

BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

Governance Toolkit

A GUIDE TO NATION BUILDING



LETTER FROM REGIONAL CHIEF JODY WILSON-RAYBOULD

Dear Leaders,

The BCAFN is pleased to present the first edition of the *BCAFN Governance Toolkit: A Guide to Nation Building* in accordance with our *Building on OUR Success* action plan and the first pillar of that plan, “Strong and Appropriate Governance.” The Governance Toolkit is a comprehensive guide intended to assist your Nation in building or rebuilding governance and navigating its way out from under the *Indian Act* at its own pace and based on its own priorities. Since it was first conceived, this project has taken on a life of its own and continues to grow. The Governance Toolkit also continues the work of previous BC Regional Chiefs and draws on the growing governance experiences of BC Nations working together to improve the lives of our people.

Simply defined, “Governance” means “establishing rules to coordinate our actions and achieve our goals.” As societies, the institutions we create to make rules and then enforce them, we call “government.” “Governance” and “government” come in many forms but are always needed. They can, of course, be done well or badly. Research and experts tell us the quality of governance, much more than its specific form, has a huge impact on the fortunes of any given society. Ours are no exception. Societies that govern well simply do better economically, socially and politically than those that do not. Strong and appropriate governance increases a society’s chances of effectively meeting the needs of its people.

In many diverse ways, based on our different cultures and traditions, this is exactly what our peoples did for centuries before the arrival of Europeans. The reality that we lived in productive, sustainable and viable societies is testament to the fact that our governing systems worked. With the arrival of the newcomers, all this quickly changed. During the colonial period, while we may have had some form of government under the *Indian Act*, we were for the most part denied the powers (jurisdiction) we needed to govern and the governing institutions that could exercise power effectively.

During the colonial period, our governments were based on models developed by the federal government to deliver its programs and services. The powers of our governments were very limited. The effects on us were unfortunate, as the *Indian Act* system promoted an impoverished concept of government. “Government” for us became little more than managing programs (education, health, housing, social assistance, etc.) and distributing limited resources (money, jobs, influence and services). The concept that government should be about making laws, resolving disputes and generating the means to pursue a collective vision was smothered under the need for federal programs and services and the fact that the local “band office” was the instrument to deliver them.

Thankfully, this is changing and a more robust concept of governance is re-emerging as we slowly rebuild strong and appropriate governance. This is happening for many reasons. One of them is the advancement of our right to self-determination, both domestically through section 35 of the *Constitution Act, 1982* and internationally through the *United Nations Declaration on the Rights of Indigenous Peoples*. It is also a reflection of the growing political realization that our Nations truly need strong and appropriate governance in order to succeed. And this is not just a realization by us, but by others. Finally, it is also because our Nations are increasingly raising more of their own revenues to provide strong governance. In BC, our Nations are leading the way. Among them, they have made over 2,500 laws/by-laws and they are the leaders in numerous “sectoral” and “comprehensive” governance initiatives in Canada along a continuum of governance reform.

The Governance Toolkit draws on all of this work in post-colonial governance and brings it together in one document. Much of this work has, in truth, only taken place in the last 20 years as we have translated legal and political victories into practical benefits on the ground and in our communities.

The Governance Toolkit includes a number of parts. The core of the toolkit is the **Governance Report** that comprehensively looks at options for governance reform and considers, subject-by-subject, the powers (jurisdictions) of our Nations. The Report is written from the perspective that the Nation is the building block of governance and that our Nations have the inherent right to govern. It looks at how we are moving in this direction along a continuum of governance options and reforms by providing a snapshot of what our Nations in BC are actually doing.

The Governance Toolkit also includes a **Governance Self-Assessment** in two modules that your Nation can use to evaluate 1) the effectiveness of your institutions of governance, and 2) the effectiveness of your administration. The evaluation is an important exercise that any Nation can undertake to identify what is working well and what not so well, and where the institutional framework may be deficient and where there are gaps, both in terms of the institutions of governance and of the powers of government that may need to be advanced. The third part is **A Guide to Community Engagement** that will assist your Nation to begin or continue discussions with your citizens about the importance of strong and appropriate governance and options for governance reform, including moving beyond the *Indian Act*.

I am pleased to say that the Governance Toolkit has been developed in-house by the BCAFN with the support and contributions of many individuals and organizations. Drafts of the Report were reviewed by peer groups and the Self-Assessment modules were piloted in a number of our communities and revised extensively following insightful dialogue. The Governance Toolkit is available on the BCAFN website www.bcafn.ca, including most of the primary documents that are referenced in the *Governance Report*.

Finally, transforming *Indian Act* governance is no small task. After years of living under the *Indian Act*, it may be difficult for some Nations, as indeed it has been for the federal government, to shed the routine of colonialism and tackle the seemingly overwhelming task of Nation building or Nation rebuilding. For some, the status quo works and unfortunately serves their self-interest. For others, it may be hard to shed the old ways. Many more will simply be afraid of change preferring to live “with the devil they know rather than with the one they do not.” There will at times be tensions between current and traditional practices, and a challenge to reconcile them. What is encouraging, though, is that despite the challenges, many of our Nations have already walked through, or are walking through the “post-colonial door” and are establishing strong and appropriate governance with their own institutions of governance and the range of powers they need to govern. While considerable work remains ahead in realizing our collective vision, we are well on our way.



I hope the Governance Toolkit will be a practical and useful resource for your Nation during this exciting period of change and of Nation building. *Gilakas'la*.

Respectfully,

Puglaas (Jody Wilson-Raybould)
Regional Chief

PART **2** ///

The Governance Self-Assessment

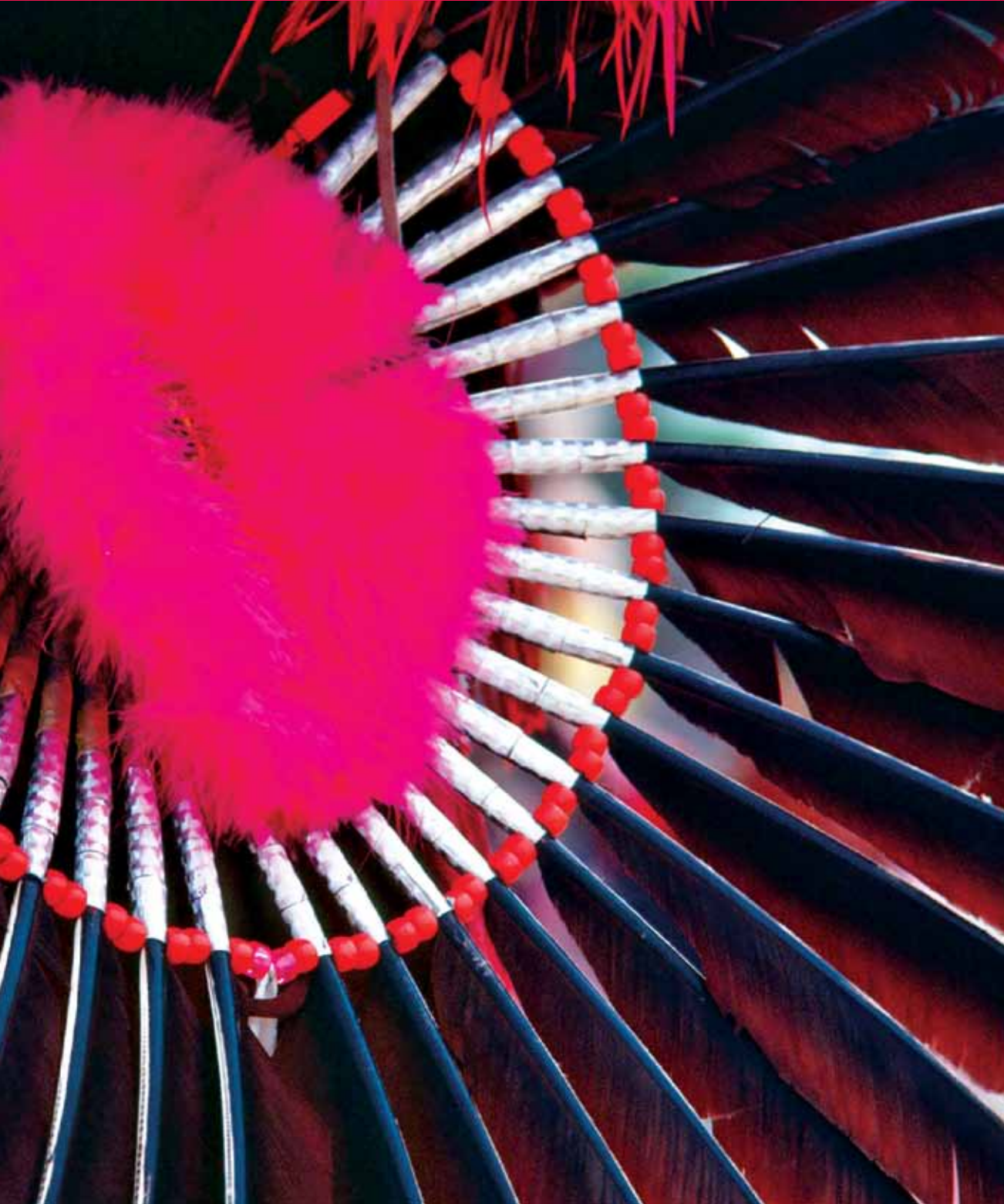


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NOTES

FOREWORD FROM REGIONAL CHIEF PUGLAAS (JODY WILSON-RAYBOULD)

First Nations are in a period of profound transformation, moving away from self-administration under the *Indian Act* to self-government consistent with our right to self-determination. It is a transition in which we are moving away from primarily delivering federal programs and services to our peoples on our reserves on behalf of Canada to designing our own programs and services and delivering them to both our own citizens and others who fall under our authority — in some cases on-reserve and in others cases beyond — through the exercise of recognized jurisdiction. This shift in governance and administrative responsibility to our Nations demands that, as Nations, we work to ensure that we have strong and appropriate governance, supported by well-run administrations. Both our governance and our administration need to be effective and efficient so that we can translate hard-fought-for rights into practical benefits on the ground in our communities.

To support our Nations in this journey, I am pleased to present Part 2 of the *BCAFN Governance Toolkit*. *The Governance Self-Assessment* is in two modules:

- Module 1: The Governing Body — Establishing Effective Governance
- Module 2: The Administration — Establishing Effective Organization

Modules 1 and 2 have been designed to assist your Nation in being self-reflective and to guide you through a confidential and internal self-assessment of both your governing body and your administration. The governance self-assessment can be undertaken by any Nation, regardless of where it may fall along the continuum of governance reform, moving away from the *Indian Act*.

Each module contains a guide to conducting the survey, the survey itself, a questionnaire and worksheets to tabulate the results and develop work plans. The governance self-assessment will take three to four hours for the governing body and six to seven hours for the administration. Taking the survey will help you to identify, through the questions and resulting dialogue, governance priorities and opportunities within both your governing body and administration, and can lead to the development of internal work plans for governance-related initiatives that meet the specific needs of your Nation.

While the guide to the survey provides context for the questions, it is intended to be used in conjunction with the other parts of the *Governance Toolkit*. *Part 1: The Governance Report* provides further background information and options for moving forward on governance and administrative reform. *Part 3: A Guide to Community Engagement* builds on the survey with respect to maintaining positive relations with citizens and stakeholders.

As with Parts 1 and 3 of the *BCAFN Governance Toolkit*, I am pleased to say that Part 2 has been developed in-house by the BCAFN, with the support and contributions of many individuals and organizations. The self-assessment is inspired by the experiences of our Nations. It also draws from existing assessment tools, including those developed by the Aboriginal Financial Officers Association (Alberta chapter) and Aboriginal Affairs and Northern Development Canada, among others. The architecture of the assessment draws heavily on the assessment tools developed by Accreditation Canada, and we are extremely thankful for their ongoing assistance with this project.

As I reflect on the efforts of the BCAFN to create the governance self-assessment, and indeed the entire *BCAFN Governance Toolkit*, I am grateful for the sharing among the many First Nations in BC who have worked alongside us. As the self-assessment was being developed, earlier versions were piloted in a number of First Nation communities and then revised substantially on the basis of the input received. Thank you to all the Nations that participated in the pilots. Without your contribution, the survey and guide would not be as strong as they are. We also witnessed during these sessions the incredible tenacity within our Nations, and their commitment to undertake the often challenging work of building the strong and appropriate governance that will lead to meaningful change in our communities as we move away from our colonial past.

I hope that *Part 2: The Governance Self-Assessment* will provide a practical and useful tool for your Nation.

Gilakas'la.

Puglaas (Jody Wilson-Raybould)

Regional Chief

BC ASSEMBLY OF FIRST NATIONS

November 26, 2012

ACKNOWLEDGEMENTS

The British Columbia Assembly of First Nations (BCAFN), and our Board of Directors, would like to thank the many people and organizations who made invaluable contributions to Part 2 of the *Governance Toolkit, The Governance Self-Assessment*. Specifically, we would like to recognize the British Columbia First Nations' leadership and citizens for your tireless work. We appreciate and acknowledge your efforts and commitment to our peoples during this period of Nation building/rebuilding.

The BCAFN and the Regional Chief gratefully acknowledge the contribution of Accreditation Canada to the development of Part 2. In 2012, Accreditation Canada and the BCAFN entered into a memorandum of understanding to further enable the sharing of best practices and strategies and to encourage learning in terms of assessing, implementing and evaluating institutions of First Nations' governance.

While we have endeavoured to acknowledge individuals or organizations that have contributed to this work, we apologize for any person who has been inadvertently left out. *Gilakas'la.*

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BC ASSEMBLY OF FIRST NATIONS**About the British Columbia Assembly of First Nations**

The British Columbia Assembly of First Nations is a provincial-territorial organization whose membership is made up of 203 First Nations in British Columbia. The BCAFN is one of the ten regional organizations affiliated with the national Assembly of First Nations whose members include over 630 First Nations across Canada. The Regional Chief of the BC Region also serves as a member of the Executive Committee of the national Assembly of First Nations. The Regional Chief represents the regional concerns of the BCAFN constituents on the Executive Committee to ensure that regional perspectives are included in National political discussions and decision-making. The Regional Chief holds specific portfolios that deal with national policy issues and concerns. The BCAFN is an incorporated society under the BC *Societies Act* (S-45919). This allows the BCAFN to operate with its own regionally specific mandates and to establish relationships with the Provincial government and other organizations. The BCAFN operates to create linkages between the regional and national political processes to ensure that these activities are communicated and represented at a First Nation level.

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PART 2 /// MODULE 1

The Governing Body – Establishing Effective Governance



1.1

GUIDE

USING THE GUIDE

“Strong and appropriate governance is necessary if our Nations are to reach our full potential and maximize our opportunities. This is a prerequisite to sustainable and long-term economic and social development.”

— BCAFN Building on OUR Success

Introduction

Module 1 has been designed to assist your Nation in assessing the effectiveness of your governing body. The self-assessment consists of a guide, a survey, a questionnaire and a planning workbook. The guide will help the members of your governing body understand the survey questions and the choice of responses provided. The survey is to be undertaken by the members of your governing body as a group effort. The members should read the guide first, before tackling the survey questions. The questionnaire is to be completed by individual members of the governing body. The planning workbook is a simple tool used while completing the assessment to record identified needs or follow-up activity that may be required.

The self-assessment can be completed by the members of your governing body regardless of the legal framework within which your Nation is currently operating. Today, the most common form of governing body is a chief and council governing under the *Indian Act*, chosen either in accordance with the “custom” of the Nation or elected under section 74(1) of the *Indian Act*. For Nations exercising governance outside the *Indian Act*, the legal and administrative framework for governance can be quite different. Despite differences in legal frameworks, however, the principles of effective and good governance remain the same.

Many of our Nations are moving away from governance under the *Indian Act* and are re-establishing their own institutions of governance with expanded powers (jurisdiction). In undertaking the self-assessment, your governing body will begin a process of exploration of the appropriateness, and hence effectiveness, of your Nation’s current governance structures and practices. Effective governance is affected by the legal framework within which a governing body operates. Effective and good governance within a weak, inappropriate or non-existent legal framework can be challenging, if not impossible. At times, the legal framework can create barriers to good governance that can actually encourage and support bad practices and, in the worst cases, even require them. This is sometimes the case with governance under the *Indian Act*.

When completing the self-assessment, the members of your governing body are encouraged to think critically about your Nation’s governance practices, bearing in mind the legal framework that your Nation is currently operating within. There are a number of ways to strengthen your Nation’s institutions of governance and there are resources available to help your Nation do so. *The Governance Report* (Part 1 of the Toolkit) considers these options along a continuum of governance options moving beyond the *Indian Act* and provides details of the resources available to assist your Nation.

The approaches that individual Nations take to governance and governance reform can differ from Nation to Nation according to each Nation's customs and traditions, size and geographical location, and priorities. Module 1 uses common, neutral terms (e.g., governing body, administrator, laws, community, citizen, stakeholder); however, the members of your governing body will need to read the guide, survey and questionnaire bearing in mind the appropriate terminology used by your Nation.

Components of effective governance

The guide, the survey and the planning workbook are divided into six areas. Each addresses a key component of effective governance. The six areas are:

1. DEVELOPING A CLEAR DIRECTION/VISION

This component speaks to questions about your Nation's long-term direction, your values and the vision of the Nation. It considers issues of strategic planning, whether a strategic plan has been developed, and if so, what strategic goals and objectives make up the plan.

2. WORKING TOGETHER EFFECTIVELY

This component considers the structures and procedures of your governing body. It takes into account how the governing body is selected and how it makes decisions, including the making of laws. It raises issues regarding the roles and responsibilities of members of the governing body and considers how well the governing body is working together as a group. This component also includes the questionnaire that each member of the governing body is asked to complete independently.

3. INFORMATION TO SUPPORT QUALITY DECISION-MAKING

This component concerns the information that is received by the governing body and that is relied upon to make informed decisions. Consideration is given to what kinds of information the governing body reviews and whether it is useful in making decisions for the Nation.

4. OVERSEEING AND SUPPORTING THE ADMINISTRATION

This component considers how the governing body oversees the administration to support the delivery of programs and services. There is a focus on the recruitment, selection and monitoring of the administrator, the relationship between the governing body and management and their roles in resource allocation.

5. MAINTAINING POSITIVE RELATIONS WITH THE CITIZENS AND STAKEHOLDERS

This component concerns the governing body's relationship with the citizens and stakeholders, and understanding their priorities. Consideration is given to how the governing body communicates with the citizens and stakeholders and how the governing body is involved in the activities of the Nation when seeking input from the citizens. Does the governing body know the priorities of the Nation, the citizens and stakeholders?

6. BEING ACCOUNTABLE AND REALIZING THE VISION

This component addresses the governing body's role in demonstrating accountability to the citizens and stakeholders and supporting ongoing improvements in governance and the quality of programs and services delivered.

Structure of the guide

In the guide, a number of key “measurements” of effective governance are identified for each of the six areas described above. Each measurement is broken down into a series of statements about governance. Each of these statements has been given a number (1.1, 1.2, 2.2, 2.3, etc.). For each statement, there are guidelines as to what the measurement is measuring. These measurements and accompanying guidelines will assist the members of your governing body in choosing the appropriate response to the questions in the survey.

Using the guide to complete the survey

The survey poses a series of questions with respect to each of the six areas described above. The questions in the survey are tied to the measurements and the guidelines used in the guide. These measurements and guidelines are based on best practices in developing First Nations governance. For each survey question, the corresponding reference to the statements about governance in the guide is used (1.1, 1.2, 1.3, etc.).

The survey sets out three possible responses to each of the questions posed. Your task is not only to determine which of the statements best describes your Nation today, but also to consider the direction in which your Nation is moving or trending and the steps your governing body has taken or is taking to support strong and appropriate governance. The open dialogue encouraged by this exercise should tell you quite a bit about your Nation, where you may have needs and where action to strengthen your governance may be desirable.

Here is an example of how this approach works, using the first measurement in the guide.

EXAMPLE

Survey Question:

Question	Which statement best describes your Nation?				
	A	A/B	B	B/C	C
1. Does your Nation have a set of values that guide your decision-making? Values and Vision (1.1)	<input type="checkbox"/> The Nation does not have a defined set of values.	<input type="checkbox"/>	<input type="checkbox"/> The Nation has a set of defined values that we use to guide our decisions as a governing body.	<input type="checkbox"/>	<input type="checkbox"/> The Nation has a set of defined values that we use to guide our decisions as a governing body. We have identified culturally appropriate mechanisms in our Nation for communicating the values throughout the Nation and we receive regular updates about these mechanisms.

Relevant section in guide:

DEVELOPING A CLEAR DIRECTION/VISION

Values and Vision

1.0 The Nation’s values guide a long-term vision that is supported by institutions of governance that are culturally appropriate and relevant.

Measurement: The values of the Nation guide the development of its institutions of government and ensure that decision-making processes are culturally appropriate and will be respected.

Guidelines: Values are strongly held beliefs or ideals shared by the citizens of a Nation or cultural group about what is right or wrong, good or bad, and desirable or undesirable. Sharing, respect, compassion, discipline, generosity, loyalty, dignity, honesty and honour are examples of values often shared by the citizens...

Completing the survey and questionnaire

Completing Module 1 will take approximately three to four hours. It is best completed in a group setting, with the group deciding collectively how to respond to each question, after having first read the appropriate section of the guide.

You may choose to involve all or some of the members of your governing body — the more the better. You may also wish to include senior management for support and perhaps to complete the planning workbook as you proceed. However, if senior management participates, they should avoid influencing the choice of statement that best describes the Nation.

Completing the survey works best with five to seven people. If your governing body is large or the group is large, you may wish to split into smaller groups. If you do split into smaller groups, each group should complete the survey and then the groups should come back together and collectively discuss the result and complete the planning workbook. In choosing the statement that best describes your Nation, please try to achieve a consensus among the members of the governing body.

Identify a member (or a couple of members) of the group to lead the process, fill in the survey and complete the planning workbook. Where the process is facilitated by a third party, he or she may complete all or some of these tasks.

The questionnaire is anonymous and is to be completed individually by each member of the governing body. Tabulate the results using the tabulation worksheet, to determine where there is consensus among members of the governing body on how effectively they are working together and to highlight areas that need improvement. The results of the questionnaire should be discussed by the team and can help with completion of the planning workbook.

In order to get the most out of the self-assessment process, please remember to read the guide first and refer back to it as needed.

Completing the planning workbook

The planning workbook is a good tool for recording any issues or areas that may need work, identified as the members of your governing body go through the self-assessment process. Record them while they are fresh in your mind and as a result of the discussion. The planning workbook can then be used at a later date to develop more substantial and detailed plans for moving forward with governance initiatives, based on the priorities of the Nation. You can also incorporate the result of the self-assessment, as recorded in the planning workbook, into your regular planning processes, using the formats your governing body is familiar with (e.g., strategic plans, operational work plans, etc.).

And as the members of your governing body develop work plans beyond the assessment, please don't forget to consult *The Governance Report*. It provides good information and will assist you in identifying other sources of strategic information or resources available to help you in implementing your governance initiatives based on your identified needs.

THE GUIDE

DEVELOPING A CLEAR DIRECTION / VISION

Values and Vision

1.0 The Nation's values guide a long-term vision that is supported by institutions of governance that are culturally appropriate and relevant.

- 1.1 ***Measurement:*** The values of the Nation guide the development of its institutions of government and ensure that decision-making processes are culturally appropriate and will be respected.

