



Immigration Focus Groups

Findings and Recommendations Report

15th-17th June 2016

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Executive Summary

Background, Selection Process, and Objectives

Taking the findings of the Chamber of Commerce's annual Prioritisation Survey (Appendix A), in which Immigration was highlighted as the issue which most needed to be addressed, the Chamber hosted three focus groups on Immigration.

Local members of our business community were selected at random, with a cross-section of industry types and sizes being invited to take part.

Businesses listed in Appendix B then sent representative(s) to the focus groups, during which they provided answers to a series of questions. The names of the individuals have been omitted for confidentiality reasons, and the names of businesses are not explicitly laid out in our findings.

Ultimately, 25 representatives attended the focus groups, with 23 different local businesses being represented. The total number of employees hired by the 25 businesses amounts to 2,526.

The purpose of these focus groups were to establish constructive criticisms about current immigration services and regulations, and ultimately recommend changes which would see improvement implemented.

Findings

The majority of our attendees stated that they use Immigration services on a frequent basis – ranging from multiple times a day to multiple times a month – and that immigration was vital to the success and operation of their businesses.

It was also apparent that our invited attendees had seen improvement amongst the department and its workforce already, but that these positive changes were still not enough.

Positive experiences were not consistent enough, with a lack of information and training of staff being noted frequently.

In regards to Board and Administrative Approval Processes, there was a unanimous agreement that administrators at the department should be dealing with simple and temporary applications, whilst the board should be dealing with cases which are more complex.

It was also agreed that, if there is a Caymanian also applying for the same job role, then the board of approval should be dealing with that case.

Customer service is also said to be hindered by the lack of knowledge and training amongst the staff. Whilst on personality and welcoming nature alone, many found the staff delivering good service. However, these opinions became negative when also taking into consideration the quality of knowledge and expertise.

They also wanted to see Immigration personnel improve their communications, with many people finding that phone calls and emails would go unanswered and left ignored.

Dealing with problems with immigrations was also mixed in response. Most found simple problems quick and efficient to resolve, including the likes of temporary permit denials. However, there were several cases reported of unacceptable behaviour from administrators, including personal attacks on businesses and the lack of ownership of mistakes made by personnel.

When asked about where most challenges and issues come from, it was agreed that the regulations in place are causing the problems. Everyone present said that the regulations were entirely or at least partly to blame for the challenges faced. Those who stated that both the laws and the service were to blame admitted that the personnel were being restricted from delivering decent service by the regulations they are forced to follow.

Specifically, people were constantly finding issues with the convoluted categorisation process. Due to the complexity of the categories available, our attendees stated that they had to use their best judgement when determining what category to select, even if it was ultimately the incorrect selection.

Ultimately, taking into consideration the suggested improvements from our attendees, we have summarised some appropriate recommendations.

- Improved education and training amongst immigration personnel.
- Assigned customer specialists.
- Improved consistency in knowledge and service.
- Simplification of categories.
- Enforcement of proper approval processes.
- Improved communications from Immigration personnel.
- Reduction of personal biases and media influence in approval decisions.
- Permit fees that are fairer and better reflective of business size and stature.

Introduction and Background of Paper

The Chamber of Commerce recently held focus groups over the course of a three-day period.

On the mornings of June 15th-17th, randomly selected representatives from a cross-section of industries from Cayman's business sector were invited to the Chamber of Commerce's conference room in Governors Square.

The focus groups were organised as a result of the findings from the Chamber's annual Prioritisation Survey (see Appendix A), in which immigration was identified as a leading issue of importance.

It must be noted that the findings of this survey were collated from the responses of those who participated and are not indicative of the entire Chamber membership or reflective of the views of every business owner on Island. The findings were simply of those who took part.

However, the responses on immigration from this survey were nevertheless of interest. Therefore, we established three focus groups to discuss the topic of immigration, and thus gain a more reliable, accurate, and comprehensive insight into what our local businesses think of the Cayman Islands' Immigration services.

This paper will clearly identify and explain to you the Chamber of Commerce's objectives for conducting these focus groups, our methods of conduction, our findings from the sessions, and our recommendations for change and improvement in the immigration process.

Focus Group Objectives

The Chamber of Commerce enforces its mission statement of supporting, promoting, and protecting the businesses of the Cayman Islands on a daily basis.

