



Proposed framework for high quality immigration and refugee services

8 February 2021

Preamble – This project concerns work done by NGOs to assist people with refugee, immigration and citizenship processes. Some argue that NGOs’ activities in this area should be restricted through Section 91 of the Immigration and Refugee Protection Act. We take the position that this approach is harmful to people who need support, especially the most vulnerable. Instead of restricting NGOs, we should support NGOs in constantly aspiring to the highest quality immigration and refugee services, with measures put in place to make sure people are not abused.

In January 2021, the Canadian Council for Refugees (CCR) and Community Legal Education Ontario (CLEO) launched this project designed to work towards a framework and tools to support NGOs in achieving high quality, ethical immigration and refugee services. Several umbrella organizations and the SAH Association are collaborating on this project.

The goal is not to have a rigid set of rules, but rather a framework within which organizations can evaluate themselves and decide what is appropriate in their context. We recognize the wide diversity of NGOs – in size, staff size (or whether they have staff at all), area of work and whether they are specialized in a certain area of work with newcomers (e.g. privately sponsored refugees, migrant workers) or whether their mandate is not even directly focused on newcomers. The framework below is not intended to apply to every organization in the same way – instead it is a starting point to develop policies and procedures that are appropriate for the specific organization.

We are aware that some organizations around the country are having conversations about possible accreditation models for NGOs – this project is separate and is not intended as a step towards possible accreditation.

Proposed Framework

1. Ethical principles

The organization is committed to ethical principles in the assistance it offers to refugee, immigration and citizenship processes.

This is achieved through:

- Rooting the services offered in the not-for-profit mission of the organization.
- Articulating the rationale for offering the services based on the need and interests of the clients (e.g. to respond to a gap in services and protect people from exploitation and abuse)
- Offering services free of charge.
- Effective policies and practices on conflict of interest, confidentiality and code of conduct.
- Commitments to anti-oppression, to ensure that services are offered in a way that does not contribute to structures of oppression.

- An accessible and effective complaints mechanism for clients who are dissatisfied with the services.
- A liability insurance policy in place so that clients can be compensated in the event of negligence by a staff member.

2. Scope of services

The organization as a whole and its staff understand and respect the scope of the assistance they will give.

This is achieved through:

- Defining the areas in which the organization will assist (for example, an organization serving migrant workers might assist with certain immigration processes particular to migrant workers)
- Defining for each individual within the organization the areas they are qualified to assist in, and if so, when they need to consult a supervisor.
- Defining the circumstances in which the person should be advised instead to seek legal advice because of the complexity (e.g. a person filling out a permanent residence application mentions that they have a previously undeclared family member)
- Defining guidelines for what to do if the individual is potentially beyond the scope (for example, consult a supervisor, consult a legal professional with whom the organization has an established relationship).
- Ensuring that services are filling gaps for people who otherwise do not have a viable option (for example, services are only offered if legal aid is not available or sufficient for the specific service need, and people do not have the means to pay a legal representative).

3. Relevant knowledge and skills

The organization and individuals within the organization who assist people in refugee, immigration and citizenship processes have the relevant knowledge and skills.

This is achieved through:

- Training (initial and continuing) (we recognize that the feasibility of this may depend on the availability of training, in-house or external to the organization, and whether it is supported by government, financially and legally)
- Potentially having local knowledge hubs (such as an NGO specialist in certain areas) (again the success of this may depend on IRCC and CBSA being willing to collaborate)
- Keeping updated on changing information through:
 - Participation in CCR meetings, consultations, webinars
 - Participation in local or regional formal/informal networks, where information is exchanged
 - Partnerships with other organizations with expertise (e.g. settlement agencies with legal clinics)
 - Subscription to relevant listservs
- Familiarity with and reliance on information resources

- e.g. IRCC website, Refugee Sponsorship Training Program (RSTP), CCR Practical FAQs
- Knowing who in the community to contact for more information on specific questions
- Ensuring information updates are communicated to all in the organization who need to know.

4. Monitoring / evaluation

The organization conducts periodic reviews of its services and responds promptly and effectively when there is evidence that the organization has fallen short.

This is achieved through:

- Periodic evaluation of the organization's refugee and immigration services using this framework as a guideline.
- A robust process to review and take action on any complaints.
- A standard process to review a specific area under the framework if evidence suggests that the organization may have fallen short of its goals (for example, if staff realize that privacy was not fully protected or that information about immigration changes was not passed on).

Questions

We are looking for your feedback!

- What should be added and changed in this framework?
- Is this framework useful? If so, what would your organization need in order to use it?
- Can you suggest tools or models (from your organization or another) that could be recommended as a good practice in any of the areas mentioned (e.g. a complaints process, or a protocol for ensuring that information is shared within the organization, etc.).

Please complete the survey at ccrweb.ca/en/survey-quality-immigration-services or email psalvatori@ccrweb.ca to give your input.