Homalco First Nation

Governance Policy Manual



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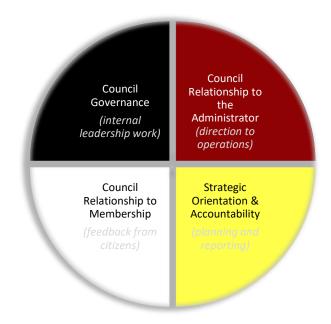
Introduction

The purpose of this Homalco First Nation (HFN) Governance Policy Manual is to ensure and promote good governance through documented rules and procedures of the HFN Council in performance of their elected duties, consistent with best practices, utilizing a comprehensive governance model, and supporting cultural revitalization of traditional leadership values and systems. This model is intended to address all areas that leadership can, and should influence, within an organization and is also intended be updated regularly to ensure leadership effectiveness.

Policy Manual Outline

This policy manual includes four primary areas of policy that HFN Council have developed to address all aspects of governance:

- 1. How Council governs itself *Council Governance*
- How Council interrelates with operations through the Administrator – Council Relationship to the Administrator
- How Council interrelates with members as constituents – Council Relationship to Membership; and
- 4. How Council undertakes planning that is consistent with traditional processes and best practices Council Strategic Planning and Reporting.



Finally, this manual has a definitions list that will allow readers to understand technical terms and HFN language used by Homalco members.

HFN Government

OATH OF OFFICE

I,_	, a representative of the HFN Council, declare that I have read, understood			
an	d agree to comply with the HFN Council Governance Policy Manual, and that in carrying out my			
du	ties as a member of HFN Council, I will:			
1.	Do my best to carry out my responsibilities respectfully, efficiently, and effectively according to			
	HFN values and beliefs (e.g. pek yet's quiye gun1, and naut'sa mawt2);			
2.	Work with Councillors, HFN employees and members in a positive, problem-solving and collaborative manner;			
3.	Remember that my primary duty is to serve the best interests of members and future generations;			
4.	Adhere to, and support the policies, values, and decisions of HFN Council, including conducting myself at all times in a manner that will bring credit to the HFN;			
5.	Continually work towards self-improvement and development through self-evaluation,			
	traditional teachings, and the current educational system;			
6.	· · · · · · · · · · · · · · · · · · ·			
7.	Respect the decisions of HFN Council and members if I do not uphold and fulfil my			
	responsibilities.			
Sig	gnature: Date:			
Wi	itness: Date:			

¹ Having humility firstly, followed by prayers for family, then self.

² We are all one and interconnected.

Council Vision, Mission and Values

Council Vision

The Xwemalkwu (people of turbulent waters) are a united, culturally grounded, proud, wealthy and healthy Nation.

Council Mission

The Xwemalkwu achieves this vision thorough united efforts to support healing, development, self-determination, self-actualization, self-sufficiency, good governance, and establishing capable organizations that maintain our connection and responsibility to our culture, lands, and resources.

Council Values

Value	Definition			
Respect	We hold respect for ideas, people, culture, family, each other's time, in all we do, through self-care, patience, and kindness. We also respect our lands and resources, within our traditional territory.			
Trust	We build trust with one another as a team by listening, understanding and responding, and knowing that people are inherently good.			
Transparent	We ensure open decision-making processes and opportunities to express ourselves.			
Community Focused	We remember that every decision is for the future of our people.			
Effective	We establish and adhere to HFN policies and procedures.			
Collaborative	We acknowledge differences, but work as a team.			
Accountable	We are accountable to one another, staff and community.			

Council Governance

Roles and Responsibilities

Purpose of Council

1. Council is responsible for leading HFN through the on-going development, implementation, and monitoring of culturally relevant laws and policies to fulfill the HFN vision, protect Aboriginal rights and title, and safeguard all HFN assets, for the benefit of all members³.

Roles & Responsibilities of Council

- 2. To achieve this purpose, by-laws, policies and procedures will be developed by Council to address the following areas:
 - a. Governance. Policy development/updates, leadership development, monitoring, issue resolution, reporting.
 - Manage the Administrator. Selecting, monitoring, and if needed, disciplining the Administrator.
 - c. Citizen Engagement. Regularly engage members to solicit feedback (to be incorporated into daily operations, strategic planning, and substantive issues) and provide regular reporting.



- d. Annual Strategic Planning/Updates (including budgets) and Reporting (including financial). This includes establishing Committees of Council to complete the strategic level responsibilities of Council as identified in the annual strategic plan (vs. those delegated to the Administrator for implementation).
- 3. Council will also undertake the following actions to generally fulfill their responsibilities:
 - a. Develop by-laws to ensure the safety and well being of members consistent with the authority granted to Council (per sections 81, 83 and 85.1 of the *Indian Act*) with a focus

³ Council is responsible for acting in the best interests of all members (living on and off reserve).

supporting enforcement through member education and understanding of by-laws.

- b. Interact with the HFN membership (including formal and informal community events) and initiate community approval processes, as needed.
- c. Engage external parties and provide written follow up reporting to Council in regards to:
 - Attendance at relevant meetings and assemblies (community, industry, government) to represent HFN interests and concerns;
 - ii. Guiding and monitoring the development of HFN economic development to support wealth generation, and risk mitigation, consistent with best practices;
 - iii. Strengthening the development of relations with neighbouring First Nations and strategic First Nations according to existing HFN protocols and practices;
 - iv. Appointments on outside boards;
 - v. Engagement of local, regional, provincial and national governments, and private sector partners;
 - vi. Communication and negotiations with third parties; and
 - vii. Initiation of media relations.

Roles and Responsibilities of the Chief

- 4. In addition to the roles and responsibilities of Council, the Chief is also responsible for:
 - a. Ensuring the convening of all meetings of Council, in accordance with established procedures;
 - b. Leading the collaborative, strategic level work of Council;
 - c. Making decisions when required, on behalf of Council, when such decisions are necessary to govern effectively. Such decisions must be consistent with the planning and prior decisions of Council and will be reported to Council at the next meeting of Council;
 - d. Acting as the political representative and spokesperson of HFN and Council;
 - e. Signing documents on behalf of Council, consistent with decisions of Council;
 - f. Appointing another Council member to fulfill these responsibilities in his/her absence; and
 - g. Leading the implementation of disciplinary measures related to Council members or the Administrator if needed, either to ensure adherence to policy, or as determined by a quorum of Council.

Code of Conduct

Above all Council members will be led by Council's values and HFN beliefs (e.g. pek yet's quiye gun⁴, and naut'sa mawt⁵). Council members will also adhere to the following rules of conduct to ensure good leadership and governance for the benefit of HFN.

1. Loyalty

- a. All Council members must be loyal to the collective interests of HFN. Council members affiliated with external organizations understand that their obligation as a Council member is to represent the interests of HFN, not to enhance or promote their or any other interests.
- b. Council members will take an active role in developing trust amongst each other.

2. Communication & Role Modeling

- a. Council members will conduct themselves professionally in the HFN community and outside the community (e.g. avoiding obscene language, violence, use of alcohol or use of drugs that negatively affect the reputation of HFN, or that may endanger the health and safety of themselves or any other person);
- b. Council members will deal with each other, staff, community members, and outside entities or individuals in a fair, open, honest, and respectful manner.
- b. Council members will deal with issues, not personalities.
- c. Council members will approach their work together in a collaborative manner by: openly sharing ideas and information; demonstrating appreciation for diverse points of view; and contributing to problem-solving by discussing solutions.
- d. Council members will respect the right of all Council members to be heard, and will listen attentively to others.

3. Authority

Council members must act as a team, and do not have any individual authority other than that outlined in Council policies or other documents.

a. Individual or groups of Council members have no authority to direct the Administrator or staff except as outlined in the policies.

⁴ Having humility firstly, followed by prayers for family, then self.

⁵ We are all one and interconnected.

- b. Except for the authority granted to the Chief, or authority delegated from the Chief to other Council members, Council members have no authority to interact with the public, the media and others on Council's behalf.
- c. Council members will not make any judgment of the Administrator or staff performance unless that performance is assessed against specific Council policy or guidelines and is addressed through the annual review.
- d. Council members will respect and adhere to all HFN policies, including those that:
 - i. Outline approved signing authorities and approval processes (e.g. Council motions, contracts, purchases and payments);
 - ii. Outline the use of HFN logos, equipment, vehicles, or property for anything other than official community business, or as authorized by approved Council policy; and
 - iii. Draw attention to potential areas of risk and support policy development that mitigates the identified risk.

4. Standard of Care

a. Council members should exercise their powers honestly, professionally, and in good faith, with a view to the best interest of HFN. Council members should exercise the care, diligence, and skill that a reasonably prudent person would exercise in comparable circumstances.

5. Confidentiality

- a. Council members have responsibility for maintaining confidentiality of all information obtained by them as a result of their elected position, including but not limited to HFN governing, operating information, member information, and planned/existing agreements that have not been deemed public by Council as a whole.
- b. Council members will not use information obtained as a result of their elected position for personal gain (see Conflict of Interest definitions for personal gain).
- c. Council members will not give out official and/or confidential information acquired as a result of their elected position, unless they have the expressed written permission from Council.
- d. The duty of confidentiality remains even beyond a Council member's for the benefit of the nation.