Furthermore, and by conducting focus groups such as these, the Chamber of Commerce is presenting itself as a catalyst for change in Cayman.

Our objectives for these focus groups therefore reflect both our mission and vision statements.

Moreover, the Chamber of Commerce does not have the goal of being critical of the Government or the Immigration Department. The Chamber's objectives for these focus groups were to develop and recommend changes to the current immigration system that are currently problematic for the business members in our community, and for those wishing to start and maintain a life here.

Moreover, we wanted our attendees to share their positive experiences and examples that should be supported and continued.

The observations we present are constructive. We hope that our comments and the opinions of our focus group participants can assist in improving the issues surrounding immigration, and improve the system in a manner which benefit both the Government and the business sector.

Processes for Focus Group Selection and Conduction

Three focus groups were prepared for the mornings of June 15th-17th. Each session lasted one-and-a-half hours, with eight different questions being asked in that time.

The questions were written by and agreed upon by the Chamber Council. Each participant was given appropriate time to think about the question and provide their answer to the remainder of the group.

The questions were delivered to the participants by Chamber Vice-President, Mr. Paul Byles – who also serves on the Marketing & Communications Committee. His input in the proceedings was limited to a brief introduction, the asking of questions, and the clarification of either questions for the participants or the answers provided.

Mr. Byles did not provide his own opinion in the discussions as the aim of the sessions were to determine what our participants thought of the current immigration services. Almost the entirety of the conversation came from the selected participants.

Chamber CEO, Wil Pineau, and the Chamber's communications assistant, Ross Taylor, were also present for all three sessions. However, neither participated in the discussions, and were present only to take notes and document the points and comments raised by the selected participants.

Ten participants were invited to attend each focus group, and all were representatives of a local business or organisation.

For increased reliability and accuracy, the businesses who took part were randomly selected, and were a reflective cross-section of the Islands' local industries; ranging from law firms to construction companies, as well as large chains to small businesses.

Representatives from these selected companies were chosen by their employer, and all invited speakers had knowledge and experience in dealing with Immigrations services.

For confidentiality reasons, we cannot explicitly name the persons who were in attendance. However, the names of the companies represented have been included (see Appendix B).

In total, 23 different local businesses sent representatives to the focus groups, with 25 representatives taking part in sessions over the course of the three days. Moreover, the 23 businesses that participated hire a grand total of 2,526 employees – almost 5% of the Cayman Islands population.

Findings

Due to the number of questions, as well as their respective answers, the findings section of this report has been split into eight parts.

The questions asked make up the subheadings, and the subheadings are in descending order of when the questions were asked.

By arranging the questions in this manner, our findings should be clear to read and efficient to navigate.

Q1: How frequently do you use immigration services?

Perhaps the most straightforward question to answer, participants were asked how often they deal with immigration services.

There was some variation in the answers, ranging from once a month to 20 times a day in one case. However, on average, the participants reported that they are using immigration services on a very frequent basis, contacting or visiting the departments multiple times a week.

Q2: How important are immigration services to the operation of your business?

There was a general consensus that immigration services are, at the very least, important to the operation of businesses on Islands; although a majority labelled immigration as crucial.

Some respondents reported that their workforce consisted of over 50% ex-patriate (ex-pat) employees, and everyone present said that they had at least several permit holders amongst their staff.

Whilst certain types of business require more ex-pat employees than others, everyone across the three focus groups agreed that there is an issue on Island in regards to the availability of skilled workers.

It became apparent that most businesses were seeking specialist and trained workers from abroad, as there was an insufficient supply of skilled residents to satisfy the demand.

A minority of attendees found the opposite to be true. Caymanians in those businesses had taken some of the higher-level roles, but would not be interested in or would not take a more basic role, requiring permit holders to be sought.

It is clear, however, that there are not enough skilled Caymanians to meet the demand for certain roles on Island and that immigration services are essential to the growth of businesses, as well as their success.

Q3: What are some of your positive immigration experiences?

When asked to report on some of the positive experiences with immigration, yet another pattern emerged.

Almost everyone claimed that there had been noticeable improvements within the immigration department, and that the system and staff had undergone a positive transformation of sorts. However, almost everyone said that these improvements were still not enough and that there is no level of consistency in relation to positive experiences.

