

Métis Registry Assessment Tool

February 2011

**Much of the groundwork for developing this tool was completed under the
auspice of the Institute On Governance**

ASSESSMENT TOOL FOR EVALUATING METIS REGISTRY SYSTEMS

INTRODUCTION

This assessment tool entails both a quantitative rating and a qualitative description for six key elements of an objectively verifiable membership or harvester system:

1. Governance
2. Membership and harvester criteria
3. Registration and appeals process
4. Protection of Personal Information and Security
5. Security of identification
6. Resourcing

These six elements provide the framework of the standards and their component indicators for this review. Each element entails a quantitative rating and a qualitative description, as outlined below.

Quantitative Rating

The quantitative ratings arise as follows. Each element contains a number of indicators to which are assigned a score based on conformance to it (1=no conformance, 2=partial, 3=adequate, 4=full, 5=superior). Assessors then average the scores to provide an overall score for that element.

In assigning the score for each indicator, the assessors attempt to take each score value literally. Scores of 1 for no conformance and 5 for superior conformance are straightforward and need no further explanation; a score of 3 (adequate) means that the membership or harvester system has just satisfied the requirement. Full conformance (4) means that no improvement is required to meet the standard. A score of 2 for partial indicates either that the registry has addressed the requirements but only in a partial or inadequate way or that it has not addressed all requirements contained in the indicator. The nature of any shortfall is described in the descriptive section of the analysis.

On assigning overall scores for each element of the system, the assessors can simply average all indicators to gain an overall score for its component elements.

Qualitative Description

The assessors also provide a descriptive review of the system, containing both contextual information and a justification of the scores assigned.

Wherever possible, the assessors of the Métis membership systems using this tool attempt to base their ratings on documentation. The written materials taken from the site meetings together with notes made during the inspection and interviews form the basis of the qualitative description.

Recommendations

For each element of the harvester and membership registries, the assessors provide a series of recommendations that the organization should consider implementing in order further to improve the integrity of its membership/harvester registry.

A description of each of the six elements of the tool now follows.

1. Governance

Indicators of an objectively verifiable system

Indicator		Conformance	
		M ¹	H ²
1.1	There is a policy or bylaw establishing the membership or harvester system and documenting roles and responsibilities of the registrar and that bylaw or policy is followed.		
1.2	There is a bylaw or policy setting out the application process and that bylaw or policy is followed.		
1.3	In the bylaws or policy and in practice, the membership or harvester system is an administrative body, its individual decisions free from influence by the political leadership of the organization.		
1.4	There is a bylaw or policy establishing an arms-length appeals process and that process is used.		
1.5	All requirements for applications and all criteria for appeals are publicly available and easily accessible on website and in application packages.		
1.6	The registry director and leadership regularly review membership or harvester policies and procedures and revise them on that basis.		

Sources of verification used

Constitution; Membership Application and Confirmation Process; Activities of Locals; Regional Committee Policies and Procedures; Central Membership Registry Committee Policies and Procedures; Policies, Procedures and Process of the Membership Appeal Tribunal; Membership Registry: Frequently Asked Questions; Membership application package; harvester application package; website.

Scores: *(membership)*
 (harvester)

¹ M=Members

² H= Harvesters

Governance: Overall Assessment

Degree of Conformance				
1	2	3	4	5
None	Partial	Adequate	Full	Superior

Governance: Description

Structures, roles and process:

Application Process:

Political Influence:

Appeals:

Availability of applications and information:

Periodic review:

Governance: Recommendations

2. Membership and Harvester Criteria

Indicator		Conformance	
		M	H
2.1	The constitution or bylaws contain a clear definition of Métis, capturing the essence of the SCC <i>Powley</i> decision.		
2.2	The file contains proof that the person has declared him/herself to be either Métis or a member of a Métis community through a signed form of self-identification.		
2.3	The file contains proof of an ancestral connection to a historic Métis community through recognized sources of verification. Harvester files contain proof of ancestral connection to a Métis community in the area being harvested in.		
2.4	The harvester file (and, where applicable, membership file) contains documented proof of community acceptance according to a defined process for community acceptance.		
2.5	The file contains a signed declaration stating that the applicant is not a member of another Aboriginal group.		
2.6	The file tracks citizenship status through a copy of the birth certificate or other documentation.		

Sources of verification used

*Constitution; Criteria Required to be a Recognized Genealogical Institution; Membership Application and Confirmation Process; Membership Registry: Frequently Asked Questions; Harvesting Initiative; Metis Genealogical Reference Guide; membership application package; harvester application package website; review of ten harvester files seeking copies of birth certificates, signed self-declaration as a Métis, copies of recognized sources verifying Métis ancestry.*³

³ Recognized sources verifying historic ancestry could include: scrip records, genealogical records, census records, church mission or parish records (baptismal, marriage, death), long form birth certificates, archival or other historical records. Archival or other historical records could include: fur trade records from the HBC or NW Company such as servant's character books, lists of servants, post journal entries, district reports, company biographies, travel journals, petitions to government, pre-treaty pay lists, treaty annuity pay lists, treaty reports, personal autobiographies, letters and correspondence.