Guidelines: Values are strongly held beliefs or ideals shared by the citizens of a Nation or cultural group about what is right or wrong, good or bad, and desirable or undesirable. Sharing, respect, compassion, discipline, generosity, loyalty, dignity, honesty and honour are examples of values often shared by the citizens of a Nation or cultural group.

The Nation's values are rooted in the culture and traditions of our peoples and reflect our world views. These values may be written down or orally communicated. They can be found in the legends and songs of our peoples and will vary from Nation to Nation.

In many of our Nations, the transmission of values from one generation to the next has been affected by the residential school system, government assimilation policies and other elements of the colonial legacy. Therefore, when developing a long-term vision for your Nation, it may be helpful to affirm/confirm the values collectively held by the citizens of your Nation.

While it may not be necessary to write down these values, particularly when they form part of an oral tradition, it may be advisable to establish community consensus on how these values, once affirmed/confirmed, will be communicated to citizens and to future generations.

Many Nations have developed, or are developing, community constitutions that set out, among other fundamental matters, their values.

- 1.2 ***Measurement:*** The citizens of the Nation have a long-term vision for the Nation that is rooted in the Nation's values.

Guidelines: Based on the Nation's values, the citizens determine the vision for the Nation and the governing body is responsible for implementing the vision.

A vision is a collective statement of a Nation's aspirations, its hopes, dreams, goals and objectives. Health, prosperity, thriving language and culture are among the goals and objectives that often form part of a Nation's vision statement. The vision can bind the citizens in a common purpose and reflect where the Nation has come from and where it wishes to go.

How the vision or vision statement is developed, agreed upon and recorded will vary from Nation to Nation. Your Nation may have developed a vision many years ago, and this vision may be housed in different institutions of your Nation. The vision will necessarily reflect the contemporary expression of your Nation's culture and traditions, as expressed in the practices and world view of your people. Developing a vision for moving forward can be a very powerful way to engage citizens and focus attention on what is important to them and the future of the Nation.

Developing a vision can also be an important aspect of healing and moving beyond the colonial legacy. If we think of moving beyond the *Indian Act* as a journey, the vision statement can be thought of as the destination agreed to by our people. It is a statement of where we want to go beyond the *Indian Act*. Without a vision, your Nation's governing body will be unable to develop the road map or strategic plan to get you there.

- 1.3 ***Measurement:*** The governing body leads a planning process with its citizens to develop a long-term vision.

Guidelines: The process of developing the vision is normally guided by the governing body but not determined by it. The planning process should be culturally appropriate and, of course, there will be diversity among Nations as to how the vision is developed. Citizen meetings will inevitably be required to develop, adopt or refine the vision statement. In some instances, vision statements are adopted by referendum or other citizen approval processes.

The contemporary expression of the Nation's vision may be set out in a written community plan that is created through a process initiated by the governing body but developed and sanctioned by the citizens. Community plans may be adopted by the citizens through a referendum or vote, by the enactment of a law or in other culturally appropriate ways. In some cases, the vision and values may be set out in a Nation's constitution, sometimes in conjunction with a statement of principles and values. (For more information, see *Part 1 — The Governance Report, 2.4 The Constitution.*)

Strategic Planning

2.0 The governing body works with the administration to develop a strategic plan to achieve the long-term vision of the Nation.

- 2.1 ***Measurement:*** The governing body follows an established planning process to develop or revise its strategic plan, which is directed toward achieving the Nation's long-term vision.

Guidelines: In order to achieve the Nation's long-term vision and carry out the Nation's purposes, it is necessary to think strategically and to develop and follow a strategic plan. A strategic plan is effectively a road map that sets out how the governing body will achieve the goals and objectives agreed to by citizens in the Nation's vision statement. Without a strategic plan, it is unlikely that the full vision will ever be realized or the purposes

of the Nation's government met. Many Nations find themselves in a continual state of crisis management, responding to situations and events. Development of a strong strategic plan can help a Nation to organize its operations to be less reactive and more strategically focused when making decisions and to respond to crisis situations when they do arise.

A strategic plan sets out how a Nation or an organization will achieve agreed-upon goals and objectives. Strategic plans may:

- describe the actions, strategies and approaches that a Nation or other organization will take to achieve the agreed-upon goals and objectives
- identify parties responsible for carrying out these actions or tasks
- identify targets or timeframes for completing assigned tasks
- identify resources required to achieve the agreed-upon goals and objectives and carry out assigned tasks
- manage risks and plan responses to unforeseen problems and opportunities
- identify performance measures for evaluating progress toward achieving the agreed-upon goals and objectives

The process for developing a strategic plan will differ from Nation to Nation, depending on the Nations' size, the scope of its governance powers and the range of programs and services it delivers through its governing body. Sometimes a strategic plan may be tied to a comprehensive community plan that has been developed. (Note: The federal government is increasingly looking to see if a Nation has a strategic plan or a comprehensive plan in order to support funding arrangements.)

Strategic planning becomes a more critical exercise for the governing body and the Nation where the Nation is moving governance beyond the *Indian Act* and has greater control and authority over policy-making and program and service design and delivery. It becomes even more critical where there is greater flexibility on funding, including the availability of discretionary revenues (i.e., revenues not restricted by funding agreements or generated by the Nation directly).

2.2 ***Measurement:*** When developing a strategic plan, the governing body seeks input from the citizens and staff.

Guidelines: The process for seeking input from the citizens and staff in the development of the strategic plan will vary from Nation to Nation according to size, complexity, governance models and leadership style. For example, a bottom-up approach begins with meeting with citizens and staff, whereas a top-down approach begins with the governing body.

2.3 ***Measurement:*** When developing its strategic plan, the governing body gathers and considers information about the needs of the citizens and stakeholders.

Guidelines: In addition to identifying the Nation's goals and objectives through the development of a vision statement, it is also necessary for the governing body to determine the needs of the citizens and stakehold-

ers. This information is often summarized in a “needs assessment” or a “profile” of the Nation. Gathering and considering information about the needs of the citizens and stakeholders is an essential component of any strategic planning process.

- 2.4 ***Measurement:*** When developing its strategic plan, the governing body considers existing laws and its legal obligations under the Nation’s laws or to other entities.

Guidelines: Any laws/by-laws enacted by the Nation provide a framework and context for developing and revising the Nation’s strategic plan. The plan must be consistent with these laws and any legal obligations imposed on the governing body under these laws. Where the Nation delivers programs and services on behalf of Canada or British Columbia, the strategic plan must be consistent with any legal obligations owed to these entities through other legislation or agreements. As noted above, where Nations are moving along the continuum of governance toward self-determination, these obligations will change. (For more information, see *Part 1 — The Governance Report, 3.0 Powers (Jurisdictions) of the First Nation.*)

- 2.5 ***Measurement:*** When developing a strategic plan, the governing body assesses risks and opportunities for the Nation.

Guidelines: The governing body understands the political and legal environment it is operating within and anticipates changes in the environment that may be a risk to or opportunity for the Nation. Canada, and in some cases the province, are enacting or will be enacting legislation or making policies that affect the Nation and the delivery of programs and services. The governing body will assess these risks and opportunities and incorporate strategies to address them into the strategic plan.

- 2.6 ***Measurement:*** The strategic plan includes measurable strategic goals and objectives.

Guidelines: The strategic goals and objectives are consistent with the values and vision of the Nation. They anticipate and respond to feedback from the citizens and input from the administration, priorities set by external governments or other stakeholders, and risks to and opportunities for the Nation. The goals and objectives contribute to improved governance, better program and service delivery, and better overall performance of the governing body and the administration. The strategic plan outlines at a broad level the methods by which the goals and objectives are to be achieved. Strategic goals and objectives to meet the vision can be established over the long term (e.g., 5, 10, 25 or even 100 years) or short term (less than 5 years).

It will be important to measure progress in achieving the Nation’s long-term vision through measurable goals and objectives. This will require the identification of goals and objectives as well as the development of mechanisms for measuring progress in reaching the identified goals and objectives. These mechanisms are sometimes referred to as

performance measures and indicators. Examples of measurable goals and objectives with respect to the citizens may include the number of fluent language speakers, average income, unemployment rates, graduation rates, and so on. For the governing body and administration, they may include the number of citizens employed by the Nation, increases in own-source revenues, laws enacted, jurisdictions exercised, and so on.

- 2.7 ***Measurement:*** The strategic plan identifies timeframes and who is responsible for achieving the strategic goals and objectives.

Guidelines: Establishing timeframes and assigning responsibility provides clarity and accountability for achieving the strategic goals and objectives. In the period of transition from the *Indian Act*, clearly identifying who is responsible for aspects of the transition is essential for implementation of new arrangements. This also helps to establish a rationale for appropriate allocation of resources for implementation. As a Nation moves along the continuum of governance away from the *Indian Act*, the strategic goals and objectives will increasingly be internal to the Nation and less of a response to the priorities set by external governments.

WORKING TOGETHER EFFECTIVELY

Effective Governing Body

- 3.0 The structure of the governing body is culturally appropriate and the governing body clearly understands its roles and responsibilities and has clear rules to govern leadership selection, meetings, compensation for elected officials and conflicts of interest.**

Culturally appropriate governing body

- 3.1 ***Measurement:*** The values of the Nation guide the development of the institutions of its government and ensure that decision-making processes are culturally appropriate and will be respected.

Guidelines: Research conducted by the Harvard Project on Economic Development concluded that “those Nations that had taken control of their own affairs and had backed up that control with capable, culturally appropriate and effective governing institutions did significantly better than those that had not.” As we move beyond governance under the *Indian Act*, we have an opportunity to design culturally appropriate and effective governing institutions to replace the institutions of government imposed on us under the act. (For more information see *Part 1 — The Governance Report, 1.0 Options for Governance Reform.*)

Leadership selection

- 3.2 ***Measurement:*** The Nation has an established, recognized and appropriate process to determine who the members of the governing body are.

Guidelines: How the members of the governing body are selected will vary from Nation to Nation. Whatever system is in place should ensure that the governing body is recognized and supported by those governed. Under the *Indian Act*, the default rules establish that the governing body consists of a chief and council that are elected by the adult citizens of the Nation.

Some Nations have election codes or constitutions that set out a clear and transparent process for electing the governing body by the citizens. In other cases, custom councils are selected in accordance with traditional laws and customs, which vary from Nation to Nation. Traditional laws and customs do not always afford citizens the opportunity to participate in the selection of their leaders. To avoid any conflict that may arise from this form of leadership selection and to ensure the legitimacy of the governing body, traditional laws and customs should be clearly communicated to the citizens. Alternatively, it may be helpful to codify some of the traditional laws and customs.

Where a Nation does not have a custom council or an election code or rules for leadership selection set out in a constitution, the default provisions of the *Indian Act* apply. As Nations move from “band” governance under the *Indian Act*, some will want to incorporate traditional laws or custom rules on leadership selection into their new election laws and policies. (For more information see *Part 1 — The Governance Report, 3.8. Elections.*)

Selection of presiding officer

- 3.3 **Measurement:** The governing body has a process to elect or appoint an individual to preside over the government.

Guidelines: Under the *Indian Act*, the person who presides over the governing body and chairs meetings or sittings of the government is usually the chief, but can be another person chosen by the governing body or as set out in a Nation’s laws. The presiding officer is typically responsible for running meetings effectively; controlling discussion among members, managing dissent and working toward consensus; communicating with the administrator and senior management, government and stakeholders, and the citizens; and establishing a culture of active involvement and engagement among the members of the governing body. The roles and responsibilities of the presiding officer can be set out in a law/by-law of the Nation or described in a policy. For Nations governed by the *Indian Act*, unless the Nation’s government has made a by-law, the *Indian Band Council Procedures Regulations* set out how meetings of the council are conducted, including the role of the presiding officer. (For more information see *Part 1 — The Governance Report, 2.3 The Governing Body.*)

Criteria for elected officials

- 3.4 **Measurement:** The members of the governing body have the right mix of background, experience and skills to govern effectively.

Guidelines: Some Nations establish criteria for elected officials in their election codes or constitutions. However, there is no certainty as to who will be elected or their potential skills. The governing body identifies gaps in the background, skills and experience of its members and provides the members with the needed training and guidance or ensures that the senior administration fills these gaps. To address circumstances where the governing body does not have the required background or experience, the Nation may in its policies, laws or constitution provide for or authorize delegation of specific responsibilities to qualified senior management or to members who possess the relevant background, experience and skills. In these circumstances, the governing body relies on representations and recommendations from senior management or committee members with knowledge and understanding of the issues.

Term of office, meetings and compensation

- 3.5 **Measurement:** The governing body has rules regarding the term of office for elected officials, meeting schedules and locations, and compensation for officials.

Guidelines: Rules governing the length of office, meeting schedules and remuneration for elected officials are typically set out in an election code or constitution. Where a Nation does not have an election code under the *Indian Act* or a constitution or rules under an alternative governance arrangement, the default rules under the *Indian Act* apply to the governing body. (For more information see *Part 1 — The Governance Report, 2.4 The Constitution, 3.8 Elections.*)

Term of Office: The *Indian Act* prescribes two-year council terms. Most communities with custom election codes, governing outside the *Indian Act*, have established longer terms. Where a Nation adopts an election code or constitution, the Nation may limit the number of terms that members of the governing body may serve.

Meetings: Under the *Indian Act*, there is no set schedule for meetings of the governing body or its committees or for the location of meetings. However, a Nation may adopt an election code in which it establishes its own requirements relating to meeting schedules and locations. Alternatively, these rules may be included in a constitution or other law of the Nation. All members of the governing body have the right to fair notice of meetings and thereby the ability to arrange their affairs so that they can attend.

Compensation: The *Indian Act* provides no guidelines with respect to compensation for members of the governing body. The governing body should establish compensation levels for its members on the principle that all members receive the same basic remuneration for service provided, with possible additional remuneration for the chair or chief. The governing body is accountable to the citizens for compensation paid.

Continuity

- 3.6 **Measurement:** The manner in which the governing body is chosen supports the continuity of the governing body and decision-making over time.

Guidelines: Some Nations stagger their elections to ensure continuity in their governing bodies. A staggered election cycle allows for a balance to be struck between newly elected members and members with the corporate memory and knowledge of the administration. The period of transition from governance under the *Indian Act* will often exceed the term of the governing body that initiated the change. In this circumstance, it is essential for the Nation to have in place a process to ensure the continued support and advancement of the Nation's vision by successive governing bodies.

Roles and responsibilities of the governing body

- 3.7 **Measurement:** The roles and responsibilities of the members of the governing body are clearly defined and its members clearly understand their authority and their roles and responsibilities.

Guidelines: The members of the governing body understand their roles and responsibilities in order to be able to discharge them effectively.

The *Indian Act* does not clearly define the roles and responsibilities of a Nation's governing body. Moving beyond the *Indian Act*, the citizens or governing body may wish to define the governing body's roles and responsibilities and set these out in its constitution or law or other policy. When reviewing or updating the scope of the authority, roles and responsibilities of the governing body, the applicable law or changes to that law should be considered in the context of achieving the Nation's vision.

In general, the governing body's responsibilities are strategic and focused on making laws/by-laws, setting policy and making decisions that affect the Nation's future and long-term sustainability. For example, the governing body is usually responsible for overseeing its own members; selecting and assessing the administrator; overseeing the strategic planning process; approving the Nation's government policies and ensuring that the policies are in place; working with the administration to identify and manage risks and identify strategic opportunities for improvement; and monitoring the Nation's performance, including the achievement of the strategic goals and objectives.

The governing body and senior management also have differing roles and responsibilities with regard to the development of the Nation's annual budget, multi-year financial plans and the allocation of resources in accordance with approved budgets. The governing body is responsible for estimating the revenues that will be available to it to carry out governmental functions and for expenditure of those revenues in the Nation's annual budget and multi-year financial plans. While annual budgets should be developed with support from senior management, approval of the annual budget and financial plans is the exclusive

responsibility of the governing body. Senior management is then responsible for making resource allocations in accordance with approved annual budgets.

The governing body is also responsible for ensuring that the Nation or organization meets legal and regulatory requirements, as well as reporting, monitoring and accountability obligations; overseeing and evaluating the administration's performance; overseeing the scope, management and evaluation of contracted services; ensuring that employee codes of conduct are in place; ensuring that an appropriate communications plan and strategy is in place; and governing appropriately and effectively, through regular meetings, committees and working groups.

In some cases, the division of responsibility between the governing body and the Nation's administrator and senior management is clearly defined in the Nation's laws or in the applicable federal and in some cases provincial legislation. The governing body understands its roles and responsibilities and the roles and responsibilities of the senior management team.

Subject to the legal authorities of the governing body, certain roles and responsibilities may be delegated to the administrator or other senior management. The delegation of authority is linked to the strategic goals and objectives and clearly outlines how the administrator's or other senior management's roles and responsibilities are different and separate from those of the governing body. (For more information see *Part 1 — The Governance Report, 2.3 The Governing Body, 2.4 The Constitution.*)

Conflict of interest guidelines

- 3.8 **Measurement:** The governing body has a process for understanding, identifying, declaring and resolving conflicts of interest.

Guidelines: A conflict of interest occurs when individuals have competing professional or personal interests that may make it difficult for them to fulfill their duties. The governing body has written rules regarding conflict of interest.

The governing body is knowledgeable about examples of conflict of interest, the process for declaring conflicts of interest and the steps that may be taken to resolve or mitigate the effects of the conflict of interest. (For more information see *Part 1 — The Governance Report, 2.3 The Governing Body.*)

Oath of office

- 3.9 **Measurement:** Each member of the governing body signs an oath of office, statement or charter that defines his or her roles and responsibilities, including legal duties and expectations for the position.

Guidelines: It is important for members of the governing body to acknowledge the roles and responsibilities they are assuming upon taking office and to confirm their commitment to fulfill these responsibilities to the best

of their ability. An oath of office or statement is one way to evidence this acknowledgement and commitment. It may also be helpful to describe these roles and responsibilities in a charter document that sets out guidelines for behaviour, including communication and interaction with other members of the governing body, senior management, staff and the citizens; preparation for meetings and attendance; confidentiality; a commitment to being informed about the Nation and its operations and to representing the interests of the Nation; a commitment to self-evaluation and evaluation of the governing body; and a commitment to orientation and ongoing education. (For more information see *Part 1 — The Governance Report, 2.3 The Governing Body.*)

Orientation

3.10 **Measurement:** To facilitate an orderly transition from one governing body to the next, the administration provides an orientation for newly elected officials.

Guidelines: One way that the administration can facilitate an orderly transition from one governing body to the next is by providing an orientation for newly elected officials of the governing body. At a minimum, the orientation for the new governing body should include a review of the Nation's values and vision; the legal framework, including the roles and responsibilities of the governing body; the laws and policies that apply to the governing body, as well as laws and policies that the governing body is responsible for administering and enforcing; and any contractual obligations of the Nation, including those with other governments for the provision of programs and services, as well as other obligations to stakeholders. The orientation should also address the importance of quality improvement, safety and a positive work environment.

Effective Decision-Making

4.0 Effective decision-making requires a clear understanding of areas of the governing body's decision-making authority and procedures adopted to guide the governing body's decision-making process.

Decision-making authority

4.1 **Measurement:** The members of the governing body clearly understand their law-making and other decision-making authorities.

Guidelines: Effective decision-making requires the governing body to have a clear understanding of its law-making authority. Nations may exercise inherent and/or delegated law-making and other decision-making authorities.

While the inherent right of our Nations to enact laws is recognized by the courts and by the federal government in its Inherent Rights Policy (for more information, see *Part 1 — The Governance Report, 1.0 Options for Governance Reform*), there are often disagreements about the scope of our Nations' inherent law-making authority. As Nations move beyond

governance under the *Indian Act*, and in order to avoid disagreements and legal challenges, it may be necessary for Nations to reach an accommodation with federal, provincial and other governments regarding the scope of the Nation's inherent law-making authority.

Our Nations exercise a range of delegated law-making powers under the *Indian Act* and other federal and provincial legislation. For example, sections 81, 83 and 85.1 of the *Indian Act* delegate authority to councils to enact by-laws on a range of matters, which include local works, zoning, traffic, property taxation and the use of intoxicants on reserves. (See the relevant sections in *Part 1 — The Governance Report, 3.0 Powers (Jurisdictions) of the First Nation.*) There are many gaps in the law-making powers of a Nation's governing body that exercises delegated authority under the *Indian Act*. This affects the ability of the Nation's governing body to respond to the needs of the citizens and must be addressed during the transition to governance beyond the *Indian Act*.

- 4.2 **Measurement:** The governing body clarifies constraints on its decision-making authority and in areas where decision-making is shared with other governments.

Guidelines: Nations often provide programs and services on behalf of other governing bodies or entities. A Nation's governing body also sometimes engages in shared decision-making with other governing bodies and entities. In these circumstances, the governing body's decision-making authority is constrained by applicable legislation and agreements with the other bodies and entities. It is important for the governing body to be familiar with applicable legislation or agreements that constrain its decision-making authority. Whatever the degree of the governing body's decision-making autonomy, its accountability is strengthened by identifying areas of shared decision-making to reduce ambiguities that might otherwise undermine its ability to govern effectively. (For more information on jurisdictions and the division of powers and authorities, see *Part 1 — The Governance Report, 3.0 Powers (Jurisdictions) of the First Nation.*)

Decision-making processes

- 4.3 **Measurement:** The governing body has a decision-making process that addresses how to use group decision-making effectively and how to analyze and learn from past decisions.

Guidelines: Increasingly, Nations are setting out their decision-making processes in their own laws and in some cases constitutions. The rules for making different types of decisions can vary. For example, in some instances the governing body's decision-making process provides for a simple vote on a matter, with decisions made by a majority of the members voting on the matter. How a Nation makes or enacts laws may also require specific decision-making processes set out in law enactment procedures or policies. Some policies may be deemed of such importance that the decision to make them may require more than the simple passage of a resolution by the governing body. Some decisions may require citizen input or a referendum vote by the citizens.

The decision-making processes for councils that govern under the *Indian Act* are set out in the *Indian Band Council Procedures Regulations*. The regulations authorize council to “make such rules of procedure as are not inconsistent with these Regulations in respect of matters not specifically provided for thereby, as it may deem necessary.” As we move beyond governance under the *Indian Act*, Nations will probably want to incorporate their cultures and traditions into their decision-making processes and consider different processes, depending on the type of decision being made.

Decision-making by citizens

- 4.4 **Measurement:** The governing body has processes and policies for identifying decisions that require citizen approval and convening meetings of the citizens to vote on these decisions.

Guidelines: Under the *Indian Act*, responsibility for making certain decisions about lands and other matters rests with the citizens, not with the governing body. As Nations move beyond governance under the *Indian Act*, there will probably be subject matters over which citizens will remain, or become, responsible for making decisions. Therefore, as part of current and future good governance, it is important for a Nation’s governing body to have a clearly defined process for citizen decision-making.

At a minimum, the policies and processes for citizen decision-making should identify when citizen involvement is required and whose participation is required (living on and off reserve where applicable). The policy should also contain procedures for convening meetings of the citizens, developing agendas and preparing minutes or records of decisions made at citizen meetings. (For more information see *Part 1 — The Governance Report, 2.3 The Governing Body, 2.4 The Constitution; Part 3 — A Guide to Community Engagement*.)

Enactment of laws

- 4.5 **Measurement:** The governing body has processes to guide the development and enactment of laws (e.g., constitution, codes, laws, by-laws, regulations).

Guidelines: Making laws is one of the key powers and functions of any governing body. A law is a system of rules designed to preserve order in society or to address a particular problem, and that must be obeyed by citizens, corporations and institutions. Laws are typically developed or enacted by the governing body in accordance with the policy of the governing body reflecting the direction or will of the people whom they represent. Laws can also be developed or enacted by the people themselves through direct participatory processes such as referendums. Some Nations have adopted constitutions as their primary law to guide all other laws and establish the core institutions of their government. (For more information see *Part 1 — The Governance Report, 2.0 Core Institutions of Governance*.)