6. Gifts

a. Gifts Of Protocol/Custom/Courtesy

Gifts of protocol/custom/courtesy may be accepted in the course of performing Council responsibilities. Gifts of protocol/custom/courtesy are defined as being non-monetary items that are:

- i. Nominal in value (e.g. gift under \$100);
- ii. Clearly associated with the individual Council member's presence/service (e.g. speaking engagement);
- iii. Usually coming from a source that HFN does not have a commercial/business relationship with (e.g. universities, conferences, celebrations);
- iv. Made by the donor without any further expectation.

A monetary gift intended to reimburse costs incurred by the Council member to attend the event/function may be accepted if HFN has not already covered the costs.

These types of gifts do not need be declared, and can be retained by the individual Council member for personal use.

Gifts that are worth a higher than nominal value must be declared, and Council will decide on the appropriate disposition of the gift.

b. Official Gifts

Official gifts may be made in recognition of HFN it's service. Official gifts may be provided to an individual Council member as the representative of Council, but have been done so on behalf of the entire Council.

All official gifts must be brought to the Council office at the earliest convenience, and a gift declaration form must be filled out specifying the donor, date presented, and purpose of the gift.

Official gifts will be displayed in the Council office, or, as determined by the Council, utilized in a manner that provides benefit to an acknowledged function of the Council or community.

c. Business gifts

Business gifts are those provided by commercial partners, associates, or clients (both present and potential) with the intent of strengthening business relationships, not with the intent or prospect of influencing business decision-making (see Declining Gifts below). Business gifts should normally be nominal in cost. Where business gifts are repeatedly provided by a single source, Council must assess whether the cumulative cost, quantity and/or frequency constitutes a real or perceived influence.

All business gifts are considered to be gifts to the Council, and must be brought to the Council office at the earliest convenience. A gift declaration form must be filled out specifying the donor, date presented, and purpose of the gift.

As determined by Council, the gift will be utilized or disposed of in a manner that provides benefit to an acknowledged function of the Council or community.

d. Declining Gifts

Despite any good intentions behind the offering of a gift of protocol/custom/courtesy, an official gift or business gift may:

- a. Be construed by an impartial observer as a bribe, pay off, influence over decision-making, or improper or illegal payment;
- b. Compromise HFN's image or values;
- c. Come from a questionable source (e.g. illegal); or
- d. Expose Council to liability that could not be managed;

The Council member is obligated to respectfully decline the gift and report the situation/incident to the Council.

If a gift is accepted by a Council member, but Council as a whole later determines that the gift is inappropriate, Council will determine how best to dispose of the gift, which may include returning the gift.

e. Declared Gifts

The Administrator will maintain a record of all declared gifts.

5. Conflict of Interest

a. A Council member holds a position of trust. As such there is an obligation for members to avoid conflicts of interest, real or apparent.

<u>Definition of Conflict of Interest:</u>

A conflict of interest arises when a Council member's personal and/or business direct or indirect interests compete with, or supersede his or her dedication to the interests of Council. Conflicts of interest may be apparent or real. These are equally undesirable.

Definition of Real Conflict of Interest;

A real conflict of interest occurs when a Council member fulfills an official function and, at the same time, knows that in doing so there is an opportunity to obtain a personal or other benefit for the member or a related person(s).

<u>Definition of Apparent Conflict of Interest:</u>

An apparent conflict of interest exists when there is a reasonable perception on the part of well-informed persons that a Council member is in a conflict of interest.

Definition of Direct and Indirect Interests;

A direct interest is a reasonable likelihood that the circumstances of the Council member would be directly altered if a matter were decided in a particular way where the individual would receive a direct financial benefit or loss.

An indirect interest is a close association, indirect financial interest, conflicting duty, receipt of an applicable gift, or becoming an interested party⁶.

- Council members will not utilize their position on Council as part of professional networking where the intent is to benefit personally or professionally, whether directly or indirectly.
- c. Upon becoming a member of another Board, committee, organization or other type of group, the Council member will disclose the involvement to the rest of Council. At that time Council will determine if there are any situations that may arise where such membership may constitute a real or apparent conflict.

Procedures

a. To avoid apparent or real conflict of interest Council members will:

- i. Not take part in discussions, vote on resolutions, or have access to applicable Council information regarding discussions related to a position for which the Council member has applied for employment or contract with the HFN Administration.
- ii. Openly declare if they find themselves in a real or apparent conflict of interest.

⁶ Source: http://www.macquarielawyers.com.au/files/How To Identify A Conflict Of Interest.pdf

- iii. Bring to the attention of Council if a member is in an apparent conflict of interest and pursue planning to mitigate any apparent or real conflict of interest. If there is doubt regarding whether or not a conflict exists, legal advice may be sought.
- b. If apparent or real conflict has been declared, a Council member will:
 - Address the issue by declaring the facts of the issue, then remove him/herself from the room where discussions are taking place;
 - ii. Not discuss the issue with other Council members or attempt to influence a Council decision;
 - iii. Not have access to applicable Council information related to the decision;
 - iv. Not return to the Council table until after voting has been completed, thus abstaining from the vote; and
 - v. Ensure that the declaration of conflict of interest is noted in the meeting minutes.

Where a Council member has left the table due to a real or apparent conflict, the Chief (or another Council member) will reassess whether a quorum is still present and proceed accordingly.

6. Employment/Contracting

- a. Council members who serve at the strategic⁷ level are prohibited from also serving as the Administrator or a Department Manager for HFN Administration, its economic development corporation, and any of its holdings or trusts that represent an economic development investment on behalf of the community, unless the Council member has:
 - i. Declared his/her potential conflict;
 - ii. Provided his/her draft employment contract that identifies procedures to document employee wages, and also identifies when he/she may request remuneration for Council work outside of regular employee working hours;
 - iii. Received written approval from Council; and

⁷ Strategic level refers to serving as a leader in any capacity at the Council, or Board level.

- iv. Removed himself/herself from Council planning and all decision-making related to the program area they are responsible for as an employee.
- A Council member who is also an employee of HFN, its economic development corporation, or any of its holdings, will not use their Council position to influence the Administrator,
 Managers, or staff for personal or professional benefit.
- c. A Council member who is also an employee of HFN, its economic development corporation or any of its holdings, will not participate in Council discussion or decisions that relate to human resource issues related to the department they are employed within, including but not limited to:
 - i. Hiring and selection of employees,
 - ii. Development/updating of personnel policies,
 - iii. Decisions regarding termination of employment,
 - iv. Planning/decisions on employee wages, and
 - v. Employee discipline.

Meeting and Agenda Setting

- 1. Council attendance at regularly scheduled meetings is mandatory.
- 2. Council regularly scheduled meetings will occur no less than once per month.
- 3. Council will make best effort to attend all special meetings.
- 4. Council members are expected to:
 - a. Actively participate in Council meetings;
 - Come to Council meetings prepared (read all meeting packages containing prior meeting minutes, briefings, etc.);
 - c. Respect other leaders' time and commitment by arriving to meetings on time;
 - d. Actively participate in all activities and undertake all responsibilities in a conscientious manner, consistent with traditional leadership practice and contemporary professional expectations of leaders; and
 - e. Respect the right of HFN members represented by family heads, Elders, or youth to participate in Council meetings as an observer.
- 5. Additional meetings may be held to complete unfinished business, or for special items requiring significant time for discussion.
- 6. As Chair, the Chief may call an emergency or special meetings at anytime with the approval of a majority of Council, and must do so if requested by a majority of Council.

- 7. Council is responsible for approving meeting agendas no less than five business days in advance of regularly scheduled meeting date.,
- 8. All supporting materials must be provided to Council no less than five business days in advance of regularly scheduled meeting date, with as much notice as possible for special meetings.
- 9. The Administrator may propose agenda items no less than seven working days in advance of the proposed meeting date.
- 10. All Council members must be provided with a minimum of five-business days notice for all meeting dates (new and rescheduled), times and locations, unless all Council members unanimously waive such notice.
- 11. On exceptional occasions when a Council member must miss a meeting due to a valid illness or emergency, the Council member will provide notice as soon as possible to the Chief and/or Administrator.
- 12. Unless a valid reason for absenteeism is provided, an absent Council member will be recorded as being absent without cause.
- 13. Council members who are absent without cause for more than 3 consecutive meetings are subject to discipline up to and including suspension or recalling of their position (see *Breaches Policy*).
- 14. HFN members are eligible to participate in Council meetings as an observer where sensitive information is not being addressed. To participate, HFN members must:
 - a. Make a written request to the Administrator with five-business days notice;
 - b. Complete the HFN Council Governance Orientation (30 minutes) and be provided a copy of the HFN Governance Policies to support their understanding of HFN approved governance rules and practices;
 - Sign the *HFN Observer Agreement* that ensures that sensitive information that may negatively affect HFN or its members is not disclosed, as provided by the Administrator.

Chairing of Meetings

- 1. The Chief is the Chair of Council meetings.
- 2. Each meeting must have an assigned Chairperson.
- 3. If the Chief is unable to chair a meeting or is absent from the community, it is the responsibility of the Chief to ensure that another member of Council agrees in writing to fulfill the role. If the Chief is unable to chair more than 3 meetings, Council will review the Chair position and may appoint a new Chair.

- 4. Responsibilities of the Chair include ensuring adherence to all Council meeting policies and procedures, and ensuring documentation, tracking, follow up and reporting of all tasks/activities undertaken that arise from Council meetings.
- 5. In addition to serving as Chair, the Chief may also take part in discussions but only votes in the event of a tie.