Score: *(membership)*
 (harvester)

Membership and harvester criteria: Overall assessment

Degree of Conformance				
1	2	3	4	5
None	Partial	Adequate	Full	Superior

Membership and harvester criteria: Description

Definition of Métis:

Self-identification:

Proof of ancestral connection:

Proof of community acceptance:

Signed Declaration:

File Tracking:

Membership and harvester criteria: Recommendations

3. Registration and Appeals Process

Indicator		Conformance	
		M	H
3.1	The file contains a completed application form (Applications include both hard and electronic copies).		
3.2	The file contains initialled status logs informing when application was received, processed, and approved and when card was produced.		
3.3	The file contains valid photo identification.		
3.4	The file contains proof of residence within the province or territory in question.		
3.5	If part of harvester criteria, the file contains copies of firearm safety certificate or equivalent on file.		
3.6	For appeals, the appeals file contains a completed appeals application, record of deliberation and decision of appeals body and record of notification of unsuccessful applicant.		

Sources of verification used

Criteria Required to be a Recognized Genealogical Institution; Membership Application and Confirmation Process; Policy, Procedures and Process of the Membership Appeal Tribunal; Membership Registry: Frequently Asked Questions; Metis Harvesting Initiative; Metis Genealogical Reference Guide; membership application package; harvester application package; website; review of ten files seeking copies of driver’s licence or health card or other photo identification providing proof of ID and residence; review of new membership software system.

Scores: *(membership)*
(harvester)

Registration and appeals process: Overall assessment

Degree of Conformance				
1	2	3	4	5
None	Partial	Adequate	Full	Superior

Registration and appeals process: Description

Electronic applications:

Status logs:

Photo identification

Proof of residence:

Safety requirements for the harvester card:

Appeals files:

Registration and appeals process: Recommendations

4. Protection of Personal Information & Security

Indicators of an objectively verifiable system

Indicator		Conformance	
		M	H
4.1	There is a privacy policy in place that conforms to PIPEDA or its provincial equivalent and that reflects the 10 principles of PIPEDA ⁴ .		
4.2	The policy is followed: personal information is accessed, used, copied, or disclosed only when there is a genuine need to access, use, copy or disclose this information. There is a signed consent form or forms on each file. There are staff procedures to ensure compliance with the policy.		
4.3	There are clear controls on access to computer and hard copy files: access only by authorized personnel, password access only for computer files and hard copies are contained in a secure filing system or room.		
4.4	There is database integrity: data cannot be created, changed or deleted without authorization; firewalls are in place; there is no internet access to prevent hacking, viruses, Trojan horses, etc.		
4.5	There are regularly scheduled back-up copies of electronic files stored in a secure location.		

Sources of verification used

Project Software Requirement Specifications; membership and harvester application packages; interview with registrar, senior policy advisor and IT staff member; on-site evidence of security, passwords, firewalls and back-ups

Scores: *(membership)*
(harvester)

⁴ PIPEDA stands for the *Personal Information Protection and Electronic Documents Act*, a federal government law. As of February 2011 only Quebec had a provincial equivalent. The ten principles of PIPEDA to which Métis Registries must conform are: accountability; identifying purposes; consent; limiting collection; limiting use, disclosure and retention; accuracy; safeguards; openness; individual access; and challenging compliance. More detail on these principles is contained in an Annex

Protection of Personal Information & Security: Overall assessment

Degree of Conformance

1	2	3	4	5
None	Partial	Adequate	Full	Superior

Protection of Personal Information & Security: Description

Privacy policy:

Controls on access to files

Database integrity and backups:

Protection of Personal Information & Security: Recommendations

5. Security of Identification

Indicators of an objectively verifiable system

Indicator		Conformance	
		M	H
5.1	The membership/harvester card captures key identification data: photograph, name, date of birth, address, possibly digital signature.		
5.2	The card creation processes are secure: only authorized personnel can request card creation; personnel uses secure card technology; card is created using secure facilities.		
5.3	The card includes security features that make it difficult to counterfeit (such as sophisticated laminating and finishing processes, holograms or overlapped digital signatures).		
5.4	The card has a limited validity period (4 to 5 yrs), ensuring accurate records and update of security features as necessary.		

Sources of verification used

Sample membership and harvester cards; staff interviews; review of card ordering and card production procedures

Score:

Security of identification: Overall assessment

Degree of Conformance				
1	2	3	4	5
None	Partial	Adequate	Full	Superior

Security of identification: Description

Identification Data:

Card creation processes:

Security features:

Validity:

Harvester cards:

Secure identification: Recommendations

6. Resourcing

Indicators of an objectively verifiable system

Indicator		Conformance	
		M	H
6.1	The system has adequate staff to perform its functions, including a full-time director, trained genealogist, and adequate support staff.		
6.2	The system has routine access to appropriate genealogical information.		
6.3	Where applicable, the system has regular access to Indian registry officials or other relevant Aboriginal organizations for applicant screening purposes.		
6.4	IT equipment (hardware and software) are adequate to build and maintain a database—which should include membership database, genealogical database, and historical document database.*		
6.5	The registry has a capacity to serve further future purposes: historical research,* tracking of program uptake and needs in other sectors, furnishing provincial and federal governments with data on membership.		
6.6	The membership system is sustainable, with long-term stable funding derived from multiple sources including federal and provincial governments and membership.		