While the *Indian Act* contains provisions that set out requirements for enacting by-laws, the act does not have specific requirements regarding the development or enactment or codification of laws based on the inherent jurisdiction of a Nation's government.

The way that laws are developed and enacted will vary from Nation to Nation. At a minimum, the process for enacting and amending laws should consist of the following steps:

- Problem or goal identification: Laws are developed to achieve particular goals or to address particular issues. Where a Nation wants to achieve a particular goal, discussion is required to determine whether development of a law is required to achieve the goal. The governing body should also have in place a process for citizens, staff and others to bring forward issues that may require the enactment of laws.
- Information gathering and interest identification: Once a decision is made to enact a law, the governing body identifies and arranges for the gathering and analysis of the strategic information it requires to begin drafting the law. As part of its information-gathering exercise, the governing body should review existing information about its citizens and stakeholders to determine their potential interests in regard to the proposed law. The governing body may also direct that new information be gathered to gain a better understanding of the interests of its citizens and stakeholders.
- Authority: Where a decision is made to enact a law, the governing body should determine or confirm its source of authority to do so. The governing body should also identify any constraints on its authority. This may require advice from the Nation's in-house or external legal counsel. Laws can be made under a number of different authorities, ranging from the *Indian Act* to the exercise of the inherent right to self-government.
- Drafting: Once relevant information is gathered, the governing body will instruct the administration to arrange for drafting the law. Laws must be consistent with the Nation's vision and values and, where applicable, the Nation's constitution. Responsibility for drafting laws/by-laws will typically be assigned to legal counsel with relevant expertise and experience.
- Citizen and stakeholder engagement: Once a draft law has been developed, the governing body should engage with the Nation's citizens and stakeholders regarding the draft law.
- Approval: After seeking input from the Nation's citizens and stakeholders, the proposed law will be brought before the governing body for approval, in accordance with the Nation's rules for the enactment of laws. In some cases, the approving body may not be the governing body but the citizens by way of referendum.

The *Indian Act* and the *Indian Band Council Procedures Regulations* are silent on many basic procedures required for development and

enactment of laws. There are no procedures set out as to how a “band” actually makes by-laws under the *Indian Act* or laws under another authority, other than that a council passes a resolution. Section 2(3)(b) of the act makes it clear that a by-law must be enacted by the council and approved by a majority of the councillors present at a duly convened meeting of the council. By-laws enacted under the *Indian Act* must also be forwarded to the Minister, who has the power to approve or disallow by-laws. The validity of by-laws made pursuant to delegated authority under the *Indian Act* is dependent on compliance with the relevant provisions of the act. The making of other laws will be dependent on the source of authority for the law-making and the rules of the Nation, which themselves would be set out in a law (usually the constitution).

- **Publishing laws:** The citizens and others who are directly affected by the Nation’s laws have a right to know what laws apply to them. Therefore, the governing body must take reasonable steps to bring its laws to the attention of persons who may be affected by them. The governing body may post notices of the enactment of a law in its administration office(s), in its newsletter, in local newspapers or on its website. The original copy of the law should be kept in a secure registry of laws, with other copies available for inspection by the public. Most governments now use the Internet to provide public access to their laws. Laws may also be published in the First Nations’ Gazette. Copies of laws should also be available in the Nation’s primary administration office for inspection by the citizens and others.
- **Evaluation:** A process for reviewing and amending the Nation’s laws at fixed intervals should be put in place to monitor the effectiveness of all laws and identify any amendments that may be required to improve their effectiveness.

In-camera sessions

- 4.6 ***Measurement:*** The governing body’s procedures provide opportunities for holding in-camera sessions, as required.

Guidelines: In-camera sessions allow the governing body’s members to discuss issues in private. The governing body should have written rules that provide opportunities for in-camera sessions and specify when in-camera sessions are appropriate (e.g., during the administrator’s performance evaluation, or during discussions about conflicts of interest). Following an in-camera session, the governing body should provide the administrator with a written summary of the discussion.

Resolving conflict

- 4.7 ***Measurement:*** The governing body has a decision-making process that addresses how conflicts and disagreements are resolved.

Guidelines: From time to time, the governing body will need to make decisions in the absence of agreement among all of its members. It is

therefore vital that processes are put in place to assist the governing body in resolving disagreements or conflicts as they arise. Failure to do this may result in decisions or laws not being followed or being overturned in the future. Some Nations rely on traditional methods of resolving disputes and look for consensus. Other Nations have looked to facilitation, mediation and arbitration to resolve disputes as they arise. With respect to decision-making, in particular when enacting laws, the structure and procedures of the governing body may allow for a simple vote on a matter, thereby allowing the decision to be made.

Appeal process

- 4.8 **Measurement:** The governing body has an appeal process through which its decisions, where appropriate, or the decisions of other bodies or the administration can be appealed by affected parties.

Guidelines: Persons affected by decisions of the governing body, other bodies or the administration should have an opportunity to appeal decisions through an established appeal process with clearly defined procedures. Appeal processes can be established for different types of decisions and for different purposes — for example, with respect to the control of citizenship, elections or taxation. Other types of appeal mechanisms include legal review mechanisms such as judicial review. These mechanisms are found in most government and judicial systems and are a means through which certain decisions of a government or decision-making body can be challenged on the basis that the government or decision-maker did not have the jurisdiction or authority to make the decision or that it did not follow proper procedures (its own or rules of natural justice). There is an extensive body of court decisions describing when a decision is “administrative” only and not subject to review and when a decision is more than that and subject to review. Most comprehensive governance arrangements address this subject and provide for judicial review mechanisms. (For more information see *Part 1 — The Governance Report, 3.2 Administration of Justice.*)

Record of decisions

- 4.9 **Measurement:** The administration maintains records of the governing body’s activities and decisions that are easy to access and meet legal requirements.

Guidelines: Ensuring that an adequate record of activities and decisions maintains continuity, builds corporate memory and provides a clear legal record for the governing body. The record of activities includes a summary of discussions, motions, rulings by the chair, results of votes taken, absences of its members from meetings and lists of documents referred to during meetings.

While there are legal requirements for records of decision or minutes that most governments and corporations must follow, there are no formal legal requirements that councils operating under the *Indian Act* must satisfy in recording their records of decision or minutes, unless a Nation has

enacted its own laws in this area. Aboriginal Affairs and Northern Development Canada (AANDC) requirements regarding council resolutions are optional rather than mandatory. In moving toward governance beyond the *Indian Act*, the governing body will decide how records are kept and who has access to those records. This could be established in a Nation's constitution or a by-law or policy. (For more information see *Part 1 — The Governance Report, 2.3 The Governing Body*.)

Evaluation

5.0 The governing body regularly evaluates its own performance.

- 5.1 **Measurement:** The governing body has a process for evaluating its performance regularly.

Guidelines: The process to evaluate the governing body's performance may include using set standards; seeking feedback from the members of the governing body or the administrator; evaluating its processes to make sure they make the best use of the members of the governing body's time and skills; and reviewing its achievements and results relative to the strategic plan, goals and objectives.

The process may also include mechanisms to review research and best practices in governance and learn from the experiences of the governing bodies of other Nations.

- 5.2 **Measurement:** The evaluation includes an assessment of the governing body's own structure and procedures, including the size and structure of committees.

Guidelines: This involves the assessment of the governing body's structure and procedures to ensure that they are suitable to its authorities, roles and responsibilities and areas of decision-making and to the Nation's strategic plan, goals and objectives.

- 5.3 **Measurement:** The governing body reviews the contribution of and provides feedback to individual members of the governing body.

Guidelines: The review includes determining whether the members of the governing body attend and actively participate in meetings and whether the members follow through on their obligations between meetings (e.g., participation in committee work, reading of materials and so on).

- 5.4 **Measurement:** The governing body regularly assesses its own effectiveness.

Guidelines: The governing body is responsible for assessing its own functioning as part of the overall assessment of its performance. For example, consideration may be given to the length and frequency of meetings, the managing of agendas, and reporting, and generally to the way the governing body operates as a team. Each member of the governing

body should complete the governing body questionnaire (see Module 1, Section 1.3), which addresses the governing body’s structure, membership, roles and responsibilities, meetings and decision-making processes, and process of evaluation. The governing body should monitor how well it is working by administering this questionnaire at least once a year.

Professional development

5.5 **Measurement:** Members of the governing body receive ongoing education to help them to fulfill their roles and responsibilities and those of the governing body as a whole and to achieve the Nation’s strategic goals and objectives.

Guidelines: The governing body provides the members of the governing body with ongoing professional development to maintain and/or improve skills and to increase understanding of the Nation, its governance practices and its administration. Ongoing education may take place as part of regular meetings (e.g., speakers or presentations from senior management), as part of an annual retreat (e.g., team-building activities), or in separate educational sessions (e.g., conferences, courses and/or certifications). It may be targeted to individual members or to the governing body as a whole.

INFORMATION TO SUPPORT QUALITY DECISION-MAKING

6.0 The governing body uses up-to-date and quality information to make decisions.

Strategic information

6.1 **Measurement:** The governing body identifies and arranges for the gathering and analysis of the strategic information it requires to carry out its responsibilities.

Guidelines: Strategic information is information that is essential to implementing the strategic plan and is generally required to ensure quality decision-making by the governing body. This includes information at various levels — for example, about the citizens and the community, the administration, internal and external stakeholders, and partners and about the trends and changes in the broader political, legal, social and economic environment in which the governing body is operating (regionally, provincially, nationally and even internationally).

Strategic information can be collected and assembled internally or acquired from external sources. In many cases, strategic information is presented to the governing body by staff in summarized and analyzed form by way of briefing notes.

Examples of strategic information are:

- surveys and feedback from the citizens, clients and other stakeholders

- information about the strengths and weaknesses of the governing body and the administration, as well as opportunities for improvement
- program or service evaluation reports
- risk management reports
- research papers
- financial reports
- management reports
- legal opinions
- directives from external governments or other funding authorities
- research papers, studies and best practices information or guides
- laws made and jurisdiction exercised by other Nations
- descriptions of programs and services provided by other Nations, either under their jurisdiction or on behalf of Canada or British Columbia

While the governing body may not play a direct role in collecting information, it is responsible for identifying the types of information to be collected and the people responsible for gathering and analyzing the information and for ensuring that there are enough resources (i.e., time, finances, space and materials) to do so. Moving along a continuum of governance away from the *Indian Act*, there will be ongoing information requirements that will be determined, in part, by:

- how a Nation establishes its core institutions of governance
- the scope of its governing body's powers (jurisdiction) and the powers it actually exercises
- the range and type of programs and services the Nation provides

(For more information see *Part 1 — The Governance Report, 2.0 Core Institutions of Governance, 3.0 Powers (Jurisdictions) of the First Nation.*)

6.2 **Measurement:** The governing body reviews strategic information from a variety of internal and external sources.

Guidelines: Making informed decisions requires the building up of knowledge through good information and understanding. There are many internal and external sources of strategic information available to assist the governing body in making informed decisions. In making decisions, the governing body should review information from a variety of sources. Moving beyond the *Indian Act*, there will be ongoing requirements for internal and external strategic information that will be determined, in part, by how a Nation re-establishes its governance, the scope of governance powers that it exercises, and the range of programs and services that the Nation provides.

Internal sources of strategic information include:

- administrator
- management
- committees of the governing body
- citizen working groups and like bodies
- boards and tribunals
- service providers
- consultant/professionals

- citizen meetings
- focus groups

External sources of strategic information include:

- Canada (e.g., Aboriginal Affairs and Northern Development Canada, Statistics Canada, Health Canada and other departments, Parliament, auditor-general, commissions and inquiries)
- British Columbia (Ministry of Aboriginal Relations and Reconciliation and other departments, the Legislature, commissions and inquiries)
- other Nations
- local governments and their organizations (e.g., Union of BC Municipalities)
- First Nations' national, provincial and territorial organizations (e.g., Assembly of First Nations, BC Assembly of First Nations, Union of BC Indian Chiefs, First Nations Summit and sector councils such as Forestry Council, Fisheries Council, Wellness Council, Health Council, Education Council)
- national professional organizations (e.g., Aboriginal Financial Officers' Association, Indigenous Bar Association)
- First Nations' national institutions (e.g., First Nations Financial Management Board, First Nations Finance Authority, First Nations Land Management Resource Centre, First Nations Tax Commission, National Centre for First Nations Governance)
- institutions of higher learning (universities and colleges)
- international bodies (e.g., United Nations, World Bank, International Labour Organization)
- courts (domestic and international)
- media

- 6.3 **Measurement:** The strategic information reviewed by the governing body is accurate, up-to-date and in a format that is easy to understand.

Guidelines: Given the changing social, political and legal issues facing First Nations, it is important that governing bodies have up-to-date information in order to maximize opportunities and minimize risk. A governing body lacking this information in an easily digestible form will not be an effective decision-making body. Information may be summarized by the administration in briefing notes, which are provided in formats that are consistent across departments and throughout the administration. Sharing of information with other Nations about options and experiences can be very beneficial.

- 6.4 **Measurement:** The governing body regularly reviews the available information to assess its appropriateness and further identify information needs and gaps.

Guidelines: As the information available to inform the governing body's decision-making process is vast, it is important to establish a process for identifying and prioritizing relevant information.

Informed decision-making

6.5 ***Measurement:*** The governing body uses strategic information to make informed decisions and guide the Nation's long-term direction.

Guidelines: As part of its decision-making process, the governing body uses strategic information to establish priorities, anticipate opportunities, define the strategic goals and objectives, identify strengths and areas for improvement, and identify issues before they become problems.

6.6 ***Measurement:*** The governing body receives information in enough time to prepare for meetings and decision-making.

Guidelines: The governing body sets clear expectations about the amount of time it requires to review information before meetings and before decision-making.

Except under exceptional circumstances, the governing body should not receive relevant information on the day a decision needs to be made. The length of time needed to consider information can depend on the complexity and importance of the decision being made.

During the transition from governance under the *Indian Act*, the governing body and the citizens will be making a number of very important policy decisions. These include choosing the framework for governance and the core institutions of governance (see *Part 1 — The Governance Report, 2.0 Core Institutions of Governance*) and what jurisdiction the Nation will assume in a variety of subject areas (see *Part 1 — The Governance Report, 3.0 Powers (Jurisdictions) of the First Nation*). These decisions should not be taken lightly and the governing body must be well informed. Where the citizens are expected to ratify a proposed governance change, they must also be well informed.

OVERSEEING AND SUPPORTING THE ADMINISTRATION

The Administrator

7.0 The governing body recruits, selects and evaluates the administrator.

7.1 ***Measurement:*** The governing body oversees the recruitment and selection of the administrator.

Guidelines: The administrator is the most senior employee in a Nation's administration. A variety of titles are used for the administrator, such as executive director, chief executive officer, director of operations or band manager.

The administrator is usually appointed by the governing body. Even in the rare instances where he or she is not appointed by the governing body, the governing body still plays a role in identifying potential candidates and in the screening and selection or nomination process.

(For more information see *Part 1 — The Governance Report, 2.3 The Governing Body*.)

Some Nations may not have an administrator position. In such cases, this role may be assumed by the senior management team or a member of the governing body (e.g., chief, councillor, spokesperson). This can cause challenges to effective governance and administration.

- 7.2 **Measurement:** The governing body has a succession plan for the administrator.

Guidelines: The administrator is the most senior employee and often the most difficult member of the staff to replace. While succession planning is useful for all senior positions in the administration, it is important to have, at the very least, a succession plan in place for the administrator. In the event that the administrator leaves and no suitable replacement has been found, the governing body and the administration may face serious challenges, and both program and service delivery and the operation of the government may be adversely affected.

- 7.3 **Measurement:** The governing body establishes administrator compensation through policy.

Guidelines: The administrator's salary is determined by the governing body on the basis of available resources and should be articulated in a policy to ensure transparency and accountability. The governing body may appoint one of its members to negotiate the compensation package with the administrator. (For more information see *Part 1 — The Governance Report, 2.3 The Governing Body*.)

- 7.4 **Measurement:** Performance objectives for the administrator are set in partnership with the administrator and revised annually.

Guidelines: The performance objectives are tied to the Nation's strategic goals and objectives.

- 7.5 **Measurement:** The governing body supports the ongoing professional development of the administrator.

Guidelines: Professional development opportunities for the administrator are linked to the Nation's strategic goals and objectives as well as to his or her own performance objectives.

- 7.6 **Measurement:** The governing body has a process for evaluating the administrator's achievements and performance and executes this evaluation annually.

Guidelines: A comprehensive evaluation of the administrator includes seeking input from senior management and could include input from stakeholders or partners.

In cases where the administrator reports to a body other than the governing body, the evaluation process is conducted working closely with officials from that other body.

Guidance and Oversight

8.0 The governing body works effectively with the administrator and senior management to achieve the Nation's strategic goals and objectives and improve the administration's performance.

- 8.1 ***Measurement:*** The governing body has a written statement that clarifies the division of responsibility between it and senior management and identifies what roles and responsibilities, if any, have been delegated to the administrator.

Guidelines: Division of responsibility between governing bodies and the administrator or senior management varies depending on the Nation's governance model.

- 8.2 ***Measurement:*** The governing body works effectively with the administrator and other senior managers to achieve the Nation's strategic goals and objectives and provides advice and guidance when required.

Guidelines: The governing body provides advice and guidance to the administrator and senior management. The governing body may provide advice on the appropriateness of the administration's organizational structure, corporate policies, managerial systems, recruitment and retention strategies or operational plans.

The governing body may also provide guidance as to whether the organizational structure is aligned with the needs of the Nation, the programs and services provided by the Nation, and the Nation's strategic plan, goals and objectives.

- 8.3 ***Measurement:*** The governing body has a mechanism for receiving regular updates from senior management.

Guidelines: The governing body receives regular reports from senior management on critical issues.

- 8.4 ***Measurement:*** The governing body, with the administrator, communicates with staff and the rest of the organization.

Guidelines: The administrator is the governing body's connection to the rest of the Nation's administration. The governing body and the administrator agree on the areas about which it will communicate with staff, including the strategic plan, goals and objectives; decisions that affect the day-to-day operation of the organization or how services are delivered; changes in the external environment that affect services or create risks or opportunities; and changes in its own membership, structures or operation. The governing body also recognizes and shows appreciation for the staff in regard to the achievement of or progress toward strategic goals and objectives.

Budget and Resource Allocation

9.0 The governing body approves the budget and monitors and oversees the management and allocation of resources by the administration.

- 9.1 **Measurement:** The governing body approves an annual budget and a multi-year financial plan.

Guidelines: The governing body has a responsibility to ensure that the Nation has an approved annual budget. In addition to an annual budget, it is best practice to develop a multi-year financial plan (e.g., 5 years). Most Nations budget using the fiscal year (i.e. April 1 to March 31). Some Nations operate on a calendar year.

Establishing the budget is one of the most important activities of a governing body. Budgets are usually prepared by the administration in accordance with the strategic plan and operational plans. Some Nations establish a finance committee with a number of responsibilities, including review of a Nation’s budget before it is taken before the governing body for consideration and approval. In some cases the process for developing the budget involves consultation with the citizens. Any amendments to the budget should be approved by the governing body, in accordance with its structures and procedures.

The financial administration structure is sometimes set out under the constitution or other law of the Nation. The First Nations Financial Management Board (FMB) has been established to set standards and assist Nations in developing and implementing their financial administration systems including the development and enactment of financial administration laws. (For more information see *Part 1 — The Governance Report, 3.11 Financial Administration.*)

- 9.2 **Measurement:** The governing body monitors and oversees resource allocations made by the administration as part of its regular planning cycle.

Guidelines: On an ongoing basis, the governing body’s role in resource allocation (financial, human and other) includes ongoing oversight of senior management’s resource allocation decisions in accordance with the annual budget and multi-year financial plans.

Alternatively, the governing body may delegate some of its oversight responsibilities to a finance committee and to an audit committee. The finance committee is responsible for preparing and recommending the draft annual budget and multi-year financial plans for approval by the governing body. The audit committee monitors the performance of the governing body and administration against the approved budget and reports any variances to the governing body. (For more information see *Part 1 — The Governance Report, 3.11 Financial Administration.*)

- 9.3 ***Measurement:*** When reviewing the annual budget and resource allocation decisions made by the administration, the governing body or the finance committee identifies and assesses the associated risks to the Nation.

Guidelines: Associated risks may affect the Nation’s reputation, cash-flow, overall financial position and compliance with legislation.

- 9.4 ***Measurement:*** When developing and reviewing the annual budget and resource allocation decisions made by the administration, the governing body or the finance committee compares available resources to those required to meet needs and achieve the strategic goals and objectives in accordance with the Nation’s budget.

Guidelines: The governing body or the finance committee reviews the annual capital and operating budgets and their anticipated impact on the citizens’ needs and the Nation’s vision and strategic goals and objectives. (For more information see *Part 1 — The Governance Report, 3.11 Financial Administration, 4.0 Financing First Nations’ Governance.*)

- 9.5 ***Measurement:*** If the available resources are not sufficient to meet the Nation’s needs or achieve the strategic goals and objectives, the governing body looks for solutions.

Guidelines: Most of our Nations are currently dependent on federal transfers to fund their governments and the delivery of programs and services. Nations are pursuing increased own-source revenues, which will enhance their autonomy and, accordingly, their ability to allocate resources effectively. Consequently, solutions will vary depending on the types of revenue available to the Nation and the restrictions or limitations on how funding can be allocated.

Solutions may include:

- exploring ways of reallocating resources
- negotiating with funding authorities (e.g., AANDC) to obtain additional resources
- identifying services that may be contracted out or referred to other providers or organizations
- approving plans to raise additional resources through fundraising or donors
- exploring the costs of its programs and services and the impact of changing those costs to generate additional revenue
- raising fees, charges and taxes, or creating new ones, where it is within the authority of the Nation to do so

(For more information see *Part 1 — The Governance Report, 4.0 Financing First Nations’ Governance.*)

- 9.6 ***Measurement:*** When developing the annual budget and multi-year financial plans and reviewing senior management’s resource allocation decisions, the governing body or the finance committee considers ethics,

values, social costs and benefits, and potential impacts on good governance, existing programs and services, and the community.

Guidelines: Depending on the Nation’s governing institutions and the scope of the programs and services it provides, resources are distributed throughout the government and areas of service delivery. Before approving budgets and multi-year financial plans, the governing body ensures that the costs and benefits of each decision have been assessed. (For more information see *Part 1 — The Governance Report, 3.11 Financial Administration, 4.0 Financing First Nations’ Governance.*)

- 9.7 **Measurement:** When developing the annual budget and multi-year financial plans and reviewing senior management’s resource allocation decisions, the governing body or the finance committee assesses and anticipates the impact of changing the level or type of program and service and plans accordingly.

Guidelines: Changing the level or type of program or service may have financial impacts. It may also have impacts on the administration’s ability to meet the needs of the citizens, or the Nation’s ability to achieve its strategic goals and objectives.

In cases where changes in the level or type of program or service provided by the Nation are mandated by another government or through legislation, the governing body retains responsibility for assessing the impact of and planning for the changes. (For more information see *Part 1 — The Governance Report, 4.0 Financing First Nations’ Governance.*)

Performance Evaluation

10.0 The governing body regularly monitors and evaluates the administration’s performance.

- 10.1 **Measurement:** The governing body allocates resources and delegates authority to collect data about the administration’s performance.