Quorum

- 1. Quorum is established with three of the five Council members being present at a meeting.
- 2. A quorum is required to conduct official Council business.
- 3. If a quorum has not been obtained within thirty minutes of a regularly scheduled meeting time, Council may either adjourn the meeting until the next scheduled time, or continue meeting to discuss and debate issues but not make decisions. For special meeting Council may extend time to obtain quorum for special meetings. Any recommendations from meetings where quorum is not established must be presented for consideration and decision-making by Council at the next meeting.

Rules of Order

1. The Chair is guided by The Modern Rules of Order.8

Rules of Debate

Diversity of opinion and debate is welcomed as part of Council's deliberations. To facilitate constructive debate, but come to a decision in a timely manner, the following rules of debate will be utilized:

- 1. All remarks should be addressed to the Chair;
- 2. The Chair may establish agenda item times, or revise times, to ensure all items are addressed, or ensure due diligence debate is undertaken for substantive issues, with the majority of Council approval;
- 3. Discussion will be focused on the agenda item. If the Chair considers any remarks to be improper (e.g. personally directed vs. issue directed), the Chair will intervene.
- 4. The Chair will ensure that all Council members have the opportunity to speak, and may delay Council members from speaking multiple times on an issue before all Council members wishing to speak have had a first chance to comment.

 $^{^8}$ The Modern Rules of Order: A Guide for Conducting Business Meetings. Tortorice, Donald A. 2007, $3^{\rm rd}$ Edition.

- 5. If there are clearly "for" and "against" Council members on a particular issue, the Chair will attempt to alternate these Council members on the speakers list to balance the discussion. When developing a speaker's list, the Chair will place him/herself at the end of the speaking rotation.
- 6. When the Chair decides that there has been sufficient discussion (e.g. no new information being raised), the Chair will summarize the discussion and suggest closure of the topic or recommend that a decision be made.

Decision Making

- 1. Decision-making will only occur once Council, as a whole, has completed the required due diligence appropriate to each particular issue. This may include for example discussion, review of the annual strategic plan to support alignment, seeking professional (accounting, legal) advice, or directing the completion of research to support knowledge-based decision making.
- 2. Council combines consensus and majority decision-making processes when discussing an issue. Consensus is sought for all issues through the use of thorough discussion.
 - a. Where consensus is reached, the decision is recorded in the minutes.
 - i. Consensus can be demonstrated informally by the Chair verbally confirming the "will of the group", or formally through by voting by way of a show of hands.
 - ii. Where consensus cannot be reached, then voting by way of a show of hands will be used.
 - b. The call for a decision to be made can be made by the Chair. Where a written motion is required, the motion will include:
 - What is being proposed;
 - Why it is being proposed;
 - Who is recommending the decision;
 - How the proposed activity will be resourced (human and financial resources);
 - Who will be responsible for implementation; and
 - Date(s) that follow up reporting will be provided to Council.
 - c. Written calls for a decision are required for all substantive issues.
- 3. A decision will only be revisited in the event that:
 - a. New information of significant substance comes forward;
 - The environment, conditions, or assumptions that the decision was based on significantly changes;

- c. The decision becomes inconsistent with future strategic planning or Council's Vision, Mission and Values; and/or
- d. Implementation of the decision proves to be counter to, or detrimental to the issue that the decision was meant to address, or to other aspects of Council, or the community.
- 4. Council members may disagree on the outcome of a decision but must support the legitimacy of the process by which it was made. A Council member may let others know that they did not support the decision, however they cannot:
 - a. Provide direction that is contrary to the decision;
 - b. Announce their own views as being Council's decision;
 - c. Direct those implementing the decision to disregard the decision; or
 - d. Engage community members without having exhausted Council's Issue Resolution Process.
- 5. A Council member that has voted against a motion will not be selected as the spokesperson to communicate Council's decision.

Levels of Decision-Making

- 1. Council decisions can be categorized as either procedural or substantive.
- 2. Substantive issues must receive the support of 80% (four) or more of Councillors before being brought to the community for ratification.
- 3. Substantive issues brought to the Community will include, but are not be limited to:
 - a. New policy adoption and/or changes that affect the original spirit and intent of existing policy;
 - b. Annual budget allocations and major budget amendments not already included in the approved annual budget that are greater than \$10,000 of HFN funds (not including special projects with funds received from external sources/new own source funds, not considered in the formation of the annual budget);
 - c. Increases to the Council budget (e.g. additional funds for meetings or to increase Council remuneration);
 - d. Revenue sharing agreements and impact benefit agreements;
 - e. Trust funds;
 - f. Legal issues;
 - g. Issues related to Title, Rights and Responsibilities of HFN and HFN members; and
 - h. Issues defined as substantive by a majority of Council.

4. Council's processes for arriving at a decision will adapt according to the scope and weight of the issue being considered. Appropriate time, consideration and due diligence will be afforded to ensure decisions are made in the most effective and efficient manner. This includes ensuring Council is informed with the best information possible, and that those affected/impacted by the decision are respected.

Recording and Reporting:

- 1. Council will maintain proper reporting of meetings by:
 - a. Ensuring minutes for each meeting are prepared, which includes at a minimum:
 - i. Meeting date and time;
 - ii. List of those present and absent, and the name of the minute recorder;
 - iii. Date of approval of minutes from the previous meeting;
 - iv. Follow up of prior meeting tasks;
 - v. Summaries of discussions and/or Committee Reporting, consistent with approved Agendas (standing and rotating);
 - vi. Items requiring further action, responsibility center(s), and due date(s);
 - vii. Items tabled to the next meeting; and
 - viii. Date, time and place of next meeting.
- 2. The Chair will ensure Council approves in principle (AIP) minutes within ten days (not including confidential or privileged information). Upon approval the Chair will ensure the approved meeting minutes are shared with the Administrator for distribution to all Department Managers to support effective implementation and operations

Council Standing Agenda

Agenda Items (Topic, Presenter, and Reference Documents)	Purpose (Information, Discussion, Decision)	Time Allocated
Opening Prayer (Elder) and Call to Order	T	
1.0 Opening		
a. Review of Vision		
2.0 Approval of Prior Meeting Minutes	Decision	
3.0 Agenda Approval	Decision	
a. Revisions as needed		
4.0 Delegations/Visitors	Information Discussion, decision if	
	required	
5.0 New Business:	Discussion/decision	
a. BCR's		
b. Correspondence		
6.0 Reporting	Informational, review	
a. Reporting of all Council Committee Chairs	and decision, as needed.	
b. Administrator Reporting (as outlined in		
Administrator Reporting, and including profiling one department manager's		
achievement towards realization of the		
strategic plan).		
7.0 In-camera (standing practice to review	Discussion, decision if	
Administrator Report and prepare	required.	
direction/feedback)	requireu.	
8.0 Rotating Agenda Items	Discussion/decision	
Closing Prayer (Elder) and Meeting		
Adjournment		

Council Rotating Agenda Items

April	Quarterly Reporting	
May	Year End Report (narrative/final draft budget)	
	 HFN Open House (including showcasing of all programs, services, 	
	year end draft report, strategic plan, and all HFN policies)	
June	Audit	
July	Quarterly Reporting	
	Audit approved	
August	Traditional Cultural Activities	
September	• AGM	
October	Strategic Planning Updates for coming fiscal year	
	Quarterly Reporting	
November	Council Monitoring/Governance Policy Review	
December	1st budget call	
January • Quarterly Reporting		
February • 2 nd budget call		
March • Final budget call		

HFN Council Meeting Observer Agreement I,_____, a HFN member, declare that I have read, understood and agreed to comply with this Observer Agreement, and that in carrying out my responsibilities as a member of HFN I will: 1. Make a written request to Council with five-business days notice if I wish to attend a Council meeting; 2. Only attend Council meetings when approval to do so has been previously granted by Council; 3. Observe the meeting, which means I will only actively participate or engage Council during the meeting if invited to do so by Council; 4. Not make an audio or video recording of the meeting unless written permission has been granted by Council prior to the start of the meeting; 5. Acknowledge that minutes circulated by Council are the only official record of the meeting; 6. Return material that was distributed during the meeting, without making a copy, if requested by Council; 7. Indefinitely respect the confidentiality of all information shared (oral or written) at the meeting that has not been deemed public by Council as a whole; 8. Not give out official and/or confidential information acquired as a result of attending the meeting unless Council has given expressed, prior written consent; and 9. Respect the decisions of HFN Council if I do not uphold and fulfil this agreement. Signature: _____ Date: _____ Date:

Leadership Capacity Development

Since poor governance costs more than learning to govern well, the HFN Council will invest in its governance capacity.

- 1. Council will ensure their knowledge and skills, individually and collectively, are sufficient to ensure strong and effective governance. To achieve this:
 - a. All new Council members are recommended to complete: the NmTC Pre-Election Training, or alternate training no less than two months prior to submitting their name for election, and the NmTC Post-Election Training or alternate training, within two months post election that includes, but is not limited to a:
 - i. Review of all Governance, and HFN Policies (HR, operations, financial, etc.);
 - ii. Review of the most recent Year-End Report, including financial statements to understand available community resources and financial obligations;
 - iii. Review of the current Strategic Plan; and
 - iv. Review of all activities and reporting on outcomes from the Strategic Plan to date.