It was unanimously claimed that the immigration process is easier, quicker, and more pleasant if you know someone or are friendly with someone at the department. Some stated that they had forged friendships with staff so that they knew they could contact them for an easier process, actively seeking that individual out when they required help.

There were other positives-and-negatives listed too. Most found the process for temporary work permits to be quick and efficient, but then also criticised the lack of knowledge and communication from staff.

When granted, these temporary permits could be processed swiftly. But when denied, there was reportedly insubstantial reasoning given. The quality in expertise also varied depending on what administrator dealt with the case or was spoken to at the time.

Whilst it is positive that improvements are recognisable and that the staff are predominantly pleasant, there are still apparent issues in relation to inconsistency, lack of expertise, and potential favouritism amongst the administrative team.

Q4: Do you generally prefer going through the board approval process versus the administrative approval process?

Similar issues of inconsistency arose when discussing the board and administrative approval processes.

It was agreed that an administrator should be required to handle temporary and simpler permit applications, whilst more complex applications should be sent to the board for determination. It is with this clarification that the attendees of our focus groups found issue and provided criticism.

Many of our participants had experienced the administrative approval process when, in reality, their case should have been sent to the board. With the majority of these cases, the administrator was dealing with an application for a job role for which Caymanians had applied.

This issue was vocalised more emphatically by some, with one attendee claiming that the approval process was contradicting the laws and regulations, and therefore being conducted illegally at times.

Attendees also took issue with the behaviour of administrator's, with claims of personal biases and personal judgements affected approval decisions being evident. It was also claimed that the reasoning behind denials were vague or that no clarifications were given at all, and that there were overlong delays – both of which caused the loss of trade and staff for local businesses.

The issue of favouritism was also highlighted again, with arguments being made that the administrative process is often easier for those who have a friend or family member in the department.

Issues also arose with administrator's being influenced by the media, not just their personal biases. Attendees remarked that the headlines of unemployment in the local papers and feature pieces discussing immigration were influencing administrators' approval decisions, and that they were not taking the neutral stance required in that role.

Ultimately, it was argued that administrators should only be handling the simple cases and that the board should take charge of complex applications, particularly those in which Caymanians have also applied for the job.

According to our findings, improvements also need to be made in regards to biases held by administrators, as well as improved explanations for permit denials.

Q5: How do you feel about the quality of customer service at the Immigration Department?

We did not explicitly ask our attendees to provide a rating out of 10 when discussing customer service, but approximately half of our attendees did so. Table 1 shows the percentages of responses from 15 attendees:

Table 1

Rating	4/10	5/10	6/10	7/10	8/10
% of Answers	18.19	6.06	18.19	30.33	18.19

Whilst the low sample size of our attendees means these percentages cannot be considered indicative of the views of the entire business community, it does provide some interesting, opening insight into the opinion on customer service at immigration.

Most attendees found the customer service to be positive, but again cited issues of inconsistency. Moreover, those who vocally expressed a rating of 7/8 out of 10 explained that their score was based on the friendliness of the member of staff alone, and not the information given.

The consensus amongst the focus groups was that, although the staff are mostly pleasant, there is a distinct variation of expertise amongst the personnel, and performances of immigration workers is being restricted by their lack of training and knowledge.

As one attendee stated: "One day the service could be ten-out-of-ten. On another, it could be one-out-of-ten."

It is not just the inconsistency of expertise levels that was acknowledged by our attendees. It was noted that personnel may be friendly to someone they know or have dealt with many times before, but then show hostility to someone they haven't worked with or don't know.

Additionally, the lack of communication from personnel in regards to reasoning behind permit denials, as well as the failure by staff to contact individuals who have left voicemails or emails, is hindering positive customer experiences.

Whilst the quality of service was noticeably better than it has been in years past, there are still issues reported that our attendees wanted to see addressed.

Q6: What has been your experience when resolving issues with immigration personnel?

Perhaps the question from our focus groups which garnered the most anecdotes was when we asked our attendees to explain their experiences in resolving issues with immigration.

For the most part, the main recurring issue was permit denial. Despite some complaints about delays and, again, lack of reasoning for denial, many attendees expressed that they had resolved their issues in a positive and effective manner.

However, despite some of these positive experiences, there were a number of detailed accounts criticising the department and their behaviour.