Guidelines: While the governing body may not play a direct role in collecting data on the administration’s performance, it assumes responsibility for identifying the people who are responsible for collecting data and for ensuring that there are enough resources (e.g., time, finances, space and material) for them to do so.

- 10.2 **Measurement:** The governing body selects and monitors performance measures to assess its and the administration’s performance and the achievement of the strategic plan.

Guidelines: The performance measures that are monitored by the governing body are directly linked to the strategic goals and objectives, are balanced across a number of priority areas rather than focused on one particular area of performance, and are measured against agreed targets.

Commonly used performance measures include those that measure:

- human resources management and work life (e.g., absenteeism, turnover, vacancy, training and development, overtime, staff satisfaction)
- financial outcomes (e.g., meeting financial ratios set by the First Nations Financial Management Board, revenue targets)
- program and service delivery quality (e.g., citizen and client outcomes, citizen and client satisfaction, safety, access, availability, wait times)

The governing body establishes how often it will receive reports about the administration's performance and analyzes trends in performance. The governing body identifies opportunities for improvement and monitors the actions taken to address them. (See *Module 2, The Administration — Staff Questionnaire*.)

MAINTAINING POSITIVE RELATIONS WITH CITIZENS AND STAKEHOLDERS

Building Relations

11.0 The governing body strengthens relations with the citizens and stakeholders.

Identifying interests

- 11.1 ***Measurement:*** The governing body works with the administrator to gather information about the citizens and the community.

Guidelines: Knowing the needs, interests and priorities of the citizens will strengthen relationships. Therefore, it is necessary to regularly gather and analyze information about the citizens and the community.

- 11.2 ***Measurement:*** The governing body works with the administrator to gather information about stakeholders.

Guidelines: Implementation of strategic plans often requires the support and cooperation of a range of internal and external groups and organizations. "Stakeholder" is the term that is often used to describe those groups and organizations that have an interest in the Nation and its affairs, or whose support and cooperation may be required to implement the strategic plan.

Internal stakeholders whose support and cooperation may be required to implement the strategic plan include staff, contractors, service providers, non-citizen residents living on the Nation's lands, volunteers, foundations, unions, potential and actual recipients of programs and services, citizen committees and advisory committees. For obvious reasons, it will be important for the governing body to maintain good working relations with internal stakeholders.

External stakeholders, whose support and cooperation may be required to implement the strategic plan, include other Nations, other governments

(federal, provincial and local), other funding authorities, provincial and territorial organizations (e.g., BC Assembly of First Nations, the Union of BC Indian Chiefs and the First Nations Summit, as well as the sector councils), interest or volunteer groups, professional bodies and associations, contractors or contract agencies and referral organizations.

The governing body's network of stakeholders will vary depending on the Nation's type of governance, the structure of the administration, the range of jurisdictions exercised by the Nation and the range of programs and services provided by the Nation, whether under its own jurisdiction or on behalf of other governments.

- 11.3 ***Measurement:*** In consultation with the administrator, the governing body anticipates, assesses and responds to citizen and stakeholder interests and demands.

Guidelines: The governing body gives priority to accountability relationships (i.e., to the citizens of the Nation, persons who receive services from the Nation, and funding bodies) and the Nation's relationships with governments.

The governing body has mechanisms for balancing competing interests and priorities. It also looks for ways to increase collaboration with stakeholders who share common objectives or who provide services to the same populations or client groups. The administrator plays an important role in advising the governing body about stakeholders and their interests.

Communications plan

- 11.4 ***Measurement:*** The governing body works with the administrator to establish a communications plan.

Guidelines: The communications plan addresses what information is shared, how it is to be shared and with whom, and the goals and objectives of sharing information with the citizens and stakeholders. (For more information see *Part 3 — A Guide to Community Engagement, 3.5 Communications Plan.*)

- 11.5 ***Measurement:*** The communications plan includes strategies to communicate key messages to different groups and the community.

Guidelines: Although different communications strategies may be used to target different groups, key messages are clear and consistent and communication within the governing body and the administration and with citizens, stakeholders and the community generally is open and two-way.

Citizen and stakeholder engagement

- 11.6 ***Measurement:*** The governing body regularly consults with and encourages input from the citizens and stakeholders about the Nation and its services.

Guidelines: With the administrator, the governing body consults regularly with the citizens and/or other funding bodies to confirm the Nation’s mandate and core services and develop a common understanding about performance expectations. Ways in which the governing body seeks input from the citizens and stakeholders may include citizen meetings, open or public forums, consultation on new or changing services and an annual general meeting. To maintain and improve a common understanding, the outcome of these consultations and discussions are often recorded in performance or accountability agreements between the governing body or Nation and any funding authorities.

Advocacy

11.7 ***Measurement:*** The governing body plays an advocacy role in the community.

Guidelines: In consultation with the administrator and senior management, the governing body determines its level of involvement and the scope of its advocacy activities in the community and with the citizens. In addition to regular or scheduled meetings (e.g., citizen meetings or “band” meetings) with the citizens, the governing body’s advocacy activities may include participating in community-based and citizen-focused events such as campaigns and community events, and using other avenues for raising citizen awareness about issues.

BEING ACCOUNTABLE AND REALIZING THE VISION

12.0 The governing body regularly shares information with the citizens and stakeholders.

Information-sharing

12.1 ***Measurement:*** The governing body publicly discloses information about its governance processes, its decision-making, and the administration’s performance.

Guidelines: Sharing information is a very important means by which the governing body and administration can demonstrate transparency and be accountable to the citizens and stakeholders. In some cases, the requirements for accountability and transparency are legal requirements set out in the laws of the Nation or its policies or in the contractual arrangements the Nation might have with other governments. In addition to legal and contractual requirements for accountability and transparency, it is generally expected that as a matter of good governance the governing body will share with the citizens and stakeholders information about its governance processes, its decision-making and the performance of the administration. The type of information shared may vary between the citizens and stakeholders and the requirements for disclosure should be clearly set out in procedures.

Although the expectations with respect to accountability and transparency continue to evolve, current best practices address the need for a governing body to disclose information about:

- its members and its process for selecting its members
- its scope of authority and roles and responsibilities
- any committees, including terms of reference and who is on the committee
- the roles and responsibilities of the presiding officer (i.e., chair)
- the roles and responsibilities of individual members of the governing body, and the process for assessing their performance, attendance and remuneration
- the roles and responsibilities of the administrator and process for evaluating the administrator’s performance
- the administration’s code of conduct for staff
- the process to disclose conflicts of interest
- the governing body’s approach to the orientation and education of the members of the governing body
- the communications plan and practices of public disclosure

(For more information see *Part 1 — The Governance Report, 2.3 The Governing Body, 2.4 The Constitution.*)

Annual report

12.2 **Measurement:** The governing body provides an annual, formal statement of its achievements.

Guidelines: This is most often known as an annual report or statement of performance and is at least provided to the citizens but is usually a public document, often available on a Nation’s website. It should typically include the audited financial statements of the Nation.

12.4 **Measurement:** The governing body, with the administrator, promotes the Nation and its administration and demonstrates the value of its services to the citizens and other stakeholders and the progress being made toward achieving the vision.

Guidelines: The governing body communicates positive results and demonstrates performance in key areas.

13.0 The governing body works with the administrator to promote ongoing quality improvement and the achievement of positive results for the citizens and the community in attaining the Nation’s vision.

Quality improvements

13.1 **Measurement:** The governing body takes action to address opportunities for improvement in a timely way.

Guidelines: It is important that the Nation be able to identify and take action on quality improvement opportunities as they arise.

Making quality improvements based on performance evaluations and lessons learned through experience contributes to the achievement of positive results and attaining the vision. Opportunities for improvement can arise in many different areas of the Nation's operations, from the delivery of specific programs and services to opportunities to improve the functioning of the governing body.

As Nations transition away from governance under the *Indian Act* to self-government, with the corresponding shift in responsibility for governance and program and service delivery and design, there will be many new opportunities for quality improvement.

- 13.2 **Measurement:** The governing body makes quality improvement a priority and provides oversight on quality issues affecting the governing body, the administration and the citizens.

Guidelines: The governing body supports the administrator and senior management in creating a “culture” of quality improvement and approves a quality improvement agenda.

- 13.3 **Measurement:** The governing body approves policies that promote open communication between the administration and persons receiving programs and services to identify concerns and opportunities for improvement.

Guidelines: Policies may address complaints management and tracking, and mechanisms for seeking feedback about services (e.g., constituent and client satisfaction or experience surveys).

- 13.4 **Measurement:** The governing body demonstrates a commitment to recognizing staff, service providers, volunteers and students for their work.

Guidelines: Recognition may be formal (e.g., annual service awards) or informal. Even brief, informal recognition can have a significant impact.

PART 2 /// MODULE 1.2

Governing Body – Survey



THE GOVERNING BODY — ESTABLISHING EFFECTIVE GOVERNANCE

1.2 SURVEY

DEVELOPING A CLEAR DIRECTION/VISION

The following questions ask about your Nation's long-term direction and vision. What are the values of your Nation? What is the vision of your Nation? Has a strategic plan been developed, and what strategic goals and objectives make up the plan?

Which statement best describes your Nation?					
Question	A	A/B	B	B/C	C
1. Does your Nation have a set of values that guides your decision-making? Values and Vision (1.1)	<input type="checkbox"/> The Nation does not have a defined set of values.	<input type="checkbox"/>	<input type="checkbox"/> The Nation has a set of defined values that we use to guide our decisions as a governing body.	<input type="checkbox"/>	<input type="checkbox"/> The Nation has a set of defined values that we use to guide our decisions as a governing body. We have identified culturally appropriate mechanisms in our Nation for communicating the values throughout the Nation and we receive regular updates about these mechanisms.
2. Does your Nation have a long-term vision? Values and Vision (1.2, 1.3)	<input type="checkbox"/> We do not have a clear long-term vision.	<input type="checkbox"/>	<input type="checkbox"/> We have developed a long-term vision based on our values but do not regularly review this vision.	<input type="checkbox"/>	<input type="checkbox"/> We have developed a clear long-term vision and have a process to ensure that the vision is regularly reviewed by the Nation and communicated.
3. Has your Nation developed a community constitution? Values and Vision (1.1.2, 1.3)	<input type="checkbox"/> We have not developed a community constitution.	<input type="checkbox"/>	<input type="checkbox"/> We have in the past or are currently developing a community constitution but it has not been ratified.	<input type="checkbox"/>	<input type="checkbox"/> We have developed a community constitution that has been ratified by our citizens.
4. Does the governing body follow a strategic planning process to implement the Nation's vision? Strategic Planning (2.1, 2.2, 2.3, 2.4, 2.5)	<input type="checkbox"/> We have a general understanding of how we want to proceed but we do not have a strategic plan	<input type="checkbox"/>	<input type="checkbox"/> We are developing a strategic plan and a strategic planning process that we can use to develop and update our strategic plan.	<input type="checkbox"/>	<input type="checkbox"/> We follow a strategic planning process that allows us to consider the needs and priorities of our Nation, the citizens and other stakeholders. We consider the opportunities for the Nation and the risks and legal obligations to the Nation. Our strategic plan applies to all our operations, and is reviewed and updated at least annually.
5. Does the governing body have measurable strategic goals and objectives that are set out in the strategic plan? Strategic Planning (2.6, 2.7)	<input type="checkbox"/> We do not have strategic goals and objectives.	<input type="checkbox"/>	<input type="checkbox"/> We have strategic goals and objectives. It is not always clear who is responsible for achieving the goals and how progress will be measured.	<input type="checkbox"/>	<input type="checkbox"/> We have strategic goals and objectives that are linked to the Nation's vision. For each goal we identify who is responsible for achieving it and within what timeframes and how progress will be measured.

WORKING TOGETHER EFFECTIVELY

The following questions ask about the structures and procedures of your governing body. How is the governing body selected and how does it make decisions? What are the roles and responsibilities of members of the governing body? How well is your governing body working together as a group? At the end of this section, each member of the governing body is asked to complete an individual questionnaire.

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
6. Does your Nation have an appropriate mechanism to determine membership in the governing body? Effective Governing Body (3.1, 3.2, 3.3, 3.4, 3.5, 3.6)	<input type="checkbox"/> We follow rules to determine the members of our governing body that were not developed by our Nation. There are often disputes, including about who is authorized to act on behalf of the Nation.	<input type="checkbox"/> We follow rules to determine the members of our governing body that may have been developed by our Nation, but these rules are unclear and may not be culturally appropriate. We sometimes have disputes regarding the process of selecting the members of the governing body.	<input type="checkbox"/> We follow rules to determine the members of our governing body that was developed by our Nation, is culturally appropriate and is recognized by our citizens. There are mechanisms for resolving disputes and disputes are infrequent. The manner in which the governing body is chosen supports the continuity of the governing body and decision-making over time.	<input type="checkbox"/> We determine the members of our governing body through a process that was developed by our Nation, is culturally appropriate and is recognized by our citizens. There are mechanisms for resolving disputes and disputes are infrequent. The manner in which the governing body is chosen supports the continuity of the governing body and decision-making over time.
7. Does the governing body have defined roles and responsibilities? Effective Governing Body (3.7, 3.8, 3.9, 3.10)	<input type="checkbox"/> We do not have clearly defined roles and responsibilities.	<input type="checkbox"/> Our roles and responsibilities are generally understood and we carry out our business and make decisions according to the conventions of our Nation.	<input type="checkbox"/> We have clearly defined roles and responsibilities that are set out in our law or policy. We have written conflict of interest rules and take an oath of office. We receive an orientation on our roles and responsibilities.	<input type="checkbox"/> We have clearly defined roles and responsibilities that are set out in our law or policy. We have written conflict of interest rules and take an oath of office. We receive an orientation on our roles and responsibilities.
8. Does the governing body have clear decision-making and law-making procedures? Effective Decision-Making (4.1, 4.2, 4.3, 4.4, 4.5)	<input type="checkbox"/> We make decisions as needed in accordance with the prevailing conventions of our Nation.	<input type="checkbox"/> We usually follow the same procedures, some of which are written. Decisions are generally made in a consistent manner, including the making of laws. When required, some matters are taken to the citizens for a decision.	<input type="checkbox"/> We have written rules for different types of decision-making. We have procedures set out in our law for how laws are made and these procedures are followed. Our rules and laws set out when it is required to take matters to the citizens for a decision.	<input type="checkbox"/> We have written rules for different types of decision-making. We have procedures set out in our law for how laws are made and these procedures are followed. Our rules and laws set out when it is required to take matters to the citizens for a decision.
9. Does the governing body hold regular in-camera sessions? Effective Decision-Making (4.6, 4.7)	<input type="checkbox"/> We do not hold in-camera sessions.	<input type="checkbox"/> Occasionally we hold in-camera sessions.	<input type="checkbox"/> We have defined when it is necessary to have an in-camera session. We hold in-camera sessions when appropriate, including when necessary to resolve a conflict or disagreement. A summary of each in-camera session is kept and given to the administrator.	<input type="checkbox"/> We have defined when it is necessary to have an in-camera session. We hold in-camera sessions when appropriate, including when necessary to resolve a conflict or disagreement. A summary of each in-camera session is kept and given to the administrator.

WORKING TOGETHER EFFECTIVELY ...continued

The following questions ask about the structures and procedures of your governing body. How is the governing body selected and how does it make decisions? What are the roles and responsibilities of members of the governing body? How well is your governing body working together as a group? At the end of this section, each member of the governing body is asked to complete an individual questionnaire.

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
10. Does the governing body and Nation have appeal mechanisms? Effective Decision-Making (4-8)	<input type="checkbox"/> Persons affected by decisions may request to be heard by the governing body at our pleasure. There are no other appeal or dispute resolution mechanisms unique to our Nation.	<input type="checkbox"/> We have some defined processes for hearing appeals or resolving disputes for some types of decisions made by the governing body and/or the administration.	<input type="checkbox"/> We have some defined processes for hearing appeals or resolving disputes for some types of decisions made by the governing body and/or the administration.	<input type="checkbox"/> The Nation's laws and/or policies provide for the appeal of defined administrative decisions made by the governing body and/or the administration. We have established dispute resolution mechanisms. The rules for challenging the validity of or the decisions made under our Nation's laws are clear and corresponding procedures have been established.
11. Is a record kept of the governing body's information, activities and decisions? Effective Decision-Making (4-9)	<input type="checkbox"/> Information is received but not formally recorded. We sometimes keep a record of our activities and decisions.	<input type="checkbox"/> We have a record of our information, activities and decisions that meets legal requirements. It is not always up-to-date or easy to access.	<input type="checkbox"/> We have a record of our information, activities and decisions that meets legal requirements. It is up-to-date and easy to access.	<input type="checkbox"/> There are dedicated resources for record keeping. We have a record of our information, activities and decisions that meets legal requirements. It is up-to-date and easy to access.
12. Does the governing body evaluate its performance? Evaluation (5.1, 5.2, 5.3, 5.4, 5.5)	<input type="checkbox"/> We monitor attendance at meetings and occasionally reflect on our performance.	<input type="checkbox"/> We have established a process to regularly evaluate our performance.	<input type="checkbox"/> We have established a process to evaluate our performance. At least annually we evaluate the performance of the governing body, including our effectiveness, against our strategic goals and objectives. Where appropriate, we make improvements and are encouraged to pursue professional development.	<input type="checkbox"/> We have established a process to evaluate our performance. At least annually we evaluate the performance of the governing body, including our effectiveness, against our strategic goals and objectives. Where appropriate, we make improvements and are encouraged to pursue professional development.

INFORMATION TO SUPPORT QUALITY DECISION-MAKING					
The following questions relate to the information that is received by the governing body to inform decision-making. What kinds of information does the governing body review? Is it useful in making decisions for the Nation?					
Which statement best describes your Nation?					
Question	A	A/B	B	B/C	C
13. What kinds of information are reviewed by the governing body? Strategic Information (6.1, 6.2, 6.3, 6.4)	<input type="checkbox"/> We receive some information but it may not be up-to-date or easy to understand.	<input type="checkbox"/>	<input type="checkbox"/> We receive a lot of information, some of which is not easy to understand.	<input type="checkbox"/>	<input type="checkbox"/> We have dedicated resources for collecting information. The information we receive is up-to-date, easy to understand and from a variety of internal and external sources.
14. Do you have access to the information you need to make decisions? Informed Decision-Making (6.5, 6.6)	<input type="checkbox"/> We do not have the information we need to make strategic decisions, either because it is the wrong information or because we do not receive it in time to prepare for meetings and to make informed decisions.	<input type="checkbox"/>	<input type="checkbox"/> Some of the information we receive is useful, but we do not have a formal way to identify what might be missing.	<input type="checkbox"/>	<input type="checkbox"/> We receive useful information in plenty of time to prepare for meetings and make decisions. We regularly review our information needs and identify gaps as applicable.

OVERSEEING AND SUPPORTING THE ADMINISTRATION			
The following questions consider how the governing body provides oversight to the administration to support its delivery of programs and services. The questions focus on the recruitment, selection and monitoring of the administrator; the relationship between the governing body and management; and resource allocation.			
Question	Which statement best describes your Nation?		
	A	B	B/C C
15. How does the governing body select the administrator? The Administrator (7.1, 7.2, 7.3)	<input type="checkbox"/> We are not involved in recruiting, selecting or managing the succession of the administrator.	<input type="checkbox"/> We oversee the recruitment and selection of the administrator.	<input type="checkbox"/> We oversee the recruitment and selection of the administrator. When there is a transition between administrators, we develop a succession plan to provide continuity.
16. Is the governing body involved in monitoring the administrator's performance? The Administrator (7.4, 7.5, 7.6)	<input type="checkbox"/> We are not involved in setting performance objectives for the administrator or monitoring his or her performance.	<input type="checkbox"/> We set annual performance objectives for the administrator and evaluate his or her performance and the administrator's achievement of his or her objectives.	<input type="checkbox"/> We set annual performance objectives for the administrator and evaluate his or her performance. We also support the administrator's ongoing professional development to help him or her achieve his or her objectives and the Nation's vision.
17. What is the governing body's working relationship with the administrator? The Administrator (8.1, 8.2, 8.3, 8.4)	<input type="checkbox"/> It is not always clear what has been delegated to the administrator.	<input type="checkbox"/> It is clear what has been delegated to the administrator. We are not directly involved in providing advice to the administrator or in working with him or her to communicate to the rest of the administration.	<input type="checkbox"/> We support the administrator in doing what has been delegated to him or her. We also provide the administrator with advice on key strategic issues and work with him or her to communicate with staff and the rest of the administration and our citizens.
18. Does the governing body approve an annual budget and multi-year financial plan? Budget and Resource Allocation (9.1)	<input type="checkbox"/> We approve an annual budget. The governing body is not typically involved in its development.	<input type="checkbox"/> We approve an annual budget. We have policies and procedures that include how the budget is prepared by administration and then considered and approved by the governing body.	<input type="checkbox"/> In accordance with our laws and policies, we approve an annual budget and multi-year financial plan. These have been developed by the administration with input from citizens and have been reviewed by a finance committee. Any amendments to the budget and multi-year financial plan are approved by the governing body.

OVERSEEING AND SUPPORTING THE ADMINISTRATION ...continued

The following questions consider how the governing body provides oversight to the administration to support its delivery of programs and services. The questions focus on the recruitment, selection and monitoring of the administrator; the relationship between the governing body and management; and resource allocation.

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
19. What is the governing body's role in resource allocation? Budget and Resource Allocation (9.2, 9.3, 9.4, 9.5, 9.6, 9.7)	<input type="checkbox"/> Resource allocation is not part of our regular planning cycle. Most resource allocation decisions are brought to our attention for information or endorsement only.	<input type="checkbox"/> We occasionally monitor resource allocation decisions made by the administration's senior management and provide effective oversight to make sure our resources are distributed fairly across those served and the programs and services provided.	<input type="checkbox"/> We identify people and set aside resources to collect data and to report on the administration's performance.	<input type="checkbox"/> We regularly monitor resource allocation decisions and provide effective oversight. When required, we are actively involved in assessing the impact of changing resource allocation and providing possible solutions when there are not enough resources to meet the needs or to achieve the goals and objectives. We are able to address crisis situations effectively.
20. Is the governing body involved in monitoring the performance of the administration? Performance Evaluation (10.1, 10.2, Staff Questionnaire)	<input type="checkbox"/> We are not involved in monitoring and evaluating the administration's performance.	<input type="checkbox"/> We identify people and set aside resources to collect data and to report on the administration's performance.	<input type="checkbox"/> We identify people and set aside resources to collect data on the administration's performance. We have selected performance measures and monitor performance based on these measures in light of our strategic goals and objectives. We regularly receive reports about the administration's performance and we identify opportunities for improvement.	<input type="checkbox"/> We identify people and set aside resources to collect data on the administration's performance. We have selected performance measures and monitor performance based on these measures in light of our strategic goals and objectives. We regularly receive reports about the administration's performance and we identify opportunities for improvement.

MAINTAINING POSITIVE RELATIONS WITH THE CITIZENS AND STAKEHOLDERS

The following questions relate to the governing body's relationship with its citizens and stakeholders. How does the governing body communicate with the citizens and stakeholders? Is the governing body involved in local activities of the Nation and in seeking input from the citizens? Does the governing body know the priorities of the Nation, the citizens and stakeholders?