Council may enlist the Elections Officer and Administrator, and/or a governance technician to support the delivery of the required orientation. Completion of this orientation will be documented through signing and submitting the Oath of Office attesting to understanding and agreeing to adhere to all current HFN policies.

- b. Council will arrange for an evaluation (internal and/or external) of Council knowledge and skills compared to the competencies required to lead each annual upcoming strategic plan.
- c. Council will identify annual training priorities, individually and collectively, to prepare Council members for their roles and responsibilities, and to increase their understanding of relevant issues. Based upon these priorities, Council will collectively, or individually, develop a training plan including (i) planned activities, (ii) intended outcomes, and (iii) estimated costs.
- d. Council will allocate funds for individual or collective Council member training when finances permit, and upon receipt and approval of a letter from the Council member outlining (i) how the training aligns with Council's work, (ii) intended outcomes, and (iii) estimated costs.
- e. Individual Council members who are approved and funded will prepare a report for Council that identifies (i) how the training aligns with Council's work, (ii) actual activities training outcomes, and (iii) actual costs, and any variances from the training plan.

Committees

Purpose of Committees of Council

- 1. Council as a whole may create committees for the purpose of:
 - a. Advising Council on matters related to strengthening HFN internal organizational development (through supporting the development or amendment of required by-laws, policies, and procedures, for review/approval by Council); and
 - b. Advising Council on activities, projects or research that support aligning HFN operations with Council's annual strategic plan.
- 2. Committees are advisory in nature only, unless the authority to make decisions has been granted by Council as a whole.
- 3. Committees may be:
 - a. Standing (on-going activities); or
 - b. Ad-hoc (short-term or one time activities that do not fall under the assigned function of a standing committee).
- 4. Committees form only part of Council's informed decision-making process by acting as the lead information-gathering source for particular topic areas, and by bringing information to Council for consideration and deliberation.

Limitations of Committees

- 1. Council as a whole is ultimately responsible, and potentially liable, for all actions of committees that it creates, therefore:
 - a. Council cannot delegate away its trustee role, or allow a committee to take it over;
 - Committee members will not make decisions that bind Council as a whole, and will only
 make recommendations to Council who, as a whole, are responsible for governing level
 decisions;
 - c. Each committee will act within a Terms of Reference that has been approved by Council;
 - d. Committees are solely and directly accountable to Council as a whole;
 - e. Committees will not instruct, advise, help in or share in any responsibility delegated to the Administrator, or other HFN Department Manager, or staff member;
 - f. Committees may not use Council or HFN Administration resources (human and financial) for their work, unless Council as a whole approves such resources;
 - g. Council will review and approve each Committee's annual work plan and ensure all resources (human and financial) that are required in the Committee plan are made available

- from Council and/or Administration within available resources, as a part of Council's approval process;
- h. Committees requesting resource (human and financial) support from Administration must receive prior approval from the Administrator;
- i. Committees must meet no less than four times per year. If a Committee fails to meet less than four times per year Council will review the composition and overall effectiveness of the Committee, using issue investigation processes led by the Chief; and
- j. Council will ensure that it reviews the overall effectiveness and necessity of all committees at least once per year, as part of the annual strategic planning process.

Representation on Committees

- 1. Within 2 months of completing the HFN Strategic Plan/Plan Update Council will review and appoint representatives, including identifying Committee Chairs, for all Committees of Council.
- 2. When considering an appointment to a Committee, Council will consider the Councillor's available time, interest/expertise, and the equitable distribution of workload amongst Councillors, while striving to maintain consistency and stability of each Committee.
- 3. To support HFN leadership and capacity development, committee representation may also include HFN members living at or away from home however they are required to sign all required oaths (confidentiality, code of conduct, etc.). The process to select volunteer HFN members to participate on a Committee will be undertaken through an application process to Council that is intended to support member capacity development interests (e.g. students identifying areas of study/interest), and able to participate through cost effective methods (e.g. meeting participation capacity through on-line methods). Applications are approved by Council as a whole.
- 4. If a Council member or HFN member is also an employee of HFN that person may not sit on a committee that is related to the department they work in however, the individual may serve as a resource person to that committee.
- 5. Once appointed to a committee, representatives will serve on that committee for the balance of the year unless otherwise determined by Council. Resignations with respect to extenuating circumstances will be considered by Council.
- 6. New appointments will be made as needed, and in a timely manner, if appointments change over the course of the fiscal year.

Procedures for Establishing Committees

- 1. Council will only consider establishing or altering committees following completion of the HFN annual plan.
- 2. Council will establish committees only where there are both the financial and human resources available to support them.
- 3. Council will approve a Terms of Reference for each committee that defines:
 - a. Committee type (standing or ad-hoc);
 - b. Committee purpose;
 - c. Specific outcomes that the committee should achieve/address;
 - d. Representation (3-4 members per committee);
 - e. Provisions for non-Council committee members (orientation, Oath, employment limitations);
 - f. The length of term for committee members;
 - g. What resources the committee has access, and the authority, to use;
 - h. Committee Chair;
 - i. Committee Chair and member roles and responsibilities;
 - j. Recording and reporting requirements;
 - k. Meeting schedule and quorum for committees; and
 - l. Rules of order.

Roles and Responsibilities of Committee Chairs

- 1. The Chairs of Committees of Council must be a Council member, and are nominated by Council.

 The Chairs are responsible for:
 - a. Calling and coordinating all meetings of their Committee;
 - b. Effectively Chairing the meeting according to Council's Rules of Order;
 - Ensuring meeting minutes, consistent with Council meeting minute requirements, are developed and distributed to Committee members for each meeting;
 - d. Providing all committee reporting and progress on strategic plan goals, objectives, outcomes, and financial reporting; and
 - e. Performing those functions delegated to him/her by Council.

Council is responsible for monitoring the conduct the Committee Chairs, and if a Chair does not fulfill his/her responsibilities it is the responsibility of the remainder of Council to immediately

draw attention to this. Breaches of appropriate conduct may be subject to discipline by the remainder of Council. See *Code of Conduct Policy*.

Committee Member Responsibilities

- 1. Each Committee, as a whole, will prepare an annual Terms of Reference to be approved by Council within two months of the committee formation.
- 2. Each Committee, as a whole, will also prepare an annual work plan to be approved by Council within two months of the committee formation or new fiscal year, whichever comes first. See the Committee Work Plan/Reporting Form Template.
- 3. Committee members will be guided by Council's Policies for meetings (including specifically code of conduct) while participating in Committee meetings. The Committee Oath will also guide non-Council member representatives.
- 4. Committee members will actively undertake the work of the Committee through strategic efforts (e.g. policy and strategic plan focused, and advocacy).
- 5. The Committee, as a whole, will prepare and submit written reporting as part of each regular meeting of Council, and provide copies of approved meeting minutes⁹ to HFN members, based upon identified member communication preferences (e.g. HFN website, HFN Facebook).
- 6. During Council meetings the Committee Chair will provide all reporting and receive all inquiries from the remainder of Council.
- 7. Committee members will also perform those functions delegated to him/her by Council and/or the Chair.

Council is responsible for monitoring the conduct the Committee Members, and if a member does not fulfill his/her responsibilities it is the responsibility of the remainder of Council to immediately draw attention to this. Breaches of appropriate conduct may be subject to discipline by the remainder of Council. See *Code of Conduct Policy*.

⁹ With sensitive or confidential information that may negatively affect HFN or its members removed, according to current privacy legislation.

Committee Structure

Committee	Admin and Finance	Lands/Resource Development and Intergovernmental Relations	Community Services		
Purpose	Support the development of HFN operational by-laws, policies, and procedures (including hiring).	Resource development and Relationship development with Governments (municipal, provincial, feder al) and other FN	Support the development of HFN department by-laws, policies, procedures and resourcing: Health, Housing, SA, Education, Training, Culture and Healing, and Peacekeeping/Safety.		
Committee Members	 Chief Councillor Elder Youth (20-30) 	 Chief Councillor Land Code Committee Member Elder Youth 	 Chief Councillor Councillor Community member Elder Youth 		

Homalco First Nation

NON-COUNCIL MEMBER OATH

I,_	, a non-Council member of the Committee, declare
tha	at I have reviewed the Council Orientation video, and read, understood and agree to comply with
the	e Committee Terms of Reference, and that in carrying out my duties as a member of a HFN
Со	mmittee of Council, I will:
1.	Do my best to carry out my responsibilities respectfully, efficiently, and effectively according to HFN values and beliefs (e.g. pek yet's quiye gun ¹⁰ , and naut'sa mawt ¹¹);
2.	Work with fellow committee members and HFN employees in a positive, problem-solving and collaborative manner;
3.	Remember that my primary duty is to serve the best interests of members and future generations;
4.	Adhere to the spirit and intent of the HFN Governance Policy Manual's Code of Conduct, particularly the references to Loyalty, Communication, Authority, Standard of Care, Confidentiality, and Conflict of Interest;
5.	Adhere to, and support the policies, values, and decisions of HFN Council, including conducting myself at all times in a manner that will bring credit to the HFN; and
6.	Respect the decisions of HFN Council if I do not uphold and fulfil my responsibilities.
Sig	gnature: Date:
Wi	itness: Date:

 $^{^{\}rm 10}$ Having humility firstly, followed by prayers for family, then self.

¹¹ We are all one and interconnected.