As stated earlier in this report, the names of the attending individuals have been omitted for confidentiality reasons. The following anecdotes were told by said individuals, and we will not be posting the name of the organisation they represent either.

One participant discussed a case in which their business was attacked by an administrator on personal grounds alone. The administrator had denied the permit they were applying for, and sent a corresponding abusive letter. The attendee was not only shocked by the behaviour of the immigration department’s administrator, but they were critical of the behaviour, labelling it as unprofessional.

Another attendee had complained of contradictory behaviour of the immigration department. The attendee stated how they had a permit denied on the grounds that it violated a non-compete. The attendee, however, would later have an employee with a work permit leave his organisation, violate a non-compete, and then have a work permit granted. The attendee was frustrated by the lack of consistency by the department, especially as it had affected his business negatively.

Representatives of a business also talked of the fears permit holders face. They explained how they had hired ex-pats to serve in a specialist supervisory role, but that the employee felt scared to conduct their job appropriately. The representatives explained that Caymanians who were disciplined by their ex-pat supervisor would file formal complaints and allegations to immigration, which would ultimately leave the permit holder’s future of working in the Cayman Islands in jeopardy.

These three cases in particular cited how the resolution of problems with the immigration department can be almost impossible, especially when the behaviour from personnel is contradictory, hostile, or biased.

Other business owners complained about the convoluted and seemingly impossible refund process, whilst others found that administrators maintained an attitude of wanting to control an applicant’s business. One attendee went as far as saying: “They have more power than The Queen. More power than Putin,” as well as believing the department to be more dictatorial than democratic.

Whilst this opinion may be hyperbolic and extreme, there was a general consensus amongst our focus groups that immigration personnel can be difficult to resolve issues with.

It would appear that personal judgements are influencing behaviour too much, and that, at times, there is little-to-no impartiality. Our attendees argue that there needs to be greater consistency from personnel, along with clearer and more detailed explanations for denials.

Q7: Do you feel that challenges you experience relate to the existing laws or the customer service? Or both?

Whilst the reaction to issue resolution was perhaps mixed at best, we thought it appropriate to determine where people believed these issues with immigration derived from. Table 2 shows the percentage of responses to the corresponding cause of challenge.

Cause of Challenge	Staff and Service	Laws and Regulations	Both
%	0	86.36	13.64

Absolutely none of our invited participants thought that the immigration personnel were to blame for the challenges that they faced. Moreover, those who believed both the customer service and the regulations together created challenges admitted that the staff were hindered by the regulations they were forced to adhere to. One attendee thought that the personnel at immigration had been set an ‘impossible task.’

In other instances, it was the noticeable lack of knowledge that caused the issue, and it was repeatedly stated that personnel required further and better training.

As Table 2 shows, the majority of our invited focus group participants blamed the regulations alone, and these regulations were unanimously criticised.

Besides the regulations restricting positive customer service, attendees claimed that the regulations in place are currently being exploited. Several attendees claimed that temp agencies are exploiting the system, having temporary permits constantly renewed for the same individuals. The same individuals expanded on this point by arguing that the immigration department was gradually losing credibility and reliability.

Some attendees went as far as arguing that a complete overhaul was needed in relation to the current regulations, whilst others maintained that certain processes and regulations in place were illegal.

Others simply stated that the regulations needed to be altered to prevent manipulation and abuse by certain individuals, and that these rewritten regulations need to be enforced, rather than just constantly changed.

Q8: What would your top 2 recommendations on ways to improve the services at the Immigration Department be?

Given that the majority of attendees use immigration services regularly, and that immigration is vital to the success of their operations, it was only fitting to see what recommendation they would have for the current system.

As may be obvious due to their prevalence throughout our findings, the improvements in consistency, training & expertise, communication from staff, and delay times were all suggested.

Some of these answers were also expanded. It was frequently suggested that personnel at immigration were trained in specific areas to become assigned, specialist administrators. For example, a member of the immigration staff could be trained to deal with a construction company, and then either be assigned to a single company alone, or only deal with construction companies in the future.

Whilst some claimed the entire PR law and regulations needed to be scrapped and rewritten, others chose specific areas. In particular, categorisation was flagged time-and-time again.