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
21. Does the governing body know the priorities of the citizens? Building Relations (11.1, 11.3)	<input type="checkbox"/> We do not know the interests and priorities of the citizens.	<input type="checkbox"/>	<input type="checkbox"/> We do not always know what the citizen's interests and priorities are and how this might affect their relationship with the governing body and the administration.	<input type="checkbox"/> We understand the citizen's interests and priorities. We have procedures to ensure that information is gathered and used to build positive relations with the citizens and respond to their interests.
22. Does the governing body know who all its stakeholders are and their priorities? Building Relations (11.2, 11.3)	<input type="checkbox"/> We have not formally identified stakeholders. We do not know their interests and priorities.	<input type="checkbox"/>	<input type="checkbox"/> Our stakeholders have been identified. We do not always know what our stakeholders' interests and priorities are and how this might affect their relationship with the governing body and the administration.	<input type="checkbox"/> Our stakeholders have been identified. We understand our stakeholders' interests and priorities. We have procedures to ensure information is gathered and used to build positive relations with our stakeholders and respond to their interests.
23. Is there a communications plan to provide the citizens and stakeholders with information? Communications Plan (11.4, 11.5)	<input type="checkbox"/> We do not have a formal plan for communicating with the citizens, stakeholders and the community generally.	<input type="checkbox"/>	<input type="checkbox"/> We have a basic communications plan for the citizens, stakeholders and the community generally that sets out what information is shared, when and with whom.	<input type="checkbox"/> We have a comprehensive communication plan for the citizens, stakeholders and the community generally. It includes a variety of communication strategies and mechanisms for reaching different audiences.
24. Does the governing body participate in citizen activities and regularly consult and encourage input from citizens? Citizen and Stakeholder Engagement (11.6, 11.7)	<input type="checkbox"/> We do not participate in citizen activities and do not consult or encourage input.	<input type="checkbox"/>	<input type="checkbox"/> We sometimes participate in citizen activities and occasionally consult and seek input.	<input type="checkbox"/> We regularly participate in citizen activities. This includes regularly consulting with the citizens about the Nation, our governing body and administration, and programs and services delivered by the Nation. We encourage input from and advocate for citizens where appropriate.
25. Does the governing body participate in stakeholder activities and regularly consult and encourage input from stakeholders? Citizen and Stakeholder Engagement (11.6, 11.7)	<input type="checkbox"/> We do not participate in stakeholder activities and do not consult or encourage input.	<input type="checkbox"/>	<input type="checkbox"/> We sometimes participate in stakeholder activities and occasionally consult and seek input.	<input type="checkbox"/> We regularly participate in stakeholder activities. This includes regularly consulting with stakeholders about the Nation, our governing body and administration, and programs and services delivered by the Nation. We encourage input from and advocate for stakeholders where appropriate.

BEING ACCOUNTABLE AND REALIZING THE VISION

These questions address the governing body's role in demonstrating accountability to the citizens and stakeholders and supporting ongoing improvements in governance and quality of programs and services delivered.

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
26. Does the governing body demonstrate transparency and accountability to the citizens? Information Sharing (12.1, 12.2, 12.3)	<input type="checkbox"/> We share limited information with the citizens about our decisions and the administration's performance.	<input type="checkbox"/> We regularly share information with the citizens about our decisions and the administration's performance.	<input type="checkbox"/> We demonstrate accountability by regularly consulting with the citizens to confirm the administration's mandate and clarify performance expectations. We regularly disclose information about our decisions and the administration's performance, in accordance with established procedures.	<input type="checkbox"/> We demonstrate accountability by regularly consulting with stakeholders to confirm the administration's mandate. We regularly disclose information about decisions that directly and significantly affect stakeholders, in accordance with established procedures.
27. Does the governing body demonstrate transparency and accountability to stakeholders? Information Sharing (12.1, 12.2, 12.3)	<input type="checkbox"/> We share limited information with stakeholders about our decisions and the administration's performance.	<input type="checkbox"/> We regularly share information with stakeholders about our decisions.	<input type="checkbox"/> We demonstrate accountability by regularly consulting with stakeholders to confirm the administration's mandate. We regularly disclose information about decisions that directly and significantly affect stakeholders, in accordance with established procedures.	<input type="checkbox"/> We regularly identify areas for improvement within all of our operations and monitor progress toward the long-term vision. This is based upon indicators of performance and the changing legal and political environment.
28. Does the governing body identify opportunities for improvement and monitor progress toward the long-term vision? Quality Improvements (13.1, 13.2, 13.3, 13.4)	<input type="checkbox"/> We identify some areas for improvement.	<input type="checkbox"/> We identify some areas for improvement and are involved in tracking progress toward the long-term vision.	<input type="checkbox"/> We identify some areas for improvement and are involved in tracking progress toward the long-term vision.	<input type="checkbox"/> We regularly identify areas for improvement within all of our operations and monitor progress toward the long-term vision. This is based upon indicators of performance and the changing legal and political environment.

1.3 GOVERNING BODY



QUESTIONNAIRE

THE GOVERNING BODY — WORKING TOGETHER EFFECTIVELY

1.3 QUESTIONNAIRE

Roles & Responsibilities	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
1. We regularly review, understand and ensure compliance with the laws/by-laws of our Nation, and other applicable federal and provincial legislation and regulations. (4.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. We have rules that define our roles and responsibilities that are well documented and consistently followed. (3.7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. We regularly review our own structures and procedures, including our committee structure. (5.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Our meetings are held frequently enough to make sure we are able to make informed and timely decisions. (3.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Our committees meet regularly and have clearly-defined roles and responsibilities. (5.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Individuals on the governing body understand and carry out their legal duties, roles and responsibilities, including committee work. (3.9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Our roles and responsibilities are clearly identified and distinguished from those delegated to the administrator and/or senior management. We do not become overly involved in management issues. (8.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Our roles and responsibilities are clearly identified and distinguished from our roles and responsibilities as directors of community owned and run enterprises/businesses. (3.7, 3.8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Our laws/by-laws or policies cover conflict of interest and are understood and consistently followed. (3.8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. We have a process for selecting our presiding officer. (3.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. The presiding officer has clear roles and responsibilities and runs the governing body effectively. (3.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Information Needs	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
12. We each receive orientation that helps us to understand the structure of our government, its powers (jurisdiction) and its issues, and that supports high-quality decision-making. (3.10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. We receive documents that are going to be discussed at meetings of the governing body with enough time to review and consider them in advance. (6.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. We receive adequate notice of meetings of the governing body, and the agenda is prepared in advance and is followed. (6.5, 6.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Each member of the governing body receives the same information, including any reports or briefing notes from senior management. (6.3, 6.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Members of the governing body are regularly informed about our financial position. (9.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. If we have questions or need further information in order to make a decision, the information is provided and our questions are answered to our satisfaction. (6.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Our laws/by-laws or policies cover confidentiality of the information we receive and are understood and consistently followed. (3.7, 3.9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Working Together	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
19. Members of the governing body come to meetings prepared to engage in meaningful discussion and thoughtful decision-making. (6.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Our governance processes make sure that everyone participates in decision-making. (4.3, 4.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Individual members of the governing body are actively involved in policy-making and strategic planning. (2.3, 4.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. We regularly review our financial performance against approved budgets. (9.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. The dynamics of our governing body enable group dialogue and discussion. Individual members ask for and listen to one another's ideas and input. (4.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Political differences or disagreements between members of the governing body are viewed as a search for solutions rather than a "win/lose" situation. (4.7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. Working relationships among individual members of the governing body and committees are positive. (5.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26. Our governing body attempts to reach consensus, but when consensus is not achieved differing perspectives are respected. (4.7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. We have a process for initiating law/by-law making and the development of policies. (4.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. We generally make good decisions based on reliable information after careful deliberation. (6.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluating Our Effectiveness	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
29. We evaluate our performance against other similar Nations and/or national standards. (5.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. Contributions of individual members of the governing body are reviewed regularly. (5.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31. As a team, we regularly review how we function together and how our governance processes could be improved. (5.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32. We formally evaluate our own performance on a regular basis. (5.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33. We regularly identify areas for improvement and engage in our own quality improvement activities. (13.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34. As a governing body, we regularly release information about our achievements, sharing it with the staff as well as with our citizens and stakeholders who are affected by the decisions of our government. (12.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35. There is a process for improving individual effectiveness when non-performance is an issue. (5.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36. As individual members, we receive adequate feedback about our contribution to the governing body. (5.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37. Our ongoing education and professional development is encouraged. (5.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.4 GOVERNING BODY



PLANNING WORKBOOK

THE GOVERNING BODY — ESTABLISHING EFFECTIVE GOVERNANCE

1.4 PLANNING WORKBOOK

Component of Effective Governance	Measurement	Survey Question #	Response (A,B,C)	Description of Needs/ Proposed Activity	Next Steps
DEVELOPING A CLEAR DIRECTION/VISION	Values and Vision	1.			
	Values and Vision	2.			
	Values and Vision	3.			
	Strategic Planning	4.			
	Strategic Planning	5.			
WORKING TOGETHER EFFECTIVELY	Effective Governing Body	6.			
	Effective Governing Body	7.			
	Effective Decision-Making	8.			
	Effective Decision-Making	9.			
	Effective Decision-Making	10.			
	Effective Decision-Making	11.			
	Evaluation	12.			
INFORMATION TO SUPPORT QUALITY DECISION-MAKING	Strategic Information	13.			
	Informed Decision-Making	14.			
	The Administrator	15.			
	The Administrator	16.			
OVERSEEING AND SUPPORTING THE ADMINISTRATION	The Administrator	17.			
	Budget and Resource Allocation	18.			
	Budget and Resource Allocation	19.			
	Budget and Resource Allocation	20.			
	Performance Evaluation				

Component of Effective Governance		Survey Question #	Response (A,B,C)	Description of Needs/Proposed Activity	Next Steps
MAINTAINING POSITIVE RELATIONS WITH THE CITIZENS AND STAKEHOLDERS	Building Relations	21.			
	Building Relations	22.			
	Communications Plan	23.			
	Citizen and Stakeholder Engagement	24.			
	Citizen and Stakeholder Engagement	25.			
BEING ACCOUNTABLE AND REALIZING THE VISION	Information Sharing	26.			
	Information Sharing	27.			
	Quality Improvements	28.			

1.5 GOVERNING BODY



TABULATION WORKSHEET

THE GOVERNING BODY — ESTABLISHING EFFECTIVE GOVERNANCE

1.5 TABULATION WORKSHEET

GOVERNING BODY QUESTIONNAIRE					
QUESTION # ___					
Participant Response	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
QUESTION # ___					
Participant Response	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
QUESTION # ___					
Participant Response	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

PART 2 /// MODULE 2

The Administration — Establishing Effective Organization



2.1

GUIDE

USING THE GUIDE

Introduction

Module 2 has been designed to assist your Nation in assessing the effectiveness of your administration, regardless of the legal framework under which you are currently governing. The self-assessment consists of this guide, a survey, a questionnaire and a planning workbook. The survey is to be undertaken by the members of your senior management as a group effort. The guide is designed to assist Nations in completing a self-assessment to help them meet the growing demand for excellence in management practices. This is particularly important as Nations move away from governance under the *Indian Act* and are re-establishing their own institutions of governance with expanded powers (jurisdiction).

Components of effective organization

The guide, the survey and the planning workbook are divided into five areas. Each area addresses a key management responsibility that Nations through their leaders should have in place to ensure a well-run administration. The approach taken, however, will vary according to the Nation's size, structure and the extent to which it has assumed jurisdiction or responsibility for program and service delivery. Module 2 uses common, neutral terms (e.g., governing body, administrator, laws, community, citizen, stakeholder); the members of your senior management will need to read the guide and survey with the terms used by your Nation in mind. The five areas are:

1. BUILDING A STRONG ADMINISTRATION

Addresses the structure and management systems needed to build a strong administration. This includes the human resources and performance management systems and the physical and information-system infrastructure required to support the governing body in performing its functions and meeting its goals and objectives.

2. SUPPORTING AN EFFICIENT LAW-MAKING PROCESS

Addresses the systems and processes needed to support the governing body in exercising its law-making and decision-making functions.

3. DELIVERING QUALITY PROGRAMS AND SERVICES

Addresses the systems and processes needed to design and deliver high-quality programs and services and achieve the community's vision and the governing body's goals and objectives.

4. MANAGING AND ALLOCATING RESOURCES PRUDENTLY

Addresses the effectiveness of the administration in managing and allocating resources to meet the needs and interests of the Nation.

5. SUCCESSFULLY MANAGING CHANGE

Addresses the effectiveness of First Nation governments in responding to change. Reductions in funding, service cutbacks and resource developments are among the many changes Nations regularly face. This area assesses the ability of Nations' administrations to respond to change and minimize adverse impacts on their communities. This is particularly important for Nations who are undergoing significant change in the way their offices operate as a result of taking on increasing program and service delivery on behalf of other governments (Canada and British Columbia) or as a result of efforts to expand their jurisdiction and design and deliver their own programs and services under this jurisdiction.

Structure of the guide

For each of the five areas of the guide, a number of key “measurements” of effective organization have been identified. Each measurement is broken down into a series of statements about administrative practices. Each of these statements has been given a number (1.1, 1.2, 2.2, 2.3, etc.). For each statement, there are guidelines as to what the measurement is measuring. These measurements and accompanying guidelines will assist the members of your senior management in choosing the appropriate response to the questions in the survey.

Using the guide to complete the survey

The survey poses a series of questions with respect to each of the five areas described above. The questions in the survey are tied to the measurements and the guidelines used in the guide. These measurements and guidelines are based on best practices in developing First Nations governance and administration. For each survey question, the corresponding reference to the statements about administration in the guide is used (1.1, 1.2, 2.2, 2.3, etc.).

The survey provides three possible responses to each of the questions posed. Your task is not only to determine which of the statements best describes your Nation today, but also to consider the direction in which your Nation is moving or trending and the steps your Nation has taken or is taking to support strong and appropriate governance. The open dialogue encouraged by this exercise should tell you quite a bit about your Nation, where you may have needs and where action to strengthen your administration may be desirable.

Here is an example of how the survey works, using the first measurement in the guide:

EXAMPLE

Survey Question:

Question	Which statement best describes your Nation?				
	A	A/B	B	B/C	C
1. Does the Nation have an administration to support the governing body in carrying out its roles and responsibilities and to implement the strategic plan? Structure of the Administration (1.1, 1.2, 1.3)	<input type="checkbox"/> Most key management and staff positions have been identified but not all have been filled. Members of the governing body undertake some of these roles. Staff may be responsible for more than one job.	<input type="checkbox"/>	<input type="checkbox"/> Most key management and staff positions have been identified and are filled. From time to time, members of the governing body may take on administrative as well as political roles in the Nation.	<input type="checkbox"/>	<input type="checkbox"/> We have a well-staffed administration with all key management positions identified and filled. We have sufficient staff hired to support the administration and the governing body in carrying out their functions. Members of the governing body do not have administrative roles.

Relevant section in guide:

BUILDING A STRONG ADMINISTRATION**Structure of the Administration****1.0 The structure of the administration is determined by the needs of the governing body.**

- 1.1 **Measurement:** The administration is structured to support the governing body in carrying out its functions.

Guidelines: The administration is structured to support the governing body in carrying out its functions, which include the enactment and implementation of laws and policies, the development and implementation of strategic and other plans, the design and delivery of programs and services, and compliance with legal obligations.

Completing the survey and questionnaire

Completing Module 2 will take approximately six to seven hours. It is best completed in a group setting, with the group deciding collectively how to respond to each question, after having first read the appropriate section of the guide.

You may choose to involve all or some of your senior management — the more the better. You may also wish to include a member or members of the governing body. However, if a member of the governing body participates, he or she should avoid influencing the choice of statement that best describes the Nation.

Completing the survey works best with five to seven people. If your senior management is a large group, you may wish to split into smaller groups. If you do split into smaller groups, each group should complete the survey and then the groups should come back together and collectively discuss the result and complete the planning workbook. In choosing the statement that best describes your Nation, please try to achieve a consensus.

Identify an individual or couple of individuals from the group to lead the process, fill in the survey and complete the planning workbook. Where the process is facilitated by a third party, he or she may complete all or some of these tasks.

Please remember to read the guide and refer back to it from time to time, as needed. This will make it much easier to complete the survey and to get the most out of the self-assessment process.

The questionnaire should be completed anonymously by each person in the group. Tabulate the results using the questionnaire tabulating worksheet to determine where management and staff are working together and to highlight areas for improvement. The results of the questionnaire should be discussed by senior management and can help with completion of the planning workbook.

Completing the planning workbook

The planning workbook is a good tool for recording any issues or areas that may need work, identified as senior management goes through the self-assessment process. Record them while they are fresh in your mind and as a result of discussion. The planning workbook can then be used at a later date to develop more substantial and detailed plans for moving forward with initiatives, based on the priorities of the Nation. You can also incorporate the result of the self-assessment, as recorded in the planning workbook, into your regular planning processes, using the formats that senior management is familiar with (strategic plans, operational work plans, etc.).

And as you develop your work plans beyond the self-assessment, please don't forget to consult *Part 1 — The Governance Report*. It provides good information and will assist you in identifying other sources of strategic information or resources available to help you in implementing your governance initiatives based on your identified needs.

THE GUIDE

BUILDING A STRONG ADMINISTRATION

Structure of the Administration

1.0 The structure of the administration is determined by the needs of the governing body.

- 1.1 **Measurement:** The administration is structured to support the governing body in carrying out its functions.

Guidelines: The administration is structured to support the governing body in carrying out its functions, which include the enactment and implementation of laws and policies, the development and implementation of strategic and other plans, the design and delivery of programs and services, and compliance with legal obligations.

- 1.2 **Measurement:** The administration includes appropriate management to support the governing body in carrying out its functions.

Guidelines: The size of the management team will vary depending on the size of the Nation, the scope and extent of its jurisdiction, the number of programs and services it administers, and the resources available to it.

The senior management of a Nation's administration normally consists of a senior operations manager or administrator (sometimes referred to as the executive director, chief executive officer, director of operations or band manager) and a senior financial manager (sometimes referred to as the treasurer, comptroller or chief financial officer). Where a Nation delivers an array of programs and services or, for example, operates its own school or health centre, additional managers may be required to assist in managing these initiatives and operations.

Some Nations have experienced challenges in recruiting senior managers for a variety of reasons, including remoteness and resource limitations that affect the Nation's ability to provide competitive salaries for its management team. In these circumstances, management functions are sometimes carried out by members of the governing body or by individuals who hold multiple positions. Clear conflict of interest guidelines are required to offer guidance to persons performing multiple roles and to prevent any perception that senior management is personally benefiting from the position at the expense of the citizens.

- 1.3 **Measurement:** The administration includes appropriate staff to support the management team and governing body in carrying out their responsibilities and functions.

Guidelines: The size of the staff will vary, depending on the size of the Nation, the scope and extent of its jurisdiction, the number of programs and services it administers, and the resources available to it. Responsibility

for determining the specific human resource needs of the Nation's administration rests with senior management.

- 1.4 ***Measurement:*** Management is responsible for developing an organizational chart that clearly defines relationships and reporting obligations for staff, contractors and, if applicable, volunteers.

Guidelines: An organizational chart is a diagram that shows the structure of an administration, the various departments that make up the administration, and the managers and staff members in each department. The organizational chart also identifies the lines of authority and reporting relationships between managers and other staff and shows how the various departments, bodies and so on within an administration interact with one another. The organizational chart should also show the interconnection and integration of programs and services delivered by the administration.

A key purpose of the organizational chart is to ensure efficient and effective leadership and teamwork throughout the administration. Therefore, it is important that the reporting relationships and lines of authority identified in the organizational chart be clearly understood and followed by everyone in the administration.

To facilitate this objective, new staff members should be provided with a copy of the organizational chart as part of an orientation package. The organizational chart and any subsequent amendments to it should be posted on the Nation's website or at prominent locations in the Nation's administration office and circulated to staff members.

- 1.5 ***Measurement:*** Senior management regularly evaluates the lines of authority and reporting relationships.

Guidelines: While key positions in an administration generally remain constant, other positions are sometimes phased out or new positions created as a result of shifts in policy priorities, Nation law development, budget reallocation or pressures from and changes to legal responsibilities. Therefore, it is important to review and update the organizational chart on an annual basis to capture any changes in management and staff. This is essential in maintaining efficient and effective leadership and teamwork throughout the administration.

Reporting relationships as reflected in the organizational chart should balance the autonomy of those responsible for delivering the programs and services with senior management's responsibility for overall coordination and control. It is particularly important to balance professional autonomy with senior management responsibility in the workplace, where the delivery of programs and services requires professional expertise within the administration (e.g., a social worker or engineer). This may be achieved by distinguishing professional leadership (e.g., engineering services, nursing officer, social worker) from operational leadership (e.g., the administrator).

- 1.6 ***Measurement:*** Management develops and regularly updates job descriptions for each staff position within the administration.

Guidelines: Job descriptions define the roles and responsibilities of the position. Job descriptions outline the nature and scope of the work, the qualifications required, reporting relationships and lines of communication. They may also include a wage scale in accordance with applicable policies of the Nation’s administration.

Mission Statement

2.0 The administration develops a mission statement.

- 2.1 ***Measurement:*** The administration develops a mission statement and, where necessary, departmental mission statements. Departmental mission statements are consistent with the community’s vision, goals and objectives as well as the governing body’s strategic plan.

Guidelines: A mission statement or “statement of purpose” is a short statement that describes an organization’s (administration’s) purpose, mandate, who it serves and the range of programs and services it provides.

Management is responsible for developing the administration’s mission statement, which must be consistent with the Nation’s vision and the governing body’s strategic plan. Where a Nation has numerous departments and institutions, each department and institution may have its own mission statement. These departmental mission statements should also be consistent with the Nation’s vision and the governing body’s strategic plan. When developing mission statements, management should seek input from relevant staff members.

- 2.2 ***Measurement:*** Staff, citizens and stakeholders have access to the mission statement(s).

Guidelines: The mission statement(s) should be made accessible to all staff, citizens and stakeholders. This can be accomplished by, for example, posting it in the main administrative office or other administration buildings or including it on the Nation’s letterhead or in the Nation’s newsletter or website.

- 2.3 ***Measurement:*** Management reviews and revises the mission statement whenever there is a change in the Nation’s vision, the scope of programs and services provided by the administration, or other significant developments.

Guidelines: While mission statements are not usually revised on an annual basis, it is important for management to be aware of events and issues that could give rise to the need for a review and amendment of the mission statement. In the period of transition from “band” governance under the *Indian Act* to other forms of governance, it will probably be necessary to review and, if required, revise any existing mission statement to ensure that the Nation’s vision is reflected in it.

Development of Operational Plan

3.0 Management develops and implements an operational plan to run the administration and achieve the goals and objectives identified in the governing body's strategic plan.

3.1 ***Measurement:*** Management is responsible for developing and implementing the operational plan.

Guidelines: While the purpose of strategic planning is to decide what an administration will do, the purpose of operational planning is to decide how it will be done. Without an operational plan, it is unlikely that the governing body's strategic plan can be realized. In addition to providing guidance on the day-to-day operations of the administration, the operational plan provides the details of how the strategies and actions identified in strategic plans will be accomplished. While strategic plans typically cover a period of five years or more, operational plans usually cover one fiscal year and are developed around the budget cycle.

Operational plans should be prepared by the people who will be involved in implementing them and typically contain:

- actions to be undertaken
- expected outcomes
- staffing requirements
- financial requirements
- timeframes for completing actions
- risk assessment
- performance evaluation

Depending on the size of the Nation, the range of jurisdictions exercised by the governing body and the number of programs and services delivered, a series of operational plans may be required. Where multiple plans are developed, there should be consistency in the format of plans. There will also be a need for dialogue among the various departments that make up the administration, as an operational plan prepared by one department will inevitably have implications for others. In addition, there should be a process in place to ensure that priorities and resource allocations among the various plans are aligned and are reflected in the budgetary processes. To achieve this end, multiple operational plans may be consolidated into a single operational plan by senior management.