Committee Work Plan/Reporting Form Template

(Insert name of committee)

WORK PLAN/REPORTING FORM FOR (insert year)

1. Draft: [DATE]			3. Council Review Date: [DATE]			
2. Approved by Co	mmittee: [DATE]		4. Approved by Council: [DATE]			
Purpose/	Record verbatim	the committee's purpose, and insert date approved by Council.				
Mandate						
(as approved by						
Council):						
Terms of	Record verbatim	the key tasks, and a	nticipated outcome	s of the con	nmittee i	that
Reference	support the achie	evement of the comm	nittee's purpose.			
[Key duties]:						
Task/Activities:		Measures of Success/target date(s)		Budget (if any)		
Briefly describe specific tasks related to the committee Terms of Reference to be undertaken during the year and the deliverables expected upon completion of the tasks, as identified in the Strategic Plan.		For each task, ider of success measure as identified in the	es and target dates,	Planned	YTD	Variance
Committee Members	List current committee membership by alphabetical order.					
Committee Chair		e of the Chair for the				
Staff/Technical	Indicate additional approved staff/technical support to the committee					
Support						
Collaboration:	Indicate with which Council committees or other groups the committee will consult and/or collaborate with over the next year (e.g. joint meetings, contacts between committees, consulting on proposals, etc.).					

Monitoring Council Performance

Council has a responsibility to hold themselves accountable for their overall performance and to evaluate their effectiveness.

- 1. Council will review their performance, in writing, by monitoring whether they have:
 - a. Adhered to Council Governance policies;
 - b. Reviewed and amended policies, as needed, to ensure their effectiveness;
 - c. Established, at a minimum, HFN strategic goals, objectives, and budget as part of an annual strategic plan; and
 - d. Monitored the Administrator; Council as a whole; the Council Chair; and Council Committees to ensure adherence to all by-laws, policies and procedures, funding and service agreements, and achievement of strategic plan outcomes.
- 2. The only criteria to be used in monitoring these areas are HFN's by-laws, policies and procedures.
- 3. The only data to be used for monitoring will be data that shows whether or not Council policies are being met, and whether or not progress towards the strategic plan measures of success can be demonstrated.
- 4. Monitoring data can come from three sources:
 - a. *Internal:* Administrator report and non-Council committee member reports on Council compliance with approved Council policies;
 - b. *External:* Neutral third parties who assess compliance (e.g. accountant) and HFN members (e.g. member satisfaction survey¹²); and
 - c. *Direct:* Council, as a whole, may assess its compliance based on policy criteria, and completion of strategic plan measures of success. Council members may also assess their own compliance and contributions as a Council member.
- 5. The standard for compliance is "any reasonable interpretation" of the HFN policy, within the limitations set in the policy.

Council members are responsible for immediately informing, in writing, the remainder of Council when there has been a contravention to policy, or a risk is identified. The Administrator and non-Council committee members have the same responsibility for reporting contraventions, whether it is their own contravention or that of a Council member.

¹² Member satisfaction surveys should be objective by focussing on (a) if Council has adhered to HFN policies, and (b) if HFN has realized progress on the annual strategic plan.

Council Remuneration

- 1. Each year Council will undertake planning that identifies the allowable budgets for Council honorariums, Council related business, and Council related expenses (e.g. travel) to ensure that Council remains within budget.
- 2. Council members are who are also employees of HFN are not paid any additional funds for their participation as a Council member.
- 3. Council members who are not employees will request honoraria only when other funding options have been exhausted (e.g. projects where Council honoraria is contributed in whole or in part).
- 4. Council members who are not employees of HFN will be paid an honoraria of \$1,000 bi-weekly for actively participating in:
 - a. Regular Meetings of Council;
 - b. Special Meetings of Council;
 - c. Committee Meetings; and
 - d. Official HFN Community Meetings participation, as approved and appointed by Council.
- 5. Council members are reimbursed for the following travel expenses when on approved Council business:
 - a. Mileage at the current Treasury Board rate;
 - b. Meals at the current Treasury Board rate;
 - c. Accommodation is paid in advance through a purchase order, or may be reimbursed for private accommodation at the rate of \$50 per night, or at the Treasury Board rate, with the submission of a valid receipt; and
 - d. Mileage and meals that is part of a project with strategic funding partners, at the funder's approved mileage rate, which can be reimbursed through the project.
- 6. Any increase to the Council honoraria of more than 10% per annum is considered a substantive issue.
- 7. Before Council makes an increase to allow for additional funds for meetings or to increase remuneration:
 - a. The Chair of the Admin and Finance Committee must first confirm that there is the budget to support the increase;
 - b. 80% of Council members must approve the increase as per the rules for substantive decisions in the *Levels of Decision Making* section of Council's Governance Policies; and

c. As a substantive decision, approval also requires 70% approval, or more, from membership present at a Special Meeting called specifically to increase the annual Council budget. Notification will be provided as outlined in the *Council Relationship* with Member Policy.

Policy Approval and Amendment

The development of new policy, policy reviews, and revisions, are expected to occur on a regular basis as HFN organizational capacity grows and the internal and external environment changes.

Council is responsible for approving all new and revised HFN policies and procedures (governing, and operating such as HR, finance, etc.), and will ensure that:

- 1. All new and revised policies and procedures must adhere to current applicable legislation;
- 2. To improve the effectiveness and mitigate risk for all new policies and policy revisions;
 - a. Council as a whole will seek input from the appropriate parties that may be affected (e.g. issues affecting staff are planned to have input, issues affecting HFN members are planned to have member input) in the policy drafting and revision(s); and
 - Council will ensure that additional support is engaged as needed (e.g. legal counsel, auditor).
- 3. Policy or procedures requiring minor revision (text or procedure edits) will be approved as a procedural matter at a regular Council meeting through a motion, with updated policies posted on the HFN website, and published in the HFN Community Newsletter within two weeks;
- 4. Policy or procedures requiring substantive revision (see substantive issue definitions in the *Decision Making Policy*) will be first approved by Council and then by membership through a Special Community Meeting;
- 5. Once approved Council will ensure that all Councillors and affected parties (e.g. the Administrator, all staff, HFN members) are oriented and provided a copy of the approved new and revised policy to ensure compliance. Council will direct the Administrator to orient and provide a copy of policies to ensure compliance by all employees other than him/herself; and
- 6. All approved policy revisions and new policies are included in the regular review of policies undertaken by Council to ensure their effectiveness.

Breaches

Council has the authority and responsibility to make, amend, and enforce by-laws, policies and procedures for Council, and approve those of the HFN. Council members who are found negligent in adhering to HFN laws, Council policies and procedures (including Code of Conduct), other HFN policies and procedures, or other applicable legislation will be disciplined by the remainder of Council. Where agreement on discipline cannot be reached, Council will solicit a third party to mediate.

Just cause for discipline includes, but is not limited to the following:

- a. Failure to attend meetings, or unbecoming participation at meetings;
- b. Dishonesty (e.g. fraud, theft, intentionally providing misinformation);
- c. Failure to disclose a known conflict of interest;
- d. Insubordination (refusal to follow the direction of Council);
- e. Behaviour that negatively affects the reputation of HFN (e.g. use of obscene language, violence, use of alcohol or use of drugs, whether in or outside the HFN community);
- f. Personal or sexual harassment of employees, community members or any other persons;
- g. Disclosure of confidential information; and
- h. Conviction of an indictable offense.

Procedure

Council members have formally committed to upholding the policies it sets (e.g. signing of Council Oath of Office and Council approval of this *Governance Policy Manual*). As such, Council members will:

- a. Report any contraventions of policies and laws to Council, or other appropriate authorities;
- b. Enforce the policies when violated by a Council member; and
- c. Support those enforcing the policies if a Council member is disciplined.

Discipline will be administered using a progressive discipline approach in a fair and reasonable manner, and as determined by a majority of the remaining Council members. Discipline may include a verbal warning, letter of reprimand, removal from Committees, suspension with or without remuneration, or recalling the Councillor (via petition, and in accordance with the First Nations Elections Act¹³).

¹³ Source: http://laws.justice.gc.ca/PDF/F-11.65.pdf

Issue Resolution

Purpose:

The purpose of this policy is to outline a culturally relevant process to manage concerns, issues, and conflicts, with the goal of achieving satisfactory resolution for all parties, a healthy work environment, transparent, accountable government, and maintaining healthy relations.

Policy:

- 1. Council will make an interest-based resolution process available to administrative staff, Council members, and other members of the HFN community who feel that:
 - a. A policy has been incorrectly/inconsistently applied;
 - A real or perceived impropriety regarding financial or operational matters has been witnessed (also known as a whistle blower incident), which may be reported directly to any Councillor;
 - c. Full and known information was not adequately considered during a decision; and/or
 - d. They have been unfairly or unjustly treated.

Council will manage all issues involving the Administrator, while the Administrator will manage all operational issues.

- 2. All issues communicated to Council will be treated with confidentiality, due care for the safety of all parties involved, and documented to ensure fair treatment and accountability. All person(s)/group(s) submitting an issue can do so without fear of retribution.
- 3. The availability of the interest-based resolution process no longer applies if:
 - a. The appellant to the dispute fails to follow the steps of the process (e.g. bypasses a step);
 - b. Either party retains legal counsel to resolve an issue; or
 - c. Either party refers the matter in dispute to a court or other competent jurisdiction.

Persons respectfully bringing forward valid concerns will be treated with respect, due care and assured of confidentiality. Intentionally submitted false claims that undermine this policy will not be tolerated and may result in disciplinary action, or possible legal action.