* If the organization relies on external organizations to verify and prepare applicant genealogies and collect historical documents, the organization need not develop a genealogical or historical document database.

Sources of verification used

Interviews with registrar, membership/harvester coordinator and senior policy analyst; forms in individual files; on-site inspection of databases.

Score: *(membership)*
 (harvester)

Resourcing: Overall assessment

Degree of Conformance				
1	2	3	4	5
None	Partial	Adequate	Full	Superior

Resourcing: Description

Staffing:

Access to genealogical information:

Indian registry screening:

IT equipment:

Sustainability:

Resourcing: Recommendations

General Conclusions

Overall scores

Conformance to Standard					
Governance	Memb./Harv. Criteria	Registration and Appeals Process	Personal Info & Security	ID Security	Resourcing

Exemplary Practices

- 1
- 2

Recommended Priority Areas

Annex: The Ten Principles of PIPEDA

PIPEDA, a federal act that came into force in three phases beginning on January 1, 2001, attempts to balance in the private sector⁵ privacy concerns with the need for organizations to collect, use and disclose personal information for legitimate purposes. Among other things the Act establishes the Privacy Commissioner of Canada as the ombudsperson for complaints. Here is how the Commissioner summarizes Part One⁶ of the Act:

Organizations covered by the Act must obtain an individual's consent when they collect, use or disclose the individual's personal information. The individual has a right to access personal information held by an organization and to challenge its accuracy, if need be. Personal information can only be used for the purposes for which it was collected. If an organization is going to use it for another purpose, consent must be obtained again. Individuals should also be assured that their information will be protected by specific safeguards, including measures such as locked cabinets, computer passwords or encryption⁷.

An important definition is that of personal information:

Personal information includes any factual or subjective information, recorded or not, about an identifiable individual. This includes information in any form, such as:

- age, name, ID numbers, income, ethnic origin, or blood type;
- opinions, evaluations, comments, social status, or disciplinary actions; and
- employee files, credit records, loan records, medical records, existence of a dispute between a consumer and a merchant, intentions (for example, to acquire goods or services, or change jobs)

Personal information does not include the name, title or business address or telephone number of an employee of an organization.

An individual who wishes to issue a complaint under the Act may do so directly to the organization in question or to the Privacy Commissioner. Ultimately, the individual under certain conditions may apply to the Federal Court, which can order an organization to change its practices and/or award damages.

Schedule 1 of the Act sets out a code containing the following 10 principles which an organization must follow:

- a. Accountability - We will assign responsibility for ensuring privacy protection and will account for the exercise of this responsibility
- b. Identifying purposes⁸ - We will tell people why we collect their personal information

⁵ The Privacy Act covers the protection of personal information in the federal public sector.

⁶ Parts 2 to 5 of the Act concern the use of electronic documents and signatures as legal alternatives to original documents and signatures

⁷ See http://www.priv.gc.ca/information/guide_e.cfm, accessed January 26, 2011

⁸ Typical uses for registry information include the following: *processing applications, tracing ancestry and determining eligibility for citizenship and harvester certification; maintaining the citizenship and harvester registries; compiling and issuing voter lists for elections; communicating with citizens; determining a person's*

- c. Consent⁹ - We will obtain people's consent to collect and use their personal information
- d. Limiting collection - We will collect only the personal information we need
- e. Limiting use, disclosure, and retention - We will use, disclose and retain personal information only when necessary
- f. Accuracy - We will take reasonable care to keep personal information accurate
- g. Safeguards - We will protect information from theft, unintended destruction and manipulation
- h. Openness - We will communicate our commitment, principles and policies to our applicants and citizens
- i. Individual access - We will allow people to access their personal information
- j. Challenging compliance - We will consider all reasonable complaints and provide redress where appropriate

This Code provides a useful framework for an organization's privacy protection policy.

eligibility to be a candidate for elected or appointed office; providing information to regional and local communities as necessary for them to fulfill their obligations; verifying status and eligibility for Métis-specific programs, services and job placements (with the express consent of the individual when the request comes from affiliates or other third parties); determining if an applicant is on any other Aboriginal Registry; conducting research into cultural practices and traditional lore; conducting Métis-specific research on such topics as health, housing, demographics, education, training, and employment (such research does not involve or result in the identification of individuals); generating non-personal statistical data and reports; conducting day-to-day business of the Registry

⁹ Usually two consent forms are necessary: the first seeks consent to use personal information for registry purpose within the organization; the second seeks consent to share personal information with other organizations for express purposes and to seek personal information from other organizations for express purposes.