibility. Notwithstanding this plan, participants employed a broader empirical and experiential base to enrich their interventions. This supported the underlying workshop goal of identifying an ‘optimal model’ for federal-provincial settlement arrangements with a view to achieving the best possible settlement outcomes for newcomers.

Report structure

The workshop was divided into three parts: An initial discussion that sought to compare the original federal aspirations with what took place after responsibilities were transferred; an assessment of unintended consequences; and an opportunity for reflection aimed at eliciting lessons for the future. These divisions proved too confining and the discussion roamed freely across the topics. Rather than reproducing what transpired in a linear fashion, participants’ assessments and advice have been organized under five headings:

- i. Context and utility of original policy settings
- ii. Managing devolution: holding provinces accountable
- iii. Enduring federal role
- iv. Optimizing design parameters for federal-provincial arrangements
- v. Managing mutual interests through construction of productive relations

Context and utility of original policy settings

In opening the discussion, participants underlined that federalism is messy and that immigration is particularly tricky because it is a shared jurisdiction. “Provinces have the right to participate”, it was noted, and there has been a long history of provincial involvement in settlement, predating the settlement realignments of the nineties. The observation was made that there is “no right or wrong regarding who delivers services.”

Three factors appear to have played a seminal role in shaping the 1990s settlement review and the surrounding federal-provincial negotiations. These were: (i) fiscal considerations linked to efficiency and the idea of consolidating settlement services with social programs already administered by the provinces; (ii) the Quebec agreement, pursuant to Meech Lake, which resulted in disproportionate (with respect to immigrant intake) federal fiscal transfers for settlement to Quebec; and (iii) program review which sought to reduce federal expenditure by either reducing non-essential federal spending or shifting it to the provinces in the event administrative savings could be realized. The Quebec share of federal settlement expenditures, in particular, permeated and politicized all federal-provincial discussions, at the time, as provinces insisting on equal treatment with Quebec. Ontario and British Columbia were especially vocal, citing increased health care, education and social assistance costs. The eventual breakthrough on settlement realignment came only after provincial allocations were increased.

While parity with Quebec (or at least a move in that direction) was a necessary precondition for negotiation, it was not a determinative factor in shaping the settlement discussions. Those discussions were driven by the federal objective of encouraging provinces to take on settlement in order to achieve synergy with other social programs. The notion of an enduring federal role entered into the discussions because provinces were not yet ready to take on settlement and were concerned that they would be abandoned by the federal government.

While the workshop discussion concentrated primarily on federal concerns and provincial demands for fiscal equity, participants did note that long-standing provincial interests also played a role. The Manitoba government, for example, undertook a comprehensive policy review in the eighties and sought a measure of control over intake for demographic and labour market reasons, citing the unique character of Manitoba. This approach still underlies Manitoba's current provincial nominee and settlement programs.

In gauging the utility of the original principles that were put forward by the federal government to guide settlement renewal, participants felt that core precepts – integration as a two-way street, centrality of language, self-sufficiency, equal opportunity to participate, shared values, priority for those most in need, responsive and comparable services – still applied. They were less sanguine, however, with respect to accountability, the enduring federal role, administration, and the link between humanitarian commitments and federal responsibilities. What everyone did agree with, unequivocally, was the need for a framework to guide renewed federal-provincial discussions as well as a set of metrics to evaluate progress and, ultimately, success. These metrics, participants agreed, should be outcome-based.

Managing devolution: holding provinces accountable

Workshop participants felt there was tension between the idea of shared jurisdiction and federal-provincial partnerships, on the one hand, and provincial accountability to the federal government, on the other. Proponents of shared jurisdiction and partnership

argued that the federal government no longer occupies a privileged vantage point with regard to settlement policy and program development. Provinces, particularly Quebec and Manitoba, have demonstrated considerable sophistication and growing expertise in designing and administering recruitment and integration programs. In light of this, some participants argued that the unilateral imposition of federal standards is “disrespectful” and counter-productive, insofar as it concerns the development of shared approaches to settlement that are able to draw out the respective strengths of each level of government.

Proponents of the view that provinces need to be held accountable for their actions focused on the (federal) fiscal transfers that accompanied immigration agreements. They argued that federal accountability did not vanish by virtue of funds being transferred to provincial coffers. This position, it was noted, is congruent with that of (federal) central agencies and is linked to the fact that the federal government retains the authority to terminate – or, with provincial consent, to revise and renew - immigration agreements. Logically, such decisions would need to take into account the outcomes achieved under the accords and whether the fiscal transfers produced superior results to what might otherwise have been achieved.