Procedure:

- 1. For any other issue or concern, applicants are encouraged to raise the matter in a timely manner directly with the person involved, unless there is a legitimate reason to not do so (e.g. fear of reprisal or harassment), in which case the appellant is encouraged to submit their concern to a trusted Councillor/Council).
- 2. Appellants may enlist the assistance of a third party to complete their letter, but the concern must be made directly from the individual not a third party. The written communication must include:
 - a. the nature of the concern,
 - b. the parties involved,
 - c. when the issue occurred,
 - d. any actions taken to date to attempt to resolve the issue,
 - e. any supporting information regarding the concern,
 - f. their contact information,
 - g. how and when they wish to be contacted, and
 - h. if/why the applicant feels this is an emergency situation.
- 3. The recipient of the appellant's letter is then responsible for immediately reporting the issue to a quorum of Council who are responsible for identifying and directing an unbiased individual to initiate the issue investigation, and for documenting these steps taken.
- 4. The recipient of the appellant's letter must respond in writing to the appellant to confirm receipt and summarize what to expect, within 3 (three) business days.
- 5. The investigator identified by Council is responsible for immediately researching all documentation regarding the issue (policies, prior decisions, and applicable legislation), interviewing witnesses, and preparing a report for Council that includes unbiased recommendations to resolve the concern and any recommended policy changes that mitigate future risk within 5 (five) business days.
- 6. Council is responsible for thoroughly reviewing the report and providing a decision to the investigator within 5 (five) business days.
- 7. The investigator is responsible for communicating the decision of Council to the appellant and all relevant parties in writing within 5 (five) business days.

Follow Up

8. The investigator is responsible for following up with the appellant in writing within 10 (ten) business days to ensure that the decision was implemented effectively, all resolution efforts have been realized, and that relationships have been maintained/restored.

9. The outcomes of this follow up must be reported to Council within 3 (three) days before the issue is considered closed.

Appeal:

- 1. If the appellant is still not satisfied with the decision he/she may submit a letter appealing the decision to Council.
- 2. The appeal must be done in writing and contain information regarding the initial application, areas of remaining dissatisfaction, and any supporting information.
- 3. Council is responsible for appointing an appeal investigator to initiate a review/secondary investigation (as outlined in procedure step 5). The investigator must confirm receipt of the appeal in writing within 3 (three) business days.
- 4. The investigator will report to Council the findings of their issue investigation, within 3 (three) business days.
- 5. Council is responsible for thoroughly reviewing the report and providing a decision within 3 (three) business days to the investigator.
- 6. The investigator is responsible for communicating the appeal decision of Council to the appellant and all relevant parties in writing within 3 (three) business days. This communication must also include outlining their right to enlist legal counsel or pursue legal action. Follow up will be undertaken by the investigator at discretion of Council.
- 7. The decision of Council for all appeals is final.

HFN respects the right of all applicants to pursue action through legal counsel or a competent jurisdiction at anytime. This policy no longer applies should an applicant pursue legal action. This issue resolution process is intended to also assist an appellant towards effective resolution regardless of their chosen avenue of resolution.

Council CONFIDENTIAL Issue Management Form The purpose of this form is to provide leadership with a form to investigate, manage, and document issues as they arise so policy is adhered to and risk is mitigated.

Name of Appellant:	Date:	
Name of Advocate:	Appellant	
(if requested – not in	approval of	
conflict of interest)	Advocate:	
Date of Issue:	Council Member	
(recommended to be	receiving issue:	
reported a.s.a.p.)		
Has the appellant been made aware of the Issue	☐ Yes	□ No
Resolution Policy/Process?		
Does this issue specifically involve the	☐ Yes	No. If no, please refer
Administrator or Council?		issue to the
		Administrator.
Will the appellant follow the Issue Resolution	☐ Yes	☐ No. If no, this process
Policy?		no longer applies.
Has the appellant documented their Direct	☐ Yes	□ No
Discussion(s) including:		
a. Concern and Persons involved (Levels: i.		
direct, ii. Band Administrator, iii. Council)		
b. Date of issue		
c. Actions taken to attempt resolution		
d. Supporting information		
e. Contact information and how they wish to		
be contacted		
f. If/why the applicant feels this is an		
emergency situation?		
(Please request copy of letter for issue investigation).		
Description of Appellant's Direct Discussion Actions	Concerns (attach ap)	plicant letter/appeal)
,	•	, , ,
Description of Appellant's goals in resolving the issue	e ¹⁴ :	
Recommended Applicable Policy(ies)		
Recommendations (include policy needs/gaps, if nee	ded):	
Recommendations:		
Actions Approved (by Council):	Date:	

Issue Management Form, continued (page 2 of 2)

¹⁴ The intent of identifying the parties' goals first is to meet the parties' needs, which results in improved resolution outcomes, satisfaction, relationships, and reduce costs versus a rights based approach that is prone to becoming adversarial.

Monitoring			
Monitoring:		D 1	(1)
1. Written Response		Band	(Name and Signature of
(declaring receipt of		Administrator/	Recipient/Investigator)
issue/appeal). Please		Council:	
attach			
application/appeal.			
2. Review of issue	l I	Band	(Name and Signature of
and written		Administrator/	Investigator)
response (response		Council:	
within ten days			
following receipt of			
application, or			
appeal within fifteen			
days). Please attach			
documentation.			
2. Follow Up (within	I	Band	(Name and Signature of
twenty days). Please	l A	Administrator/	Investigator)
attach		Council:	g ,
documentation.			
Notes:			

Council Relationship to the Administrator

The Administrator is the only link between Council and all administrative conduct and achievement. Therefore, these policies have been developed by Council to ensure the effective management of the Administrator, and by extension, all staff he/she is responsible for.

Limits of Council Authority

- 1. Only decisions made by Council as a whole are binding on the Administrator. Therefore:
 - a. Instructions of individual Council members or committee members are not binding on the Administrator except in rare situations when Council has specifically authorized in writing the exercise of such authority.
 - b. If individual Council members or committee members request information or assistance from the Administrator without Council authorization, the Administrator may refuse those requests that require (in the opinion of the Administrator) a material degree of staff time or funds, or are disruptive.
- 2. Council will never give instructions to persons who report directly or indirectly to the Administrator.
- 3. Council will refrain from evaluating, either formally or informally, any staff other than the Administrator.

Direction & Delegation to the Administrator

- 1. Council tasks the Administrator to implement the annual HFN strategic plan, within the approved budget, and within other limits defined by Council.
- 2. The Administrator is authorized to decide, take all actions and develop all activities that are consistent with, and support the realization of, the annual strategic plan and adherences to HFN policies.
- 3. Council will respect the Administrator's choices and decisions on an issue if Council has not written a limit for that issue. Council may rescind areas of the Administrator's authority through regular review policy processes that are based upon research, and/or substantive variances of strategic plan outcomes.

Limits of the Administrator

The Administrator is responsible for ensuring the effective development and functioning of all administrative systems and operations, and for achieving the annual goals and objectives set by Council. These policy limits are intended to minimize micro-management and risk, and to improve the effectiveness of Council and the Administrator in fulfilling each of their respective roles and responsibilities. In performing her/his duties, the Administrator will adhere to the following limitations:

1. Administration:

The Administrator will not fail to:

- a. Develop and regularly update administrative policies and procedures that are consistent with Council governance policies and ensure operational and administrative efficiency and effectiveness;
- Ensure timely monthly Administrative written reporting that includes updates for all departments and consolidated financial report (budget, YTD, and variance) with Administrator unbiased analysis and recommendations; and
- c. Ensure that Administrator pay, expense reimbursement, and time off is approved by the Administration & Finance Committee Chair.

2. Treatment of Staff:

The Administrator will not operate without Council approved, written operations policies and procedures that:

- a. Clarify Human Resource, Safety, Finance, Departmental Operating, and other HFN rules for all staff.
- b. Clarify budgets, responsibilities, and lines of accountability.
- c. Clarify monthly written reporting requirements, including financial reporting that ensures a balanced budget and realization of the annual plan, utilizing the Council approved reporting templates.

Also, the Administrator will not fail to:

- d. Coach and provide progressive discipline to staff, as needed, to ensure effective operations;
- e. Provide for the effective handling of disputes; and
- f. Protect a staff member for expressing an ethical dissent without penalty.

3. Treatment of Contract Workers and Consultants:

The Administrator will not:

- a. Promise or imply permanent or guaranteed contracting, outside of the HFN contracting process;
- b. Fail to establish a clear written contract that outlines expectations, costs, and deadline dates; or
- c. Fail to ensure that all HFN intellectual property is protected.

4. Fiscal Planning:

The Administrator will not depart significantly from the Council approved strategic plan, or jeopardize the fiscal standards of Council. Therefore, the Administrator will not:

- a. Permit accounting and reporting systems to operate outside of generally accepted accounting principles, in accordance with existing legislation, and funding partner requirements.
- b. Run a deficit budget; that is, will not plan or expend more operating funds than are conservatively projected to be received in any given fiscal year.
- c. Use HFN Trust funds for any purposes other than those specified by the Trust Agreement, including but not limited to HFN budget shortfalls.
- d. Produce an annual budget and monthly financial reporting that contains too little information to allow for:
 - i. A relatively accurate projection of revenues and expenses.
 - ii. A reliable cash flow projection.
 - iii. Subsequent audit trails.
- e. Reduce current liquid assets below a level that can meet HFN current liabilities.