Staff and stakeholder engagement

3.2 ***Measurement:*** When developing an operational plan, management seeks input from staff and others.

Guidelines: Management should seek input from relevant departmental staff members when developing departmental operational plans. In some instances, it may also be prudent to seek input from stakeholders (e.g., contractors, community committees, advisory committees).

Compliance with legal obligations

- 3.3 **Measurement:** When developing operational plans, the administration considers the legal obligations of the governing body.

Guidelines: Any laws/by-laws enacted by the Nation typically provide a framework and context for developing and revising the administration's operational plan. When developing operational plans, the administration must consider the legal obligations of the governing body created under the Nation's laws/by-laws. In addition, it must consider obligations of the governing body under other governments' laws (federal and provincial). The operational plan must be consistent with these laws and reflect any legal obligations imposed on the governing body under these laws. As well, the operational plan must consider other legal and contractual obligations arising under contracts and agreements the Nation has entered into. Specifically, where the Nation delivers programs and services on behalf of Canada or British Columbia, the operational plan must be consistent with any legal obligations owed to these entities through other legislation or agreements.

It is important to note that operational planning becomes a more critical exercise for the administration and the Nation where the Nation is moving its governance beyond the *Indian Act* and the governing body (and consequently the administration) has greater control and authority over policy-making and program and service design and delivery. It becomes even more critical where there is greater funding flexibility for the governing body, including the availability of discretionary revenues (e.g., revenues not restricted by funding agreements or generated by the Nation directly).

Resource requirements

- 3.4 **Measurement:** Management is responsible for identifying the resources required to implement the operational plan.

Guidelines: The operations plan identifies the financial and human resources, management and other systems and/or infrastructure needed to achieve the strategic goals and objectives and deliver the programs or services provided by the governing body.

Implementation

- 3.5 **Measurement:** Management is responsible for implementing operational plans.

Guidelines: Senior management is responsible for communicating the operational plan to relevant staff members and, where applicable, to funding agencies and contractors and for assigning responsibility to designated staff members to assist with implementing the plan. Establishing timeframes and assigning responsibility provides clarity and accountability for achieving the strategic goals and objectives.

Risk assessment

- 3.6 **Measurement:** The operational plan identifies potential risks or challenges and develops contingency plans accordingly.

Guidelines: Risk is simply the possibility of loss, injury or disadvantage. There are many risks and challenges that can impede successful implementation of the governing body's strategic plan and the administration's operational plan. Potential risks and challenges can include shifts in funding; political changes or upcoming elections, both for the Nation's government and for other orders of government; and resource shortages, both human and other. Other risks may include client or staff risks, such as safety or quality of services; organizational risks such as insurance protection, budget and capital planning processes, financial management and audit, property and physical infrastructure, and emergencies or disasters; and personal risks such as reputation, loss of credentials and liability.

Contingency plans should identify potential risks or challenges to the governing body and administration and set out proactive strategies and actions to accommodate the possibility of loss, injury or disadvantage.

Management should be able to mobilize resources quickly and effectively to ensure the continuity of the administration and the realization of the governing body's goals and objectives in the face of a risk or challenge.

Performance evaluation

- 3.7 **Measurement:** Management selects management systems and tools to monitor the implementation of operational plans.

Guidelines: Management systems and tools should be selected to support coordination, assessment and evaluation of organizational processes and services, including decision-making processes. These can include reports to ensure that process and outcome measures are tied directly to strategic goals and objectives; appropriate use of financial reporting tools, such as budget forecasts and actual budget expenditures; and project management tools.

- 3.8 **Measurement:** Senior management requires that departments with program and service responsibilities monitor the implementation of their operational plans, and supports departments' efforts to do so.

Guidelines: Senior management is expected to monitor and support management and staff who are responsible for their respective departments. This is to ensure that where those departments are providing programs and services, they are doing so in accordance with the overall operational plan and any departmental plans. In assisting management, it may be beneficial to evaluate the experiences of those persons receiving services. This can be included as part of each department or program area's annual performance evaluation.

Accountability

- 3.9 **Measurement:** Management generates regular reports about the administration's performance in implementing the operational plan and achieving the governing body's strategic goals and objectives set out in the Nation's strategic plan.

Guidelines: The reports provide information about current performance, including opportunities for improvement, as well as plans or initiatives to improve performance. Management shares the reports with the governing body to keep it informed about the Nation's performance, priorities for improvement and results.

Human Resource Management

4.0 Management is responsible for implementing and administering the governing body's human resource policies, laws/by-laws.

- 4.1 **Measurement:** Senior management or a human resource manager is responsible for developing human resource management systems.

Guidelines: The policies typically developed by a governing body to establish and sustain a strong administration include human resource management policies, laws/by-laws. Management is responsible for developing management systems to implement and administer the governing body's human resource policies, laws/by-laws.

Larger administrations may have a human resources manager who is responsible for implementing and administering the governing body's human resource policies, laws/by-laws. In smaller Nations, this responsibility usually rests with the administrator.

In implementing and administering the governing body's human resource management policies, management or the human resources manager is responsible for staff recruitment, the development and implementation of staff retention strategies, performance evaluations, and monitoring and enforcing any codes of conduct developed by the governing body.

Staff recruitment

- 4.2 **Measurement:** Management is responsible for recruiting and selecting staff and contractors.

Guidelines: Qualified First Nation workers are in high demand, given the preferential hiring programs in many organizations and government bodies. Recruiting qualified citizens can therefore be a challenge.

Management recruits and selects staff and contractors according to the needs of the governing body, the governing body's strategic goals and objectives and the range of services and programs delivered by the administration.

Management is responsible for hiring the staff and contractors necessary to support the governing body in performing its functions, implementing its strategic plan and carrying out and complying with its legal obligations as set out in its laws/by-laws and other laws or under contract with third parties.

- 4.3 ***Measurement:*** The administration uses a staff recruitment process that is merit-based and makes appropriate use of individual skills, education and knowledge.

Guidelines: The staff recruitment process is based on objective criteria such as skills, education, experience and the requirements of the service or program being provided, based on its complexity and available resources.

Given the resources available to Nations and the demands to provide programs and services, it is common for staff to be responsible for a number of tasks or to be asked to shift jobs when demand is highest. It is important that where staff members are moved between jobs, they are qualified to undertake the responsibilities expected of them.

Some Nations have employment policies giving preference to the hiring of citizens or other Aboriginal people. Providing opportunities for our people is often a priority of a Nation's government and its administration and would normally be set out in the administration's policies.

- 4.4 ***Measurement:*** The governing body, together with senior management, ensures compliance with legal obligations when recruiting staff to support them in carrying out their responsibilities and functions.

Guidelines: Some Nations may have established key positions or offices in their laws and there may be a legal requirement to fill these positions or offices. Where a Nation has entered into agreements with other governing bodies or entities to deliver programs and services, there may be requirements for the establishment of specific management or staff positions to carry out these programs and services.

Staff records

- 4.5 ***Measurement:*** Management maintains a human resource record for each staff member, contractor and volunteer.

Guidelines: The record includes information about hiring; orientation, training and education; security screening requirements, such as a valid drivers licence and criminal record check; performance appraisals and any issues regarding performance; and dismissal or resignation, including the exit interview.

- 4.6 ***Measurement:*** Human resource records are stored in a manner that protects individual privacy and meets applicable laws/by-laws or regulations.

Guidelines: The Nation meets federal and provincial or territorial regulations regarding privacy and stores records for the required time after an individual has left the administration.

Staff retention

4.7 **Measurement:** Management is responsible for developing and implementing staff retention strategies and measures.

Guidelines: The strategies and measures that administrations often adopt to retain staff members include the following:

- **Salaries:** Providing fair and competitive compensation for employees is a key measure that an administration can take to retain staff members. It is particularly important to ensure that a Nation's staff are not underpaid or paid less than non-citizen staff, because of perceived differences in taxation treatment or other considerations.
- **Office or work space:** Another strategy for retaining staff is to maintain a safe and comfortable workplace/space by ensuring that the administration offices meet all applicable laws, regulations and codes; heating, ventilation and air-conditioning systems are in good working order; and the office has suitable furniture and office equipment that considers ergonomics and other needs of the staff.
- **Opportunities for advancement:** Where possible, identify and support opportunities for advancement within the administration.
- **Recognition of service:** It is important to recognize the contributions that staff have made to the organization (e.g., recognition for years of service, employee of the month, special contributions or achievements).
- **Conflict resolution:** Establish policies and processes for expeditiously resolving conflicts that may arise in the workplace.
- **Grievance policies and procedures:** Establish grievance policies and procedures and a confidential process for staff to bring forward complaints, concerns and grievances.
- **Professional development and training:** Provide staff with opportunities for professional development and training.
- **Individual health:** Promote individual health among staff members. This can include seminars and workshops on health, healthy eating and other health-related topics; programs to help staff reduce stress, lose weight and quit smoking; exercise classes during lunch hours; and so on.
- **Work-life balance:** "Work-life balance" is the term used to describe the balance between an individual's work life and personal life. An administration can promote work-life balance by keeping overtime

to a minimum, by allowing employees to work flexible hours where possible, or by offering staff members workshops and counselling on work-life balance.

- Child care services: Where resources permit, some administrations offer child care services in the workplace as a way to recruit and retain staff.

4.8 **Measurement**: Management identifies and monitors process and outcome measures related to working life within the administration.

Guidelines: Process measures include rates of participation in healthy workplace activities; the number and type of complaints, concerns and grievances; and participation rates in professional development. Outcome measures include staff satisfaction; employee sick time or absenteeism; vacancy and retention rates; and amount of overtime. (See 2.3 *The Administration — Staff Questionnaire*, a tool designed to assist with monitoring worklife measures.)

Code of conduct

4.9 **Measurement**: Management is responsible for implementing and administering the code of conduct developed by the governing body.

Guidelines: A code of conduct sets out the values, conduct and behaviours expected of staff members when representing the Nation and in their interactions with one another and with citizens of the Nation, governing body members and stakeholders. The values can include respect, honesty, integrity, fairness and innovation. Defining values helps to establish parameters for expected staff behaviour and acceptable relationships with other bodies, including other Nations, other governments and other organizations with whom the Nation is involved. The code of conduct can also contain provisions regarding confidentiality, use of the Nation's assets, a commitment to quality, and safety in the workplace. Management is responsible for monitoring or delegating responsibility for ensuring compliance with the code of conduct by staff members.

Performance evaluation

4.10 **Measurement**: Management is responsible for monitoring the performance of senior managers and staff.

Guidelines: The governing body's human resource policies should address the undertaking of regular, objective performance appraisals, documenting performance and developing individual performance management plans based on strengths, areas for improvement and individual goals and career plans. The policies and procedures are shared with all managers and staff.

The governing body's policies and procedures should include ways to deal with performance issues, up to and including dismissal, in an objective and fair way.

- 4.11 **Measurement:** Management conducts exit interviews with individuals and uses this information to improve staffing and retention strategies.

Guidelines: Management analyzes exit interview information to identify trends that may be used to improve staffing or retention strategies. For example, if many staff members are leaving because of a lack of advancement opportunities, the management may create new advancement opportunities or other incentives to encourage staff to stay with the administration (e.g., professional development opportunities, opportunities for secondment).

Information Gathering and Records Management

5.0 The information and record management policies and systems meet legal requirements and current information needs, anticipate future information needs and enhance organizational performance.

- 5.1 **Measurement:** Management selects and implements information management systems that meet the governing body's and administration's current needs and anticipate future needs.

Guidelines: Information management policies are among the policies typically developed by governing bodies to establish and sustain a strong administration. Management is responsible for developing management systems to implement and administer the governing body's information management policies.

When choosing information management systems, management considers current and evolving information needs; hardware and software reliability, security and user-friendliness; input from system users; available resources; and applicable legal requirements, including privacy of information issues.

- 5.2 **Measurement:** Management selects and implements records management systems that meet the governing body's and administration's current needs and legal requirements.

Guidelines: Records management is the control and maintenance of the records of an organization, from creation to disposal. This involves control over the creation, receipt, classifying and organizing, storage, use, archiving and sometimes destroying of records, whether hardcopy or digital. Larger Nations and organizations often engage a records manager to manage their records, while responsibility for records management in smaller Nations and organizations is often divided among managerial and administrative support staff.

There are legal requirements regarding the management of information and records in federal and provincial or territorial access to information and privacy legislation that must be satisfied. There are also legal requirements regarding the storage and retention of financial records, including audits, that must be satisfied. To ensure compliance with these requirements and to provide guidance to staff, it is advisable for Nations

to develop records management policies and records storage plans for both hardcopy and digital files.

- 5.3 ***Measurement:*** Management implements, reviews and updates its information and records management policies and procedures to support the collection, entry, use and reporting of information.

Guidelines: Policies and procedures relating to information management include standardized methods for collecting, coding, classifying and entering dates; education, training and support so users can use the information system appropriately; maintaining confidentiality, security and integrity of data and information; and reporting data and information in a standardized and accurate way.

- 5.4 ***Measurement:*** The administration collects or has access to strategic information about the Nation, its capacities and its needs.

Guidelines: Strategic information is information that is integral to the implementation of the strategic plan. This includes information about the community, the administration, and stakeholders and partners. It also includes trends and changes, such as demographic information (e.g., age, literacy, language, education levels, housing conditions, socio-economic status, income levels). It may also include risk factors.

- 5.5 ***Measurement:*** Management controls access to and the flow of information throughout the administration and to the governing body, citizens, stakeholders and partners.

Guidelines: Decision-makers require information to make informed decisions and staff require information to carry out their duties. Management is responsible for ensuring that the governing body, senior managers and staff have access to the information they need. This requires a system for managing the flow of information throughout the organization.

The governing body and administration will also want to share information with citizens and stakeholders. This requires a system for managing the flow of information to citizens, stakeholders and partners.

Policies and procedures regarding the sharing and protection of private and confidential information are also required. Provisions of federal and provincial or territorial access to information and privacy legislation apply to Nation governments operating under the *Indian Act*.

- 5.6 ***Measurement:*** Management regularly assesses the quality and usefulness of its data and information and improves the administration's information systems.

Guidelines: Data assessments can include processes and checkpoints to ensure that data and information are accurate, reliable, secure, confidential and reported in a timely way.

They may also include maintaining an inventory of existing information sources to support the integration of information from several sources; preventing unnecessary duplication (e.g., collection of the same information from multiple sources); pinpointing gaps and identifying new data collection fields; and encouraging a more complete approach to information management.

Information technology

- 5.7 ***Measurement:*** The administration is using information technology appropriately to improve the effectiveness of its information and records management systems and staff members are sufficiently trained to use it.

Guidelines: Information technology is a term used to describe the technology used in creating, presenting and disseminating information. The Internet, computers, local area networks (LAN) and wide area networks (WAN) are among the types of information technology commonly adopted by governments to assist them in managing information.

Information technology can play an important role in promoting good governance. Establishing a website provides a vehicle for a governing body to share information about its accomplishments, programs and plans and seek input and feedback from citizens and stakeholders on issues that affect them. Computerized information management systems can make public administration more efficient and improve program and service delivery.

The administration uses information technology appropriately to improve the effectiveness of its information and records management systems and staff members are sufficiently trained to use it. Making the most effective use of available technologies will enhance the effectiveness of the administration and its ability to meet the needs of the citizens.

This will require development of information technology policies that set out procedures and systems for software purchasing, information technology infrastructure maintenance and upgrading, information technology skills development for staff members, disaster recovery and archiving, and so on.

It will also require the development of an information technology plan that addresses the establishment or maintenance of the Nation's website, the use of email, word processing and so on by members of the governing body, and use of the Internet by the governing body and the citizens.

Health and Safety

6.0 Management monitors and improves health and safety within the administration on an ongoing basis.

- 6.1 ***Measurement:*** The administration must have an occupational health and safety committee in accordance with applicable law.

Guidelines: The *Canada Labour Code* requires all federally related bodies to establish and maintain an occupational health and safety committee composed of management and staff. This is one of many federal laws, regulations and policies relating to health and safety that a Nation's government operating under the *Indian Act* must comply with. There may be different requirements for a Nation under a comprehensive governance arrangement. Good governance requires compliance with applicable laws, regulations and policies.

The occupational health and safety committee should meet regularly and demonstrate not only its own commitment to health and safety, but also that improving health and safety in the workplace is a priority of the administration. This type of demonstrated and concrete commitment strengthens the accountability of the employer to the employees and will have an impact on the quality of programs and services provided to the citizens and others by the staff. (For more information, see *Part 1 — The Governance Report, 3.18 Labour Relations.*)

- 6.2 **Measurement:** The administration develops and implements a health and safety plan for persons receiving services from the Nation or the staff delivering those services on behalf of the Nation, and implements improvements to the health and safety plan as required.

Guidelines: The administration should commit in writing to the safety and well-being of those receiving programs and services through the administration or the staff delivering those services on behalf of the Nation. The safety of those receiving programs and services may be improved by coaching and mentoring staff and contractors, implementing administration-wide safety initiatives to promote widespread learning, accessing evidence of best practices, encouraging staff innovation, providing feedback to the staff on safety improvement suggestions, recognizing suggestions made by staff and others to improve safety, and acting on staff recommendations.

- 6.3 **Measurement:** Management is responsible for developing a fire safety plan and ensuring regular inspection, testing and maintenance of fire detection, warning and extinguishing systems to reduce the risk of fire in public buildings and other community facilities.

Guidelines: In accordance with a Nation's laws/by-laws or the applicable laws of adjacent jurisdictions, or through service agreements, inspections should be conducted by the appropriate fire authority regularly and when any major changes are made to the physical structure of any community-owned facility. Inspections, testing and maintenance should be documented. (For more information, see *Part 1 — The Governance Report, 3.9 Emergency Preparedness, 3.25 Public Order Safety and Security.*)

- 6.4 **Measurement:** Management provides a safe physical environment in which staff carry out their duties, by ensuring that administration buildings meet all applicable laws, regulations and codes.

Guidelines: The administration offices and physical workspace should meet all applicable laws, regulations and codes. Considerations include maintaining the physical infrastructure in good working order and condition, including maintaining heating, ventilation and air-conditioning systems and ensuring the availability of fresh air; preventing exposure to second-hand smoke; ensuring that the physical infrastructure (e.g., doors, windows, roofs) is in working order and meets applicable codes; having suitable furniture and office equipment that considers ergonomics and addresses the needs of the staff and persons receiving services from the administration, including persons with special needs; and having appropriate security systems to protect staff and persons receiving services and programs.

Management determines whether the physical workspace meets the requirements of all laws, regulations, standards and codes and makes improvements as required. This can prove challenging, as many Nations face constraints relating to older buildings and physical infrastructure that may not have been built to code and are deficient. In such cases, the deficiencies should be recorded, the governing body made aware of the problems, and efforts made to find and allocate the necessary resources to fix the deficiencies.

In cases where programs and services are delivered in a citizen's home or the home of other clients, there should be mechanisms in place to assess the safety of the home. (For more information on local building codes, rules and regulations, see *Part 1 — The Governance Report, 3.26 Public Works*.)

Emergency Preparedness

7.0 Management prepares the administration for disasters and emergencies.

- 7.1 **Measurement:** Management prepares an emergency plan to address risks and take action in the event of a disaster or emergency.

Guidelines: All Nations should have an emergency plan. Canada's general assessment model for funding purposes requires Nations to have an emergency plan.

The emergency plan identifies other governments, agencies and organizations that need to be involved in preparing for and responding to disasters and emergencies. The plan should identify who is responsible for managing and coordinating responses to emergency situations, during both regular and off hours. Nations with offices located at two or more sites would normally follow the same or similar plans to prepare for and reduce the impact of disasters and emergencies. Plans may vary, depending on the types of facilities included (e.g., government offices, schools, health facilities).

Emergency plans may be tailored for specific circumstances, such as flood, earthquake, tsunami, fire or oil spill, depending on the location

and risks to the community. (For more information, see *Part 1 — The Governance Report, 3.9 Emergency Preparedness*.)

- 7.2 **Measurement:** Management regularly tests the Nation’s disaster and emergency plans with drills and exercises.

Guidelines: Regular testing for at least one type of emergency or one element of the plan is done at least quarterly, and evacuation drills are held at least annually for persons working within community-run facilities of the Nation.

SUPPORTING AN EFFICIENT LAW-MAKING PROCESS

Managing the Law-Making Process

8.0 Management is responsible for supporting the governing body in the exercise of its law-making powers.

- 8.1 **Measurement:** Management is responsible for managing the law-making process.

Guidelines: Law-making is one of the key activities, if not the most important activity, performed by governments. It is essential to ensure that the law-making process is properly planned and managed. While the governing body is responsible for enacting laws (e.g., constitution, codes, laws/by-laws, regulations), the administration plays an important role in planning and managing the law-making process.

For Nations operating under the *Indian Act*, law-making activity by the governing body has primarily consisted of enacting by-laws under sections 81, 83 and 85.5 of the act. (For more information, see *Part 1 — The Governance Report, 1. Options for Governance Reform*.) There are few requirements in the *Indian Act* respecting the making of by-laws.

Some Nations may have established procedures for developing and enacting laws/by-laws based on their inherent jurisdiction, and these may be set out as policy made in conjunction with establishing an election code under section 74(1) of the *Indian Act* (see *Part 1 — The Governance Report, 3.8 Elections*) or by way of a section 81 by-law. Some Nations have adopted constitutions that define the procedures that must be followed by the governing body when developing and enacting laws and by the administration in managing the law-making process (see *Part 1 — The Governance Report, 2.4 The Constitution*). Law-enactment procedures will vary from Nation to Nation.

As Nations move beyond governance under the *Indian Act*, it will become increasingly important for them to develop policy frameworks for the development and enactment of laws. The policy framework for planning and managing the law-making process typically addresses:

- steps that must be followed in the Nation’s law-making process, from inception to enactment

- guidelines to ensure that the Nation’s constitution and traditional laws and the community’s vision are respected
- research and information required by the governing body to make informed decisions about proposed laws
- development of conventions to ensure that proposed laws are properly drafted
- skills and experience required by officials involved in the law-making process
- roles and responsibilities of officials involved in the law-making process
- processes for seeking input from citizens about proposed laws
- processes for recording and storing approved laws
- guidelines for publishing approved laws
- processes for identifying the resources required to implement and enforce proposed laws

It is essential that officials and departments involved in supporting the governing body in the exercise of its law-making powers do so in accordance with this policy framework.

- 8.2 ***Measurement:*** Management is responsible for establishing a process to regularly review and monitor the effectiveness of the laws/by-laws that are in force.

Guidelines: Over time, community needs change and evolve. This may require amendments to laws/by-laws that were enacted to achieve specific goals and objectives, which may have been met or may no longer be relevant. In some cases, they may be out of step with the vision of the community and the strategic plan of the governing body. In other circumstances, there may have been a court decision involving a matter that is the subject of a Nation’s law/by-law and as a consequence there is a need to amend the law/by-law.

Management is responsible for establishing a process for regularly reviewing and monitoring the effectiveness of existing laws/by-laws and identifying any amendments that may be required to improve their effectiveness, or for repealing and/or replacing laws/by-laws to accommodate changing community needs, goals and objectives or court decisions.

DELIVERING QUALITY PROGRAMS AND SERVICES

Service and Program Delivery and Design

9.0 Management is responsible for designing a system for delivering programs and services to the community.

Following the values, vision, mission statement and strategic plan

- 9.1 ***Measurement:*** Management designs programs and services in a manner that is consistent with the Nation’s community values and vision, the administration’s mission statement and the governing body’s strategic plan.