Beyond the question of whether or not provinces should be held accountable for their spending of transferred dollars, participants questioned whether this can be done effectively. The reports produced by Manitoba and British Columbia, in compliance with their federal-provincial agreements, were not seen as useful by workshop participants. They were described as ‘lists of activities’ that allow the federal government to see how much money was spent but not whether it was spent effectively, or even if it was spent on activities that are consistent with federal immigration objectives.

To address this shortcoming and to get around the difficulties of imposing federal oversight on provincial activities, a number of participants argued that instead of focusing on narrow fiscal accountability, federal-provincial agreements should focus on a set of agreed outcomes and a description of what each level of government would bring to the table, including which ministries would be engaged. The outcomes would specify some mix of immigrant social and economic performance goals, objectives pertaining to host society receptivity and institutional goals (for example) associated with service provider capacity.

In directing attention to outcomes as a preferred metric for managing federal and provincial engagement in immigration, workshop participants used health as an example and noted that in the health arena, federal transfers are linked to performance commitments by provincial health systems. The federal government is silent on the matter of how provinces go about achieving results, so long as they respect certain national principles. In advocating a focus on outcomes, participants recognized the difficulties inherent in such a proposal and the difficulties of ensuring neutrality. In the health area, for example, a special agency was created to collect data and to evaluate provincial health outcomes.

Discussants agreed that using outcomes to ‘manage’ engagement would prove challenging. Among the issues raised was the difficulty of formulating and measuring the attainment of higher order objectives such as a sense of belonging or social cohesion. Moreover, even if outcomes could be measured, there would remain the issue of attribution – that is, of linking outcomes to program interventions. Notwithstanding these challenges, there appeared to be a consensus at the workshop regarding the importance of structuring federal-provincial agreements, to the extent possible, around accountabilities based on outcomes, as opposed to outputs and expenditures. In arriving at this view, participants recognized that there was no ‘neat’ and perfect system and that accountability practices would need to be adapted as delivery models and public management underwent change.

Enduring federal role

Respondents agreed that the federal government’s intended role in the area of settlement and integration needs to be clarified. Presently, there is confusion among settlement stakeholders – including the provinces, CIC’s federal partners, and the community sector – regarding federal intentions. Two approaches to clarifying the federal role could be discerned in the workshop discussion: The first approach focused on trying to define an enduring federal role. This was broadly interpreted to mean, the minimum acceptable level of federal involvement consistent with a number of fundamental principles and objectives; the second approach (dealt with in the next section) took a different tack, trying to identify what the federal role might be in an optimized system, where optimality refers to client outcomes. In both instances, respondents appealed to evidence gleaned from the experience with current realignment agreements.

It was noted at the outset that questions about the federal role are being posed not only from a CIC settlement perspective but also from a whole of government perspective under the strategic review exercise. In this context, which is to a large extent fiscally driven, the questions are: Is the program relevant to Canadians? If yes, is the federal government’s involvement appropriate and essential? Is the program effective and efficient? These questions are consistent with the first approach that focuses on the enduring federal role.

In tackling the question of the enduring federal role in settlement, participants agreed that the original principles, while offering guidance, would need to be re-examined and elaborated. The objectives and capacities that were advanced for consideration as part of an expanded enduring role fell into three domains: First, ideas relating to federal interest and responsibility for (more or less) equal treatment of newcomers across Canada, regardless of destination province; second, situational considerations associated with areas where the federal government enjoyed a strategic or capacity advantage; and, third, essential policy concerns over which provinces had little purchase. These arguments are briefly elaborated below:

i. *Equality of treatment*

Participants noted that the original settlement renewal principles identified a federal interest in ensuring that services across the country would be flexible, responsive *and* broadly comparable. This raised questions about whether pan-Canadian comparability for core areas of settlement, such as advanced language training, required federal administration or could, reasonably, be attained under a devolved federal-provincial structure. Comparisons were made with the health care system where services are delivered by provinces and the federal interest in comparability is achieved through fiscal transfers backed by a monitoring system that focuses on agreed indicators. Participants felt that language attainment and employability were two areas where the federal government ought to pursue comparability.