5. Financial Conditions and Activities:

The Administrator will ensure HFN is financially sound, and will not allow financial risk to develop, nor jeopardize his/her ability to allocate funds with integrity. Therefore, the Administrator will not:

- a. Fail to immediately report to Council, and provide recommendations to mitigate risk, when an individual Council member(s), or Council as a whole, is presented with a potential liability or risk.
- b. Neither commit nor expend more funds than have been provided for in the annually approved budget.

- c. Indebt the HFN beyond any levels provided for in the annually approved budget.
- d. Use any long-term reserves without written authorization from Council.
- e. Conduct inter-fund transfers between departments or HFN organizations to a greater amount than can be restored by uncommitted revenues within thirty days.
- f. Fail to settle payrolls and debts quickly and according to supplier terms.
- g. Allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.
- h. Make a single purchase or financial commitment of greater than \$10,000 beyond the approved annual budget, or annual cumulative commitments that exceed \$10,000 with a supplier, without Council's approval.
- i. Acquire, encumber, or dispose of real property, without Council's approval.
- j. Fail to aggressively pursue receivables after a reasonable grace period.

6. Asset Protection:

HFN's assets must be properly cared for, including property, equipment, membership lists, and computerized data. The Administrator will not allow HFN's assets to be unprotected, inadequately maintained, or unnecessarily risked. Therefore, the Administrator will not:

- a. Fail to insure against theft and casualty losses to at least 80% of replacement value.
- b. Fail to insure against liability losses to Council members, staff, and HFN in no greater amount than the average for comparable operations.
- c. Allow the licensing of computerized equipment, software, or data or other intellectual property, utilized by the HFN to be held or owned outside of HFN, unless there is expressed written permission by Council.
- d. Allow non-bonded personnel to access material amounts of funds.
- e. Subject HFN infrastructure and equipment to inadequate maintenance and improper wear and tear.
- f. Unnecessarily expose HFN, Council, or staff to claims of liability.
- g. Make any purchase from the annual operating budget (not including Trust funds or funds leveraged through contributions for special projects):
 - i. Where normally careful protection has not been given against conflict of interest.
 - ii. Of more than \$10,000 without having obtained three or more comparisons of prices and quality.
 - iii. Of more than \$50,000 without having utilized a RFP process.

- h. Receive, process or spend funds under controls that are insufficient to meet Council's auditor standards.
- i. Invest or hold operating capital in insecure instruments, including:
 - i. Uninsured chequing accounts and bonds of less than AA rating.
 - ii. Non-interest bearing accounts.
- j. Endanger HFN's public image or credibility, particularly in ways that would hinder accomplishment of its strategic goals.

7. <u>Compensation and Benefits:</u>

With respect to employment, compensation, and benefits for employees, consultants, contract workers and volunteers, the Administrator will not:

- a. Change his/her own compensation and benefits.
- b. Promise or imply permanent or guaranteed employment or contracts, outside of HFN employment and contracting processes.
- c. Establish compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
- d. Establish or change pension benefits so as to cause unpredictable or inequitable situations, including those that:
 - i. Incur unfunded liabilities;
 - ii. Provide less than some basic level of benefits to all full-time employees; or
 - iii. Allow any employee to lose benefits already accrued from any foregoing plan.

8. Communication and Support to Council:

The Administrator will inform and support Council in its work. Therefore, he/she will not:

- a. Neglect to submit written monthly, quarterly, and annual Administrator reports (including monthly administrative and financial reporting, and annual reporting summaries in the form determined by Council) in a timely, accurate, and understandable fashion.
- b. Fail to advise Council of relevant trends, anticipated adverse media coverage, risks, and significant external and internal changes (transfers, acquisitions, etc.), particularly changes in the assumptions upon which any Council and/or HFN policy or decision has previously been established.
- c. Present information in an unnecessarily complex form or in a form that fails to differentiate between monitoring information and decision preparation (e.g. prepared briefings and recommended motions).

- d. Fail to collect information, analyze, and include in briefings an unbiased summary from as many staff, HFN members, and external points of view, issues, and options as needed to support Council informed decision-making and effective operations.
- e. Fail to advise Council if, in the Administrator's opinion, Council is not in compliance with its own policies, particularly in the case of Council behaviour that is detrimental to the working relationship between Council and the Administrator.
- f. Fail to deal with Council as a whole except when fulfilling individual requests for information that have been authorized in writing by Council as a whole.
- g. Fail to report in a timely manner his/her non-conformance with any Council and/or HFN policy.
- h. Fail to report all information delegated to the Administrator, yet required by law or contract to be approved by Council, along with the monitoring assurance required for the issue.

Monitoring Administrator Performance

- 1. Council will utilize the HFN Human Resource, Finance, and Operations policies and applicable legislation to manage the Administrator.
- 2. Council will utilize the HFN Performance Evaluation and Professional Development Policy to document the Administrator's Annual Review. Council will only assess the Administrator's performance by monitoring whether the Administrator has:
 - a. Adhered to the limits imposed by Council, his/her Job Description, and HFN policies; and
 - b. Achieved reasonable progress on the annual strategic plan.
- 3. The only criteria to be used in monitoring these areas are, respectively:
 - a. The *Limitations of the Administrator* and all HFN policies;
 - b. The Administrator's Job Description; and
 - c. Annual strategic plan outcomes, as outlined in written monthly, quarterly, and annual reporting submitted to Council by the Administrator.
- 4. The only measure to be used for monitoring will be data that reflects whether or not the criteria listed above are 'reasonably' being met, or adhered to.
- 5. The Administrator will inform Council in writing immediately when he/she has contravened a HFN policy or contravened a limitation set by Council.

Performance and Monitoring Schedule

The following schedule will be followed in reviewing the performance of the Administrator:

Area	Method	Frequency
HFN Policy Adherence	Internal, Direct, External	Annually
Job Description	Direct	Annually
Strategic Objectives (meeting	Internal and Direct	Monthly
of objectives, targets and		Quarterly
budgets)		Annually

Council Relationship to Membership

Council has a direct reporting relationship and accountability to HFN members. Council believes that decisions are improved when leadership effectively engages, empowers and builds member capacity to support collaborative planning with members, and that members have a right to be involved in frequent and meaningful dialogue and participation in forming the decisions that affect HFN.

The primary engagement mechanism is community meetings undertaken no less than four times per year (including quarterly and annual reporting) with HFN community members.

Community Meetings

A minimum of four Community Meetings will be held in Homalco each calendar year. Meetings will include:

- a. Community Quarterly Reporting Meetings;
- b. Annual General Meeting; and
- c. Special Meetings, as needed.

Information for members living away from home will be posted on the HFN website. Members who do not have access to the internet may contact the HFN for printed copies of all materials addressed at community meetings, to be mailed at no cost.

The purposes of Community Meetings (Quarterly and the Annual General Meeting) are to:

a. Report on Council and HFN activities and progress on achievement of the annual strategic plan, based upon summarized reporting from the Administrator;

- b. Share information on opportunities and collect feedback (e.g. interests, concerns). This feedback will be documented, analyzed and used to inform the remainder of the annual plan and subsequent annual plans;
- c. Provide copies of all approved HFN policies and approved meeting minutes for member review and reference; and
- d. Allow for members to ask questions, enquire and/or voice concerns related to decisions or planning through a respectful and safe dialogue.

The purposes of Special Meetings are to (in extenuating circumstances):

- a. Provide reporting on urgent/emergency issues that cannot be accommodated through the regular quarterly meeting agenda; or
- b. Require the immediate feedback of members for substantive decisions.

Community Meeting Notice

Members will be notified about Community Meetings:

- a. With no less than ten (10) business days notice;
- b. With an agenda and relevant materials that fully disclose in an unbiased and easy to understand fashion all information needed to support understanding of agenda items, and informed, effective feedback;
- c. Using communication methods preferred by members, based upon biennial (2 years) research findings on communication preferences that include but are not limited to: the community newsletter, written notices delivered to member homes, social media, HFN website, and on community bulletin boards.

Members will be notified about Special Meetings:

- a. As soon as humanly possible (using either member preferred communication methods or unique methods intended to support immediate awareness of urgent issues); and
- d. With an agenda and relevant materials that fully disclose in an unbiased and easy to understand fashion all information needed to support understanding of meeting issues, and informed, effective feedback.

Agenda Development

a. Council is responsible for setting the agendas for regular Community and Special Meetings, with the support of the Administrator.

- b. Members wishing to propose a meeting agenda item may do so directly in writing to Council and/or the Administrator. Submissions must be received no less than five (5) business days prior to the meeting date.
- c. If new items are approved for addition to the agenda Council is responsible to ensure that the updated agenda is communicated to members no less than four business days prior to the meeting date.
- d. If Council determines that more than five business days of additional time is required to undertake due diligence/research on any item requested to be on the agenda, the item may be scheduled/rescheduled for the next meeting and the applicant will be notified in writing no less than three (3) business days following submission of the agenda item along with an explanation of the rationale for the extension.

Meeting Conduct

- a. A meeting end time will be established, which will not be exceeded unless there are just reasons for doing so and those present generally agree.
- b. The first spaces on the agenda will be allotted to any "visitors" so that they can be excused from the rest of the meeting after their agenda item is completed. Alternately, visitors will be scheduled and will attend only during their allotted time, unless invited by Council to stay for other portions of the meeting.
- c. Issues of higher importance will be addressed early in the agenda to ensure the issues are given adequate time.