Guidelines: Operational plans (departmental work plans) are aligned with the Nation’s community values, the vision and the governing body’s strategic plan, goals and objectives. The administration should ensure that the operations are consistent with the governing body’s strategic plan, goals and objectives.

Where the Nation is delivering programs and services on behalf of another government or body (normally provided under a funding agreement), there will be less, if any, flexibility in designing and delivering programs and services. Care should be taken not to deliver programs and services on behalf of other governments or bodies that do not reflect the Nation’s community values and vision, or form part of the governing body’s strategic plan.

As Nations move toward greater autonomy and assume jurisdiction over various subject matters, there will (resources permitting) be more flexibility in designing programs and services and more opportunity for policy innovation to meet the particular needs and circumstances of each Nation.

Community needs assessment

- 9.2 ***Measurement:*** When designing a system for delivering programs and services to the citizens, the governing body and administration ensure that they have adequate information about the citizens’ and community’s current needs.

Guidelines: The administration collects or has access to statistical information about the community, its capacities and its needs. This information may be referred to as a “community needs assessment” or a “community profile” and may form part of a community plan. It includes trends and changes in the community’s situation (the “environment”), including demographic information (e.g., age, literacy, language, education levels, housing conditions and socioeconomic status, income levels). A community needs assessment should be maintained in a format that is up to date and easy to understand.

If the Nation does not collect information or conduct a community needs assessment, it should be aware of how to access and use information that is available from other sources. In addition to the Nation’s own records, information may be obtained from a variety of sources, including Aboriginal Affairs Northern Development (AANDC), Health Canada, Statistics Canada and statistics from First Nation organizations.

The administration uses information about the community to plan and scope its services and plans, and designs the services and programs that it delivers to meet the needs of the citizens and the community.

- 9.3 ***Measurement:*** The administration shares information from a community needs assessment with the governing body, staff and, where applicable, funding agencies and other organizations.

Guidelines: The administration identifies how information from the community needs assessment is shared, in what format and to what degree of detail. The administration should also be able to identify any restrictions on the sharing of information (e.g., privacy policies or applicable privacy legislation).

Citizen and stakeholder engagement

- 9.4 **Measurement:** When designing a system for delivering programs and services to the citizens and community, the governing body and administration will work with the citizens, community and stakeholders to identify needs, interests and priorities.

Guidelines: Internal stakeholders can include staff, contractors, volunteers, unions (where collective agreements exist), potential and actual recipients of programs and services, community committees and advisory committees. Management may seek input in a number of informal or formal ways, including citizen or stakeholder working groups, focus groups, feedback or complaint mechanisms, citizen or stakeholder meetings, and other citizen or stakeholder engagement activities and consultation. As a community's needs will inevitably exceed the resources available to the Nation, the administration, with the support of the governing body, should involve the citizens in choosing among competing priorities. The work undertaken with the community can provide a basis for priority-setting within each program or service area and with respect to different areas of jurisdiction that a Nation may exercise. This in turn will assist the governing body in its budgeting processes.

Identifying partners

- 9.5 **Measurement:** When designing a system for delivering programs and services to the community, the administration identifies partnerships required to coordinate program and service delivery to meet the needs of the community and collaborates with a broad network of external stakeholders to deliver programs and services to the community.

Guidelines: Meeting the full range of the community's needs will be beyond the capabilities of any one Nation. The administration identifies potential partnerships with external stakeholders, which are needed to provide access across a spectrum of program and service areas. External stakeholders include other Nations, other governments (federal, provincial or territorial and local), funding authorities, provincial and territorial organizations (e.g., the BC Assembly of First Nations, Union of BC Indian Chiefs, First Nations Summit and the sector councils), national First Nation institutions (e.g., First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority) interest or volunteer groups, professional bodies and associations, and contractors or contract agencies. (For more information on these and other bodies, see the relevant chapters in *Part 1 — The Governance Report, 3. Powers (Jurisdictions) of the First Nation.*)

For Nations that deliver multiple programs and services, sometimes in different locations, partnerships identified by the governing body and the administration are used as a starting point for each program or service area to develop its own partnerships, in order to coordinate services and make it easier for citizens and others to access programs and services.

Quality Improvement

10.0 Management encourages quality of programs and service delivery and ongoing quality improvement throughout the administration.

Program and service quality improvement

10.1 ***Measurement:*** The administration identifies quality of programs and service and quality improvement as strategic goals.

Guidelines: Where a Nation provides programs and services on behalf of another government, the Nation should meet or exceed any program and service standards required under applicable laws, standards and funding agreements. Where the Nation is delivering its own programs and services, it may establish quality of service standards in policy and in some circumstances in laws/by-laws, or adopt those set by other government or bodies.

Management advises the governing body on quality improvement priorities and updates the governing body on progress toward achieving the priorities. The administration's program and service quality improvement initiatives are aligned with the strategic plan, goals and objectives, and the governing body provides oversight and monitors the achievement of any program and service quality improvement initiatives.

For a Nation where the governing body plays a less active role, management should take responsibility for identifying program and service quality improvement priorities.

10.2 ***Measurement:*** Management allocates resources and provides education to support program and service quality improvement initiatives.

Guidelines: Resources to support program and service quality improvement activities can include allocating staff or financial resources specifically to quality improvement, or reorganizing existing staffing priorities so they have additional time for program and service quality improvement initiatives.

Educational support for quality or process improvement may include workshops, conferences, courses and access to research and best practice information. Depending on the area or department, management may look to First Nation organizations and societies that provide support, such as the Aboriginal Financial Officers' Association, the First Nations Education Steering Committee or the First Nations Health Council. (For contact and other information on these and other bodies, see the relevant chapters in *Part 1 — The Governance Report, 3. Powers (Jurisdictions) of the First Nation.*)

10.3 **Measurement:** Management is involved in program and service quality improvement initiatives.

Guidelines: Management support for and participation in the administration's program and service quality improvement initiatives promotes a spirit of quality improvement through all levels of the administration and in all departments. Management may be involved in leading specific service quality improvement projects or initiatives; coaching and mentoring staff and others on ongoing quality improvement; or identifying quality improvement champions.

10.4 **Measurement:** Management promotes learning from results, decision-making based on research and evidence, and ongoing quality improvement.

Guidelines: Learning from experience includes learning from positive as well as negative or surprising results. This process of learning may include providing time to reflect on results; ensuring support and professional development required to learn from results; providing mechanisms for collective feedback and reflection, such as briefings and staff meetings; and balancing between learning from results and focusing on end results.

MANAGING AND ALLOCATING RESOURCES

11.0 In accordance with the governing body's approved budget allocations, management controls the Nation's financial and other resources to maximize efficiency, operate the government and meet program and service requirements.

Budget process

11.1 **Measurement:** Management prepares annual operating and capital budgets for consideration by the finance committee (where applicable) and the governing body.

Guidelines: While the governing body is responsible for approving the annual and multi-year operating and capital budgets, management is responsible for working with the finance committee and governing body to prepare the budgets. This includes the budgets for all of the administration's departments and areas of operation.

When preparing the annual and multi-year budgets, management must comply with any financial management laws, policies and procedures adopted by the governing body. In developing their own financial management laws and principles, Nations may wish to consider using the standards developed by independent bodies such as the First Nations Financial Management Board (FMB). (For more information on financial planning, contact information and a description of the services provided by FMB, see *Part 1 — The Governance Report, 3.11 Financial Administration.*)

When preparing the annual budget, management considers the goals and objectives set out in the Nation's vision statement and the governing body's strategic plan and seeks input from staff. In some cases, management may also seek input from contractors and funding agencies regarding estimates, terms and conditions of agreements, and so on.

The operating budget includes revenues from all sources, together with proposed expenditures, and should normally not result in a deficit (greater expenditures than revenues). The proposed expenditures in the Nation's operating and capital budgets must ensure that the Nation meets all of its legal obligations and fulfills its program and service delivery responsibilities.

The budget will normally be developed at the same time as, or as part of the process of developing, the operational plan, and the numbers used in the budget will align with those in the operational plan.

Allocating resources

11.2 ***Measurement:*** Management establishes and follows criteria to guide resource allocation and expenditure decisions within the parameters established in the approved budget.

Guidelines: The budget approved by the governing body establishes parameters for spending by the administration. Within these parameters, management has discretion to make resource allocations and expenditures in order to maximize efficient use of the Nation's resources.

Resource allocation is the management process whereby, in the short term, resources are allocated between the various functions or departments of the government and the programs and services provided by the government to achieve the governing body's strategic goals and objectives for the future. Resources in this context include human as well as financial and other resources at the disposal of the administration. However, the basic allocation decisions are the choices that need to be made about which functions of government and which programs and services are to be funded and at what level, and which may be left unfunded. There may also be a ranking of items excluded from the resource allocation plans, showing those that might be funded if more resources are available, as well as a priority ranking of items to be funded, showing which items should be cut if total funding has to be reduced.

Management is responsible for establishing criteria to guide resource allocation decisions within the parameters established in approved budgets. The criteria used to guide resource allocation decisions will differ according to the size of the Nation, the scope of its jurisdiction and the degree to which the Nation may have assumed the delivery of programs and services on behalf of other governments. In general, the criteria used should consider the community's needs and priorities; terms and conditions of funding received from the federal and provincial or territorial governments or other bodies; the Nations' values, vision and strategic goals and objectives; and statistical data and other

evidence (e.g., cost-effectiveness analysis). Resources should be distributed appropriately and, ideally, fairly among departments within the administration and across the spectrum of programs and services provided by those departments. The objective of management should be to ensure that quality programs and services are delivered to citizens and others across the spectrum of programs and services provided.

Where the Nation is receiving funding from another government, the resource allocation process will typically be dictated by the funding agreements entered into with the other government. In this case, management should demonstrate that they understand the process by which resources are allocated and the criteria that must guide those decisions.

A Nation's financial laws and policies may place limits on management's ability to make resource allocation decisions or expenditures. For instance, there may be a dollar cap on expenditure approvals or how much money might be transferred from one program to another, or limited authority for a particular budget line item (e.g., travel or legal fees). While in many cases limits will be managed within the administration (usually through the administrator), in some cases, where the limits are on the administration itself, management will from time to time be required to make resource allocation or expenditure recommendations to the governing body and/or finance committee.

- 11.3 **Measurement:** Management gathers inputs from the community and other stakeholders to make resource allocation decisions.

Guidelines: Information used to make resource allocation choices can include information gathered about the citizens and community (e.g., the community needs assessment); advice from persons receiving services and from the community about service priorities or about opportunities to share resources to maximize efficiency; resource allocations dictated by the federal or provincial or territorial government, donors or foundations; and resource requests from internal committees (e.g., finance committee, capital committee, lands committee).

- 11.4 **Measurement:** Management regularly assesses the impact of its resource allocations.

Guidelines: Management assesses how resource allocations affect the quality of program and service delivery, including the ability to meet the community's current needs, the workplace environment and staff health, and the achievement of the governing body's strategic goals and objectives. For example, when moving resources from one program or service area to another, management anticipates any potential impact and plans accordingly.

- 11.5 **Measurement:** Management has a process for moving resources within and across departments and service or program areas to where they are needed most.

Guidelines: Resources are distributed appropriately among departments and operations of the Nation and within the spectrum of programs and services provided by those departments and operations. The process for making resource allocations should be flexible enough to respond to changing needs and priorities, in accordance with the Nation’s budget approved by the governing body. Flexibility should include contingency plans for responding to changes in a timely manner.

Where the resource allocation process is dictated by the federal or provincial or territorial government or where it is dictated by the Nation’s own law, there should still be a process for management identifying changing needs and priorities, appealing for additional resources and responding accordingly.

Financial reporting and review

- 11.6 **Measurement:** Management monitors financial performance and generates regular financial reports.

Guidelines: Management is responsible for monitoring the administration’s financial performance in accordance with criteria set out in the Nation’s financial management laws and policies. As part of its responsibility for monitoring and overseeing the administration’s financial performance, management produces monthly financial statements for the governing body or audit committee (where one exists) that summarize revenues and expenditures and report any variances between actual and approved expenditures. Financial statements should also track any potential deficits. Where a deficit is anticipated, management should develop a contingency plan to address the situation and ensure that the deficit is corrected in the following year’s budget.

The governing body or audit committee takes constructive action to address recommendations in financial reports and from the administrator and senior management.

There are other financial reports that management may be required to prepare on a periodic or as-required basis. For example, management is required to ensure that the governing body and/or audit or finance committee is apprised of any potential risks to the Nation’s financial position that may arise within the budget cycle. Where new programs and services are required, management is responsible for bringing this to the attention of the governing body and/or finance committee, together with any proposals for revising the budget to establish new programs or services.

An audit is an annual report on a Nation’s financial position. The administration’s financial records and reports are audited annually by an independent auditor. This process is overseen by the governing body or the audit committee. In the interests of transparency, the Nation’s financial statements and the annual audit should be made available to the citizens and, where required, to funding agencies in accordance with funding agreements entered into by the governing body on behalf of the Nation.

- 11.7 ***Measurement:*** Management reviews the administration’s use of resources and coordinates its review with other activities, such as risk management and program and service reviews, and identifies opportunities for improving its resource use.

Guidelines: There are significant cost-savings that can be realized through the efficient use of resources, and in any Nation there is always room for improving this efficiency. Management annually reviews the use of resources by each department or each program or service delivery area and identifies opportunities for improving the efficiency of resource use by the administration.

- 11.8 ***Measurement:*** The Nation meets all legal requirements for managing financial resources and financial reporting.

Guidelines: Legal requirements for financial management and reporting vary from Nation to Nation depending on the requirements of their laws/ by-laws and their funding arrangements with third parties (usually Canada). In most cases, an audit and the use of generally accepted accounting principles are required. In addition, some Nations have adopted other legal requirements: for example, the Nation may not carry a deficit, must have a balanced budget, must take expenditures over a certain amount to the citizens, or must have an audit and/or a finance committee.

SUCCESSFULLY MANAGING CHANGE

12.0 The administration understands the changing needs of the community it serves and the environment in which the governing body and the administration are operating.

Adapting to the Environment

- 12.1 ***Measurement:*** Under the direction of the governing body, the administration completes an annual scan of the internal conditions and external factors, events, trends and relationships that might have an impact on the operations of the administration and functioning of the governing body.

Guidelines: It is important that the administration and the governing body be prepared to respond to and can plan for changes in the world around them. The administration, under the direction of the governing body and often as part of the governing body’s strategic planning process, may undertake a scan of the internal conditions and external factors, events, trends and relationships that may affect the Nation, its citizens, the governing body and the administration.

The scan might result in adjustments to the strategic plan, goals or objectives or affect the development of operational plans and resource allocations in order to address any risks or opportunities identified in the analysis.

12.2 ***Measurement:*** Management follows a formal process to manage change.

Guidelines: Organizational approaches to managing change will differ according to the type and scope of the change and its impact on a Nation.

Change may be imposed upon the Nation as a result of the actions of others. This may be viewed as either positive or negative, depending on the type of change, but in any case must be addressed. Change may also be the result of a desired outcome of the governing body in accordance with the vision of the Nation and the governing body's strategic plan. In order to cope with significant change that will have major impacts on the administration, formal change management processes should be considered and include identifying a clear vision and communicating the vision to the citizens, staff and others working for the Nation and other stakeholders; creating a special operating plan or work plan to implement the change; defining roles and responsibilities for managing the change; allocating resources (financial and human) to support the change program; and monitoring and evaluating the results when the change management process has been implemented.

Most of our Nations are in a period of transition, moving away from living and governing under the *Indian Act* and into a new reality. Consequently, the degree of change in a Nation may be very significant, creating new challenges and opportunities for the governing body and the administration. How well change is managed will have a considerable impact on the success or failure of a Nation in implementing new governance arrangements (whether sectoral or comprehensive) beyond the *Indian Act*. Where a Nation is involved in a governance initiative, the operational plan or work plan to manage the change should be consistent with any implementation agreements or plans that may be negotiated between the Nation and the Crown regarding the operations assumed by the Nation in moving beyond the *Indian Act*.

Where significant change is occurring throughout a Nation's administration, individual departments may need to develop their own operational plans or work plans to implement the change, and these plans should be consistent with the overall change management process to ensure that priorities and resource allocations among the various implementation plans are aligned. In a period of significant change, the change management process should be incorporated into the overall operating plans of the administration and become a key driver of planning, budgeting and resource allocation decisions.

12.3 ***Measurement:*** The administration's organizational structure and program and service areas are adjusted as required to support new or changed service delivery requirements.

Guidelines: Management should adapt the administration's organizational structure and program or service areas where it is within its authority to do so, in order to accommodate changes and new challenges, including the Nation assuming expanded jurisdiction; the Nation entering into new contracts and agreements to provide services or programs on behalf

of another government; knowledge and technological advances; and changes in the governing body's strategic plan, goals and objectives. As Nations move away from governance under the *Indian Act*, managing and responding appropriately to the changing realities will be particularly important.

Where programs or service gaps are identified in the process of considering change, the administration informs the governing body or, where applicable, the government or body under whose mandate the program and service is being provided, with the aim of seeking new authorities, developing new programs and services or seeking additional resources.

PART 2 /// MODULE 2.2

Administration – Survey



THE ADMINISTRATION — ESTABLISHING EFFECTIVE ORGANIZATION

2.2 SURVEY

BUILDING A STRONG ADMINISTRATION

The following questions relate to the administration’s organizational structure. How are staff recruited, selected and retained? How is information managed? How are programs and services designed, delivered and monitored? Is an operational plan in place to meet the needs of the administration and to achieve the governing body’s strategic goals and objectives and the vision of the Nation? How are resources allocated? How is program and service delivery evaluated and improved?

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
<p>1. Does the Nation have an administration to support the governing body in carrying out its roles and responsibilities and to implement the strategic plan? Structure of the Administration (1.1, 1.2, 1.3)</p>	<p><input type="checkbox"/> Most key management and staff positions have been identified but not all have been filled. Members of the governing body undertake some of these roles. Staff may be responsible for more than one job.</p>	<p><input type="checkbox"/> Most key management and staff positions have been identified and are filled. From time-to-time, members of the governing body may take on administrative as well as political roles in the Nation.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/> We have a well-staffed administration with all key management positions identified and filled. We have sufficient staff hired to support the administration and the governing body in carrying out their functions. Members of the governing body do not have administrative roles.</p>
<p>2. Are there defined reporting relationships, roles and responsibilities for each position? Structure of the Administration (1.4, 1.5, 1.6)</p>	<p><input type="checkbox"/> We have not formally defined reporting relationships, roles and responsibilities, and we do not always have job descriptions.</p>	<p><input type="checkbox"/> We have an organizational chart defining the structure of our administration and most of the reporting relationships within the organization. We have defined reporting relationships, roles and responsibilities and these are generally included in job descriptions.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/> We have an organizational chart defining the structure of our administration and the reporting relationships within the administration and it is accurate and followed, clearly understood by all staff and regularly reviewed. For each position we have a specific job description that includes defined reporting relationships, and specific roles and responsibilities. We regularly evaluate these to make sure they are appropriate.</p>
<p>3. Does the administration have a mission statement? Mission Statement (2.1, 2.2, 2.3)</p>	<p><input type="checkbox"/> We do not have a mission statement.</p>	<p><input type="checkbox"/> We have a mission statement that describes our mandate and purpose and that is accessible to all the staff, the citizens and stakeholders.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/> We have a mission statement that is consistent with the Nation’s values and its vision and that describes our mandate and our purpose. The mission statement is accessible to all the staff, the citizens and stakeholders. We regularly review the mission statement to ensure that it is up-to-date.</p>

BUILDING A STRONG ADMINISTRATION ...continued

The following questions relate to the administration's organizational structure. How are staff recruited, selected and retained? How is information managed? How are programs and services designed, delivered and monitored? Is an operational plan in place to meet the needs of the administration and to achieve the governing body's strategic goals and objectives and the vision of the Nation? How are resources allocated? How is program and service delivery evaluated and improved?

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
4. Does the administration seek input to develop the mission statement? Mission Statement (2.1, 2.2, 2.3)	<input type="checkbox"/> We do not seek input to define the mission statement.	<input type="checkbox"/> We seek and receive some input from staff, citizens and stakeholders to help us define the mission statement.	<input type="checkbox"/> We seek and receive some input from staff, citizens and stakeholders when defining and reviewing the mission statement. We follow a process to ensure that the mission statement continues to reflect the mandate and purpose of the administration and that it is consistent with the values and vision of the Nation.	<input type="checkbox"/> We regularly seek and receive input from staff, citizens and stakeholders when defining and reviewing the mission statement. We follow a process to ensure that the mission statement continues to reflect the mandate and purpose of the administration and that it is consistent with the values and vision of the Nation.
5. Does the administration develop an operational plan to implement the governing body's strategic plan? Development of Operational Plan (3.1, 3.2, 3.3, 3.4, 3.5)	<input type="checkbox"/> We have individual operational plans for some departments. We do not have an overall operational plan.	<input type="checkbox"/> We have an operational plan that covers most areas of our operations. We have a process for developing the operational plan, but it is not always followed.	<input type="checkbox"/> We have an operational plan that covers all areas of our operations. We follow a planning process where managers work with the administrator to develop operational plans specific to each area of our operations. The overall operational plan allows us to implement the governing body's strategic plan and meet our legal obligations. The plan is developed annually and is tied to our budget process.	<input type="checkbox"/> We have an operational plan that covers all areas of our operations. We follow a planning process where managers work with the administrator to develop operational plans specific to each area of our operations. The overall operational plan allows us to implement the governing body's strategic plan and meet our legal obligations. The plan is developed annually and is tied to our budget process.
6. What is the administration's process for identifying and managing risk? Development of Operational Plan (3.6)	<input type="checkbox"/> We do not have a process for identifying and managing risk. We respond to critical events as they arise.	<input type="checkbox"/> We have an informal process for identifying and managing risk, enabling us to more effectively respond to critical events as they arise.	<input type="checkbox"/> We have a formal process for identifying and managing risk. We have a formal reporting system to identify and follow up on risks and we regularly review our processes to identify and manage risk.	<input type="checkbox"/> We have a formal process for identifying and managing risk. We have a formal reporting system to identify and follow up on risks and we regularly review our processes to identify and manage risk.
7. How is information about departmental performance reported and shared? Development of Operational Plan (3.7, 3.8, 3.9)	<input type="checkbox"/> We do not share reports about departmental performance.	<input type="checkbox"/> We generate reports about departmental performance that are shared with the governing body, as applicable.	<input type="checkbox"/> We generate reports about departmental performance that are shared with the governing body, as applicable. These reports, as well as the results of risk management and quality improvement initiatives, are shared with and communicated to everyone in the administration.	<input type="checkbox"/> We generate reports about departmental performance that are shared with the governing body, as applicable. These reports, as well as the results of risk management and quality improvement initiatives, are shared with and communicated to everyone in the administration.
8. How is staff hired and assigned roles and responsibilities? Human Resource Management (4.1, 4.2, 4.3, 4.4)	<input type="checkbox"/> We assign staff responsibilities as required.	<input type="checkbox"/> We have a staffing process, which is sometimes based on skills, education and knowledge. Preference is given to citizens.	<input type="checkbox"/> We use a merit-based staffing process that is based on objective criteria (e.g., skills, education, experience, cultural knowledge). In accordance with our policies, preference is given to qualified citizens.	<input type="checkbox"/> We use a merit-based staffing process that is based on objective criteria (e.g., skills, education, experience, cultural knowledge). In accordance with our policies, preference is given to qualified citizens.