The categories were a dominant source of challenge for the attendees, claiming that certain roles required overlap and that the regulations in place prohibit this. The example given was that of a bartender. A bartender can make a drink at the bar only according to the regulation. But if a business was understaffed one night due to sickness, and the bartender was to make a drink and then service it to the customer, they would then be performing two jobs (bartender and waiter) and would therefore be violating their work permit.

Most attendees argued that categorisation needs to be changed. They suggested that a reduction in the number of roles to choose from, as well as an improved ability from the employer to explain what would be required in the role that needs filling, would effectively help.

Categorisation is also causing issues with permit fees. Attendees all agreed that categorisation needs to be improved so that it becomes a more appropriate and efficient system, and so that abuse of the system does not occur.

Moreover, it was noted that the permit fees are currently not appropriately reflective of business size. For example, a law firm with over two-hundred employees would pay the same permit fees for a partner role as a law firm with only twenty employees would.

Smaller businesses are having their opportunities for expansion thwarted by the fees, whilst larger businesses in the same industry can develop with ease as they have the infrastructure and financial capabilities.

There is a noticeable disparity which is unfairly hindering the opportunity for growth for smaller businesses, and it was argued by our participants that the fees need to be better reflective of business size to ensure that the prices are reasonable and that they enable all businesses, regardless of size, to have an equal chance for development.

Participants also wanted to see improvements to online applications to move the system into the modern day.

One attendee also detailed the need for a growth plan. As they explained, immigration is necessary for the growth of the business and tourism sectors on Island, so the department needs a plan on how to deal with that. They continued to state that businesses might start to leave the Cayman Islands and seek to set up their businesses elsewhere if their futures of conducting business are in doubt.

Whilst the responses we received were impassioned and may, at times, sound very critical, we ensure you that we are simply presenting the opinions of our invited participants, who also happen to be owners and representative of businesses in our community.

There has been an acknowledged improvement in the immigration department but, as argued by our participants, recommendations for change are necessary.

Recommendations

Having taking into consideration the comments made by the attendees of our three focus groups, these are their summarised opinions and following recommendations.

A) Improved educational standards amongst Immigration personnel.

A prevalent issue that was being faced by our attendees was the lack of expertise and knowledge amongst the workforce in the Immigration Department. To avoid constant back-and-forth communicative efforts from the personnel and local business owners, the staff in the department need to undergo more comprehensive training. By doing so, personnel would be better equipped to provide customers with the correct information, making their businesses run a lot smoother. The improved educational standards of employees will also help with the next recommendation.

B) Assigned customer specialists.

By training Immigration personnel as specialists, businesses could be subject to a smoother and more efficient immigration process. Not only would the personnel at the department be trained to know the correct information (tying into recommendation A), but they would only need to handle permits from either a single company (if they are assigned), or one type of business (e.g. construction, hospitality). This would make the process much more efficient and welcoming for business owners, and it would also improve levels of consistency.

C) Improved consistency.

Whilst on the topic of consistency, Immigration personnel are currently too inconsistent to provide positive customer experience at a frequent level. It was stated time-and-time again that the process runs smoothly if you have an acquaintance in the department, and this should not be the case. Personnel need to ensure that consistency is improved so that every customer who comes into the department gets the same level of expertise and service. This will create a better customer experience, and may also help in the education and expertise of the staff.

D) Simplification of Categorisation.

Another issue that was common throughout each of our focus groups was that of categorisation. Given the responses we received, the categories available when applying for a permit need to be significantly simplified. Moreover, businesses should be able to better explain the overlap of roles in a potential job as to avoid categorisation errors or being penalised. The simplification of categories will make permit applications easier for businesses and will reduce the risk of permit holders being penalised for incorrect performance under their given job title. Moreover, a reduction in the fees for certain job titles will prevent employees from exploiting the current categorisation system.

E) Enforcement of proper approval process.

We would recommend that greater effort be placed on ensuring that permit applications are dealt with by the correct persons. Simple applications, including temporary work permits, are fine to be completed by an administrator; but those in which a Caymanian has applied for the same role, or those which have a number of convoluting factors should be sent to the board of approval. This would appease local immigration service users with the knowledge that the correct person is dealing with their case, and it will also improve consistency.

F) Reduction of personal biases and media influence in approval decisions.