Chairperson

- a. The Chief will normally take on the role of the chairperson.
- b. The Chief may delegate the role to another Council member, but still remains accountable for the role and conduct of the Chair.
- c. The Chair will ensure a minute taker is established to record discussion, action items and recommendations or motions.
- d. The job of the chairperson is to assure the integrity of the meeting and how it is conducted. This means ensuring that all speakers follow and maintain the meeting agenda, rules of order, group agreement, and any policies relevant to the Community Meetings.
- e. The Chair will ensure that the minutes are circulated to Council as a whole, all staff, and made available to community members, in a timely manner.

f. The Chair will ensure that all action items and feedback are documented and carried forward by the Administrator to the appropriate parties, and that member feedback is analyzed, summarized and provided to inform Council decision making and operations effectiveness on a regular basis.

Rules of Order

- a. The procedures used at Community Meetings will be in accordance with HFN traditions, Modern Rules of Order, and will promote the full, open, and orderly discussion of matters brought before the membership for discussion and decision.
- b. To aid in fulfilling his/her responsibilities, the Chair has the authority and responsibility to:
 - i. Rule when someone is out of order or out of turn;
 - ii. Apply a process that allots a time limit on how long people talk in order to allow more opportunities for others to speak;
 - iii. End the discussion in a respectful manner if tempers arise, repetition occurs, the agenda is strayed away from, or an individual continues on at too much length;
 - iv. Ask an individual to be excused from the meeting if that person breaches the
 Meeting Conduct or prevents the Chair from fulfilling their meeting responsibilities;
 and
 - v. Adjourn the meeting early in the interest of maintaining a safe and respectful environment that members will feel comfortable returning to at a later date.

Community Meeting Decision Making Process

- a. Where a motion has been proposed, the following decision making procedures will be followed:
 - i. At the meeting, Council will present any necessary background information and the motion:
 - ii. The Chair will keep a list of persons wishing to speak on the motion and persons will speak in order;
 - iii. No motion may be substantially amended at the meeting. Any motion that has been substantially amended will be brought back for consideration at a subsequent meeting to allow Council to undertake any required due diligence;
 - iv. Voting rights at special meetings will be limited to those members normally entitled to vote in community elections;

- v. Voting on procedural decisions requires a simple majority (51%) from members in attendance; and
- vi. Voting on substantive decisions requires 70% support from members in attendance (See levels of decision making, in the *Meeting and Agenda Setting Policy* for a definition of substantive decisions).

Additional Communications with the Community

Outside of the reporting requirements of Council, and in addition to information available at Community and Special Meetings with community members, Council will:

- Publish only non-confidential material; and
- Survey members biennially (once every two years) to identify/update member preferred
 methods of communication, which will inform the updating of the HFN Communication
 Strategy, which will also consider efficiency, effectiveness and cost. These methods will
 be used to supplement, but not replace regular reporting undertaken at Community
 Meetings.

Member Rights & Responsibilities

Rights of Members

The rights of HFN members, include:

- a. Selecting Council through the duly established election process;
- b. Being represented by good government;
- c. Attending community meetings and special meetings;
- d. Sharing feedback, asking questions, and providing recommendations to Council on issues:
- e. Fair and equal treatment;
- f. Exercising their Aboriginal rights as defined in s.91(24) of the Constitution Act of Canada;
- g. Having access to an issue resolution process; and
- h. Having reasonable access to Council approved meeting minutes, all HFN Policies, and quarterly financial statements.

Responsibilities of Members

In the process of members exercising the above rights, they have the responsibilities of:

- a. Factually knowing what their rights and responsibilities are;
- b. Participate at community meetings and special meetings by listening, acting respectfully, and adhering to HFN policies for any submissions of agenda items;
- c. Informing themselves of Council and HFN business;
- d. Treating Council, HFN staff, advisors and each other courteously with dignity and respect;
- e. Ensuring that Council members have the necessary skills, experience and values to represent and lead their community effectively; and
- f. Monitoring Council and holding accountable those to whom they have delegated authority.

Tools Available to Members

To assist members in exercising and protecting their rights, and fulfilling their responsibilities, the following tools are available to them:

- a. Council Governance Policies, Committees of Council Terms of Reference, the Annual Strategic Plan, and Approved Minutes; and
- b. All HFN Policies, including an Issue Resolution Policy.

Council Strategic Planning and Reporting

Strategic Planning

Purpose

The purpose of this policy is to outline the principles, roles, responsibilities and processes that Council utilizes to initiate/update comprehensive strategic planning that improves leadership decision-making and opportunity identification to achieve the vision, while also building organizational capacity and efficiencies.

Principles

- The strategic plan of HFN is a rolling 3 or 5 year plan that is renewed annually through the collaborative efforts of Council and the Administrator:
- The planning process will be initiated by Council, informed by the Administrator and Department Managers, and completed and approved by Council;
- Annual strategic planning includes renewing the HFN values, vision and mission, and detailing how HFN will achieve its vision through updated annual goals, objectives, and performance measures;
 and
- When the strategic plan is completed and approved it will be communicated to all community members, HFN staff, and other groups, as determined by the Council.

Policy

- 1. Council is responsible for ensuring that strategic planning is undertaken annually (e.g. before the end of the calendar/fiscal year). The Administrator is responsible for assisting with research and coordination of the annual planning.
- 2. Council controls the planning process by setting the strategic direction, which includes:
 - a. Reviewing prior year outcomes from quarterly reporting;
 - Establishing/renewing the HFN values, vision, mission, goals, objectives and performance measures; and
 - c. Approving the final plan and associated budget.
- 3. The Administrator participates in the development of goals and objectives by providing Council with operational information that enables them to undertake due diligence and make informed decisions. This work will be undertaken with Department Managers based upon quarterly reporting that includes:
 - a. Prior year plan progress on performance measures;

- b. Current and prior HFN operational capacity, and identified areas of capacity development; and
- c. A summary of feedback from community members and other relevant HFN internal and external environmental information for annual planning no later than August 1 annually.
- 4. The Administrator is responsible for finalizing activities designed to meet Council identified goals and objectives, performance measures, responsibility centers, and draft budget within thirty (30) days for Council for review and approval.

Accountability & Reporting

Preamble:

Council members have a fiduciary responsibility to the HFN and its members. Therefore, regular organizational reporting that plays an essential role in the effective functioning of a community is a key responsibility of Council. Research has also demonstrated that the effectiveness of an organization's reporting as an indicator of how well the organization is managed¹⁵.

To ensure effective reporting, this policy outlines an integrated (strategic plan, evolving community needs and interests, and alignment with policy/legislation), systematic reporting format that HFN will use. This reporting system supports the use of best practices and creates a clear blueprint for the future by building and aligning cultural integration/relevancy, structure of the organization, and behavioral capacity critical to the effective long-term development of HFN and its members.

Policy:

Council is directly accountable to all HFN members.

- 1. Council (not HFN staff) will report to the HFN community on an annual basis.
- 2. Council is solely responsible for ensuring that the Administrator provides all reporting to Council in a timely manner, using clear and understandable language and formats.
- 3. Quarterly reports will include, but is not limited to:
 - a. Accountability Statement from the Chief attesting to the quality and approval of the report (including an outline of the report format),
 - b. HFN vision, mission, strategic goals, objectives, and associated accomplishments to date,
 - c. Monthly/quarterly financial statements by Department that identify:

¹⁵ Source: Chartered Institute of Management Accountants (http://www.cimaglobal.com/Thought-leadership/Research-topics/Financial-reporting/Corporate-reporting-is-no-longer-working/).

- i. Department Budgets;
- ii. Year to Date; and
- iii. Variance.
- 4. Annual Reporting will include, but is not limited to:
 - a. Accountability Statement from the Chief attesting to the quality and approval of the report (including an outline of the report format),
 - b. HFN vision, mission, strategic goals, objectives, and annual accomplishments to date.
 - c. Audited financial statements, and
 - d. Coming year goals.
- 5. Council will ensure additional copies of reports are made available for viewing only at HFN Community Meetings, and at the entrance to the Administration Building. The Annual Report will also be posted on the HFN website.
- 6. As a part of overall reporting, Council will also ensure that the Administrator provides a complete set of Council and HFN policies, approved Council meeting minutes, and most recent reports (including financial statements) for viewing at all HFN Community Meetings.

Appendix A: Administrator and Department Manager Reporting Form

MONTHLY Administrator and Dept. Manager Report for HFN COUNCIL

Date:				
Update on Strategic Plan Department Goals, Obje	ctives and Tasks:			
Goal				
Objective				
Task (including: Key Milestones Achieved, Due D	ate/Actual Date/	Variance)		
FINANCE / BUDGET UPDATE:				
Department Budget items to achieve strategic	Budget	Year to Date	Variance	
goals	Duuget	Teur to Dute	variance	
Notes to financials:	•			
CRITICAL ISSUES and RISK MGMT. RECOMMEND	OATIONS, if any:			
PROPOSAL UPDATES (Key Milestones Achieved and Change Requests for Approval, if any):				
Approval Date:	Approved By (Su	pervisor or Adm	inistrator):	

CAPACITY & COLLABORATION DEVELOPMENT UPDATE:
OTHER UPDATES:
UPCOMING PLANS FOR COMING MONTH (Highlights, Events, etc.):