BUILDING A STRONG ADMINISTRATION ...continued	
The following questions relate to the administration's organizational structure. How are staff recruited, selected and retained? How is information managed? How are programs and services designed, delivered and monitored? Is an operational plan in place to meet the needs of the administration and to achieve the governing body's strategic goals and objectives and the vision of the Nation? How are resources allocated? How is program and service delivery evaluated and improved?	
Question	Which statement best describes your Nation?
	A B B/C C
9. Is a human resource record kept for each person? Human Resource Management (4.5, 4.6)	<div style="display: flex; justify-content: space-between;"> <div style="width: 24%;"> <input type="checkbox"/> We do not have a human resource record for each person. </div> <div style="width: 24%;"> <input type="checkbox"/> We have confidential human resource records for each person. They are not always up-to-date. </div> <div style="width: 24%;"> <input type="checkbox"/> We have a confidential, up-to-date human resource record for each person, including casual and seasonal employees and volunteers. The records are kept in a central location. </div> <div style="width: 24%;"> <input type="checkbox"/> We have a confidential, up-to-date human resource record for each person, including casual and seasonal employees and volunteers. The records are kept in a central location. </div> </div>
10. What mechanisms are in place to support a positive workplace for staff members? Human Resource Management (4.7, Staff Questionnaire)	<div style="display: flex; justify-content: space-between;"> <div style="width: 24%;"> <input type="checkbox"/> A positive workplace for staff is not one of our priorities. </div> <div style="width: 24%;"> <input type="checkbox"/> A positive workplace for staff is a priority for our administration. We have begun to identify or implement mechanisms and strategies to improve the workplace for staff. </div> <div style="width: 24%;"> <input type="checkbox"/> A positive workplace for staff is a priority for our administration. We have implemented a number of initiatives to support a positive workplace for staff, including monitoring fatigue and stress levels, and providing a confidential way for staff to raise concerns. </div> <div style="width: 24%;"> <input type="checkbox"/> A positive workplace for staff is a priority for our administration. We have implemented a number of initiatives to support a positive workplace for staff, including monitoring fatigue and stress levels, and providing a confidential way for staff to raise concerns. </div> </div>
11. Does the administration monitor workforce measures? Human Resource Management (4.8, Staff Questionnaire)	<div style="display: flex; justify-content: space-between;"> <div style="width: 24%;"> <input type="checkbox"/> We do not monitor workforce measures. </div> <div style="width: 24%;"> <input type="checkbox"/> We have begun to identify and monitor workforce measures. More work on these measures and use of the results are needed. </div> <div style="width: 24%;"> <input type="checkbox"/> We have begun to identify and monitor workforce measures. More work on these measures and use of the results are needed. </div> <div style="width: 24%;"> <input type="checkbox"/> We measure various process and outcome indicators of workforce. We regularly analyze, share and use the results to make improvements. </div> </div>
12. Does the administration have a code of conduct? If yes, how is it monitored? Human Resource Management (4.9)	<div style="display: flex; justify-content: space-between;"> <div style="width: 24%;"> <input type="checkbox"/> We do not have a code of conduct. </div> <div style="width: 24%;"> <input type="checkbox"/> We have a number of documents that describe the values of the administration and the conduct and behaviours expected of staff, contractors and service providers. However, these documents are not consolidated into a code of conduct. </div> <div style="width: 24%;"> <input type="checkbox"/> We have a code of conduct that describes the values of the administration and the conduct and behaviours expected of staff, contractors and service providers. The code of conduct is regularly monitored. </div> <div style="width: 24%;"> <input type="checkbox"/> We have a code of conduct that describes the values of the administration and the conduct and behaviours expected of staff, contractors and service providers. The code of conduct is regularly monitored. </div> </div>

BUILDING A STRONG ADMINISTRATION ...continued

The following questions relate to the administration's organizational structure. How are staff recruited, selected and retained? How is information managed? How are programs and services designed, delivered and monitored? Is an operational plan in place to meet the needs of the administration and to achieve the governing body's strategic goals and objectives and the vision of the Nation? How are resources allocated? How is program and service delivery evaluated and improved?

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
13. What processes are in place for monitoring performance and dealing with performance issues, including dismissal? Human Resource Management (4.10, 4.11)	<input type="checkbox"/> We do not have formal processes for monitoring performance. We deal with issues of performance or dismissal as they arise.	<input type="checkbox"/> We have formal processes for monitoring performance. We try to deal with performance issues as they arise.	<input type="checkbox"/> We have formal processes for monitoring performance. We have formal processes for dealing with issues in an objective and fair way, including performance, up to and including dismissal.	<input type="checkbox"/> Each person's performance is regularly evaluated. We have formal processes for dealing with issues in an objective and fair way, including performance, up to and including dismissal.
14. What kind of information and records management system does the administration have? Information Gathering and Records Management (5.1, 5.2, 5.3)	<input type="checkbox"/> We do not have an information and records management system.	<input type="checkbox"/> We have information and records management systems, but they do not meet our current needs and are not used by all departments and staff.	<input type="checkbox"/> We have an information and records management system designed to meet our current and future information needs. It includes broad policies to support the management of information. We regularly evaluate the quality and usefulness of our information, and make changes to our information system, as appropriate.	<input type="checkbox"/> We have an information and records management system designed to meet our current and future information needs. It includes broad policies to support the management of information. We regularly evaluate the quality and usefulness of our information, and make changes to our information system, as appropriate.
15. What kind of information is collected about the Nation? Is this information shared within and outside the administration? Information Gathering and Records Management (5.4, 5.5, 5.6, 5.7)	<input type="checkbox"/> We have limited information about the Nation. The information we have is not always up-to-date.	<input type="checkbox"/> We collect some information about the Nation, and try to make sure it is up-to-date and easy to understand. We use information technology and have a website.	<input type="checkbox"/> We work with the citizens, stakeholders and partners to regularly assess and update information about the Nation, its capacity and its needs. We share information throughout the administration. We also share information with our citizens, stakeholders and partners. We use information technology and regularly update our website.	<input type="checkbox"/> We work with the citizens, stakeholders and partners to regularly assess and update information about the Nation, its capacity and its needs. We share information throughout the administration. We also share information with our citizens, stakeholders and partners. We use information technology and regularly update our website.
16. Does the governing body have an occupational health and safety committee? Health and Safety (6.1)	<input type="checkbox"/> We do not have an occupational health and safety committee.	<input type="checkbox"/> We have an occupational health and safety committee, but it does not meet regularly.	<input type="checkbox"/> We have an occupational health and safety committee that meets regularly and takes positive steps to improve health and safety in the workplace.	<input type="checkbox"/> We have an occupational health and safety committee that meets regularly and takes positive steps to improve health and safety in the workplace.

BUILDING A STRONG ADMINISTRATION ...continued

The following questions relate to the administration's organizational structure. How are staff recruited, selected and retained? How is information managed? How are programs and services designed, delivered and monitored? Is an operational plan in place to meet the needs of the administration and to achieve the governing body's strategic goals and objectives and the vision of the Nation? How are resources allocated? How is program and service delivery evaluated and improved?

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
17. Does the administration ensure the safety and well-being of persons receiving programs and services? Health and Safety (6.2)	<input type="checkbox"/> The administration does not take measures to ensure the safety and well-being of persons receiving programs and services.	<input type="checkbox"/> In response to events or complaints received, the administration takes measures to ensure the safety and well-being of persons receiving programs and services.	<input type="checkbox"/> The administration has a health and safety plan that commits in writing to the safety and well-being of persons receiving programs and services. The administration acts on recommendations from staff and others and provides training and support to staff.	<input type="checkbox"/> The administration has a health and safety plan that commits in writing to the safety and well-being of persons receiving programs and services. The administration acts on recommendations from staff and others and provides training and support to staff.
18. Does the administration ensure the safety and well-being of staff, contractors and others delivering programs and services? Health and Safety (6.2)	<input type="checkbox"/> Within some areas of its operations, the administration takes measures to ensure the safety and well-being of staff, contractors or others delivering programs and services.	<input type="checkbox"/> The administration takes measures to ensure the safety and well-being of staff, contractors and others delivering programs and services.	<input type="checkbox"/> The administration commits in writing to the safety and well-being of staff, contractors and others delivering programs and services. The administration acts on recommendations from staff and others and provides training and support to staff.	<input type="checkbox"/> The administration commits in writing to the safety and well-being of staff, contractors and others delivering programs and services. The administration acts on recommendations from staff and others and provides training and support to staff.
19. What processes are in place to reduce the risk of fire in public building and community facilities? Health and Safety (6.3)	<input type="checkbox"/> We have basic measures to inspect our systems and reduce the risk of fire.	<input type="checkbox"/> We organize regular inspection, testing and maintenance of fire systems.	<input type="checkbox"/> We organize regular inspection, testing and maintenance of fire systems, including in any public buildings where services are provided. We also play a leadership role in making sure staff, service providers, and clients and families are knowledgeable about fire safety and preventing fires.	<input type="checkbox"/> We organize regular inspection, testing and maintenance of fire systems, including in any public buildings where services are provided. We also play a leadership role in making sure staff, service providers, and clients and families are knowledgeable about fire safety and preventing fires.
20. Does the physical workspace protect the safety of staff and those receiving services from the Nation? Health and Safety (6.4)	<input type="checkbox"/> We do not monitor whether the physical workspace meets applicable laws and regulations.	<input type="checkbox"/> The physical workspace meets most applicable laws and regulations, including back-up systems for utilities.	<input type="checkbox"/> The physical workspace meets applicable laws and regulations, including back-up systems for utilities. As well, we engage in initiatives to protect staff and visitors during construction and renovation.	<input type="checkbox"/> The physical workspace meets applicable laws and regulations, including back-up systems for utilities. As well, we engage in initiatives to protect staff and visitors during construction and renovation.

BUILDING A STRONG ADMINISTRATION ...continued

The following questions relate to the administration's organizational structure. How are staff recruited, selected and retained? How is information managed? How are programs and services designed, delivered and monitored? Is an operational plan in place to meet the needs of the administration and to achieve the governing body's strategic goals and objectives and the vision of the Nation? How are resources allocated? How is program and service delivery evaluated and improved?

Question	Which statement best describes your Nation?			
	A	A/B	B	B/C
21. Is there a comprehensive disaster and emergency plan? Emergency Preparedness (7.1)	<input type="checkbox"/> We do not have a disaster and emergency plan. We address situations as they arise.	<input type="checkbox"/> We do not formally test or review our disaster and emergency plans.	<input type="checkbox"/> We have a disaster and emergency plan. However, we have not taken steps to fully implement the plan.	<input type="checkbox"/> We have a comprehensive disaster and emergency plan. It identifies who is responsible for which activities, and which back-up systems, communication processes and emergency responses are needed. In addition to the plan, we regularly work to align our plan with those of our partners and other governments.
22. Are the disaster and emergency plans regularly tested and reviewed? Emergency Preparedness (7.2)	<input type="checkbox"/> We do not formally test or review our disaster and emergency plans.	<input type="checkbox"/> We do not formally test or review our disaster and emergency plans.	<input type="checkbox"/> We sometimes test our disaster and emergency plans with drills and exercises.	<input type="checkbox"/> We regularly test our disaster and emergency plans. We use the results, as well as learning from disasters and emergencies that actually occur, to make revisions to the plans as needed.

SUPPORTING AN EFFICIENT LAW/BY-LAW-MAKING PROCESS

The following questions address the systems and processes needed to support the governing body in exercising its law-making functions.

Question	Which statement best describes your Nation?		
	A	A/B	B
23. The administration manages the law/by-law making processes. Managing the law-making process (8.1)	<input type="checkbox"/> We do not regularly make and enact laws/by-laws and have no procedures for making them.	<input type="checkbox"/> We do not regularly make and enact laws/by-laws but have not allocated specific resources for this activity and do not follow set procedures.	<input type="checkbox"/> We make and enact laws/by-laws and have allocated resources for this purpose and follow these procedures.
24. We review the governing body's laws/by-laws. Managing the law-making process (8.2)	<input type="checkbox"/> We do not review our laws/by-laws.	<input type="checkbox"/> We review our laws/by-laws from time to time when issues arise. The administration makes recommendations to the governing body.	<input type="checkbox"/> We regularly review our laws/by-laws to consider their effectiveness. We consult with citizens, stakeholders and partners and make recommendations to the governing body.

DELIVERING QUALITY PROGRAMS AND SERVICES	
The following questions address the systems and processes needed to design and deliver high-quality programs and services and to achieve the community's vision and the governing body's goals and objectives.	
Question	Which statement best describes your Nation?
	A/B B B/C C
<p>25. What information is considered when planning and designing programs and services? Service and Program Delivery and Design (9.1, 9.2, 9.3, 9.4, 9.5)</p>	<p style="text-align: center;">A/B</p> <p><input type="checkbox"/> We primarily deliver programs and services on behalf of another government and consequently rely on the information provided to us by that government.</p> <p style="text-align: center;">B</p> <p><input type="checkbox"/> Where we have the authority or jurisdiction, we plan and design our own programs and services based on the citizens' and Nation's needs, and the governing body's mandate.</p> <p style="text-align: center;">B/C</p> <p><input type="checkbox"/> We plan and design our programs and services based on the Nation's, citizens' and stakeholder needs. Programs and services support the Nation's vision, as reflected in the governing body's strategic goals and objectives. We regularly assess and identify the partnerships we need to coordinate and deliver programs and services in order to meet the Nation's, citizens' and stakeholder needs.</p> <p style="text-align: center;">C</p> <p><input type="checkbox"/> We have identified quality improvement priorities for the administration and have sought or aligned the resources to achieve the quality improvement plan, including providing professional development and training to staff.</p>
<p>26. Is quality improvement a priority? Quality Improvement (10.1, 10.2)</p>	<p style="text-align: center;">A/B</p> <p><input type="checkbox"/> We are not involved in developing a quality improvement plan for the administration.</p> <p style="text-align: center;">B</p> <p><input type="checkbox"/> We have identified quality improvement as a strategic goal and work to identify the priorities. Resources are not directly allocated to achieving quality improvement priorities.</p> <p style="text-align: center;">B/C</p> <p><input type="checkbox"/> We have identified quality improvement priorities for the administration and have sought or aligned the resources to achieve the quality improvement plan, including providing professional development and training to staff.</p> <p style="text-align: center;">C</p> <p><input type="checkbox"/> We promote learning and ongoing improvement, and recognize people in the administration for their work supporting quality improvement. We also participate directly in quality improvement initiatives, by leading, coaching and mentoring staff. We encourage quality improvement champions.</p>
<p>27. What is management's role in promoting quality improvement? Quality Improvement (10.3)</p>	<p style="text-align: center;">A/B</p> <p><input type="checkbox"/> We are not involved in quality improvement initiatives.</p> <p style="text-align: center;">B</p> <p><input type="checkbox"/> We try to promote learning and ongoing improvement. We also try to recognize people in the administration for their quality improvement work. We lack consistency in applying this principle.</p> <p style="text-align: center;">B/C</p> <p><input type="checkbox"/> We identify areas for improvement based on events, process and outcome measure data, and other sources. Once these areas of improvement are identified, we develop and execute a plan to prioritize and address those opportunities.</p> <p style="text-align: center;">C</p> <p><input type="checkbox"/> We identify areas for improvement based on events, process and outcome measure data, and other sources. Once these areas of improvement are identified, we develop and execute a plan to prioritize and address those opportunities.</p>
<p>28. How are opportunities for improvement identified? Quality Improvement (10.4)</p>	<p style="text-align: center;">A/B</p> <p><input type="checkbox"/> We do not formally identify areas for improvement.</p> <p style="text-align: center;">B</p> <p><input type="checkbox"/> We identify and address areas for improvement as they arise.</p> <p style="text-align: center;">B/C</p> <p><input type="checkbox"/> We identify areas for improvement based on events, process and outcome measure data, and other sources. Once these areas of improvement are identified, we develop and execute a plan to prioritize and address those opportunities.</p> <p style="text-align: center;">C</p> <p><input type="checkbox"/> We identify areas for improvement based on events, process and outcome measure data, and other sources. Once these areas of improvement are identified, we develop and execute a plan to prioritize and address those opportunities.</p>

MANAGING AND ALLOCATING RESOURCES

The following questions ask about the allocation of resources. They focus on how resource allocation decisions are made, how the impacts of resource allocation decisions are assessed, and the development and monitoring of budgets and financial reports to track the Nation's financial performance.

Question	Which statement best describes your Nation?		
	A	A/B	B/C
29. Does the administration have a process for allocating resources? Budget Process (11.1, 11.2, 11.3)	<input type="checkbox"/> We do not have a formal process for allocating resources.	<input type="checkbox"/> Resource allocation is part of our regular planning cycle. We do not have set criteria or seek input from citizens, stakeholders or partners.	<input type="checkbox"/> Resource allocation is part of our regular planning cycle. The process includes set criteria and seeking input from citizens, stakeholders and partners.
30. Is the administration able to shift resources to where they are needed? Allocating Resources (11.4, 11.5)	<input type="checkbox"/> We do not assess the impact of our allocation decisions on the ability to deliver services.	<input type="checkbox"/> We assess the impact of our allocation decisions on the ability to deliver services, but we are not always able to shift resources to where they are needed most.	<input type="checkbox"/> We assess the impact of our allocation decisions on the ability to deliver services, and use this information to plan for a shift of resources to where they are needed most.
31. Does the administration have an effective system for financial management and control that ensures that budgets are maintained and monitored? Financial Reporting and Review (11.6, 11.7, 11.8)	<input type="checkbox"/> We do not have clear financial policies or procedures. There is an annual budget but we are not directly involved in monitoring it.	<input type="checkbox"/> We have clear financial policies and procedures. We are involved in the development and monitoring of the annual budget and monitor the annual budget. We meet legal requirements for financial reporting.	<input type="checkbox"/> We have clear financial policies and procedures and we generate regular reports on financial performance. We use this information to improve the use of resources and to make resource allocation decisions. We meet legal requirements for financial reporting.

SUCCESSFULLY MANAGING CHANGE

The following questions ask about your Nation's ability to assess and adapt to change. Is there a process in place for managing change?

Question	Which statement best describes your Nation?		
	A	B	C
32. Does the administration assess its environment and adapt to change? Adapting to the Environment (12.1)	<input type="checkbox"/> We respond to events and issues when and if they arise.	<input type="checkbox"/> We occasionally conduct a scan of the political, legal and social landscape around us and plan accordingly.	<input type="checkbox"/> We annually conduct a scan of the political, legal and social landscape around us and plan for any change. We identify and assess challenges and opportunities and adjust our operational plans accordingly.
33. Does the administration have a formal process for managing change? Adapting to the Environment (12.2, 12.3)	<input type="checkbox"/> We do not have a formal process for managing change.	<input type="checkbox"/> We gather information about the changing needs of the governing body and the community, and respond to changes as they arise.	<input type="checkbox"/> We have a formal process for managing change, which involves the regular collection of information about the evolving needs of the governing body and the community, developing plans to adjust to change and making changes to our service delivery and operations as required to respond to changing circumstances.

2.3 ADMINISTRATION



QUESTIONNAIRE

THE ADMINISTRATION — ESTABLISHING EFFECTIVE ORGANIZATION 2.3 STAFF QUESTIONNAIRE

How would you rate your work environment?	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
1. I am satisfied with communications in this organization.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. I am satisfied with communications in my work area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. I am satisfied with my supervisor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. I am satisfied with the amount of control I have over my job activities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. I am clear about what is expected of me to do my job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. I am satisfied with my involvement in decision-making processes in this organization.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. I have enough time to do my job adequately.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. I feel that I can trust this organization.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. This organization supports my learning and development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. My work environment is safe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. My job allows me to balance my work and family/personal life.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individual outcomes	Not stressful	Not very stressful	A bit stressful	Quite stressful	Extremely stressful
12. In the past 12 months, would you say that most days at work were...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individual health	Excellent	Very good	Good	Fair	Poor
13. In general, would you say your health is...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. In general, would you say your mental health is...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. In general, would you say your physical health is...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individual job satisfaction	Very satisfied	Somewhat satisfied	Not too satisfied	Not at all satisfied	
16. How satisfied are you with your job?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Individual sick leave	0	1-2	3-8	9-18	18+
17. In the past 12 months, how many days were you away from work because of your own illness or injury (counting each full or partial day as 1 day)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. During the past 12 months, how many days did you work despite an illness or injury because you felt you had to (counting each full or partial day as 1 day)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individual work quality	Never	Rarely	Sometimes	Often	Always
19. How often do you feel you can do your best quality work in your job?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work conditions	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
20. Overall, I am satisfied with this organization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Working conditions in my area contribute to staff safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Working conditions in my area contribute to client safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THANK YOU FOR TAKING THE TIME TO PROVIDE YOUR FEEDBACK.

Please return the completed staff questionnaire to your Nation's identified contact.

2.4 ADMINISTRATION



PLANNING WORKBOOK

THE ADMINISTRATION — ESTABLISHING EFFECTIVE ORGANIZATION 2.4 PLANNING WORKBOOK

Component of Effective Governance	Measurement	Survey Question #	Response (A,B,C)	Description of Needs/ Proposed Activity	Next Steps
BUILDING A STRONG ADMINISTRATION	Structure of the Administration	1.			
	Structure of the Administration	2.			
	Mission Statement	3.			
	Mission Statement	4.			
	Development of Operational Plan	5.			
	Development of Operational Plan	6.			
	Development of Operational Plan	7.			
	Human Resource Management	8.			
	Human Resource Management	9.			
	Human Resource Management	10.			
	Human Resource Management	11.			
	Human Resource Management	12.			
	Human Resource Management	13.			
	Information Gathering and Records Management	14.			

BUILDING A STRONG ADMINISTRATION ...CONTINUED	Information Gathering and Records Management	15.			
	Health and Safety	16.			
	Health and Safety	17.			
	Health and Safety	18.			
	Health and Safety	19.			
	Health and Safety	20.			
	Emergency Preparedness	21.			
	Emergency Preparedness	22.			
	Managing the Law-Making Process	23.			
	Effective Governing Body	24.			
DELIVERING QUALITY PROGRAMS AND SERVICES	Service and Program Delivery and Design	25.			
	Quality Improvement	26.			
	Quality Improvement	27.			
MANAGING AND ALLOCATING RESOURCES PRUDENTLY	Quality Improvement	28.			
	Budget Process	29.			
	Allocating Resources	30.			
	Financial Reporting and Review	31.			
SUCCESSFULLY MANAGING CHANGE	Adapting to the Environment	32.			
	Adapting to the Environment	33.			

2.5 ADMINISTRATION



TABULATION WORKSHEET

THE ADMINISTRATION — ESTABLISHING EFFECTIVE ORGANIZATION 2.5 TABULATION WORKSHEET

STAFF QUESTIONNAIRE					
QUESTIONS # 1–11, 20–22					
Participant Response	Strongly Agree 1	Agree 2	Disagree 3	Strongly Disagree 4	N/A
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
QUESTION # 12					
Participant Response	Not Stressful	Not Very Stressful	A Bit Stressful	Quite Stressful	Extremely Stressful
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
QUESTIONS # 13–15					
Participant Response	Excellent	Very Good	Good	Fair	Poor
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

QUESTION # 16					
Participant Response	Very Satisfied	Somewhat Satisfied	Not Too Satisfied	Not at All Satisfied	
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
QUESTIONS # 17-18					
Participant Response	0	1-2	3-8	9-18	18+
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
QUESTION # 19					
Participant Response	Never	Rarely	Sometimes	Often	Always
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

PART 2 /// NOTES



SUBJECT _____

DATE _____

NOTES