Whilst this might be a difficult recommendation to implement, our attendees argued that there needs to be some change into the personal opinions or local media influencing decisions. Both of these influences leave the immigration process lacking credibility, as judgements are no longer impartial and are determined by biases and personal opinions. We would recommend that closer inspections in cases be made to ensure that the application is given to an impartial member of staff – very much like how a jury is decided in a legal case.

G) Improved communications and acknowledgement from personnel.

Whilst there were a number of positives noted from our attendees, and all saw major improvements in the department from the last few years, they still request improvements in communication standards. Staff are being asked to acknowledge emails and calls that they receive and respond to them, ensuring that customers are getting the information and assistance they need for their operations to thrive.

Moreover, more needs to be done in regards to online communications and processes. As many attendees stated, the electronic side of immigration should be efficient and effective to use to bring the department up to modern day standards. For an Island with some world class utilities and infrastructure, the department should reflect it.

Acknowledgement by personnel of their mistakes would also appease customers. Our attendees were frustrated when personnel were making mistakes, but would be too stubborn to own up to them or rectify them. By improving this, customer service would improve and so would the efficiency of the workforce.

H) Fees to be reflective of business size.

Another recommendation from our focus group attendees was the alteration of permit fees. Ultimately, there is a disparity in the fees being paid, and it is thwarting the growth of micro-and-small businesses that are wishing to expand and develop. We would recommend that the fees are adjusted to better, and more appropriately, reflect the size and stature of the business, meaning that all businesses are treated fairly and all businesses have the equal platform for development.

Whilst we understand that some of these recommendations may not be implemented with ease, we would like to reiterate that they are the views of local business representatives and owners who use immigration frequently, and whose companies are reliant on the immigration department running smoothly and correctly.

Additionally, these recommendations are not an attack on the immigration system, department, and workforce. These recommendations are carefully considered constructive criticisms that have the interest of the local business sector in mind. These constructive comments are designed to improve the relationship between the department and its customers, and to ensure that immigration services are conducted in a correct, effective, and efficient manner.

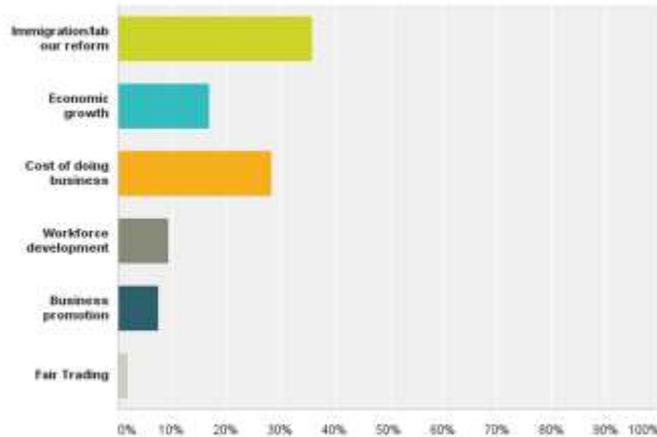
Appendices

Appendix A: Slides from the Participation Survey Results presentation.



Q11 If you had to select only one of the issues below that you would like to Chamber Council to focus on, what would it be?

Answered: 13 Skipped: 0



SUPPORT. PROMOTE. PROTECT



35.85% of respondents would like to see the Council focus on **Immigration/Labour Reform**

28.30% of respondents would like to see the Council focus on **Cost of Doing Business**

SUPPORT. PROMOTE. PROTECT

Appendix B: Companies who participated in the focus groups (listed alphabetically).

Company Name	No. of Employees
A.L. Thompson Building Supplies Ltd.	100
AndroGroup Ltd.	100
Burger King/Burger Holdings Ltd.	87
Caribbean Network Solutions	9
Cayman National	298
Corporate Electric Ltd.	42
Dart Enterprises Ltd.	500
Davenport Development Ltd.	15
Flowers Group – C.L. Flowers & Sons Ltd.	86
Hew’s Janitorial	20
HSM Chambers	50
Kirk Freeport Ltd.	205
Kirk Market	250
Logic	83
McAlpine Ltd.	68
Mise en Place Catering	72
Mourant Ozannes	76
Paramount Carpet Sales & Service Ltd.	50
Phoenix Ltd.	60
Pooley Cabinet Industries Ltd.	8
Scotiabank & Trust (Cayman Islands) Ltd.	150
Vigoro Nursery & Garden Supply	90
Wyndham Reef Resort Grand Cayman	107