A number of participants approached the question of comparability by asking whether an enduring federal role might also include support for common treatment of newcomers in areas of *provincial* jurisdiction. Education was singled out in this regard. The issue of inter-provincial mobility and the need to ensure a ‘level playing field’, especially in the context of growing provincial involvement in selection, was also briefly mentioned.

ii. *Situational considerations*

Four examples of federal primacy linked to federal overseas and domestic interests were discussed by the workshop: the federal responsibility for government-assisted refugees (GARS), the federal capacity for early intervention abroad, a broad convening capacity, and considerations of scale and comparability in the area of evaluation and research.

Participants noted that federal-provincial arrangements currently exclude refugee resettlement which remains a federal responsibility. The reasons for this are related to the federal relationship with the UNHCR which allows CIC to control program access, thus ‘managing’ the (substantial) cost of GARS. As well, refugees are highly mobile during their first year in Canada and situating them under federal jurisdiction eliminates concerns about provincial willingness to accept refugees from other provincial jurisdictions.

Undercutting these arguments are several anomalies that have resulted. Often, the same agencies that deal with immigrant newcomers (for whom responsibility has been devolved in Manitoba and British Columbia) also deal with refugees (for whom responsibility still rests with the federal government). This forces agencies to approach different funders for similar services. To further complicate matters, federal support for refugees ends after one year, at which time provinces take over and assume full responsibility. (Refugees are no longer required to demonstrate that they can establish themselves in Canada within one year. As a result, many are still struggling when they exit federal jurisdiction and transition to provincial social assistance.) This is not an easy handover. Benefits under federal and provincial support programs differ, as do administrative procedures. A majority of workshop

participants questioned the logic of retaining federal responsibility for refugees while handing over responsibility for immigrants to the provinces.

The second example that was offered of an enduring federal role derived from the federal presence abroad and the growing importance of early orientation for favourable settlement outcomes. Federal posts abroad provide a venue for interacting with prospective immigrants and directing them to pre-arrival language training, qualifications assessment, employment preparedness training and job search instruction. It was recognized that technology (internet and distance learning) could, to an extent, substitute for federal overseas services.

The third example of an enduring federal role focused on facilitation and the federal government's convening capacity. Participants noted the importance of a pan-Canadian federal capacity to promote relations among homologous provincial ministries as well as between the federal government and service providers across the country.

The fourth example associated with an enduring federal role focused on evaluation and research. This argument was rooted in the importance of developing a pan-Canadian comparative perspective. A secondary consideration related to the fact that federal analyses would be perceived by provinces as relatively neutral (analogous to the health example). This view was tempered by the understanding that for research to be effective, it would need to be partnered with provinces.

iii. Pan-Canadian policy concerns

Participants noted that the logical endpoint of integration was citizenship. By definition, this responsibility can not be delegated to provinces. Newcomers become citizens of Canada as opposed to citizens of its regions.

Less compelling, because there is no legislative or program base, but evoking similar logic, are policies linked to higher order integration objectives such as promoting a sense of belonging, producing social cohesion and fostering engagement. It can be argued that these goals have a strong local component; however, there is ample evidence of immigrants wanting to associate themselves with the Canadian collective.

The suggestion was made that the further policy moved along the settlement-integration continuum (towards long-term integration) the more compelling was the argument for a more robust federal role.

Independent of the particularities of any enduring federal responsibility for settlement, participants noted that for CIC to execute its role with respect to accountability, the ministry would need to retain and develop its knowledge base and trust relationships with settlement stakeholders. The required expertise is both academic and tacit (hands-on); furthermore, trust is a by-product of working together. Absent direct policy or program involvement, CIC would increasingly divest itself of settlement knowledge and its

relations and capacity to exert influence would be progressively eroded. In short, participants drew a link between the federal capacity to manage outcomes and the need for some level of involvement in settlement programs in order to sustain this capacity.

Optimizing design parameters for federal-provincial arrangements

Rather than approaching the topic of federal-provincial settlement arrangements from the perspective of preserving certain federal capacities, participants found it easier to get a purchase on the ideas by asking what arrangements would produce the best possible outcomes for ‘clients’. This principle of making federal-provincial arrangements subsidiary to settlement outcomes was universally endorsed and was expressed by participants in various ways, among them: “The key question is whether the proposed agreement will lead to better programming for the client?” and “The key question is what level of government is best placed to deliver a particular service?” To date, the evidence linking improved settlement results with devolution has been mixed, suggesting that current arrangements need to evolve further. This reflects, in part, difficulties with multi-level governance arrangements and shared decision-making.

The key to successful outcomes, it was suggested, is policy integration across numerous sectors. This has also been correlated with high levels of satisfaction among immigrants who, especially in larger centres, may not know which level of government is responsible for the services they consume. In contrast, when services are not integrated, settlement objectives suffer. Housing was cited as an area where policy integration has not been achieved, resulting in adverse consequences for settlement outcomes.

Situating outcomes as the decisive test for federal-provincial agreements also positions outcomes as the key focus for federal accountability concerns. This, as noted above, was seen as problematic because the metrics are not sufficiently developed. Participants, while acknowledging problems in defining and testing settlement outcomes, nevertheless felt that some combination of traditional economic and social measures, bolstered by tests of client satisfaction and uptake, should be incorporated into realignment agreements. In this regard, one participant cautioned that outcomes testing would need to go beyond results to examine attribution - that is, to connect outcomes and interventions. This was seen as especially important, and difficult, when treating higher order integration goals, as distinct from near-term settlement objectives.

Another important issue that occupied workshop participants was the question of whether a single uniform model could be devised for all provinces or whether the models would need to be situation-specific. The consensus of the workshop was that each province was unique. A theoretical underpinning for this was suggested in the form of ‘regime theory’ which argues that capacity, actors, and relationships all influence policy formation. Participants argued that the following factors would need to be taken into account:

i. Provincial capacity

Provinces are at different levels in their capacity to develop and manage settlement programs. These capacities are the result of historic investments as well as current

financial and bureaucratic commitments. Manitoba was singled out for its long history of engagement with the non-profit sector and its extensive and elaborate internal machinery (internal to the provincial government) for eliciting involvement by ministries responsible for key files such as education and housing. Good policy relies on a holistic approach and trust, both of which take time to develop.

ii. Lead ministry

It was noted that lead ministries for federal-provincial agreements differed across provinces – for example, in British Columbia immigration is (now) situated under an economic ministry with a strong economic focus while in Manitoba, notwithstanding the link with labour, the focus is more social and cultural. Participants argued that federal-provincial agreements needed to reflect the different strengths and weakness produced by different structural arrangements within the province.

iii. Leverage

Discussants suggested that the leverage afforded by different structural relations and provincial capacities should be a key consideration in organizing federal-provincial arrangements. One way of testing provincial resolve and interest, it was argued, was the extent to which provinces were prepared to invest their own budgets in areas of shared jurisdiction. Manitoba was cited as an example of strong provincial commitment.

Evidence that federal-provincial agreements generate broader provincial engagement has been mixed. One official argued that the integration of different sectors was intuitive and evolutionary; other participants felt that policy integration “does not work automatically and that [notwithstanding sound internal policies by immigration ministries] ... policy needs to be more comprehensive [and] the scope must be broadened.” This was seen as requiring considerable work aimed at fostering relationships and engaging senior actors. Participants voiced the opinion that encoding requirements for broader engagement in federal-provincial arrangements (for example, insisting on broad membership in federal-provincial committees) could yield positive results.

In addition to using realignment agreements to broaden provincial engagement and to leverage resources, several other opportunities, linked to provincial participation, were advanced by workshop participants. These included greater municipal involvement, a reinforced capacity to involve the voluntary sector, more innovative policy, and an enhanced capacity to shift the policy focus from short-term settlement goals to longer-term integration objectives.

Workshop participants supported the principle of locating services and decision-making as close to the client as possible. In this regard, it was noted that many important services – schools, libraries, transport and public housing - are controlled and delivered at a municipal level, suggesting that current bilateral models of service organization and delivery should be expanded, notwithstanding the additional complexity this implied for

management regimes. Participants also noted the growing interest by municipalities in managing diversity and in promoting local recruitment and retention. Nova Scotia and Saskatchewan were both cited as instances where provincial interest was initiated by municipalities in concert with the NGO sector. Noting this, participants suggested that realignment agreements provided the federal government with an opportunity to formally increase municipal involvement and to create new (and necessary) relationships.

Potential jurisdictional concerns linked to federal-municipal engagement were recognized by the workshop, however, participants felt that innovative models such as the Ontario Local Immigration Partnerships Program provided opportunities for all three levels of government to work cooperatively. Concerns about duplication and lack of coordination associated with the entry of yet another player were also raised but, again, discussants argued that models such as LIPs offered opportunities for coordination from the ground up.

Another aspect of settlement and integration that participants felt should receive more attention in federal-provincial realignment agreements was the formation of stronger and more efficient links with civil society institutions. The importance of this was expressed by one official as follows: “Service providers and frontline workers are essential for figuring out ways to make things work.” Bearing this in mind, the workshop discussion focused primarily on relationship building and the need to involve service provider organizations in federal-provincial-municipal policy and program development. This led one participant to muse about the possibility of formalizing government-NGO relations through ‘mirror agreements’ built on the federal-provincial agreements, accompanied by more formal consultative and delivery structures. Three ‘tests’ that were agreed by the workshop for evaluating multi-level government- civil society relationships were that they contribute to improvements in newcomers’ settlement experience, that they contribute to easier funding arrangements, and that they promote service integration and rationalization.

Along with considerations of efficiency and reach, discussants also suggested that federal-provincial realignment agreements should contribute to greater innovation. In part, this was seen as a consequence of bringing together multiple, innovative approaches. What was lacking, participants felt, were processes for properly evaluating and then rolling out innovative initiatives and best practices. Participants expressed the view that, currently, “innovation is often met with barriers and gets shut down” and that a machinery to support innovation was lacking. There was support for the idea of enhanced federal investment in research on best practices and for making the results on settlement outcomes public.

The final point that participants felt should be advanced through enhanced federal-provincial-municipal collaboration was a shift from the current focus on near-term settlement to longer-term integration, a sense of belonging and full participation in Canadian society, and citizenship. In addressing this realignment, discussants noted that federal-provincial agreements have not focused sufficiently on policy and programmatic interventions that support and promote the development of more ‘welcoming

communities' and enhanced intercultural exchanges. More inclusive (of services) federal-provincial and municipal agreements, coupled with appropriate SPO relations, were viewed as providing an important opportunity for effecting the transition to a stronger integration focus.

Managing mutual interests through construction of productive relations

While the settlement discussion focused primarily on agreements and machinery, there were repeated references to the “ghost in the machine” and the importance of establishing productive relationships between federal and provincial officials. As one participant noted, when relationships are ineffective, program effectiveness also declines. With this in mind, participants posed the question as to whether the quality of relationships could be addressed systemically. Two approaches to relationship-building were advanced.

The first approach is structural. Some participants suggested that devolution and co-management, in and of themselves, promote more positive relations as a by-product of intergovernmental contact and the implementation of formal engagement processes. As this engagement broadens and shifts away from early fiscal concerns to wider social and economic objectives, the relations between governments similarly widen and deepen. A variant on this approach would extend the engagement process to include community stakeholders thus (according to its proponents) further enhancing the value of the networks. Others felt that the evidence for these hypotheses was mixed.

Despite some scepticism, there was support for building engagement practices into federal-provincial agreements. It was suggested that the key to engagement lay in getting – and keeping - the right people at the table: senior enough to be able to make decisions but not so high up in the hierarchy that ‘other’ priorities interfere and meetings never happen. In this regard, it was noted that CIC is not consistent in how it chooses to represent itself and engage the provinces. Some accords, for example, require participation by senior officials and do not permit delegation, while others do not. This led participants to ask whether there was a need for greater consistency in engagement practices, recognizing that CIC will encounter human resource constraints as it attempts to build relations with an expanding list of provinces.

In contrast to the structural approach, a number of participants focused on practice and questioned whether the quality of relationships could be controlled by structural features in federal-provincial agreements. The view was expressed that relationships depend on trust which is determined by organizational culture and leadership. Overly structured relationships were felt to be counterproductive. Instead, it was argued, the emphasis should be placed on ensuring a certain amount of face-to-face time. Proponents also felt that deemphasizing accountability and paying more attention to immigrant impacts would significantly improve federal-provincial relations.

Participants recognized that extensive mobility and turnover within both levels of government acted as a ‘brake’ on developing strong interpersonal ties, suggesting that a certain amount of weight had to be placed on structural methods of ensuring engagement.